



City of Arvada

Planning Commission Agenda

SEPTEMBER 7, 2021
CITY COUNCIL CHAMBERS
Regular Business

Commission Members:

T.O. Owens, Chairman
Michael P. Griffith, Vice Chairman
Patricia Connell, Secretary
Andrew Gay
Steve Hannan
Tim Knapp
Doug Magee

Staff Members Usually Present:

Ryan Stachelski, Dir. of Community and Economic Development
Emily Grogg, Senior Assistant City Attorney
Rob Smetana, Manager of City Planning and Development
Jenny Wolfschlag, Manager of Development Engineering
Josie Suk, Systems and Administrative Manager
Stephanie Wallace, Administrative Specialist
Abigail Ogg, Administrative Specialist

Info: 720-898-7435

The meeting will include an open comment period where participants will have three minutes to provide comments to the Commission. Members of the public who wish to provide public comment on any agenda item or during general public comment should go to www.arvada.org/PLNCOMMISSION for information about how to participate. If any member of the public wishes to submit written comment regarding the item on the agenda, you may submit comments in writing via email to the Planning Department at cedboardsandcommission@arvada.org. Comments must be received no later than 5 p.m. the day before the meeting. All timely comments submitted will be presented to the Planning Commission. Please contact Josie Suk with any questions at 720-898-7627.

PLANNING COMMISSION MEETING – 5:30 PM

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL OF MEMBERS
4. GENERAL BUSINESS
5. REPORTS
6. PETITIONS & COMMUNICATIONS
7. APPROVAL OF MINUTES
 - A. Approval of June 22, 2021 Meeting Minutes.
8. WORKSHOP - 5:30 p.m.
 - A. Land Development Code
9. PUBLIC HEARINGS - 6:15 p.m.
 - A. Annexing certain land into the City of Arvada for Whitewing at Ralston Summit, a 25.5 acre parcel

of land approximately located at the Northeast corner of Indiana Street and W 82nd Avenue also known as 8200 Indiana Street.

- B. Zoning certain land in the City of Arvada for Whitewing at Ralston Summit, a 25.5 acre parcel of land from Jefferson County A-2 (Agricultural) to City of Arvada PUD (Planned Unit Development) and Amending the Official Zoning Maps of the City of Arvada, Colorado, approximately located at the Northeast corner of Indiana Street and W 82nd Avenue also known as 8200 Indiana Street.
- C. Major Subdivision Preliminary Plat for Whitewing at Ralston Summit, a 25.5 acre parcel of land approximately located at the Northeast corner of Indiana Street and W 82nd Avenue also known as 8200 Indiana Street.
- D. PUD Development Plan for Whitewing at Ralston Summit, a 25.5 acre parcel of land approximately located at the Northeast corner of Indiana Street and W 82nd Avenue also known as 8200 Indiana Street.

10. OTHER ITEMS

11. ADJOURN



SUMMARY MINUTES OF PLANNING COMMISSION ACTION HELD
JUNE 22, 2021

Planning Commission meeting minutes are not an exact transcript and represent key points and the basis of discussion.

1. **CALLED MEETING TO ORDER**– By T.O. Owens at 6:15 P.M.
2. **MOMENT OF REFLECTION**
3. **PLEDGE OF ALLEGIANCE**
4. **ROLL CALL OF MEMBERS**

Those present: T.O. Owens, Michael P. Griffith, Andrew Gay, Patricia Connell, Doug Magee, Steve Hannan, Tim Knapp

THOSE ABSENT

None

ALSO PRESENT: Ryan Stachelski, Director of Community and Economic Development; Rob Smetana, City Planning Manager; Emily Grogg, Sr. Ass't. City Attorney; Carol Ibanez, Senior Planner; Jeremiah Bebo, Planner II; Allison Trembly, Manager of Communications and Marketing; Josie Suk, Manager of Dev. Systems and Administrative Services; Stephanie Wallace, Recording Secretary/Administrative Specialist; Abigail Ogg, Administrative Specialist

5. **APPROVAL OF MINUTES** – June 8, 2021. Mr. Knapp had a number of corrections. The minutes stand approved as corrected.
6. **GENERAL BUSINESS**

None.
7. **REPORTS**

None.
8. **PUBLIC COMMENT ON ISSUES NOT SCHEDULED ON AGENDA**

None.
9. **PUBLIC HEARINGS**

Major Modification from the Land Development Code subsection 3-1-3-8 C.1.a for Caliber Collision, generally located at 6782 Fig Street

Mr. Owens entered into the record the Staff Report dated June 22, 2021, affidavits of mailing and posting, and posting log.

Ms. Ibanez gave a brief overview of the project. The applicant is requesting approval of two major modifications, for motor vehicle repair and service. The property is zoned IL (Light Industrial), Ms. Ibanez explained that the applicant is requesting approval of a major modification from the land development code subsection 3-1-3-8 C.1.a which requires all vehicles being maintenance inside an enclosed building in addition the applicant is requesting a major modification from Land Development Code subsection 3-1-3-8 C.1.C to allow for outdoor vehicle storage be changed from 15 days to 30 days. This will accommodate vehicles that need a longer time to repair. Staff recommends approval; the applicant has provided a plan to provide screening and landscaping to shield the exterior storage. The neighboring properties in the area are of similar uses.

John Hauser and Garrett Goodlin, applicant, explained the site in more detail and the reasons for the requests.

Mr. Owens opened the hearing for comments from the public.

PUBLIC COMMENT

IN FAVOR

None.

IN OPPOSITION

None.

APPLICANT REBUTTAL

None.

Mr. Owens closed public comment.

QUESTIONS FROM THE COMMISSION

Mr. Owens asked the applicant if 30 days is long enough to store the vehicles on site. He stated his vehicle was recently in the shop and it took 45 days. He commented you don't want to be in violation of that zoning if it takes more than 30 days.

Mr. Hauser responded he appreciates that, because originally they asked for 60 days. He commented, typically if a vehicle is totaled it goes to a non-drivable facility.

There was further discussion with Mr. Owens, Ms. Ibanez and Mr. Hauser to increase the maximum days from 30 days to 60 days.

Mr. Hannan expressed his same concerns on the 30 days. He recommends having an amendment to the motion. He asked how much light pollution there would be from outside the storage lot.

Mr. Goodlin responded they provided a photometric plan with a site plan that met the Land Development Code lighting requirements.

Mr. Knapp asked about the lighting as well, how many light poles there will be on the site as well as attached to the building. He asked specifically how many lights are along the east side near the residential area.

Mr. Goodlin responded that there are 10 light poles with reduced lumens to meet the City requirements. He stated there are a total of 17 wall mounted lights, with only one on the east side with the two smaller poles.

Mr. Hauser stated Caliber Collision is not open at night; therefore we have no interest in lighting up the lot at night.

Mr. Knapp appreciated the clarification. He asked if the lights are on a motion sensor or on a dimmer.

Mr. Hauser responded they turn off at night. He stated they do have a video surveillance, but that's infrared and he believes there are motion detectors.

Mr. Knapp asked about the site elevation and if they are significantly lower in elevation.

Mr. Goodlin responded they are lower than the lots to the North.

Mr. Knapp asked what the difference is on the final grade of the building and the actual grade for the residential lots to the east of Eldridge.

Mr. Goodlin responded from our property, it is about three or four feet drop to the pavement.

Mr. Knapp confirmed that the pavement is about the same elevation as the residents.

Mr. Goodlin stated there is a rise up to the backyards.

Mr. Knapp asked how tall the light poles on the property are.

Mr. Goodlin responded approximately 20 feet tall.

Mr. Magee asked what the two prefabricated buildings will be used for, since they are not screened.

Mr. Hauser responded they are more of a covering and used as a detailing bay before the vehicle is picked up.

Mr. Magee asked Ms. Ibanez how many parking stalls are allowed in the light industrial and is it on a case by case basis.

Ms. Ibanez responded it was reduced down to 83 parking stalls.

Mr. Magee asked if there would be a requirement from the applicant to provide any kind of financial assistance that would eventually help develop Eldridge Street.

Ms. Ibanez responded yes, that is part of the final site plan.

Mr. Griffith asked if the facility does not operate at night, what are the hours of operation and is the facility open on the weekends.

Mr. Hauser responded he believes it opens from 7 am to 6 pm and closed on the weekends.

Mr. Griffith asked for clarification on if there were any requirements from the insurance company to light the parking lot at night when storing customer vehicles.

Mr. Hauser responded no, the storage parking area lights are on motion sensor and not on a dimmer.

Ms. Connell stated her questions were answered by the other Commissioners questions on the security of the facility.

Mr. Hauser stated this is a gated facility and has video surveillance.

Mr. Gay asked Ms. Ibanez if there could be any kind of instrumentation that could be installed east of the property on the side of Eldridge Street that would monitor paint fumes. The staff report showed specification that it's mitigated to 98%.

Ms. Ibanez responded from her understanding there is no smell coming out of the building.

Mr. Hauser stated the paint booth is in the building and vehicles are driven into the building. He discussed that the paint booth are high-tech and federally regulated. There are no fumes escaping the building; the garage door automatically shuts when the vehicles enter or exit. He stated there are many locations and over time, we have learned what the Community wants and paint booths are designed to mitigate air and noise.

Mr. Owens asked if there were any further comments, no more comments were made. Mr. Owens asked for a motion.

MOTION:

It was moved by Mr. Magee, that a Major Modification from the Land Development Code subsection 3-1-3-8 C.1.a for Caliber Collision, generally located at 6782 Fig Street, be recommended to City Council for approval.

This motion is based on the findings of fact and approval criteria on Page(s) 7 and 8 of the Staff Report.

DISCUSSION OF MOTION:

Mr. Magee commented that he appreciated the detail even though this is the preliminary plans with the narrative for the major modification. He stated he will be supporting the project.

The following votes were cast on the motion:

Those voting Yes: Owens, Griffith, Gay, Connell, Magee, Hannan, Knapp

Those voting No: None

Those absent: None

The motion carried 7-0.

Mr. Owens explained that the motion carried.

Mr. Owens asked for a second motion.

MOTION:

It was moved by Mr. Magee, that a Major Modification from the Land Development Code subsection 3-1-3-8 C.1.c for Caliber Collision, generally located at 6782 Fig Street, be recommended to City Council for approval.

This motion is based on the findings of fact and approval criteria on Page(s) 7 and 8 of the Staff Report.

DISCUSSION OF MOTION:

Mr. Hannan offered a friendly amendment that the timeframe be extended from 30 days to 60 days.

Mr. Owens confirmed that this motion is for approval to amend the motion, with a 60 day window.

The following votes were cast on the motion:

Those voting Yes: Owens, Griffith, Gay, Connell, Magee, Hannan, Knapp

Those voting No: None

Those absent: None

The motion carried 7-0.

Mr. Owens explained that the motion carried.

Conditional Use Application for Center Land at Indiana Business Park, generally located at 14763 W. 65th Way and 6595 Holman Street

Mr. Owens entered into the record the Staff Report dated June 22, 2021, affidavits of mailing and posting, and posting log. He asked if there are any additions or corrections to the staff report.

Mr. Bebo gave a brief overview of the project to allow light industrial uses within a new commercial/industrial flex building. Located in a CG zone district which is a commercial general zone district, the conditional use would allow the property owner to lease tenant spaces to businesses that would be defined as light industrial in the Land Development Code. The property consists of two separate lots representing approximately 3.15 acres. The proposed building is approximately 35,227 square feet and would contain a total of twelve tenant spaces, each with an overhead door. The architecture is designed to tie into the existing industrial, commercial flex building located immediately north of the site and would be designed to retain a commercial storefront character. Staff is recommending approval.

Jeff Weeder (representative with Galloway) gave an overview of the project and stated the Conditional Use will mimic the facility to the north. He explained the transparency and how they adjusted the customer entrances on both elevations. He stated they are trying to expand the use palette and explained this facility is not intended to operate without semi-truck deliveries. He stated this project is consistent with the comprehensive plan and the CG zoning district.

Mr. Owens opened the hearing for comments from the public.

PUBLIC COMMENT

IN FAVOR

None.

IN OPPOSITION

None.

APPLICANT REBUTTAL

None.

Mr. Owens closed public comment.

QUESTIONS FROM THE COMMISSION

Mr. Magee asked Mr. Bebo if this building could be built within a Commercial General zoning district even without a conditional use.

Mr. Bebo responded yes, it could meet the requirements for both the Commercial General and Industrial Light zone districts. He stated this application is strictly to allow them to market themselves towards light industrial tenants. He commented that this area, previously under the old Land Development Code, was zoned PUD-I, but these two lots in particular were split zoned. Half was PUD-BP for commercial and the eastern lot was PUD-I. He stated with the new update of the Land Development Code it was rezoned to CG, adding light industrial as a Conditional Use.

Mr. Magee commented that Mr. Weeder did a great job in explaining that they want to expand their palette of what they could offer with this building.

Mr. Gay asked if the height of the proposed building is the same as the existing building to the north.

Kenny Lombardi, the applicant, responded yes, the buildings are virtually similar in height, just a little more modern with some brick façade. He addressed Mr. Magee comment, on the type of tenants that will be here. He stated several of the tenants that are in the existing building fit into the light industrial use, three of which are high tech manufacturing. They are looking for more of the high tech type manufacturing tenants.

Mr. Owens asked if there were any further comments, no more comments were made. Mr. Owens asked for a motion.

MOTION:

It was moved by Mr. Magee, that a Conditional Use Application to allow light industrial uses within a new commercial flex building located in a CG (Commercial, General) zoning district for Center Land at Indiana Business Park, generally located at 14763 W. 65th Way and 6595 Holman Street, be recommended to City Council for approval.

This motion is based on the findings of fact and approval criteria on Page(s) 8 & 9 of the Staff Report.

DISCUSSION OF MOTION

None

The following votes were cast on the motion:

Those voting Yes: Owens, Griffith, Gay, Connell, Magee, Hannan, Knapp

Those voting No: None

Those absent: None

The motion carried 7-0.

Mr. Owens explained that the motion carried.

10. **OTHER ITEMS**

Mr. Owens asked Staff if there are any items to consider.

There was discussion from Mr. Smetana that there is an upcoming APA Colorado conference September 8-10 in Keystone and two Commissioners are able to attend if they wanted. It was decided that the Commissioners will decide and let Josie know who will be attending.

Mr. Smetana stated that there are no items scheduled for the July 20, 2021 meeting, so July has no meetings.

It was moved by Mr. Owens to cancel the Planning Commission meeting on July 20, 2021, as there are no items on the agenda.

The following votes were cast on the motion:

Those voting Yes: Owens, Griffith, Gay, Connell, Magee, Hannan, Knapp

Those voting No: None

Those absent: None

The motion carried 7-0.

Mr. Smetana stated the next meeting will be August 3rd and that will be our first in person meeting.

Mr. Stachelski states there will not be a workshop, dinner will be provided so everyone could meet Mr. Gay and Mr. Knapp in person.

Mr. Owens took a moment to speak on behalf of the Commission on the tragedy that happened in Arvada with Officer Beesley. He stated the Commission and Staff have the family in our thoughts and prayers.

11. **ADJOURNED** at 7:12 P.M.

T.O. Owens, Chair

Patricia Connell, Secretary

Stephanie Wallace, Recording Secretary

Land Development Code 2021 Proposed Amendments Planning Commission Workshop

September 7, 2021



We Dream Big and
Deliver

WHY THE AMENDMENTS?

After use of the Land Development Code (LDC) for over a year, the City team has identified a number of minor changes, and a few major changes, that will make the Code easier to understand and administer.

Fine-tuning was anticipated, as new concepts and processes were introduced with the LDC.

Overall, administration of the LDC has been successful.

SUMMARY OF SIGNIFICANT AMENDMENTS

Animal Day Care/Training as a Conditional Use in the RA Zoning District:

- Table 3-1-2-5: Commercial Land Use by Zoning District.
- Kennels are already a Conditional Use.
- Animal Day Care/Training would generally be less impactful.

Caretaker residence for Kennels:

- Section 3-1-3-5: Commercial Standards.
- Clarify that a caretaker residence is allowed and define the requirements.

SUMMARY OF SIGNIFICANT AMENDMENTS

Revise distance Food and Retail Truck Vending can be from residential or mixed-use:

- Section 3-1-4-5: Food and Retail Truck Vending.
- Allow the distance to be measured from a home or building, rather than a zoning district boundary.

Clarification of Landscape Surface Area and Amenitized Landscape Surface Area (Article 4-3):

- Sections 4-3-2-2 and 4-3-2-3 added to replace Common Open Spaces.
- Reduces confusion regarding the difference between active and passive landscape areas.

SUMMARY OF SIGNIFICANT AMENDMENTS

Parking requirement for townhome units:

- Table 4-5-2-2A: Residential Land Use Parking Standards.
- Increase parking requirement from 2 to 2.2 spaces per unit to account for guest parking.

Expand Off-Site Parking distance restriction:

- Section 4-5-3-4: Off-Site Parking.
- Allow parking to be located up to 500 feet from the property it is serving. However, the distance the off-site property is located from the property it is serving has been reduced from 300 to 200 feet.

SUMMARY OF SIGNIFICANT AMENDMENTS

Clarify bike parking requirements:

- Section 4-5-3-8: Bicycle Parking Design.
- Revised standards to better differentiate between short and long term requirements.

Clarify landscape bufferyard location requirements:

- Section 4-6-5-2: Bufferyard Purpose and Applicability.
- Revised situations in which bufferyards are required when new development is located adjacent to various dwelling types and RN zoning districts.

SUMMARY OF SIGNIFICANT AMENDMENTS

Revise exterior lighting requirements and standards:

- Article 4-8: Exterior Lighting.
- The standards and requirements have been simplified and clarified throughout the article to avoid continued confusion.

Clarify the location of Accessory Dwelling Units on interior lots:

- Section 5-1-5-2: Accessory Dwelling Units.
- Clarifies that ADUs shall always be located at or behind the front plane of the primary residential unit regardless of lot type.

SUMMARY OF SIGNIFICANT AMENDMENTS

Add a section related to electric vehicle charging stations:

- Section 5-1-6-8: Electric Vehicle (EV) Charging Stations.
- In response to recent requests for changing stations, and to get ahead of anticipated demand, a section regarding requirements and standards has been added to the LDC.

Revise the minor defects section related to public hearing notice requirements:

- Section 8-2-4-1: General Notice Requirements.
- Allows for more flexibility in determining what constitutes a minor defect in noticing.

SUMMARY OF SIGNIFICANT AMENDMENTS

Expand Site Plan approval criteria related to project amenities to include additional housing types and zoning districts:

- Section 8-3-5-3: Site Plan.
- Added the R6, R13 and R24 zoning districts and townhome development into the approval criteria related to amenities, pedestrian facilities and quality design in order to create more complete neighborhoods.

Add or revise definitions:

- Electric Vehicle (EV) Charging Station
- Food and Retail Truck Vending
- Fueling/Service Station

SUMMARY OF SIGNIFICANT AMENDMENTS

Add or revise definitions:

- Electric Vehicle (EV) Charging Station
- Food and Retail Truck Vending
- Fueling/Service Station
- Heavy Logistics Center
- Landscape Surface Area
- Landscape Surface Area, Amenitized
- Light Industry
- Produce Stand

Questions?

Table 2-1-3-3A: Residential Neighborhood Lot and Building Standards								
Standard		Subdistrict						
		RN-32.5	RN-12.5	RN-7.5	RN-6	RN-4	RN-D	
	except for Barns and Stables							
	Max. Height, Barns and Stables	35 ft.	30 ft.	-	-	-	-	-
	Max. Height, Mini Structures	12 ft.	12 ft.	12 ft.	12 ft.	12 ft.	12 ft.	12 ft.
Nonresidential Uses								
Lot Standards								
	Min. Lot Area	1 ac.	1 ac.	10,000 sf.	10,000 sf.	10,000 sf.	10,000 sf.	
A	Min. Lot Width	100 ft.	100 ft.	100 ft.	100 ft.	100 ft.	100 ft.	
	Max. Lot Coverage	25%	25%	40%	40%	40%	40%	
Setback Standards								
B	Min. Front	30 ft.	30 ft.	25 ft.	18 ft.	18 ft.	18 ft.	
C	Min. Interior Side	15 ft.	15 ft.	10 ft.	10 ft.	10 ft.	10 ft.	
D	Min. Street Side	30 ft.	30 ft.	25 ft.	18 ft.	18 ft.	18 ft.	
E	Min. Rear	15 ft.	15 ft.	15 ft.	10 ft.	10 ft.	10 ft.	
	Min. Rear (Alley) ¹	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.	
	Min. Arterial Setback ²	100 ft.	100 ft.	100 ft.	100 ft.	100 ft.	100 ft.	
Building Standards								
F	Max. Height, Principal Building	35 ft.	35 ft.	35 ft.	35 ft.	35 ft.	35 ft.	
G	Max. Height, Accessory Building	20 ft.	16 ft.	16 ft.	16 ft.	16 ft.	16 ft.	
	Max. Height, Mini Structure	12 ft.	12 ft.	12 ft.	12 ft.	12 ft.	12 ft.	
TABLE NOTES:								
¹ For driveway access must be 18 ft. The rear setback for alley-loaded garages shall be no less than 2 ft. and no more than 4 ft. or a minimum of 18 ft., at the Applicants discretion.								
² Measured from the centerline of the arterial. See Section 2-1-9-2, Arterial Street Setbacks.								

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- G. **Subdivision of lots in the RN-D Subdistrict.** When a lot is to be subdivided for a duplex, the minimum area after subdivision shall be 3,000 square feet, the minimum lot width shall be 30 feet and the duplex must meet or exceed a combined 9,000 square feet. There shall be no setback required along the common lot line.
- H. **Cross-References.** The cross-references in Table 2-1-3-3B, Cross-References for Residential Neighborhood, are provided for the reader's convenience and are not necessarily exhaustive of applicable regulations.

Table 2-1-3-3B: Cross-References for Residential Neighborhood	
Topic	Reference
Max. No. of Principal Building	Section 2-1-9-1, One Principal Building per Lot
Land Use Regulations	Division 3-1-2, Land Use by Zoning District
Business Use of the Home	Division 3-1-5, Business Use of the Home
Parking	Article 4-5, Parking and Loading

Table 2-1-3-4A: Residential 6 Lot and Building Standards			
Standard		Lot Type	
		Residential	Nonresidential
Building Standards			
F	Max. Height, Principal Building	35 ft.	35 ft.
	Max. Height, ADU (detached)	30 ft.	-
G	Max. Height, Accessory Building	18 ft.	18 ft.
	Max. Height, Mini-structure	12 ft.	12 ft.
Site Standards			
	Min. Landscape Surface Area	20%	30%
	<u>Min. Landscape Surface Area, Amenitized³</u>	<u>5%</u>	<u>-</u>
Density Standards			
	Max. Density	6 u/a	-
TABLE NOTES: ¹ Measured from the centerline of the arterial. See Section 2-1-9-2, Arterial Street Setbacks. ² Except for driveways associated with single family and duplex units and multiplex buildings. ³ <u>Percentage of lot. Counts toward Min. Landscape Surface Area. Detached single family and duplex developments with 9 or less units exempt.</u>			

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- D. **Housing Palette.** The following housing types identified in Division 2-1-8, Housing Palette, are allowed in the R6 zoning district:
1. Single-Family Detached: Small General; General; Small Suburban; Suburban
 2. Zero Lot Line: Small General; General
 3. Duplexes: Side-By-Side; Over-Under
 4. Townhomes: Suburban Type; ~~Urban Type~~
 5. Multiplexes
 6. Clustered Housing: Micro Homes; Cottage Types.
- E. **Cross-References.** The cross-references in Table 2-1-3-4B, Cross-References for Residential 6, are provided for the reader's convenience and are not necessarily exhaustive of applicable regulations.

Table 2-1-3-4B: Cross-References for Residential 6	
Topic	Reference
Max. No. of Principal Building	Section 2-1-9-1, One Principal Building per Lot
Land Use Regulations	Division 3-1-2, Land Use by Zoning District
Business Use of the Home	Division 3-1-5, Business Use of the Home
Parking	Article 4-5, Parking and Loading
Landscaping	Article 4-6, Landscaping and Buffering
Fences and Walls	Section 4-7-2-1, Fences and Divisional Walls; and Section 4-7-2-2, Retaining Walls
Exterior Lighting	Article 4-8, Exterior Lighting
Building Design Standards	Division 5-1-2, Building and Structure Design Standards; and Section 5-1-4-1, Decks, Balconies, and Porches
Mini-Structures (e.g., Playground Equipment)	Section 5-1-4-3, Mini-Structures
Accessory Dwelling Units	Section 5-1-5-2, Accessory Dwelling Units

2-1-3-5 R13: Residential 13

- A. **Purpose.** The purpose of the Residential 13 (R13) zoning district is to allow for new residential development of a variety of housing products up to a gross density of 13 units per acre.
- B. **Relationship to the Comprehensive Plan.** The R13 zoning district generally implements the “Medium Density Residential” land use category stated in the Comprehensive Plan.
- C. **Lot and Building Standards.** The standards for lots and buildings in the R13 zoning district are set out in Table 2-1-3-5A, Residential 13 Lot and Building Standards and Division 2-1-8, Housing Palette.

Figure 2-1-3-5: Illustrative Residential 13 Lot and Building Standards



Table 2-1-3-5A: Residential 13 Lot and Building Standards

Standard		Lot Type	
		Residential	Nonresidential
Lot Standards			
	Min. Lot Area	See Subsection D., below, and Division 2-1-8, Housing Palette	10,000 sf.
A	Min. Lot Width		100 ft.
	Max. Lot Coverage		40%
Setback Standards			
B	Min. Front	See Subsection D., below, and Division 2-1-8, Housing Palette	20 ft.
C	Min. Street Side		20 ft.
D	Min. Interior Side		10 ft.
E	Min. Rear		15 ft.
	Min. Arterial Setback ¹	100 ft.	-
	Min. Parking Setback	20 ft. ²	20 ft.
Building Standards			
F	Max. Height, Principal Building	35 ft.	35 ft.

Table 2-1-3-5A: Residential 13 Lot and Building Standards			
Standard		Lot Type	
		Residential	Nonresidential
	Max. Height, ADU (detached)	30 ft.	-
	Max. Height, Accessory Building	18 ft.	18 ft.
	Max. Height, Mini-structure	12 ft.	12 ft.
Site Standards			
	Min. Landscape Surface Area	20%	30%
	<u>Min. Landscape Surface Area, Amenitized³</u>	5%	-
Density Standards			
	Max. Density	13 u/a	-
TALE NOTES:			
¹ Measured from the centerline of the arterial. See Section 2-1-9-2, Arterial Street Setbacks.			
² Except for driveways associated with single family and duplex units and multiplex buildings.			
³ <u>Percentage of lot. Counts toward Min. Landscape Surface Area. Detached single family and duplex developments with 9 or less units exempt.</u>			

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- D. **Housing Palette.** The following housing types identified in Division 2-1-8, Housing Palette, are allowed in the R13 zoning district:
1. Single-Family Detached: Small Urban; Urban; Small General; General; Small Suburban
 2. Zero Lot Line: Small General; General
 3. Duplexes: Side-By-Side; Over-Under
 4. Townhomes: Suburban; Urban
 5. Multiplexes
 6. Multifamily: General
 7. Clustered Housing: Micro; Cottages Types.
- E. **Cross-References.** The cross-references in Table 2-1-3-5B, Cross-References for Residential 13, are provided for the reader's convenience and are not necessarily exhaustive of applicable regulations.

Table 2-1-3-5B: Cross-References for Residential 13	
Topic	Reference
Max. No. of Principal Building	Section 2-1-9-1, One Principal Building per Lot
Land Use Regulations	Division 3-1-2, Land Use by Zoning District
Business Use of the Home	Division 3-1-5, Business Use of the Home
Parking	Article 4-5, Parking and Loading
Landscaping	Article 4-6, Landscaping and Buffering
Fences and Walls	Section 4-7-2-1, Fences and Divisional Walls; and Section 4-7-2-2, Retaining Walls
Exterior Lighting	Article 4-8, Exterior Lighting
Building Design Standards	Division 5-1-2, Building and Structure Design Standards; and Section 5-1-4-1, Decks, Balconies, and Porches
Mini-Structures (e.g., Playground Equipment)	Section 5-1-4-3, Mini-Structures
Accessory Dwelling Units	Section 5-1-5-2, Accessory Dwelling Units

2-1-3-6 R24: Residential 24

- A. **Purpose.** The purpose of the Residential 24 (R24) zoning district is to allow for new residential development of a variety of moderate to higher density housing products, up to a **gross** density of 24 units per acre.
- B. **Relationship to the Comprehensive Plan.** The R24 zoning district generally implements the “High Density Residential” land use category stated in the Comprehensive Plan.

Lot and Building Standards. The standards for lots and buildings in the R24 zoning district are set out in Table 2-1-3-6A, Residential 24 Lot and Building Standards and Division 2-1-8, Housing Palette.

Figure 2-1-3-6: Illustrative Residential 24 Lot and Building Standards

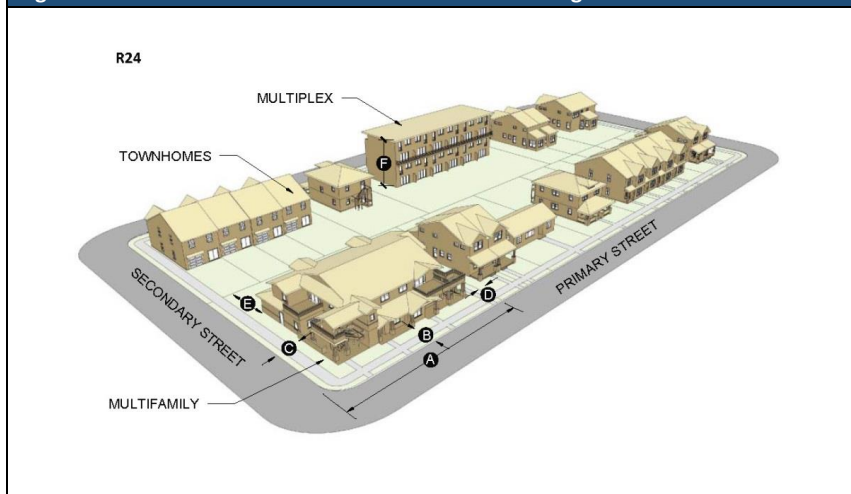


Table 2-1-3-6A: Residential 24 Lot and Building Standards

Standard		Lot Type	
		Residential	Nonresidential
Lot Standards			
	Min. Lot Area	See Subsection D., below, and Division 2-1-8, Housing Palette	10,000 sf.
A	Min. Lot Width		100 ft.
	Max. Lot Coverage		40%
Building and Parking Siting Standards			
B	Min. Front	See Subsection D., below, and Division 2-1-8, Housing Palette	20 ft.
C	Min. Street Side		20 ft.
D	Min. Interior Side		10 ft.
E	Min. Rear		15 ft.
	Min. Arterial Setback ¹	100 ft.	-
	Min. Parking Setback	20 ft. ²	20 ft.

Table 2-1-3-6A: Residential 24 Lot and Building Standards			
Standard		Lot Type	
		Residential	Nonresidential
Building Standards			
F	Max. Height, Principal Building	35 ft.	35 ft.
	Max. Height, ADU (detached)	30 ft.	-
	Max. Height, Accessory Building	18 ft.	18 ft.
	Max. Height, Mini-structure	12 ft.	12 ft.
Site Standards			
	Min. Landscape Surface Area	20%	30%
	<u>Min. Landscape Surface Area, Amenitized³</u>	5%	-
Density Standards			
	Max. Density	24 u/a	-
TABLE NOTES: ¹ Measured from the centerline of the arterial. See Section 2-1-9-2, Arterial Street Setbacks. ² Except for driveways associated with single family and duplex units and multiplex buildings. ³ <u>Percentage of lot. Counts toward Min. Landscape Surface Area. Detached single family and duplex developments with 9 or less units exempt.</u>			

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- A. **Housing Palette.** The following housing types identified in Division 2-1-8, Housing Palette, are allowed in the R24 zoning district:
1. Single-Family Detached: Small Urban; Urban; Small General; General; Small Suburban
 2. Zero Lot Line: Small General; General
 3. Duplexes: Side-By-Side; Over-Under
 4. Townhomes: Suburban; Urban
 5. Multiplexes
 6. Multifamily: General; Urban
 7. Clustered Housing; Micro Homes; Cottages Types.
- B. **Cross-References.** The cross-references in Table 2-1-3-6B, Cross-References for Residential 24, are provided for the reader's convenience and are not necessarily exhaustive of applicable regulations.

Table 2-1-3-6B: Cross-References for Residential 24	
Topic	Reference
Max. No. of Principal Building	Section 2-1-9-1, One Principal Building per Lot
Land Use Regulations	Division 3-1-2, Land Use by Zoning District
Business Use of the Home	Division 3-1-5, Business Use of the Home
Parking	Article 4-5, Parking and Loading
Landscaping	Article 4-6, Landscaping and Buffering
Fences and Walls	Section 4-7-2-1, Fences and Divisional Walls; and Section 4-7-2-2, Retaining Walls
Exterior Lighting	Article 4-8, Exterior Lighting
Building Design Standards	Division 5-1-2, Building and Structure Design Standards; and Section 5-1-4-1, Decks, Balconies, and Porches
Mini-Structures (e.g., Playground Equipment)	Section 5-1-4-3, Mini-Structures

Figure 2-1-4-1: Illustrative Mixed-Use, Neighborhood Lot and Building Standards



Table 2-1-4-1A: Mixed-Use, Neighborhood Lot and Building Standards

Standard		Lot Type	
		Residential <u>or</u> Mixed-Use that includes Residential	Nonresidential <u>or</u> Non-Residential Mixed-Use
Lot Standards			
A	Min. Lot Area	See Subsection D., below, and Division 2- 1-8, Housing Palette	6,500 sf.
	Min. Lot Width		60 ft.
	Max. Lot Coverage	70%	70%
Building and Parking Siting Standards			
B	Frontage Zone (min./max.)	For min. refer to Division 2-1-8, Housing Palette / 25 ft.	5 ft. / 25 ft.
	Min. Front Build-to-building <u>Facade width</u> within Frontage Zone	50%	50%
C	Street Side Setback (min. / max.)	See Subsection D., below, and Division 2- 1-8, Housing Palette	10 ft. / -
D	Min. Interior Side Setback		5 ft.
E	Min. Rear Setback, without alley		10 ft.
	Min. Rear Setback, with alley		2 ft. ²
F	Min. Front Parking Setback	15 ft. ³	15 ft.
	Min. Arterial Street	See Section 2-1-9-2, Arterial Street Setbacks	-
Building Standards			
G	Max. Height, Principal Building	35 ft.	35 ft.
	Max. Height, ADU (detached)	30 ft.	-

Table 2-1-4-1A: Mixed-Use, Neighborhood Lot and Building Standards			
Standard	Lot Type		
	Residential <u>or</u> <u>Mixed-Use that</u> <u>includes Residential</u>	Nonresidential <u>or</u> <u>Non-Residential</u> <u>Mixed-Use</u>	
	Max. Height, Accessory Building	18 ft.	-
	Max. Height, Mini-structure	12 ft.	12 ft.
Site Standards			
	Min. Landscape Surface Area ¹	15%	20%
	<u>Min. Landscape Surface Area, Amenitized^{1,4}</u>	<u>5%</u>	<u>-</u>
Density Standards			
	Max. Density	None	
Height Transition Zone			
	Min. Height Transition Zone Depth abutting RA and RN districts	See Section 2-1-10-3, Height Transition to RA and RN Zoning Districts.	
TABLE NOTES:			
¹ For the development parcel.			
² <u>For driveway access must be 18 ft. The rear setback for alley-loaded garages shall be no less than 2 ft. and no more than 4 ft. or a minimum of 18 ft., at the Applicants discretion.</u>			
³ Except for driveways associated with single family and duplex units and multiplex buildings.			
⁴ <u>Percentage of lot. Counts toward Min. Landscape Surface Area. Detached single family and duplex developments with 9 or less units exempt.</u>			

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- D. **Housing Palette.** The following housing types identified in Division 2-1-8, Housing Palette, are allowed in the MX-N zoning district:
1. Single-Family Detached: Small Urban; Urban; Small General; General; Small Suburban (See subsection 3-1-3-2A.)
 2. Duplexes: Side-By-Side; Over-Under
 3. Townhomes: Suburban; Urban
 4. Multiplexes
 5. Multifamily: General; Urban.
- E. **Cross-References.** The cross-references in Table 2-1-4-1B, Cross-References for Mixed-Use, Neighborhood, are provided for the reader's convenience and are not necessarily exhaustive of applicable regulations.

Table 2-1-4-1B: Cross-References for Mixed-Use, Neighborhood	
Topic	Reference
Land Use Regulations	Division 3-1-2, Land Use by Zoning District
Parking	Article 4-5, Parking and Loading
Landscaping	Article 4-6, Landscaping and Buffering
Fences and Walls	Section 4-7-2-1, Fences and Divisional Walls; and Section 4-7-2-2, Retaining Walls
Exterior Lighting	Article 4-8, Exterior Lighting
Building Design	Division 5-1-2 Building and Structure Design Standards
Mini-Structures (e.g., Playground Equipment)	Section 5-1-4-3, Mini-Structures

Table 2-1-4-2A: Mixed-Use, Suburban Lot and Building Standards			
Standard		Lot Type	
		Residential or Mixed-Use that Includes Residential	Nonresidential or Non-Residential Mixed-Use
Lot Standards			
A	Min. Lot Area	See Subsection D., below, and Division 2-1-8, Housing Palette	-
	Min. Lot Width		-
	Max. Lot Coverage ¹	60%	60%
Building and Parking Siting Standards			
B	Frontage Zone (min. / max.)	For min. refer to Division 2-1-8, Housing Palette / 35 ft.	10 ft. / 35 ft.
	Min. Front Build-to Widening Façade within Frontage Zone	20%	20%
C	Min. Street Side Setback (min. / max.)	See Subsection D., below, and Division 2-1-8, Housing Palette	10 ft. / 35 ft.
D	Min. Interior Side Setback		10 ft.
E	Min. Rear Setback		20 ft.
F	Min. Parking Setback (front)	20 ft. ²	20 ft.
	Min. Arterial Setback	See Section 2-1-9-2, Arterial Street Setbacks	None
Building Standards			
G	Max. Height	45 ft.	45 ft.
	Max. Height, ADU (detached)	30 ft.	
	Max. Height, Accessory Building	18 ft.	
	Max. Height, Mini-structure	12 ft.	12 ft.
		-	
Site Standards			
	Min. Landscape Surface Area	25%	25%
	Max. Outdoor Display	-	5% of enclosed retail floor area
	Min. Area for Small Urban Parks (Lot Area less than 1 ac.) ^{1,3}	2,500 sf.	
	Min. Area for Small Urban Parks (Lot Area 1 ac. or more) ^{1,3}	10 percent of the net parcel area	5,000 sf. or 5 percent of the net parcel area, whichever is greater
Density Standards			
	Max. Density	None	
Height Transition Zone			
	Min. Height Transition Zone Depth abutting RA and RN districts	See Section 2-1-10-3, Height Transition to RA and RN Zoning Districts.	See Section 2-1-10-3, Height Transition to RA and RN Zoning Districts.

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Table 2-1-4-3A: Mixed-Use, Urban Lot and Building Standards			
Standard		Lot Type	
		Residential or Mixed-Use that includes Residential	Nonresidential or Non-Residential Mixed-Use
Lot Standards			
	Min. Lot Area	See Subsection E., below, and Division 2-1-8, Housing Palette	None
A	Min. Lot Width		None
	Max. Lot Coverage ¹	75%	75%
Building and Parking Siting Standards			
B	Frontage Zone (min. / max.)	For min. refer to Division 2-1-8, Housing Palette/20 ft.	0 ft. / 20 ft.
	Min. Front Build-to Widening Façade within Frontage Zone	35%	35%
C	Min. Street Side Setback (min. / max.)	See Subsection E., below, and Division 2-1-8, Housing Palette	0 ft. / 20 ft.
D	Min. Interior Side Setback		0 ft.
E	Min. Rear Setback		0 ft.
F	Min. Parking Setback (front)	20 ft. ²	20 ft.
	Min. Arterial Setback	See Section 2-1-9-2, Arterial Street Setbacks	—
Building Standards			
G	Max. Height, Principal Building	as identified on the Official Zoning Map	as identified on the Official Zoning Map
	Max. Height, ADU (detached)	30 ft.	
	Max. Height, Accessory Building	18 ft.	
	Max. Height, Mini-structure	12 ft.	12 ft.
Site Standards			
	Min. Landscape Surface Area	15%	15%
	Max. Outdoor Display	-	5% of enclosed retail floor area
	Min. Area for Small Urban Parks (Lot Area less than 1 ac.) ^{1, 3}	2,500 sf.	
	Min. Area for Small Urban Parks (Lot Area 1 ac. or more) ^{1, 3}	10 percent of the net parcel area	5,000 sf. or 5 percent of the net parcel area, whichever is greater
Subdivision Standards			
	Max. Density	None	
Height Transition Zone			
	Min. Height Transition Zone Depth abutting RA and RN districts	See Section 2-1-10-3, Height Transition to RA and RN Zoning Districts.	
TABLE NOTES:			
¹ For the development parcel.			
² Except for driveways associated with single family and duplex units and multiplex buildings.			
³ In addition to principal buildings, Small Urban Parks count toward the Front Building Façade within Frontage Zone requirements.			

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Table 2-1-4-4A: Mixed-Use, Transit Lot and Building Standards			
Standard		Lot Type	
		Residential <u>or</u> <u>Mixed-Use that</u> <u>includes Residential</u>	Nonresidential <u>or</u> <u>Non-Residential</u> <u>Mixed Use</u>
Lot Standards			
	Min. Lot Area	See Subsection E.,	None
A	Min. Lot Width	below, and Division 2-1-8, Housing Palette	None
	Max. Lot Coverage	80%	80%
Building and Parking Siting Standards			
B	Frontage Zone (min. / max.)	For min. refer to Division 2-1-8, Housing Palette / 20 ft.	0 ft. / 20 ft.
	Min. Front Building to Width Frontage Façade within Frontage Zone	60%	60%
C	Street Side Setback (min. / max.)	See Subsection E.,	0 ft. / 20 ft.
D	Min. Interior Side Setback	below, and Division 2-1-8, Housing Palette	0 ft.
E	Min. Rear Setback		0 ft.
F	Min. Parking Setback (front)	20 ft. ⁶	20 ft.
	Min. Arterial Setback	See Section 2-1-9-2, Arterial Street Setbacks	—
Building Standards			
	Min. Height ²	-1 story	1 story ²
G	Max. Height	As identified on the Official Zoning Map	As identified on the Official Zoning Map
	Max. Height, Accessory Building	18 ft.	
	Max. Height, Mini-structure	12 ft.	12 ft.
	Min. Ground Floor Height ⁴	13 ft. 6 in.	13 ft. 6 in. ³
Site Standards			
	Min. Landscape Surface Area ⁴	10%	10%
	Max. Outdoor Display	-	5% of enclosed retail floor area
	Min. Area for Small Urban Parks (Lot Area less than 1 ac.) ^{1,5}	2,000 sf.	2,000 sf.
	Min. Area for Small Urban Parks (Lot Area 1 ac. or more) ^{1,5}	8 percent of the net parcel land area	3,000 sf. or 4 percent of the net parcel land area, whichever is greater
Subdivision Standards			
	Max. Density	None	
Height Transition Zone			
	Min. Height Transition Zone Depth abutting RA and RN districts	See Section 2-1-10-3, Height Transition to RA and RN Zoning Districts.	
TABLE NOTES: ¹ For the development parcel. ² See Section 5-1-3-1, Pedestrian Priority Streets, for minimum height requirement. ³ For areas required by Section 5-1-3-1, Pedestrian Priority Streets. ⁴ Rooftop and upper level deck amenities (except individual private balconies) may be counted towards the landscape surface ratio requirement. ⁵ In addition to principal buildings, small urban parks count toward the Front Building Façade within Frontage Zone requirements.			

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Table 2-1-4-4A: Mixed-Use, Transit Lot and Building Standards		
Standard	Lot Type	
	Residential <u>or</u> <u>Mixed-Use that</u> <u>includes Residential</u>	Nonresidential <u>or</u> <u>Non-Residential</u> <u>Mixed Use</u>
⁶ Parking is not allowed in the frontage zone.		

- F. **Housing Palette.** The following housing types identified in Division 2-1-8, Housing Palette, are allowed in the MX-T zoning district:
1. Townhomes: Suburban; Urban
 2. Multiplexes
 3. Multifamily: Urban.
- G. **Cross-References.** The cross-references in Table 2-1-4-4B, Cross-References for Mixed-Use, Urban, are provided for the reader's convenience and are not necessarily exhaustive of applicable regulations.

Table 2-1-4-4B: Cross-References for Mixed-Use, Transit	
Topic	Reference
Land Use Regulations	Division 3-1-2, Land Use by Zoning District
Increased Building Height	Division 2-1-10-4, Incentives for Increased Building Height
Small Urban Parks	Division 4-3-3-4 Mixed-Use
Parking	Article 4-5, Parking and Loading
Landscaping	Article 4-6, Landscaping and Buffering
Fences and Walls	Section 4-7-2-1, Fences and Divisional Walls; and Section 4-7-2-2, Retaining Walls
Exterior Lighting	Article 4-8, Exterior Lighting
Building Design	Division 5-1-2 Building and Structure Design Standards
Pedestrian Priority Streets	Division 5-1-3-1, Pedestrian Priority Streets
Mini-Structures (e.g., Playground Equipment)	Section 5-1-4-3, Mini Structure
Satellite Dishes, Antennas, and Amateur Radio	Section 5-1-5-4, Satellite Dishes and Antennas; Amateur Radio Antennas
Renewable Energy Systems (e.g., Solar Panels)	Section 5-1-4-4, Renewable Energy Systems
Drive-Through Facilities	Section 5-1-6-2, Drive-Through Facilities
Outdoor Storage, Outdoor Retail Display, and Outdoor Dining Areas	Section 5-1-6-3, Outdoor Storage, Outdoor Retail Display, and Outdoor Dining Areas
Signs	Chapter 6, Signs

Table 2-1-5-4D: Mixed-Use Building Type Placement and Building Width

Standard	Context	Unit	Sub-District of OT Zoning District							
			E	EY	GV	OW	RN ¹	RR	W	
A	(min / max)	Street frontage								
	Frontage Zone (min / max)	Mcllvoy Park frontage	ft.	10 / 20	10 / 20	10 / 20	10 / 20	10 / 20	10 / 20	10 / 20
A	Frontage Zone (min / max)	Olde Town Plaza frontage	ft.	-	-	-	0/20	-	-	0 / 20
B	Build-to (min)	Building Façade at Front Setback Line	% ²	75	85	85	75	75	75	85
B	Total Building Width (max)	Generally, except as specified below	ft.	150	180	60 80	60 80	180	120	180
B	Total Building Width (max)	Wadsworth Bypass frontage	ft.	240	-	-	-	-	240	-
B	Total Building Width (max)	Mcllvoy Park frontage ³	ft.	120	-	35	-	-	-	120

TABLE NOTES:

¹ The Mixed-Use building form is allowed in this subdistrict only as provided in Section 2-1-5-2, Building Types.

² Percent of lot width. See Section 2-1-5-3, Generally Applicable Lot and Building Standards.

³ Applies where property is directly adjacent to or across the street from Mcllvoy Park.

- E. **Building and Floor Height.** Building height, floor height, and building width shall be as provided in Table 2-1-5-4E, Mixed-Use Building Type Height and Floor Height.

Figure 2-1-5-4E: Illustrative Mixed-Use Building Type Requirements

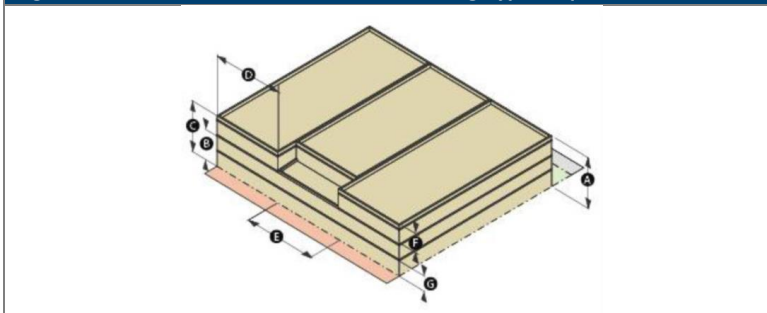


Table 2-1-5-4E: Mixed-Use Building Type Height and Floor Height⁴

Standard		Context	Unit	Sub-District of OT Zoning District						
				E	EY	GV	OW	RN ¹	RR	W
A	Height (max)	Outside Frontage Zone	stories ¹	5	3	2	3	2	3	3
B	Height (max)	Inside Frontage Zone	stories	5	2	2	2	2	2	2
B	Height (max)	Inside Frontage Zone, Mcllvoy Park, Ralston Road frontages	stories	2	2	2	2	2	2	2
-	Height (min)	Generally	stories	2	-	-	-	-	-	-
C	Height of Vertical	Inside Frontage Zone	stories	3	3	-	3	-	3	3

Division 2-1-6 Commercial and Industrial Districts

2-1-6-1 CG: Commercial, General

- A. **Purpose.** The purpose of the Commercial, General (CG) zoning district is to accommodate a wide variety of general retail and service uses, as well as professional and business offices serving both neighborhood and area-wide needs. This zoning district is typically situated along arterial streets, or where other appropriate high-volume vehicular access is available.
- B. **Relationship to the Comprehensive Plan.** The CG zoning district generally implements the “Neighborhood and Community Commercial/Office” land use category stated in the Comprehensive Plan.
- C. **Lot and Building Standards.** The standards for lots and buildings in the CG zoning district are set out in Table 2-1-6-1A, Commercial, General Lot and Building Standards.

Figure 2-1-6-1: Illustrative Commercial, General Lot and Building Standards

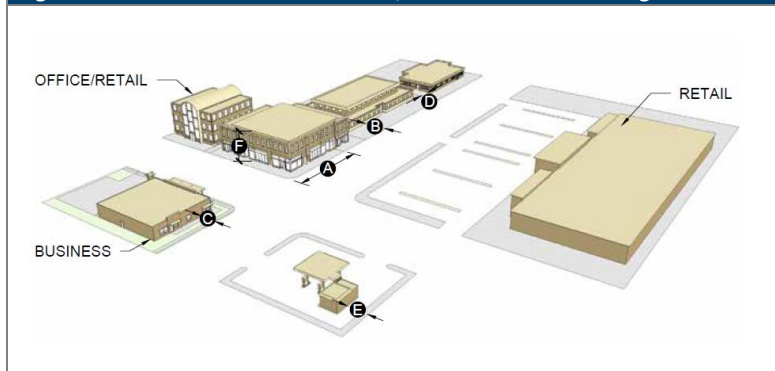


Table 2-1-6-1A: Commercial, General Lot and Building Standards

Standard	All Lot Types
Lot Standards	
Min. Lot Area	5,000 sf.
A Min. Lot Width	50 ft.
Max. Lot Coverage	35%
Setback Standards	
B Min. Front	20 ft.
C Min. Street Side	20 ft.
D Min. Interior Side	10 ft.
E Min. Rear	20 ft.
Min. Front Parking	20 ft.
Building Standards	
F Max. Height, Principal Building	45 ft.
Max. Height, Accessory Building	18 ft.
Max. Height, Mini-structure	12 ft.
Site Standards	
Min. Landscape Surface Area	20%

Table 2-1-6-1A: Commercial, General Lot and Building Standards		
Standard		All Lot Types
	Max. Outdoor Display	5% of enclosed retail floor area
	Max. Outdoor Storage	5% <u>of lot area</u>
Height Transition Zone		
	Min. Height Transition Zone Depth abutting RA and RN districts	See Section 2-1-10-3, Height Transition to RA and RN Zoning Districts.

- D. **Cross-References.** The cross-references in Table 2-1-6-1B, Cross-References for Commercial, General, are provided for the reader's convenience and are not necessarily exhaustive of applicable regulations.

Table 2-1-6-1B: Cross-References for Commercial, General	
Topic	Reference
Land Use Regulations	Division 3-1-2, Land Use by Zoning District
Parking	Article 4-5, Parking and Loading
Landscaping	Article 4-6, Landscaping and Buffering
Fences and Walls	Section 4-7-2-1, Fences and Divisional Walls; and Section 4-7-2-2, Retaining Walls
Exterior Lighting	Article 4-8, Exterior Lighting
Building Design	Division 5-1-2, Building and Structure Design Standards
Mini-Structures	Division 5-1-4-3. Mini-Structures
Renewable Energy Systems (e.g., Solar Panels)	Section 5-1-4-4, Renewable Energy Systems
Drive-Through Facilities	Section 5-1-6-2, Drive-Through Facilities
Outdoor Storage, and Outdoor Retail Display	Section 5-1-6-3, Outdoor Storage, Outdoor Retail Display., and Outdoor Dining Areas.
Signs	Chapter 6, Signs

2-1-6-2 IL: Industrial, Light

- A. **Purpose.** The purpose of the Industrial, Light (IL) zoning district is to provide areas for light manufacturing, assembly and fabrication uses, office, research, food and beverage processing, packaging, or bottling, and compatible recreational activities.
- B. **Relationship to the Comprehensive Plan.** The IL zoning district generally implements the “Industrial/Office” land use category stated in the Comprehensive Plan.
- C. **Lot and Building Standards.** The standards for lots and buildings in the IL zoning district are set out in Table 2-1-6-2A, Industrial, Light Lot and Building Standards.

Figure 2-1-6-2: Illustrative Industrial, Light Lot and Building Standards



Table 2-1-6-2A: Industrial, Light Lot and Building Standards

Standard		All Lot Types
Lot Standards		
	Min. Lot Area	None
	Min. Lot Width	None
	Max. Lot Coverage	50%
Setback Standards		
A	Min. Front	20 ft.
B	Min. Street Side	20 ft.
C	Min. Interior Side	5 ft. ¹
D	Min. Rear Setback	5 ft. ¹
	Min. Front Parking	20 ft.
Building Standards		
E	Max. Height, Buildings	40 ft.
	Max. Height, Mini-structures	12 ft.

Table 2-1-6-2A: Industrial, Light Lot and Building Standards		
Standard		All Lot Types
Site Standards		
	Min. Landscape Surface Area	15%
	Max. Outdoor Display	10% of enclosed retail floor area
	Max. Outdoor Storage of Lot Area	35% of lot area
TABLE NOTES: ¹ Side and rear setbacks shall be 20 ft. where adjacent to a single-family detached use in unincorporated Jefferson County.		

- D. **Cross-References.** The cross-references in Table 2-1-6-2B, Cross-References for Industrial, Light, are provided for the reader's convenience and are not necessarily exhaustive of applicable regulations.

Table 2-1-6-2B: Cross-References for Industrial, Light	
Topic	Reference
Land Use Regulations	Division 3-1-2, Land Use by Zoning District
Parking	Article 4-5, Parking and Loading
Landscaping	Article 4-6, Landscaping and Buffering
Fences and Walls	Section 4-7-2-1, Fences and Divisional Walls; and Section 4-7-2-2, Retaining Walls
Exterior Lighting	Article 4-8, Exterior Lighting
Building Design	Division 5-1-2, Building and Structure Design Standards
Mini-Structures	Division 5-1-4-3, Mini-Structures
Renewable Energy Systems (e.g., Solar Panels)	Section 5-1-4-4, Renewable Energy Systems
Outdoor Storage, Outdoor Retail Display, and Outdoor Dining Areas	Section 5-1-6-3, Outdoor Storage, Outdoor Retail Display and Outdoor Dining Areas
Signs	Chapter 6, Signs

2-1-6-3 IG: Industrial, General

- A. **Purpose.** The purpose of the Industrial, General (IG) zoning district is to provide areas for a wide variety of industrial, manufacturing and heavy industries, heavy logistics centers, storage yards, and comparable uses and activities, as well as less intensive industries and supporting uses.
- B. **Relationship to the Comprehensive Plan.** The IG zoning district generally implements the “Industrial” land use category stated in the Comprehensive Plan.
- C. **Lot and Building Standards.** The standards for lots and buildings in the IG zoning district are set out in Table 2-1-6-3A, Industrial, General Lot and Building Standards.

Figure 2-1-6-3: Illustrative Industrial, General Lot and Building Standards

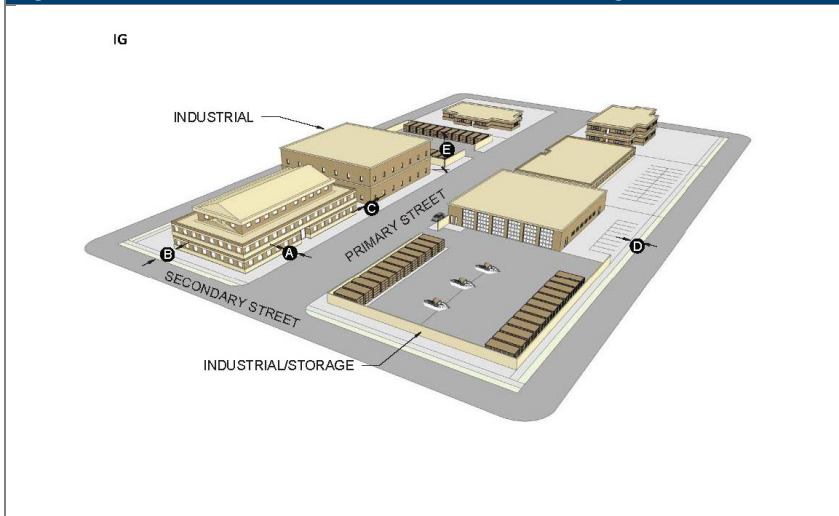


Table 2-1-6-3A: Industrial, General Lot and Building Standards		
Standard		All Lot Types
Lot Standards		
	Min. Lot Area	None
	Min. Lot Width	None
	Max. Lot Coverage	60%
Setback Standards		
A	Min. Front	20 ft.
B	Min. Street Side	10 ft.
C	Min. Interior Side	10 ft. ¹
D	Min. Rear	10 ft. ¹
	Min. Front Parking	10 ft.
Building Standards		
E	Max. Height, Buildings	45 ft.
	Max. Height, Mini-structures	12 ft.

Table 2-1-6-3A: Industrial, General Lot and Building Standards		
Standard		All Lot Types
Site Standards		
	Min. Landscape Surface Area	10%
	Max. Outdoor Display	90% of enclosed retail floor area
	Max. Outdoor Storage	90% <u>of lot area</u>
TABLE NOTES:		
¹ Side and rear setbacks shall be 20 ft. where adjacent to a single-family detached use in unincorporated Jefferson County.		

- D. **Cross-References.** The cross-references in Table 2-1-6-3B, Cross-References for Industrial, General, are provided for the reader's convenience and are not necessarily exhaustive of applicable regulations.

Table 2-1-6-3B: Cross-References for Industrial, General	
Topic	Reference
Land Use Regulations	Division 3-1-2, Land Use by Zoning District
Parking	Article 4-5, Parking and Loading
Landscaping	Article 4-6, Landscaping and Buffering
Fences and Walls	Section 4-7-2-1, Fences and Divisional Walls; and Section 4-7-2-2, Retaining Walls
Exterior Lighting	Article 4-8, Exterior Lighting
Building Design	Division 5-1-2, Building and Structure Design Standards
Mini-Structures	Division 5-1-4-3, Mini-Structures
Renewable Energy Systems (e.g., Solar Panels)	Section 5-1-4-4, Renewable Energy Systems
Outdoor Storage and, Outdoor Retail Display, and Outdoor Dining Areas	Section 5-1-6-3, Outdoor Storage, Outdoor Retail Display, and Outdoor Dining Areas
Signs	Chapter 6, Signs

Table 2-1-8-6: Duplex Lot and Building Standards

Lot Type	Vehicular Access	Minimum							Maximum	
		Lot Area	Lot Width	Lot Width, Corner	Front Setback	Street Side Setback (Building / Garage Door)	Interior Side Setback ³	Rear Setback	Building Coverage	Height
Side-by-Side	Alley	2,550 sf. ¹	30 ft. ¹	40 ft.	12 ft.	12 ft.	5 ft.	2 ft. ⁴	65%	35 ft.
	Street	4,000 sf. ¹	35 ft. ¹	45 ft.	20 ft.	15 ft. / 20 ft.	5 ft.	10 ft.	50%	35 ft.
Over-Under	Alley	4,000 sf. ²	40 ft. ²	50 ft.	15 ft.	15 ft.	5 ft.	2 ft. ⁴	55%	35 ft.
	Street	7,000 sf. ²	60 ft. ²	70 ft.	20 ft.	20 ft.	5 ft.	10 ft.	50%	35 ft.

TABLE NOTES:

¹ Per unit.² Per building.³ For outer building walls (does not apply to common wall).⁴ The rear setback for alley-loaded garages shall be no less than 2 ft. and no more than 4 ft. or a minimum of 18 ft., at the Applicants discretion.**2-1-8-7 Townhomes**

- A. **Lot and Building Standards.** Table 2-1-8-7, Townhome Lot and Building Standards, sets out the lot and building requirements for townhomes.

Table 2-1-8-7: Townhome Building Standards

Lot Type	Vehicular Access	Minimum						Maximum		
		Unit Width	Street Setback	Alley Garage Setback	Non-street Frontage Perimeter Setback	Building Separation, side to side	Building Separation, all others	Units Per Building	Building Coverage	Height
Suburban	Alley or Parking Court	20 ft.	15 ft. ¹	2 ft. ²	15 ft.	10 ft.	30 ft. ³	8	100%	35 ft.
	Street	28 ft.	18 ft.	-	15 ft.	10 ft.	30 ft. ³	8	100%	35 ft.
Urban	Alley or Parking Court	16 ft.	10 ft. ¹	2 ft. ²	10 ft. ⁴	10 ft.	20 ft.	10	100%	35 ft.

TABLE NOTES:

¹ Where garage access is directly from a side street, the minimum garage setback shall be 18 ft.² The rear setback for alley-loaded garages shall be no less than 2 ft. and no more than 4 ft. or a minimum of 18 ft., at the Applicants discretion.³ Building separation can be reduced to 20 feet if buildings are one or two stories.⁴ If more than one-half of the units in a townhome building are adjacent to a non-street frontage perimeter, then the minimum setback shall be 15 feet.**2-1-8-8 Multiplex and Multifamily**

- A. **Lot and Building Standards.** Table 2-1-8-8, Multiplex and Multifamily Lot and Building Standards, sets out the lot and building requirements for multiplex and multifamily.

3. If residential square footage is located above the garage, the setback shall be 100 feet from the centerline.

Division 2-1-10 Exceptions and Adjustments to Lot and Building Standards

2-1-10-1 Exceptions to Setback Standards

The structures and features enumerated in Table 2-1-10-1, Permitted Encroachments into Required Setbacks, may encroach into required setbacks as provided in the table.

Table 2-1-10-1: Permitted Encroachments into Required Setbacks	
Structure or Feature	Permitted Locations in Setbacks
Single-story covered front porches	Permitted to extend outward from the building 8 feet into a front setback, but no closer than 12 feet to the front property line. This encroachment shall only apply to the front setback, not the street side setback. ¹
All other covered porches, decks, terraces, and patios and are not enclosed	Permitted to extend outward from the building 8 feet into a rear setback, but no closer than 8 feet from the rear property line.
Covered stairs that provide below grade access to a building	Permitted to extend outward from the building 4 feet into a side setback, but no closer than 3 feet from the side property line. ¹
Uncovered porches, decks, patios, concrete slabs, and other flatwork, provided that such items are no more than 30 inches in height above grade	Permitted anywhere in setbacks. ¹
Uncovered balconies, decks, and outside stairs of any height more than 30 inches above grade	Permitted to extend outward from building 6 feet into a front or rear setback, but no closer than 12 feet to the front property line and 8 feet to the rear property line. Permitted to extend outward from the building 4 feet into a side setback, but no closer than 3 feet from the property line. ¹
Bay windows, window sills, eaves, cantilevers, cornices, fireplace chimneys, roof overhangs, and architectural and ornamental features	Permitted to extend outward from building up to 2 feet into any setback. ¹
Clotheslines and clothesline poles	Permitted in rear or side setback only, but not closer than 18 inches from any side or rear property line. ¹
Driveways	Permitted anywhere in setbacks.
Trash containers	Permitted in side and rear setbacks when not adjacent to residential use. Not permitted in the OT and MX districts frontage zone.
Fences and walls	See Article 4-7, Fences and Divisional Walls.
Flagpoles, lighting poles, and other poles not otherwise covered in this table	Permitted in any setback, provided that the height of any such pole, except for flagpoles, shall not exceed the distance from the base of the pole to the nearest property line. Flag poles are subject to the height and setback restrictions set forth in Section 6-1-2-3. Amateur radio antennas shall not be located in a front setback.

Table 2-1-10-1: Permitted Encroachments into Required Setbacks	
Structure or Feature	Permitted Locations in Setbacks
One accessory building not larger than 600 square feet or an attached garage addition provided that the garage addition will not result in more than a cumulative total of 600 square feet of attached garage The encroachment shall apply to the accessory building, or an attached garage addition, but does not apply to both	Permitted in any side or rear setback in the RN zoning district only, but not closer than 5 feet from any side or rear property line.
Landscaping, including trees, shrubs, flowers, hedges, and other features	Permitted anywhere in setbacks, subject to city standards governing sight distances. See Section 4-4-3-4 Intersection Visibility.
Little Library	If no more than 3 square feet and 5'5 feet high, may encroach into front setback but not closer than one-foot from the front property line or public sidewalk, whichever is closer.
Mini-structures	See Section 5-1-4-3, Mini Structures.
Mobility access ramps and lifts for existing single-family detached dwelling units, duplex, and townhomes	Allowed as necessary upon written request to the Director.
Signs	See Chapter 6, Signs.
Swimming pools	See Section 5-1-4-2 Swimming Pools, Hot Tubs, and Spas.
Air conditioning units	Permitted in side and rear setbacks but not in a front setback.
Counterforts	Permitted in any setback provided it does not encroach more than 5 feet into a front or rear setback and 3 feet into the side setback.
Window wells	Permitted in any side setback provided it does not exceed 15 square feet and does not encroach more than 3 feet into the side lot setback easement.
Window awnings	Permitted in any setback, but not closer than 10 feet from the rear property line or 18 inches from a side property line.
Wireless Communications Facilities	See Chapter 7, Wireless Communications Facilities.
TABLE NOTES: ¹ The maximum encroachment noted is measured from the building wall, or in the case of pergolas, carports, or other structures without walls, the maximum encroachment is measured from the vertical structural element such as a post.	

2-1-10-2 Exceptions to Maximum Building or Structure Height

- A. The maximum building or structure height limits established shall not apply to the following structures or structural elements:
 1. Chimneys, cornices without windows, cupolas, domes not used for human occupancy, elevator penthouses, roof top decks, monuments, parapet walls, skylights, spires, stairs, steeples, wireless communication facilities, theater scenery lofts, towers, ventilators, water tanks, and similar structures and necessary mechanical appurtenances, provided they:
 - a. Except for roof top decks, not more than 25 percent of the roof area of the structure to which they are attached shall be covered; and

3-1-2-5 Commercial Land Use by Zoning District

The commercial land uses that are allowed in each zoning district are set out in Table 3-1-2-5, Commercial Land Use by Zoning District.

Land Use	Open Space and Residential						Mixed-Use				Olde Town							Commercial and Industrial			Reference
	OS	RA	RN	R6	R13	R24	MX-N	MX-S	MX-U	MX-T	OT-E	OT-EV	OT-GV	OT-OW	OT-RN	OT-RR	OT-W	CG	IL	IG	
Animal Day Care / Training		C					L	L	L	L								L	L		3-1-3-5
Animal Hospital (Large Animal)		A																			-
Art Studio / Makerspace		A					A	A	A	A	L	L	L	L	L	L	L	A	A	A	3-1-3-5
Auction House or Yard								A	A	A									L	L	3-1-3-5
Continuing Care Facility					A	A	A	A	A	A	A	A	A	A	A	A	A	C			
Kennel		C																	L	A	3-1-3-5
Office, General or Professional							A	A	A	A	A	A	A	A	A	A	A	A	A	A	-
Retail Sales and Services Type 1 ¹							L	L	L	L	L	L	L	L	L	L	L	L	L		3-1-3-5
Retail Sales and Services Type 2 ¹								L	L	L								L	L		3-1-3-5
Veterinary Offices or Clinics		C					L	L	L	L	L	L	L	L		L	L	L	L		3-1-3-5
Workshop							A	A	A	A								A	A	A	3-1-3-5

TABLE NOTES:
¹ All drive-through facilities are subject to the standards in Section 5-1-6-2, Drive-Through Facilities, which may prohibit a drive-through in certain locations.

3-1-2-6 Community, Civic, Educational, Health Care, and Institutional Land Use by Zoning District

The community, civic, educational, health care, and institutional land uses that are allowed in each zoning district are set out in Table 3-1-2-6, Community, Civic, Educational, Health Care, and Institutional Land Use by Zoning District.

Land Use	Open Space and Residential						Mixed-Use				Olde Town							Commercial and Industrial			Reference
	OS	RA	RN	R6	R13	R24	MX-N	MX-S	MX-U	MX-T	OT-E	OT-EV	OT-GV	OT-OW	OT-RN	OT-RR	OT-W	CG	IL	IG	
Ambulance Services								C										L	L	L	3-1-3-6
Cemetery	C	C	C																		3-1-3-6
Crematorium																			L	L	3-1-3-6
Day Care Center, Adult or Child			C	C	C	C	L	A	A	A					A	L		A	A		3-1-3-6
Funeral Home / Mortuary							L	L								L		L	L		3-1-3-6
Hospital							A	A	A									A			-

All business activities shall be conducted within an entirely enclosed building.

D. Kennel.

1. In the RA and IL zoning districts, a kennel facility shall be subject to the following:

~~2-a.~~ Outdoor facilities, including outdoor runs, shall not be located within 150 feet of any adjacent residential zoning district.

~~3-b.~~ If the use is located within 300 feet of residentially zoned property, no outdoor activities related to the use shall occur on the subject property between the hours of 9:00 PM and 7:00 AM.

~~4-c.~~ The parts of a building where animals are boarded shall be fully enclosed and shall be sufficiently insulated so no unreasonable noise or odor can be detected off premises.

d. All kennels shall be licensed by the City of Arvada pursuant to Article VIII, "Kennel License," of Chapter 14 of the Arvada Code of Ordinances.

~~5-2.~~ A residence for a caretaker is allowed, subject to the requirements of Section 5-1-6-7, Custodial Unit.

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E. Retail Sales and Services, Type 1.

1. Retail Sales Uses – General.

Retail sales uses must take place within a completely enclosed building, except that accessory outdoor display of merchandise, and accessory outdoor customer seating/dining areas are permitted, subject to the following standards:

- a. Outdoor display areas must comply with the minimum street setback requirements of the subject zoning district.
- b. Outdoor display areas may not occupy or use required parking space or drive aisle unless approved by the Director.
- c. Outdoor seasonal temporary sales display requires a temporary use permit.

F. Retail Sales and Services, Type 2.

1. Convenience Lending Operations.

All convenience lending operations except national banks and those operating as of the effective date of this Code shall comply with the following locational restrictions and standards:

- a. It shall be unlawful to operate or cause to be operated a convenience lending operation within 2,500 feet of another convenience lending operation.
- b. It shall be unlawful to operate or cause to be operated a convenience lending operation within 300 feet of any residentially-zoned property.
- c. The distance between any two such operations shall be measured in a straight line, without regard to intervening structures or objects, from the closest exterior wall of the structure in which each such operation is located, and the distance between a convenience lending operation and a residentially-zoned property shall be measured in a straight line, without regard to intervening structures or objects, from the closest exterior wall of the structure in which the operation is located to the nearest property line of the residentially-zoned property, excluding public street rights of way.

2. **Used Merchandise Stores and Donation Centers (retail, used - primarily donated; retail, used - primarily non-donated; used merchandise donation center).**

building or portion of a building faces, abuts, or is adjacent to residentially zoned property, the closest, adjacent building wall or face shall consist of a solid blank wall with no openings other than those required by applicable building codes.

- ii. All repair work, vehicle washing, lubrication, and installation of parts and accessories shall be wholly performed within an enclosed building or structure.
- iii. All vehicle parts, dismantled vehicles, and similar materials, and all discarded materials such as tires, cans, and drums, shall be stored within an enclosed building or totally screened from view by a solid, opaque fence. See Division 4-7-2, Fences and Divisional Walls for acceptable fence/wall materials.
- iv. All vehicles awaiting repair shall be stored onsite in approved parking spaces and under no circumstances shall such vehicles be stored outside in an inoperable condition or stored on or obstruct access to a public right-of-way.

B. Motor Vehicle Repairs and Service, Heavy.

- 1. When permitted:
 - a. All repair and vehicle storage shall be completely enclosed within a building.
 - b. An Option B buffer, per Section 4-6-5-3, Bufferyard Options, is required between the use and adjoining right-of-way.
 - c. An Option C or D buffer, per Section 4-6-5-3, Bufferyard Options, is required between the use and any adjoining residential zoning district or MX with residential uses.
 - d. Overhead bay doors that face residential zoning districts shall be set back at least 60 feet from the residential zoning district boundary.
 - e. The use shall not operate between 7:00 PM and 7:00 AM if it is located within 300 feet of a residential zoning district, measured from the outside building wall that encloses the use to the zoning district boundary.

C. Motor Vehicle Repairs and Service, Light.

- 1. In the MX-N, MX-S, CG, and IL zoning districts:
 - a. All vehicle repair uses shall be conducted within a completely enclosed building.
 - ~~b.~~
 - ~~b.~~ The use shall not operate between 7:00 PM and 7:00 AM if it is located within 300 feet of a residential zoning district, measured from the outside building wall that encloses the use to the zoning district boundary.
 - ~~a-c.~~ An Option C or D landscape buffer, per Section 4-6-5-3, Bufferyard Options is required between the use and any adjoining residential zoning district.
 - ~~c-d.~~ Storage of vehicles on the premises shall not exceed 15 days.
 - ~~d-e.~~ Open storage of wrecked or inoperable cars, discarded tires, auto parts, or similar materials shall be prohibited.
 - ~~e-f.~~ Garage bays shall not face a street.

D. Motor Vehicle Storage.

- 1. In the IL and IG zoning districts;
 - a. An Option B landscape buffer, per Section 4-6-5-3, Bufferyard Options, is required between the use and adjoining right-of-way.
 - b. An Option C or D landscape buffer, per Section 4-6-5-3, Bufferyard Options, is required between the use and any adjoining residential zoning district.

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- c. The use shall be located behind the principal building, unless the stored motor vehicles are inventory that is for sale or for rent.
- E. **Motor Vehicle Towing Services.**
 - 1. In the IL and IG zoning district:
 - a. An Option C or D landscape buffer, per Section 4-6-5-3, Bufferyard Options, is required between the yard and adjoining right-of-way and any adjoining residential zone district.
 - b. Vehicular ingress-egress shall be limited to one point for each side of property abutting any street.
 - c. All vehicles and activities not within fully enclosed buildings shall be enclosed by a solid fence or wall at least six feet in height, including point of ingress or egress.
 - d. No vehicle repair, maintenance, or body work shall take place.
 - 2. In the IL zoning district:
 - a. The site shall not be more than two acres in size.
- F. **Motor Vehicle Wash.**
 - 1. Motor vehicle wash facilities including automotive detail facilities shall comply with the following conditions:
 - a. **General Requirements.**
 - i. A motor vehicle wash facility is prohibited at the intersection of two arterial streets, unless it is located in a center occupying at least two acres and containing other commercial establishments occupying at least 12,000 square feet gross floor area.
 - ii. The motor vehicle wash facility, including all driveways, entrances and appurtenant structures, must be set back a minimum of 20 feet from any adjacent street. The entire 20-foot setback must be landscaped to provide a buffer from adjacent streets.
 - iii. No motor vehicle wash facility shall be located on a corner lot.
 - b. **Open Bay Motor Vehicle Wash Facility.**
 - i. No new motor vehicle wash facility may be located within one-half mile of any other existing motor vehicle wash facility having two or more car wash bays within the city limits of Arvada.
 - c. **Enclosed Motor Vehicle Wash Facility.**
 - i. All enclosed motor vehicle washing bays must have bay doors. No bay door shall face the adjacent street or an adjacent residential district.
 - ii. All enclosed motor vehicle wash facilities must be self-contained, except those services such as drying, polishing or vacuuming which may be performed outdoors. Exterior vacuums must have the machinery located within the main wash building with only vacuum hoses located outside.
- G. **Parking Lot Surface, Stand-Alone.** Where identified as a conditional use, a stand-alone surface parking lot shall be subject to the following requirements:
 - 1. A stand-alone surface parking lot shall not front an arterial or collector street.
 - 2. The stand-alone surface parking lot shall meet all the landscaping requirements of Article 4-6, Landscaping and Buffering.
 - 2-3. A stand-alone surface parking lot associated with an adjacent primary use shall also comply with the requirements of Section 4-5-3-4, Off-Site Parking.

H. **Parking Garage, Structured.** Refer to Section 5-1-6-8.

I. **Vehicle Equipment Sales or Rentals.**

1. **Vehicle Sales and Rentals.**

- a. In the MX-S, MX-U, MX-T, CG, and IL zoning districts:
 - i. All vehicles used for sales display or inventory must be stored indoors.
 - ii. An Option C or D landscape buffer, per Section 4-6-5-3, Bufferyard Options, is required between the use and any adjoining residential zoning district.
 - iii. Overhead bay doors that face residential zoning districts shall be set back at least 60 feet from a residential zoning district boundary.
- b. In the MX-T zoning district, only automobile rentals shall be permitted and only in principal hotel and motel uses with surface parking limited to a maximum number of 10 parking spaces dedicated to the use.

2. **Equipment Sales and Rentals.**

- a. In the ~~MX-S, MX-U, MX-T~~, CG, and IL zoning districts:
 - i. An Option C or D landscape buffer, per Section 4-6-5-3, Bufferyard Options, is required between the use and any adjoining residential zoning district.
 - ii. Overhead bay doors that face residential zoning districts shall be set back at least 60 feet from the residential zoning district boundary.

3-1-3-9 Utility and Communications Standards.

A. **Utilities, Major.**

1. The use shall not be located within 300 feet of the boundary of a residential use, unless it can be demonstrated that no other location is viable.

B. **Utilities, Minor.** In the zoning districts where identified as a limited use:

1. An existing use may continue to operate as a conforming use, except that if above-ground utilities are modified or relocated, they shall be relocated underground unless such relocation is physically not feasible or would damage historic buildings.

C. **Data Center.**

1. The use shall not be located within 300 feet of the boundary of a residential zoning district.

D. **Overhead Power Lines.**

1. New transmission lines that are not located within existing utility easements shall be routed 300 feet away from arterial streets and existing or approved noise-sensitive uses to the maximum extent practicable.
2. To the extent practicable, new transmission lines shall be located within existing transmission easements or routed outside of the City.

E. **Radio or Television Transmission Tower.**

1. The tower shall, to the extent possible, be designed using camouflage or concealment design techniques (e.g., materials, colors, textures, screening, undergrounding, landscaping, or other design options that will blend the tower to the surrounding natural setting and built environment).
2. Lighting of towers is not allowed, except as may be required by FAA regulations.

F. **Solar Garden.**

- E. **Waste Containers and Litter Control.** Adequate waste containers shall be required and that all litter generated by the event shall be removed at no expense to the City. This shall include adjoining public rights-of-way.
- F. **Parking.** Adequate parking shall be provided on-site or at an alternative location to accommodate the anticipated vehicular traffic.
- G. **Signs.** All proposed signs shall be specified in the special event permit and shall be in compliance with the Temporary Sign regulations. See Division 6-1-6, Temporary Signs.

3-1-4-5 Food and Retail Truck Vending

- A. **Generally.** Food and retail truck vending is allowed as provided in this Section.
- B. **Where Permitted.**
 - 1. Food and retail truck vending is permitted in the following areas and under the following circumstances:
 - a. On private property as provided in Section 3-1-4-2, Temporary Uses by Zoning District;
 - b. In any park or public space (regardless of zoning district), if approved by the governmental entity exercising ownership or control thereof; and
 - c. In a public street right-of-way (regardless of zoning district), subject to the limitations established in Subsection D.2., below.
 - 2. Notwithstanding any provision herein to the contrary, allowing food and retail truck vending in a park, public space, or public street right-of-way shall be in the sole discretion of the governmental entity exercising ownership or control thereof.
- C. **Permit Required.** Except as otherwise provided herein, no person may engage in activities of food or retail truck vending without first obtaining a City of Arvada business license and a Food Truck Permit for food vendors or a Retail Vending Truck Permit. The approved temporary use permit shall be permanently displayed to the public in the food handling area of the food truck vending operation or in the retail area of a retail vending truck.
- D. **Standards.** The following rules and requirements shall apply to all food and retail truck vending:
 - 1. **Hours of Operation.** Hours of operation shall be between 6:00 a.m. and 11:00 p.m. unless a different time is specified in the temporary use permit.
 - 2. **Location.**
 - a. Operations shall not obstruct the visibility of motorists, nor obstruct parking lot circulation or block access to a public street, alley, or sidewalk.
 - b. Operations shall be located at least 50 feet from any residential ~~zoning district~~ use or mixed-use ~~zoning districts~~ buildings where residential units are on the first floor as measured from the closest point of the food truck to the nearest property line of the residential unit, except as may otherwise be permitted pursuant to subsection B.1.c., where permitted above.
 - c. Food and retail trucks may operate on private property provided they meet the following requirements:
 - i. The operator must obtain prior written permission from the private property owner.
 - ii. The food or retail truck must be parked on a paved surface outside of the public right-of-way.

- a. The first brochure shall include the licensee's contact information, the local contact party's contact information, and any necessary emergency contact information. The brochure shall also provide information pertinent to the neighborhood where the Short Term Rental Unit is located including, but not limited to, parking restrictions, trash collection schedule, relevant water restrictions, fire evacuation routes, and any other information, as required by the Director, applicable to the Short Term Rental Unit and the surrounding neighborhood.
- b. The second brochure will be provided by the city and include relevant local ordinances, rules, and regulations that apply to all residences in the city. The licensee must display the city's brochure in each Short Term Rental Unit as it is made available and updated by the city.

E. Licensing Requirements.

1. *Number of Short Term Rentals Units per lot.* If a lot contains more than one legal Dwelling, Dwelling Unit or ADUR, only one Dwelling, Dwelling Unit or ADUR on such lot is eligible for licensure as a Short Term Rental Unit.
2. *Permitted structures.* Short Term Rental Units are allowed in primary and accessory structures with finished living space. All structures shall comply with the regulations for primary and accessory structures, including maximum size, height, lot coverage, and setbacks, for the property's zoning district. In the case of a multifamily property, the property owner is allowed one (1) Short Term Rental Unit. In the case of condominiums or buildings held in similar common ownership, each owner shall be limited to one (1) Short Term Rental Unit per property.
3. *Reservations.* Only one Short Term Rental reservation to one party at a time is allowed.
4. *Parking requirements.* One additional on-site parking space shall be required if a portion of a primary structure is used for Short Term Rental.
5. *Safety requirements.* Each Short Term Rental Unit shall be equipped with an operational smoke detector, carbon monoxide detector, and fire extinguisher on the licensed premises. The Director or his or her designee may inspect the Dwelling, Dwelling Unit or ADUR prior to issuance of a license and during the term of any license issued to verify compliance with such requirements, Code provisions and state and federal law. Refusal by the applicant to allow such inspection shall be grounds for denial, non-renewal or revocation of a license.
6. *Occupancy.* The occupancy of a Short Term Rental Unit shall not exceed the total number of unrelated persons that are otherwise permitted to occupy property in the City.
7. *Prohibited uses.* Use of the Short Term Rental Unit for any commercial or large social events or gatherings, such as weddings, is prohibited.
8. *Trash collection.* The owner shall maintain weekly residential trash collection services for the Short Term Rental Unit.
9. *Number of days in use.* The maximum number of days per calendar year that a Short Term Rental may be occupied by guests is 240. ~~By December 31st of each calendar year~~Upon renewal of the license, the Owner shall provide to the City the number of days that the Short Term Rental was occupied by guests during the previous 365 days. The Owner shall certify that the number reported is accurate.
10. *Number of Short Term Rentals per Owner.* No applicant may operate more than three individual properties as short term rentals within the City at any one time. ~~By December 31st~~

~~of each calendar year~~ Upon renewal of the license, the Owner shall certify that the number operated is in accordance with this regulation.

- F. **Refusal to Grant, Suspension, Revocation, Nonrenewal of License.** The Director may refuse to grant an initial license, or suspend, revoke, or not renew any license requested or issued pursuant to this Section if the Director determines that any of the following have occurred: (i) fraud, material misrepresentation or false statement in the initial application for the license or any renewal application; or (ii) failure to comply with the terms or conditions of the license, the provisions of this Section, or any other application provision of federal, state, or local law including, but not limited to, the Arvada City Code.
1. If the Director finds that a violation of any provision of this Section exists, the Director, after notice to the licensee, may take any one or more of the following actions to remedy the violation:
 - a. Impose a civil penalty according to the following schedule:
 - (i) For the first violation of the provision, \$150;
 - (ii) For the second violation of the same provision, \$300; and
 - (iii) For the third violation of the same provision, \$1,000.
 - b. Revoke the license;
 - c. Issue any order reasonably calculated to ensure compliance with this Section.
 2. The Director's authority under this Section is in addition to any other authority the Director has to enforce this Section, and election of one remedy by the Director shall not preclude resorting to any other remedy as well.
 - a. The Director shall not accept a new application from the same licensee for the same Dwelling, Dwelling Unit or ADUR after revocation of a license:
 - (i) For at least one year following the revocation; and
 - (ii) Unless the applicant demonstrates compliance with all licensing requirements.
 3. All licensed premises shall be subject to inspection by the Director or his or her designee for the purpose of investigating and determining compliance with the requirements for any license issued under this Section. Where any part of the licensed premises consists of a locked area, such area shall be made available for inspection as provided hereunder, without delay, upon request. Refusal to allow an inspection may result in the license being revoked subject to the following Subsection 5.
 4. An applicant or licensee may appeal any decision to grant, not renew, or suspend his or her application or license to the City Manager within 14 consecutive calendar days from the city providing notice of the decision. The City Manager's decision shall be final.
 5. An applicant may appeal any decision to revoke his or her license through the city's Administrative Hearing procedure as provided in Chapter 2, Article V, Division 3 of the Arvada City Code. Appeals must be received within 14 consecutive calendar days from the city providing notice of the revocation.
- G. **Administration.** The Financial Officer and Director shall administer the provisions of this Article and are authorized to jointly promulgate rules and regulations for its administration and implementation.

Division 3-1-6 Oil and Gas Operations.

Reserved.

Adopted May 18, 2020

Amended XXXXXX XX, 2021

 ARVADA LAND DEVELOPMENT CODE

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This distance shall be determined with due regard for approach grades, drainage, bridges or future grade separations.

3. Street Design Standards.

- a. Streets shall be related appropriately to the expected use of the property. Minimum requirements for street right-of-way, pavement width, and other standards for public and private streets are set forth in the City of Arvada Engineering Code of Standards and Specifications.
- b. Other designs and materials may be required for the construction of streets, curbs, and sidewalks when, in the determination of the Director, such methods would be more environmentally desirable or more in keeping with the design of the development or neighborhood.
- c. Turnarounds shall be provided at the ends of cul-de-sacs and at elbows on one-way streets. Turnarounds shall meet the minimum requirements of the Fire Protection District.

J. Street Naming and Traffic Control Signs.

1. **Continuation of Existing Names.** The City will assign a name subject to final plat, site plan or final development plan approval.
2. **Street Signage.**
 - a. All streets in a subdivision shall be named and identified by signs installed at every street intersection.
 - b. These signs shall be standard street signs as indicated in the current edition of the Manual on Uniform Traffic Control Devices.
 - c. All traffic control signs, as well as street name signs, required in a subdivision shall be provided and installed by the City at the expense of the subdivider in conformance with the current edition of the Manual on Uniform Traffic Control Devices, and any relevant Colorado state supplements.

K. Sidewalks, Trails and Bicycle Paths.

1. **General Requirements.**
 - a. The layout and design of an interconnected system of sidewalks, trails, and/or bicycle paths shall be consistent with the City of Arvada Transportation Plan and Bicycle Plan, as amended, and all other adopted plans and policies.
 - b. All subdivisions shall comply with the development standards set forth in Section 4-4-2-1, Pedestrian and Bicycle Access and Circulation.
 - c. All subdivisions shall include an interconnected system of sidewalks, trails and or bicycle paths that directly connects to all uses, lots, open space areas, and parks.
2. **Trails.**
 - a. The owner/developer shall provide and construct pedestrian, bicycle, or equestrian trail rights-of-way in compliance with Section 4-4-2-1, Pedestrian and Bicycle Access and Circulation, and Section 8-4-3-6, Park and Trail Dedications and Fees-in-Lieu. Additional trail rights-of-way may be required where necessary for access to parks, schools, shopping areas, or other community facilities.
 - b. Trails shall be eight feet wide, unless a wider trail is required by the City. All trails between lots shall be located within a minimum 40-foot wide landscaped strip, which

40-foot wide strip may be dedicated to the City or set aside as private, [amenitized common open space landscape surface area](#).

4-2-1-5 Utility Easements

All utility easements shall conform to the requirements of the appropriate utility company, unless inconsistent with the requirements of the City. Normally, these easements are as follows, unless it is unsuitable due to drainage, irrigation ditches, timber areas, or other obstructions.

1. Non-exclusive utility easements shall be a minimum of eight feet wide within the front property lines running parallel and adjacent to all platted streets in and around the subdivision. Other additional easements, such as side lot line easements, may be required when the developer builds and points of service have become known.
2. Drainage and Utility easements (*eg.*, sewer, water, electricity, telephone, cable and wireless communications facilities) should measure eight feet wide along all rear property lines, five feet wide along the side of lots and eight feet wide along both sides of all streets. Easements adjacent to subdivided property should measure eight feet in width. Easements should normally be 16 feet in width, measuring eight feet on each side of abutting rear lot lines. Sanitary sewer and water line easements should be designed so that sewer and water lines flow under streets and not between lots.
3. Easements required for street lighting should be five feet on all sides of the street light.
4. In all cases, the owner/developer should consult with the utility company regarding requirements for a particular subdivision.

B. Drainage Easements.

1. Where a subdivision is traversed by a watercourse, drainage way, channel, stream or irrigation ditch, dedication of drainage easements or drainage right-of-way shall be required. Such easements shall conform substantially to the lines of such watercourse, and shall be of such width and construction, or both, as will be adequate for the purpose.
2. The owner/developer shall dedicate, either in fee simple via plat or by drainage or conservation easement, land on both sides of existing watercourses, to a distance to be determined by the Director
3. To the maximum extent practicable, the drainage shall be maintained as an open channel with landscaped banks and shall be of adequate width for maximum potential volume of flow and for maintenance.
4. Where topography or other conditions make the inclusion of drainage facilities within street rights-of-way impractical, perpetual and unobstructed easements at least twenty feet in width for such drainage facilities shall be provided across property outside the street lines and with satisfactory access. Easements shall be indicated on the plat. Drainage easements shall be carried from the street to a natural watercourse or other drainage facilities.
5. When a proposed drainage system will carry water across private land outside the subdivision, appropriate drainage rights must be secured.

4-2-1-6 Alternatives to Subdivision Standards

Alternatives to the standards in this Article shall be subject to approval by the Director prior to approval of the subdivision application pursuant to Section 8-3-11-3, Administrative Minor Modifications.

Division 4-2-2 Cluster Subdivisions

4-2-2-1 Cluster Subdivisions

- A. **Generally.** This Division provides optional standards for cluster subdivision development to create more compact development in order to preserve and protect sensitive lands, create ~~common open space~~ **amenitized landscape** areas, and to implement the Comprehensive Plan and/or adopted specific area plans. A cluster subdivision is a residential or mixed-use subdivision in which some or all of the lots are allowed to be smaller (in area and width) than otherwise required for the underlying zoning district, in exchange for permanent protection of sensitive lands and/or ~~common~~ open space.
- B. **Zoning Districts Where Allowed.**
1. The cluster subdivision option is available in the R6, R13, and R24 zoning districts.
- C. **Minimum Parcel Size.** The minimum parcel size for a cluster subdivision shall be three acres.
- D. **Cluster Subdivision Development Standards.**
1. All other standards in the LDC shall apply to cluster subdivisions unless modified by this Section.
- E. **Identification and Maintenance of Protected Lands.**
1. Protected lands as defined in Section 4-1-4-2, Limits of Development, shall be identified on the final subdivision plat with a notation that indicates that those lands shall not be used for future development.
 2. Protected lands shall be identified with appropriate permanent signage markers in order to distinguish these areas from private lots.
 3. Protected lands shall be permanently maintained and preserved as:
 - a. Open space tracts with deed restrictions;
 - b. Land dedicated to the City;
 - c. Land protected through a conservation easement; or
 - d. Land protected by other means approved by the City.
 4. For any protected land not dedicated to the City, the developer shall provide a permanent mechanism acceptable to the City Attorney for the primary purpose of conservation, preservation, and management of protected lands.
 5. There shall be no further subdivision of land in an area approved for cluster subdivision; however, dedication of easements for public purposes may be permitted.
- F. **Use of Protected Lands.**
1. Protected lands shall be left in an undisturbed natural state or landscaped pursuant to Section 4-6-5, Landscape Areas and Bufferyards.
 2. The protected lands shall be used for low-intensity recreation, agriculture, buffers, critical wildlife habitat, or other passive park or open space purposes.
 3. The use of protected lands may be further limited or controlled at the time of final approval where necessary to protect adjacent properties.
- G. **Review and Approval of Cluster Subdivisions.**
1. The review and approval of cluster subdivisions shall follow the procedures for preliminary and final plats. The applicable procedure is dependent on the number of lots proposed in the cluster subdivision.

- C. **Contextual Design Objectives.** If there is an identifiable development pattern in the immediate area of the development, then proposed development shall, to the maximum extent practicable, coordinate elements between adjacent sites, including:
1. Reinforce the existing pattern and site features, particularly at the edges where the proposed development is not separated from existing development by a street or physical separation (i.e., railroad tracks, etc.);
 2. Provide shared driveways for accessing adjoining streets;
 3. Provide linkages of internal vehicular circulation systems;
 4. Provide linkages of interior pedestrian systems;
 5. Provide linkage/continuation of open space systems; and
 6. Integrate drainage and detention facilities.

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4-3-2-2 Landscape Surface Area

- A. **Generally.** Development shall be designed with landscaped areas that support the resource values of the natural open space in terms of its ecological function (e.g., habitat, water quality enhancement, energy efficiency, etc.), aesthetic contribution, recreational value, and buffering value in accordance with Article 4-6 Landscaping and Buffering
- B. **Site Design.** Site design shall be organized to include, protect or enhance the natural open spaces areas and landmark features of the site.
- C. **Enhancement of Open Space / Open Space Corridors.** Landscaped areas should be organized so as to create integrated systems that connect with dedicated school lands, parklands, other open spaces, or public lands or trails within the subject property or on adjoining property.
- D. **Natural Resource and Hazard Areas.** Natural resources such as water features including lakes, natural ponds, rivers, streams, wetlands, riparian areas, drainage ways, ditches, and flood hazard areas and vistas of natural features including distant peaks and ridges, steep slopes, existing tree canopy, wildlife habitat areas should be undisturbed.

4-3-2-3 Landscape Surface Area, Amenitized

- A. **Generally.** Sometimes referred to as "common open space." Development shall be designed with amenities for the common use or enjoyment of residents, employees, or guests of the development. Any portion of the area intended to meet requirements of small urban parks (Section 4-3-3-4 Mixed-Use) must be publically accessible. Amenities may include:
1. Passive recreational facilities such as trails, community gardens, courtyards with seating, shaded picnic areas, scenic areas, open grassy areas large enough for recreation, or similar common areas; or
 2. Active recreational facilities such as pools, tennis courts, playgrounds, and clubhouses; or
 3. Commercial outdoor seating and dining areas, or similar common areas serving employees and/or guests.
- B. **Accessibility.** Areas shall be accessible to all residents, employees, or guests of a development and meet all design requirements of the Americans with Disabilities Act (ADA).

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4-3-2-2 Common Open Spaces

- A. ~~Generally.~~ Development shall be designed to include common open spaces and amenities for the enjoyment of residents, employees, and the public in a manner that supports the resource values of the open space in terms of its ecological function (e.g., habitat, water quality enhancement, energy efficiency, etc.), aesthetic contribution, recreational value, and buffering value.
- B. ~~Formal Open Spaces.~~ Parks, squares, plazas, courtyards, greens, and other formal gathering open spaces, when required, shall be:
1. ~~Situated as focal points; and~~
 2. ~~Visible and accessible from streets, sidewalks, and / or trails.~~
- C. ~~Site Design.~~ Site design shall be organized to include, protect or enhance the natural open spaces areas and landmark features of the site.
- D. ~~Enhancement of Open Space / Open Space Corridors.~~ Open space should be organized so as to create integrated systems that connect with dedicated school lands, parklands, other open spaces, or public lands or trails within the subject property or on adjoining property.
- E. ~~Natural Resource and Hazard Areas.~~ Natural resources such as water features including lakes, natural ponds, rivers, streams, wetlands, riparian areas, drainage ways, ditches, and flood hazard areas and vistas of natural features including distant peaks and ridges, steep slopes, existing tree canopy, wildlife habitat areas should be undisturbed. Stormwater Management Devices. Land area occupied by stormwater management including retention and detention ponds and bioretention areas (filters or rain gardens) may be treated as an open space site amenity if the area includes at least one of the following or a combination of the following:
1. Access and pedestrian elements, such as paths and benches, that support passive recreation uses.
 2. Gentle slopes, vegetative landscaping, fountains, or water visible water circulation devices, and visually attractive low fencing or other elements that make stormwater management a site amenity.
- F.
- G. ~~Passive and Active Recreational Areas.~~ Open space areas for passive and active recreational purposes, such as pools, playgrounds, tennis courts, trails, ball fields, and clubhouses, including required public parks and trails should be included in common open space areas.
- H. ~~Stormwater Management Devices.~~ Land area occupied by stormwater management including retention and detention ponds and bioretention areas (filters or rain gardens) may be treated as an open space site amenity if the area includes at least one of the following or a combination of the following:
1. Access and pedestrian elements, such as paths and benches, that support passive recreation uses.
 2. Gentle slopes, vegetative landscaping, fountains, or water visible water circulation devices, and visually attractive low fencing or other elements that make stormwater management a site amenity.
- I. ~~Formal Plantings and Gardens.~~ Formally planted and regularly maintained open areas that provide passive recreation opportunities, including arranged plantings, gardens, community gardens, green roofs, gazebos and similar structures, and/or roof gardens shall have:
1. ~~At least one direct access to a building, or to a street, bikeway, or walkway accessible to the public or the development's occupants and users.~~

2. ~~Such feature shall be centrally located and compliment the landscape design to the surrounding development.~~

Division 4-3-3 Standards for Specific Development Types

4-3-3-1 Commercial

- A. **Generally.** The standards of this Section shall apply to retail and office development in the CG zoning district that contains retail buildings with at least 50,000 square feet of cumulative gross leasable area.
- B. **Pedestrian Plaza.** Each such development shall include at least one pedestrian plaza at least 5,000 square feet in area as a visual and functional focal point of the development.
- C. **Pedestrian Connections.** For all uses, sidewalks or walkways serving the site shall be designed so that:
1. Each point at which the system of sidewalks must cross a parking lot or internal street or driveway to make a required connection shall be clearly marked in accordance with the standards from the Manual on Uniform Traffic Control Devices (MUTCD), through the use of change in paving materials height, or distinctive colors; and
 2. Where sidewalks required above are providing pedestrian travel along private streets or drives, those sidewalks shall be detached from such private streets or drives for at least 50 percent of the linear distance of those adjacent sidewalks by a tree lawn at least eight feet in width. Sidewalks adjacent to parking spaces shall not be required to be detached; and
 3. All sidewalks shall be a minimum of five feet wide, or seven feet where there is adjacent perpendicular head-in parking.
- ~~3.~~

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4-3-3-2 Residential

- A. **Generally.** The standards of this Section apply to residential developments that include more than 10 dwelling units, located in all residential zoning districts and the MX and OT zoning districts, where single-family, duplexes, townhomes, multiplex, and multifamily are permitted, as provided in the following Subsections.
- B. **Arrangement of ~~Open Space~~Landscape Areas and Buildings.**
1. ~~Open space~~Amenitized landscape areas shall be provided to the extent practicable and situated so that ~~open space~~landscaped areas and outdoor recreation amenities are centrally located within the development.
 2. Principal buildings, such as club houses and recreational facilities, and landscaping shall, to the extent practicable, be located and designed so that residents can easily observe the buildings, ~~common open spaces~~landscaped areas, circulation paths, and access points into the development.
- C. **Parking.** For multiplex, townhome and multifamily development, at least 50 percent of required off-street parking shall be provided in garages or carports, rather than surface lots. Where surface parking lots are used, they shall to the extent practicable be located between or behind buildings, rather than adjacent to street frontages.
- D. **Single-Family Detached, Duplex, and Multiplex.**

1. **Generally.** Single-family detached, duplex, and multiplex residential subdivisions shall be designed to mitigate the impacts of streets and paved areas on the neighborhood, and to provide comfortable alternative routes for pedestrians and bicyclists, including continuous sidewalks, tree-lined streets, and pedestrian-scaled details.
 2. **Creation of Neighborhoods.** Residential development that includes more than 200 dwelling units shall be designed to create identifiable “neighborhoods” of 30 to 100 units.
 3. **Configuration of Lots.** Lots shall be configured to maximize the number of lots that are:
 - a. Within close proximity to an ~~“useable” common open space~~ amenitized landscape area (e.g., playground or trail); and
 - b. Connected by trails or common greens that do not cross streets.
- E. **Townhome.**
1. **Creation of Neighborhoods.** Residential development that includes more than 200 dwelling units shall be designed to create identifiable “neighborhoods” of 30 to 100 units.
 2. **Configuration of Lots.** Lots shall be configured to maximize the number of lots that are:
 - a. Within close proximity to an amenitized landscape area ~~“useable” common open space~~ (e.g. playground or trail); or
 - b. Connected by trails or common greens that do not cross streets.
 3. Buildings shall front on and align with:
 - a. Adjacent streets; or
 - b. Meet the minimum Non-Street Frontage Perimeter Setbacks identified in Table 2-1-8-7, Townhome Building Standards.
 4. **Connectivity.**
 - a. Where there is a sidewalk, separation between buildings shall be a minimum of 20 feet wide to allow for a minimum five foot wide sidewalk and landscaping
- F. **Multifamily.** The standards of this Subsection shall apply to all new multifamily residential development.
1. **Street Connectivity.**
 - a. Multifamily sites of 10 acres or more shall include a minimum of one public street (or private drive that is built to City street standards), that is continuous through the subject property, and that connects to a public street on both ends.
 - b. The Director may waive this requirement for a through-access street or drive, if it is demonstrated that:
 - i. There are adequate alternatives available for residents and vehicles to travel through the subject property to adjacent properties and developments; or
 - ii. There are no opportunities for a through-street to safely make such connections.
 2. ~~Common Open Space~~ Landscape Areas. Landscape areas ~~Common open space~~ shall be provided as follows:
 - a. Large ~~open space~~ landscaped areas should be the fundamental organizing element of the site. ~~Common open space~~ Landscaped areas should be well defined by buildings and streets. Buildings should be oriented in such a way as to create courtyards and open space areas.
 - b. Large existing trees and other natural features should be integrated into the ~~open space~~ landscape areas.

- c. ~~Common open space~~Landscape areas should be centralized and directly accessible to a majority of the surrounding units. Where possible, it should be linked to adjacent parks, paths, and open space areas.
- d. The ~~open space~~landscape areas shall be useable, non-riparian areas with slopes not exceeding 3:1.
- 3. **Site Amenities.** In conjunction with the ~~common open space~~landscape surface area requirements, and the required small urban parks in the MX-S, MX-U and the MX-T zoning districts (See Subsection 4-3-3-4E), all multifamily projects shall provide site amenities from the list below for the residents. Amenities shall be centrally located for a majority of the residents, and may be located within the ~~common open space~~landscape areas. Multifamily projects with less than 50 units shall provide two of the amenities from the list below. Multifamily projects with more than 50 units shall provide three of the amenities from the list below.
 - a. Plaza.
 - b. Swimming pool.
 - c. Sports court, such as tennis, basketball, or volleyball.
 - d. Natural open space area with benches.
 - e. Jogging trail.
 - f. Fountain, art, or sculpture.
 - g. Other amenity as approved by the Director

4-3-3-3 Clustered Small Housing

- A. **Generally.** The standards of this Section apply to developments of the clustered small housing types that are described in Section 2-1-8-9, Clustered Housing Types.
- B. **Common Green.**
 - 1. Clustered housing types shall be organized around one or two ~~common open space~~amenitized landscape areas ("green(s)"), with no dimension that is less than the larger of:
 - a. 1.5 times the height of the tallest building that fronts on the common green; or
 - b. 20 feet, for micro homes or 30 feet for cottages.
 - 2. The common green(s) shall be developed and maintained to provide for passive and/or active recreation activities for the residents of the housing cluster.
 - 3. The common green(s) shall be centrally located and easily accessible to all dwelling units within the cluster.
 - 4. The common green(s) shall be surrounded by clustered housing types on at least two sides, which do not have to be opposite sides.
 - 5. Stormwater management facilities are allowed within a common green, if they do not adversely impact access to or use of the common green for all-season pedestrian access to the dwelling units, and for anticipated active and passive recreation activities.
- C. **Front Porches.**
 - 1. Cottages. Each cottage dwelling unit shall have a front porch that is not less than seven feet in any dimension.

building is likely to result in significant increases in on-street parking in any surrounding residential neighborhood.

E. Change in Permitted Use.

1. When a change of use results in an increase in required off-street parking above that required for the prior use, the requirements of this Division shall apply to the increase in required parking.
2. The provisions of Subsection E.1., above, do not apply to any change in use in a commercial center, mixed-use development, or industrial building larger than 50,000 square feet in gross floor area, unless the Director determines that the change of use is likely to create a significant increase in on-street parking in any surrounding residential neighborhood.

F. Maximum Parking in Commercial Centers.

1. For commercial centers containing more than 50,000 square feet of retail and/or office space, the maximum number of off-street parking spaces allowed shall be 115 percent of the requirements shown in Section 4-5-2-2, Parking Requirements Tables.
2. Upon the Applicant's written request, the Director or Decision-Making Body may approve a greater amount of off-street parking spaces if the greater number of spaces provides a greater service to prospective users of the center and a greater benefit to the community as a whole, while minimizing any aesthetic and visual impacts of additional paved parking areas on the surrounding areas. In determining whether to approve a greater number of parking spaces, the Director or Decision-Making Body shall consider the number of employees occupying the buildings or land use, the number and timing of expected customers or clients, the availability (if any) of nearby on-street parking, the availability (if any) of shared parking with abutting, adjacent, or surrounding land uses, the provision of purchased or leased parking spaces in a municipal or private parking lot meeting the requirements of the City, and any other factors unique to the Applicant's development request.

- G. Parking Reductions.** Generally, the total number of required parking spaces is equal to the sum of the required parking for each use of a subject property. However, parking requirements may be reduced according to the methodology of Section 4-5-2-4, Shared Parking, and the provisions of Section 4-5-2-5, Parking Credits and Reductions.

4-5-2-2 Parking Requirements Tables

- A. Residential Land Uses.** The required off-street parking for residential land uses is set out in Table 4-5-2-2A, Residential Land Use Parking Standards.

Table 4-5-2-2A: Residential Land Use Parking Standards	
Land Use	Minimum Required Parking
Standard Housing Types	
Single-Family Detached or Duplex	2 sp. / du ¹
Duplex or Townhome	2.2 sp. / du ¹
Multifamily and Multiplex	efficiency units: 1.4 sp. / du 1 BR units: 1.6 sp. / du 2 BR units: 2.1 sp. / du ¹ 3+ BR units: 2.5 sp. / du ¹

2. Dispersed in a multi-building development or shopping center to ensure easy access, and to minimize the travel distance for the disabled.

D. Marking.

1. Each accessible parking space shall be identified with a sign that includes:
 - a. The International Symbol of Accessibility Parking Space marking per the MUTCD and ADA standards;
 - b. The phrase "Accessible Parking"; and
 - c. The statement "Van Accessible," if the space is a van-accessible parking space.
2. Signs shall be printed with green lettering and symbols on a white background and shall conform to MUTCD standards.
3. Signs shall be one foot wide by 18 inches high, and installed at least five feet, but not more than seven feet, above the finished floor (for parking structures) or ground surface (for surface parking), measured to the bottom of the sign.
4. Signs shall be permanently mounted, with anchor bolts, on a post or on an adjacent structure or wall within ten feet of the disabled parking space, oriented to the center of the front of each handicapped parking space, facing the rear of the space.
5. The symbol of accessibility shall be painted on the pavement of each disabled parking space.

- E. Accessible Routes.** All accessible routes shall serve as emergency exits for disabled individuals and shall be free from obstructions. Required ramps shall be identified with a sign and be made with a permanent material which will provide all-weather access.

4-5-3-4 Off-Site Parking

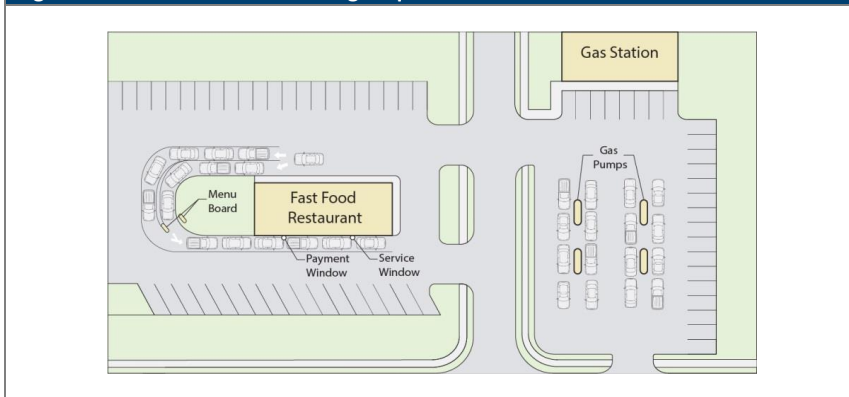
- A. Generally.** In lieu of locating parking spaces required by Division 4-5-2, Parking and Loading Calculations, on the lot that generates the demand for the required parking, parking spaces may be provided on any lot or premises controlled, *i.e.*, by fee-simple ownership, easement interests, lease interests, or participation in a parking district or other joint venture to provide centralized off-street parking, by the owner of the use that generates the parking demand, provided that:
1. The parking spaces are within ~~3200~~ 500 feet of the boundaries of the property generating such parking requirements and no required off-street parking space within said parking lot is more than 500 feet from the property it is serving; and
 2. The parking spaces are not already counted towards the parking requirements of another use after application of Section 4-5-2-4, Shared Parking, Section 4-5-2-5, Parking Credits and Reductions, or Section 4-5-2-6, Parking Studies, as may be applicable.
- B. Exceptions.** Off-site parking is not allowed in:
1. Residential zoning districts, except that manufactured home parks and clustered housing types may utilize centralized parking; and
 2. Locations in which a street with more than two lanes separates the off-site parking area from the subject property.

4-5-3-5 Tandem Parking

- A. Generally.** Tandem parking spaces are counted towards required parking only if they meet the standards of this Section.

- a. Two stacking spaces for each bay in a self-service vehicle wash facility;
 - b. Five stacking spaces for each in-bay or conveyor vehicle wash facility; and
 - c. If the facility provides detailing, manual drying or polishing, and / or vacuuming, sufficient area to provide those services without creating additional demand for stacking at the vehicle wash entrance.
6. **Other Uses.** The determination by the Director of stacking spaces necessary for other uses may require a queuing study conducted by a qualified transportation planner or traffic engineer at the Applicant's expense.
- C. **Design.**
1. Stacking lanes shall be clearly marked, and shall not interfere with on-site or off-site traffic circulation, or access to parking spaces.
 2. Stacking areas shall not be located in the front setback or side street setback ~~unless there is a grade change of at least five feet between the centerline of the street and the stacking area or alternatively, a Bufferyard Option in Division 4-6-5-3 is installed between the stacking lane and the street.~~

Figure 4-5-3-6: Illustrative Stacking Requirements



4-5-3-7 Design and Use of Off-Street Loading Areas

- A. **Generally.** All required off-street loading spaces shall be designed, constructed, and maintained in accordance with the standards and requirements of this Section.
- B. **Location.**
 1. Loading spaces shall be located on the same lot as the building or structure to which they relate.
 2. No loading space shall be located in any front setback area.
 3. Except where alley loading or over-the-curb loading is allowed, loading areas shall be located and designed to ensure adequate on-site maneuvering area for delivery vehicles.
 4. No loading area shall be designed in a manner that would allow any vehicle to extend into any front setback area or adjacent to any residential zone district while being loaded or unloaded.

5. Trucks parked in loading areas shall not encroach into required parking spaces or building setbacks.
6. Parked trucks loading or unloading materials shall not block travel lanes in parking lot or fire lanes.
- C. **Buffering.** Drive-through stacking areas and loading areas, including overhead doors, oriented so to face a residential zone district or a public right-of-way shall be screened from view from all property lines and adjacent streets to the greatest extent possible, as determined by the Director, by the following (For a drive-through stacking area, a fence or wall shall only be used when the area is adjacent to a residential zone district):
 1. By an opaque fence or wall between ~~6~~six feet and ~~8~~eight feet in height that incorporates at least one of the predominant materials and one of the predominant colors used in the principal building. The fence or wall may exceed ~~8~~eight feet in height when there is a difference in grade between the street and loading area to effectively screen the area.
 2. A landscape berm may be used instead or combined with the required fence or wall.
 3. If such areas are covered, then the covering shall include at least one of the predominant exposed roofing colors on the principal building.
- D. **Surfacing.** All required off-street loading spaces and access drives shall be improved with an asphaltic, concrete, or equivalent surface and shall be graded and drained in order to dispose of all surface water accumulation within such areas, as well as any associated parking area.
- E. **Alleys.** All alleys that are used for loading shall meet the City of Arvada Engineering Code of Standards and Specifications.

4-5-3-8 Bicycle Parking Design

- A. **Generally.** The bicycle parking spaces that are required by Section 4-5-2-8, Bicycle Parking, shall be designed according to the standards of this Section. The purpose of these design standards is to ensure that bicycle parking is convenient to bicyclists and provides security from theft and damage.
- B. **Standards.**
 1. **Generally.** Bicycle parking shall be designed to ensure that it is convenient to bicyclists and secured from theft and damage. so that bicycles maybe securely locked and safeguarded from accidental or intentional damage. Bicycle parking shall be provided using bicycle racks that meet the following standards:
 - a. Bicycles parking shall be securely locked and safeguarded from accidental or intentional damage.
 - b. Each required bicycle parking spaces shall be accessible without moving another bicycle.
 - c. There shall be an aisle at least five feet around the perimeter of all bicycle parking areas to allow room for bicycle maneuvering.
 - a. A U-shaped bike rack or variation thereof that allows for the bike to be locked to the rack by the frame and at least one wheel;
 - b. A bicycle that is six feet long can be securely held with its frame supported so that the bicycle cannot be pushed or fall in a manner that will damage the wheel components; and
 - c. The racks are securely anchored to a hard surface.

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- ~~2. Each required bicycle parking spaces shall be accessible without moving another bicycle.~~
~~C. There shall be an aisle at least five feet around the perimeter of all bicycle parking areas to allow room for bicycle maneuvering.~~

~~D-C.~~ **Short-term Bicycle Parking.** Short-term bicycle parking facilities or racks shall accommodate securing a bicycle using an industry-standard bike lock.

1. Short-term bicycle parking spaces shall be located within 50 feet of the main entrance to the building. Where there is more than one main entrance to a building, short-term spaces should be split between building entrances.

2. Bicycle racks shall meet the following standards:

- a. A U-shaped bike rack or variation thereof that allows for the bike to be locked to the rack by the frame and at least one wheel;
- b. A bicycle that is six feet long can be securely held with its frame supported so that the bicycle cannot be pushed or fall in a manner that will damage the wheel components; and
- c. The racks are securely anchored to a hard surface.

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~~2-3.~~ **MX Zoning Districts.** Multifamily ~~R~~residential, mixed-use, and office uses in the MX-N, MX-S MX-U and MX-T zoning districts shall provide bicycle parking in locations that are covered, secure, and illuminated. Such bicycle parking areas shall be maintained by the property owner, a property owners' association, or a metropolitan district.

~~3-4.~~ **OT and CG Zoning Districts.** Multifamily, schools, retail, and office uses in the OT and CG zoning districts shall provide bicycle parking locations that are secure, illuminated and along traveled ways.

~~E-D.~~ **Long-term Bicycle Parking.** Long-term bicycle parking shall be in a secure and weather-protected place ~~to park bicycles~~. Long-term parking does not have to be provided on site; however long-term bicycle parking must be within a reasonable distance of a site in order to encourage bicycle use.

1. Long-term bicycle parking is not required on a site when:
 - a. Non-residential gross building area is less than 5,000 square feet; or
 - b. There are ten or fewer residential units in a development or redevelopment.
2. Long-term bicycle parking, when required, shall be located within 50 feet of a building entrance and be visible from the building entrance. If the location of the bicycle parking is not obvious from the building entrance, signs shall be posted that indicate the location of bicycle parking.

~~2-3.~~ Long-term bicycle parking is require to be covered and shall be at least one of the following: on the site, either in the building or parking garage.

- a. In a locked room;
- b. In a bicycle locker;
- c. Covered bicycle parking may be provided inside buildings, under roof overhangs or awnings;
- ~~a-d.~~ In an area that is enclosed by a fence with a locked gate;
- e. A free standing building;
- f. Within view of an attendant or security guard; or
- g. In an area that is monitored by a security camera.

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~~b.h. , in bicycle lockers, or within or under other structures. When covered bicycle parking is not located within a building or locker, the cover shall be:~~

- ~~i. Designed to protect bicycles from precipitation;~~
- ~~ii. High enough to provide at least ten feet of clearance above the floor or ground; and~~
- ~~iii. Posted with a sign indicating the location of the bicycle parking when not directly visible at a transit facility or main building entrance.~~

~~3. To provide security, a long-term facility bicycle parking shall be in at least one of the following locations:~~

~~a. In a locked room;~~

~~b.i. In an area that is enclosed by a fence with a locked gate;~~

F.E. Surfacing and Clear Area.

1. The surface of bicycle parking spaces shall be of hardscape material such as asphalt, concrete, or other materials approved by the Director.
2. Racks shall be bordered by physical barriers or located a sufficient distance from motor vehicles to prevent damage to parked bicycles.
- ~~3. Racks shall be installed with sufficient clearance from obstructions so that they can be used according to their design.~~
- ~~4. A clear area of three feet minimum shall be maintained on the parking side of the bicycle rack (both sides if the rack is designed and installed to be accessed from both sides). The clear area is measured away from the rack, from the furthest point of the back wheel of a six foot long bicycle parked in the fashion for which the rack is designed.~~

~~G. Location of Bicycle Parking Spaces. Bicycle parking facilities should be located within 50 feet of a building entrance and be visible from the building entrance. If the location of the bicycle parking is not obvious from the building entrance, signs shall be posted that indicate the location of bicycle parking.~~

4-5-3-9 Snow Storage

- A. **Generally.** Parking lots and adjacent or integrated landscaped areas shall be designed and configured so that snow can be efficiently plowed into storage areas on the subject property.
- B. **Standards.** Snow storage areas shall be located and designed so that:
 1. The amount of parking on the site is not reduced below the number of spaces required by Division 4-5-2, Parking and Loading Calculations, when snow is stored on-site;
 2. Storage of snow does not interfere with circulation on the site or with visibility at points of ingress or egress or at street intersections;
 3. The location of the snow storage area does not create an unreasonable risk of snow being pushed into public streets or sidewalks;
 4. The snow storage area is located and configured so that snow can be removed from the site during periods of heavy snowfall that are combined with sub-freezing temperatures; and
 5. Runoff from snowmelt is directed through stormwater best management practices ("BMPs") to slow water and improve its quality.

Division 4-5-4 Use and Maintenance of Parking Areas

4-5-4-1 Use of Parking and Loading Facilities

Adopted May 18, 2020

Amended XXXXXX XX, 2021

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2. During the construction stage of development, the Applicant shall prevent the cleaning of equipment or material or the storage and disposal of waste material such as paints, oils, solvents, asphalt, concrete, motor oil or any other material harmful to the life of a tree within the fenced tree protection zone.
3. No damaging attachment, wires, signs or permits may be fastened to any protected tree.
4. Large property areas containing protected trees and separated from construction or land clearing areas, road rights-of-way and utility easements may be "ribboned off," rather than erecting protective fencing around each tree. This may be accomplished by placing metal t-post stakes a maximum of 50 feet apart and tying ribbon or rope from stake-to-stake along the outside perimeters of such areas being cleared.
5. The installation of utilities, irrigation lines or any underground fixture within the fence tree protection zone shall be accomplished by boring under the root system of protected existing trees at a minimum depth of 24 inches.

Division 4-6-3 General Landscaping Standards

4-6-3-1 Applicability

- A. **Generally.** All new construction, including building expansions that increase the footprint of a building by 25 percent or more, and modification to an existing landscape area shall comply with the standards in this Article.
- B. **Exceptions.** Exceptions to this Article are allowed under the following circumstances:
 1. **Interior Tenant Improvement.** The landscaping requirements of this Article shall not apply to existing structures where interior tenant improvements occur and where there is no addition to the number of parking spaces provided.
 2. **Existing Structures.** Where existing structures are situated so as to preclude the installation of required landscaping, the Director may authorize reductions for the required landscaping.
 3. **Physical Limitations of the Site.** The Director may authorize modifications to landscaping requirements for structure additions or tenant improvements where landscaping requirements are not feasible due to physical limitations of the site. Where the landscaping requirements have been modified, the landscaping shall be relocated in the following manner:
 - a. To another portion of the lot;
 - b. Along a property line; or
 - c. To an area, including a nearby public park or other City-owned property, as determined by the Director upon review with the owner or developer.
 4. **Single-Family Detached and Duplex.** Single-family detached and duplex dwelling unit lots, are exempt from landscaping requirements, provided the initial development of the subdivision contains nine or fewer lots of single-family and/or duplex. Common open spaceCommon landscape areas, bufferyards, water quality/detention basins, or streetscape areas, shall meet the applicable requirements of this Chapter.
- C. **Site Changes.** Townhome, multiplex, multifamily, mixed-use, commercial, and industrial uses that are part of larger project shall be required to submit a site plan for the area that is disturbed that meets the requirements of this Article. The Director may require that a site plan covering the entire project area be submitted.

- D. **Parking lot Reconfiguration.** Modifications to any existing parking lot in an amount greater than 20 percent, or expansions of an existing parking lot by 25 spaces or more shall meet the landscaping requirements of this Article for the area being modified or expanded.

4-6-3-2 General Landscaping Standards

- A. **Landscape Plan Required.** A landscape plan with designated landscaped areas shall be submitted as a part of all development applications where landscaping, buffering, or screening is required, unless the applicable Decision-Making Body determines that compliance with the provisions of this Article can be demonstrated without the use of a landscape plan. Final landscape plans shall be stamped, signed and dated by a State of Colorado Registered Landscape Architect for all projects except residential minor subdivisions as defined in Subsection B.4 above or where the Director determines the scope of the project does not warrant such plans.
- ~~B. **Landscape and Open Space Requirements.** Landscaped areas may count toward satisfying usable open space requirements specified for the MX-N, MX-S, MX-U, MX-T, CG, IL, and IG zoning districts (See Division 2-1-4, Mixed Use Districts, and Division 2-1-6, Commercial and Industrial Districts).~~
- ~~C. B. **Minimum Landscape Area Vegetative Coverage.** Landscaped areas shall be covered with shrubs in combination with lower water consuming ground-level plants, ornamental grasses, or turf for at least 75 percent of the landscape area, at maturity.~~
- ~~D. C. **Detention and Retention Ponds.** Detention and retention ponds shall be physically, functionally and visually integrated into adjacent landscape uses through the use of topography, building and parking lot placement, plantings, permanent water features, recreational or open space amenities, or other methods. Slopes shall not exceed a 4:1 ratio or be flatter than 2 percent.~~
- ~~E. D. **Steep Slopes.** Grading in landscaped areas shall not exceed slopes greater than 6:1 in the amenitized areas portions of Small Urban Parks and 4:1 for all other areas, except that public maintained shrub beds and native grass areas shall not exceed 3:1 slope.~~
- ~~F. E. **Alternative Requirements for Hardscape Features.**~~
1. In mixed-use and nonresidential districts, pedestrian walks and other hardscape landscape features and amenities, such as Small Urban Parks, outdoor seating areas, and plazas with recreation and entertainment areas, water features, and public art, may comprise up to 50 percent of the landscape area.
 2. The Director may approve a greater percentage of hardscape features based on the consideration of the proposed development, mix of uses, and the quality of the proposed landscape design.

Division 4-6-4 Calculation of Landscape Requirements

4-6-4-1 Approved Plant Lists

- A. **Generally.** Only those plants on the approved City's plant list may be used to meet the standards of this Article. Plants that are listed on the City's prohibited plant list shall not be installed, and the City may require their removal as a condition of development approval. Applicants may request that plants that are not listed be included on the approved plant list, and the Director may add them according to the standards in Subsection B.3., below.

1. Within each of the large tree and shrub categories, not more than 30 percent of the trees or evergreens installed on a subject property shall be of a single genus, and not more than 20 percent of the trees or evergreens installed on a subject property shall be of a single species.
 2. A minimum of ten percent of the trees shall be evergreen.
 3. The Director may require biodiversity of street trees that are planted in public rights-of-way in order to serve the purpose of this Section.
- C. **Exceptions.** Exceptions may be made with written permission of the Director upon good cause shown, provided that the Director finds that the exception does not materially undermine the purpose of this Section.

Division 4-6-5 Landscape Areas and Bufferyards

4-6-5-1 Identification of Landscape Areas

- A. **Generally.** This Section sets out several different areas of a subject property in which specific quantities or techniques of landscaping may be required.
- B. **Identification of Landscape Areas in All Development Types.**
1. Bufferyards are areas of a subject property that must be used for buffering the subject property from adjoining lots, parcels, or public rights-of-way. Bufferyards are generally situated along (or close to) property lines, outside of the public right-of-way.
 2. Streetscape areas are areas of a subject property adjacent to right-of-way, or the adjoining right-of-way itself that are used for the planting of street trees and other plant material.
 3. Parking lot landscape areas are those areas within surface parking lots that must be landscaped. Such surface parking areas include access aisles and off-street parking spaces.
 4. Building foundation landscape areas are those areas within 10 feet outward from the exterior walls of principal buildings barring soil restrictions that are identified in the recommendation in a geotechnical report.
 5. Privately-owned open spaces are the areas that qualify as “open space,” and which are subject to an easement or dedication that restricts future development to open space uses.
 6. Residential lot landscape areas are the yards on lots that are intended for individual ownership, or, in the case of common maintenance communities or condominiums, areas around dwelling units that would be located within private lots if the subdivision were platted for fee-simple ownership.

4-6-5-2 Bufferyard Purpose and Applicability

- A. **Purposes of Bufferyards.** A bufferyard is a landscaped area between two differing land uses and is designed to provide a transition between the uses, mitigate or minimize potential nuisances such as noise, light, and glare, protect the character of an area, and protect natural resources from impacts of nearby development.
- B. **Applicability.**
- ~~1. **Uses Requiring a Bufferyard.** The following uses require a bufferyard per 4-6-5-3, Bufferyard Options:~~
 - ~~2. **Where directly adjacent to single-family detached dwelling or duplex dwelling, or a RN zoning district:**~~

- ~~a. Multifamily and other attached residential buildings;~~
 - ~~b. Mixed-use buildings;~~
 - ~~c. Nonresidential buildings;~~
 - ~~d. Drive-through facilities; and~~
 - ~~e. Industrial manufacturing, processing uses, and storage uses in the IL and IG zoning districts.~~
 - ~~f. Where directly adjacent to a multifamily or other attached residential building or a mixed-use building with residential component:~~
 - ~~i. Drive-through facilities; and~~
 - ~~ii. Industrial manufacturing, processing uses, and storage uses in the IL and IG zoning districts.~~
1. **Uses Requiring a Bufferyard.** The following uses require a bufferyard per Section 4-6-5-3, Bufferyard Options, where directly adjacent to a single-family detached dwelling, duplex dwelling or multiplex, or a RN zoning district:
 - a. Multifamily and townhomes;
 - b. Mixed-use buildings;
 - c. Non-residential buildings;
 - d. Drive-through facilities;
 - e. Industrial manufacturing and processing uses, and storage uses in the IL and IG zoning districts; and
 - f. Dead-end drives and turnarounds.
 2. **Additional Uses Requiring a Bufferyard.** The following uses require a bufferyard per Section 4-6-5-3, Bufferyard Options, where directly adjacent to a multifamily, townhomes, -or other attached residential buildings or a mixed-use building with a residential component:
 - a. Drive-through facilities; and
 - b. Industrial manufacturing, processing uses, and storage uses in the IL and IG zoning districts.

4-6-5-3 Bufferyard Options

- A. One of the following bufferyard options shall be installed along any non-street frontage or alley when required by Section 4-6-5-2, Purpose and Applicability, and landscape material shall be from the City's approved plant list to include acceptable buffer trees and shrubs. The options are identified below:
 1. **Option A.** A landscaped bufferyard with a minimum width of 30 feet shall be provided along the property line. Canopy shade trees, evergreen trees, and shrubs shall be provided as follows:
 - a. Three trees and 20 shrubs per 100 lineal feet of adjacency. A minimum 20 percent evergreen trees.
 2. **Option B.** A landscaped bufferyard with a minimum width of 20 feet shall be provided along the property line. Canopy shade trees, evergreen trees, and shrubs shall be provided as follows:

2. **Planting Locations.**

- a. Generally, street trees shall be installed in a streetscape area with a minimum width of eight feet between back of curb and sidewalk.
- b. As an alternative to a streetscape area, tree grates or cutouts in sidewalks may be allowed in the MX, and OT zoning districts. Tree cutouts in sidewalks shall be of sufficient size to support healthy tree growth as determined by the Director.
- c. Alternative locations are allowed by approval of the Director according to the standards set out in Subsection A., above.

C. **Setbacks.**

1. The trunks of street trees shall be set back from driveways and alleys outside of the sight triangle.
2. Street trees shall be planted so that:
 - a. Their eventual growth can be reasonably controlled so as to avert interference with or obstruction of any improvements installed for public benefit; and
 - b. Nearby overhead and underground utilities such as water, wastewater, gas, communications, and electrical, will not be disrupted or materially affected by branches or roots.
3. No street trees that are more than 25 feet in height at maturity shall be planted under or within 10 feet (measured horizontally) of any overhead power line, except street light or service lines.

- D. **Maintenance.** Maintenance of street trees shall be the responsibility of the adjacent property owner, unless the Applicant has provided for an alternative perpetual maintenance arrangement that is acceptable to the Director (*e.g.*, via a property owners' association or special district).

4-6-6-2 Street Bufferyards

A. **Street Bufferyards in Setbacks.**

1. In the CG, IL and IG zoning districts, and multifamily in the R13 and R24 zoning districts, the front setback shall be landscaped in accordance with Sections 4-6-6-4, Foundation Plantings and 4-6-6-5, General Landscape Areas .
2. In the MX and OT zoning districts, if the principal building is set back more than five feet from the property line, then that area shall be landscaped in accordance with Sections 4-6-6-4, Foundation Plantings and 4-6-6-5, General Landscape Areas. If the building is set back less than five feet, the area shall be hardscaped with paving materials such as concrete, pavers or other quality paving materials, or landscaped with shrubs and ground-level plants. [The remainder of all setbacks shall be landscaped in accordance with Sections 4-6-6-4, Foundation Plantings and 4-6-6-5, General Landscape Areas.](#)

4-6-6-3 Parking Area Landscaping

- A. **Generally.** Surface parking lots shall be landscaped to reduce the apparent size of the parking area; prevent views of long rows of parked cars; create an impression of smaller, connected parking lots; provide shade for parked cars; reduce the heat island effect of an urbanized area; and define pedestrian access ways, according to the standards of this Section.
- B. **Exceptions.**

1. The surface parking lot landscape requirements of this Section do not apply to:
 - a. Parking lots in the IL and IG zoning districts if the subject property is located south of West 60th Avenue and east of or adjacent to Lamar Street; or
 - b. Surface parking lots with 24 or fewer parking spaces and with 12 or fewer parking spaces in a row.
 2. The access point landscape requirements of this Section do not apply to driveways that provide access to individual single-family detached, duplex, multiplex, or townhome lots.
- C. **Perimeter Landscape Buffer.**
1. **Required Perimeter Landscape Buffer.**
 - a. Parking lots adjacent to single-family detached, duplex, multiplex, or townhome uses shall meet the Option C or D bufferyard in Division 4-6-5-3, Bufferyard Options.
 2. **Exceptions.**
 - a. The requirements for perimeter landscaping do not apply at points of ingress or egress to the surface parking lot, or to points of cross-access among properties that share a parking lot.
- D. **Required Surface Parking Lot Landscape Areas.**
1. Landscaping shall be installed in the following required landscape areas:
 - a. Landscape islands are required at the end of each row of parking spaces in each parking module;
 - b. Landscape islands are required and must be distributed throughout the parking lot, at a rate of at least one landscaped island for each 12 consecutive parking spaces;
 - c. Vegetated entry medians are required with a minimum of at least 300 square feet in surface area and a minimum five feet in width (not including curbs), if the surface parking lot contains 180 or more parking spaces;
 - d. Landscape strips are required at least [12-14](#) feet in width (not including curbs) that separate groups of parking modules (along their long edges) into “cells” as provided in Table 4-6-6-3, Parking Module Separation Requirements.

Figure 4-6-6-3: Parking Module Separation Diagram

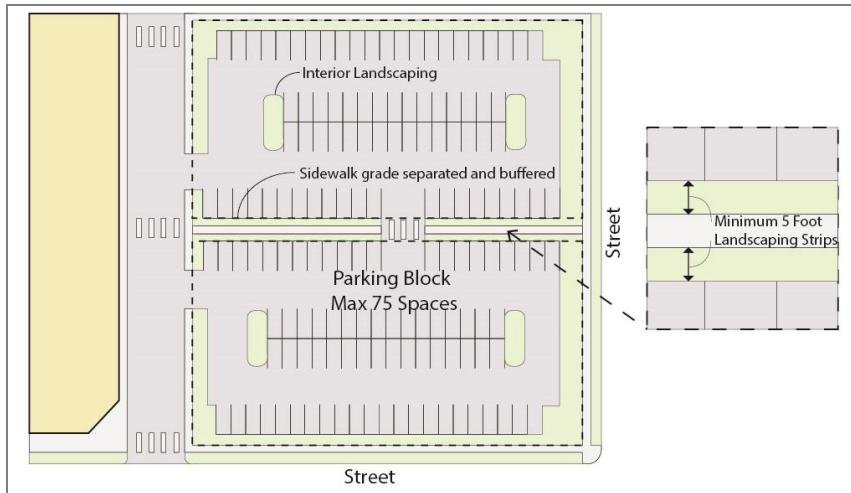


Table 4-6-6-3: Parking Module Separation Requirements

Predominant Type of Land Use	Maximum Number of Parking Spaces in Cell
Residential	50
Nonresidential (except Industrial)	75
Industrial	100 if the parking area is located within 300 feet of a public street; otherwise, no maximum

2. Landscape islands that are used to meet the requirements of Subsection D.1.a. and D.1.b., above, shall be at least eight feet in width (not including curbs) and 16 feet in length, and may be combined (eight feet in width by 32 feet in length) at the ends of adjacent parking modules.
3. Landscape strips may include sidewalks (and landscape islands may be crossed by sidewalks), but the sidewalks shall be counted as required landscape areas for the purposes of the calculation of planting requirements (see Subsection E., below).
4. A raised sidewalk to connect the parking area with major building entries should be provided between the cells with a five foot planting strip on both sides of the sidewalk. An alternative layout is a sidewalk connection with a central five foot wide landscaped area, flanked with sidewalks on both sides.

- E. **Minimum Planting Requirements.** Required surface parking lot landscape areas shall be planted with one shade tree or two ornamental trees, plus eight shrubs per 300 square feet of required landscape area.

4-6-6-4 Foundation Plantings

- A. **Generally.** The foundation planting area is the area of ground that extends 10 feet outward from street-facing principal building elevations, and wrapping five feet around the corners of street-facing principal building elevations. The foundation planting area does not extend into adjacent rights-of-way. Foundation plantings are required for all principal buildings as provided in this Section, except as provided in Subsection B., below.

B. **Exceptions.** Foundation plantings are not required:

1. For principal buildings used for:
 - a. Multi-tenant nonresidential buildings that are designed with an adjacent sidewalk that provides principal public access to the individual tenant entrances;
 - b. Land uses set out in Section 3-1-2-10, Agricultural Land Use by Zoning District.
2. On lots that are developed with single-family, duplex, multiplex, clustered small housing types, and manufactured homes.
3. For principal buildings located less than five feet from the property line.

C. **Planting Requirements.**

1. Foundation planting areas shall be planted with 1 shrub per 5 linear feet of building façade.
2. Foundation plantings shall be used to accent the principal public entry to the building. Foundation plantings may be clustered for this purpose, and to provide interest and accent to other parts of the building, or to provide a foreground object to mitigate the appearance of building mass.
3. Foundation planting areas may include areas with impervious surfaces; however, the area within the foundation planting area that is used for the installation of required landscape materials shall be large enough to support the healthy growth of the plant material.

4-6-6-5 General Landscape Areas

- A. **Generally.** Except as provided in Subsection B., below, the landscaping requirements of this Section apply to all permeable areas of the subject property that are not otherwise a designated required planting area pursuant to Division 4-6-5, Landscape Areas and Bufferyards or Section 4-6-6-1, Street Trees, through Section 4-6-6-4, Foundation Plantings, inclusive.
- B. **Exceptions.** The requirements of this Section do not apply to:
 1. Preserved open space; and
 2. Irrigation canals, irrigation ditches, reservoirs, and appurtenant maintenance areas (whether owned in fee simple or as easements).
- C. **Planting Requirements.** General landscape areas shall be planted with at least:
 1. One ~~large-canopy or evergreen~~ tree, or two ornamental trees per ~~23,000~~ square feet of ~~permeable-landscape surface~~ area;
 2. A minimum of One small tree or one evergreen per 1,500 square feet of permeable area ~~10 percent of all trees shall be evergreen~~; and
 3. 75 percent vegetative ground coverage at maturity, excluding tree canopy.
- D. **Shrub Requirements.** Shrubs shall be planted at a maximum spacing of five feet on center.
- E. **Planting on Steeper Slopes.** On slopes greater than 3:1, the following can be planted:
 1. Trees and shrubs; and
 2. Groundcovers.

4-6-6-6 Single-Family Detached, Duplex, Multiplex, and Townhome Front Yards

Prior to the issuance of a certificate of occupancy, single family, duplex, multiplex, and townhome dwelling units shall be landscaped as follows:

Figure 4-7-2-1A: Fence and Division Wall Location Diagram

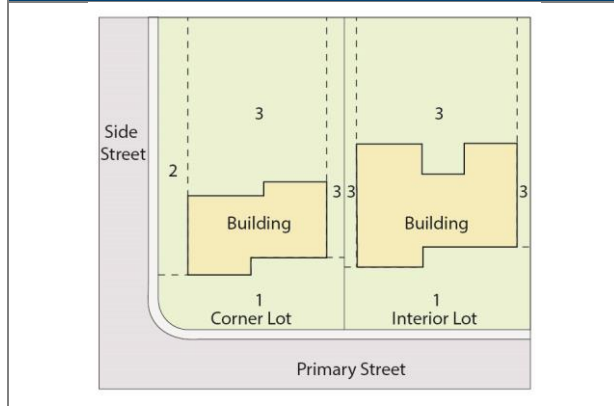


Table 4-7-2-1 : Maximum Height of Fences and Divisional Walls Within Required Setback Areas

Zoning District	Setback		
	Area 1 Front	Area 2 Street Side	Area 3 Rear & Interior Side
OS, RA, RN, R6, R13, R24, MX-N	3 ft. ²	3 ft. ^{2,3,4}	6 ft. ^{4,9}
MX-S, CG	3 ft. ²	3 ft. ^{2,5}	6 ft.
MX-U, MX-T	3 ft. ²	3 ft. ^{2,5}	6 ft.
OT Zoning Districts	3 ft. ^{5,6,7,8}	3 ft. ^{5,6,7,8}	3 ft. ⁸
IL	6 ft.	6 ft.	6 ft.
IG	6 ft.	8 ft.	8 ft.
<u>PUD</u>	<u>Per the approved PUD. If no standards were identified as part of the approved PUD, then the fence standards for the closest zoning district shall be utilized.</u>		

TABLE NOTES:

¹ See Figure 4-7-2-1A, Fence and Divisional Wall Location Diagram.

² Height may be increased to 4 ft. if the fence is at least 50 percent transparent when viewed at a perpendicular angle.

³ Height may be increased to 6 ft. (regardless of opacity) if the fence is set back at least 6 ft. from the property line or 6 ft. from the back of adjacent sidewalk, whichever is greater.

⁴ Height may be increased to 8 ft. for divisional walls that face arterial streets.

⁵ Height may be increased to 6 ft. if a minimum of 50% open for school yards.

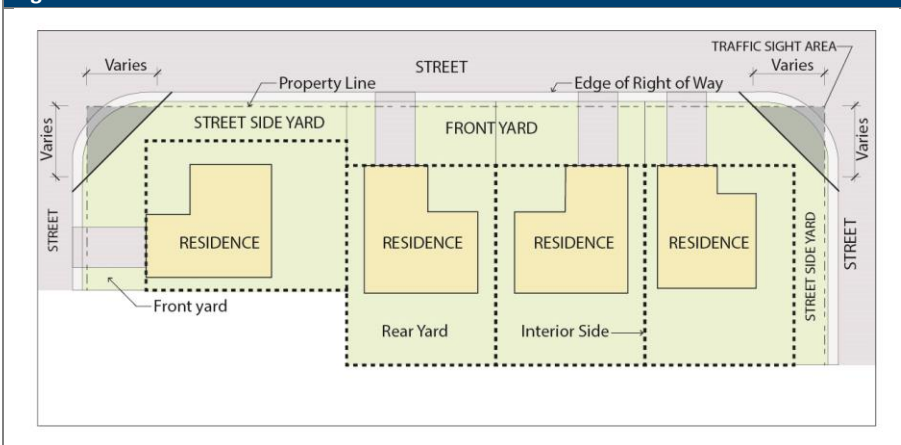
⁶ Height may be increased to 4 ft. if a minimum of 50% open for single-family, duplex or multiplex building types.

⁷ Height may be increased to 4 ft. if a minimum of 50% open for mixed-use building type outdoor dining areas.

⁸ Height may be increased to 6 ft. except within any McIlvoy Park Frontage zone or any side or rear setback adjacent to McIlvoy Park or Olde Town Plaza, or where it would extend in front of a building within any frontage zone.

⁹ Maximum height is 6 ft. for rear yards on double frontage lots.

Figure 4-7-2-1B: General Fence Location



E. Setbacks from Streets, Sidewalks, Open Space, Trails, and Multi-Use Pathways.

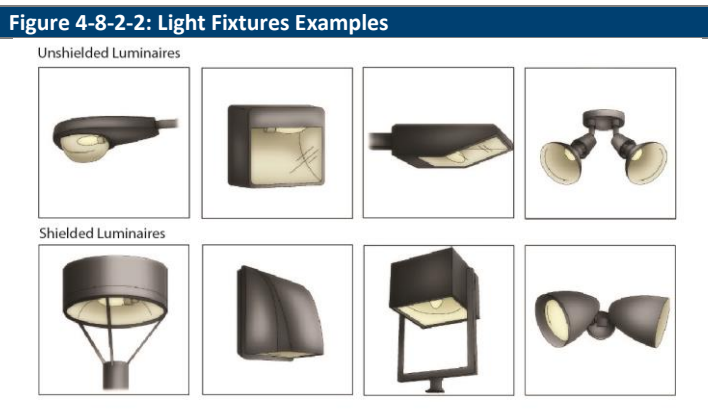
1. No solid fence or divisional wall that is between four and eight feet in height shall be installed closer than:
 - a. Eight feet from the flowline of a street; and
 - b. Five feet to the nearest edge of a sidewalk, open space corridor less than 15 feet wide, trail, or multi-use pathway.
2. No solid fence or divisional wall that is more than eight feet in height shall be installed closer than:
 - a. Ten feet from the flowline of a street; and
 - b. Eight feet to the nearest edge of a sidewalk, open space corridor less than 15 feet wide, trail, or multi-use pathway.
3. Fences that exist in the condition identified in Subsection E1 and E2 above prior to the adoption of this Code shall be considered conforming.
4. The area between the fence or divisional wall and the street, sidewalk, trail, or multi-use pathway shall be landscaped with shrubs, groundcover, perennials, ornamental grasses, or turf materials that provide contrast with the sidewalk. Inorganic ground cover such as river rock, cobble rock, or gravel may be used as part of the landscape provided that the ground cover, ornamental grasses or turf which are planted achieve 50 percent coverage at maturity. Hardscape materials are allowed only at points of access through the fence or divisional wall.
5. Fences shall comply with the sight triangle requirements of Section 4-4-3-3, Intersection Visibility.

F. Design of Street-Facing Fences or Divisional Walls.

1. All fences or divisional walls adjacent to a street, open space, trails, and multi-use pathways, the finished surface of the fence shall face towards the street frontage. Non-decorative elements such as fence posts and supporting structures, when visible on one side and not the other, shall face inward.
 2. No portion of any front yard setback may be fenced for use as an animal pen or dog run.
- G. **Perimeter Fence and Walls.** Perimeter fences and walls along arterial streets or railroad tracks may be constructed up to eight feet in height. Perimeter fencing shall be constructed of Western Red Cedar wood or other material approved by the Director, or masonry. Masonry fence posts two foot by two foot in size, shall be located at property corners but no further than 100 feet apart on-center, and with sloped column caps to drain water to the sides of the posts.
- H. **Security Fencing.**
1. No barbed wire or other sharp-pointed fences or similar security devices on divisional walls shall be installed on any property, except:
 - a. In the IL or IG zoning districts that is used for industrial purposes, upon demonstration to the Director or the Decision Making Body that a substantial security need justifies the installation; or
 - b. In the RA or OS zoning districts on property that is used for agricultural purposes.
 2. Electrically charged fences are not allowed unless necessary for livestock control in an RA zoning district.
- I. **Relationship to State Statutes or Regulations.**
1. Where the Colorado statutes or implementing administrative regulations require fencing or divisional walls that are taller than those that are allowed by Table ~~2-3-6-24-7-2-1~~, Maximum Height of Fences and ~~Garden~~Divisional Walls ~~w~~Within Required Setback Areas, the Director may approve the increased fence or divisional wall height in accordance with the statutes or implementing administrative regulations.
 2. If the fence or divisional wall is located within Area 1 or Area 2 as shown in Figure ~~2-3-6-24-7-2-1A~~, Fence and Divisional Wall Location Diagram, then where feasible and consistent with the statute or regulation, the Director shall require landscaping or design treatments to mitigate the visual impacts of the increased height of the fence or garden wall when viewed from the public streets. Mitigation measures may include, but are not limited to, tree, shrub, or hedge plantings; material and color selections that de-emphasize the fence or garden wall; transparency; and additional setbacks for the fence or divisional wall.
- J. **Fence and Wall Materials.**
1. Fences and divisional walls shall be made of high quality, durable materials that require low maintenance and are complementary with the overall design of the principal building and site landscape. The following materials are allowed:
 - a. Wood and composite wood;
 - b. Non-reflective plastic and vinyl fencing;
 - c. Natural stone, stacked stone, brick, stucco, decorative concrete masonry blocks that replicate the appearance of brick, stone, stucco and CMUs;
 - d. Metal iron, metal picket and other metals simulating the appearance of wrought iron, chain-link fencing or aluminum or wrought iron decorative fencing;

4-8-2-2 General Design Standards

- A. **Shielding of Lights.** Luminaires shall be shielded and directed to avoid glare and overspill onto adjacent property.
1. All exterior light fixtures shall be full cutoff fixtures that are directed downward (90 degrees from true vertical) and shall have flat lenses, emitting no more than 10 percent of the total lumens between 80 and 90 degrees from true vertical. Fixtures shall be configured so that lights do not cause glare.
 2. All light fixtures on structures, poles, bollards, stands, or mounted on a building shall have a shield, adjustable reflector, and/or non-protruding diffuser to shield the light source from sight from adjacent residential zoning districts.



- B. **Maximum Spill Light Illumination Levels.** Except for public street lighting, all exterior lighting and indoor lighting visible from outside shall be designed to minimize adverse impacts on adjacent properties by minimizing glare and limiting light at the property line and located so that the maximum illumination measured in foot_candles at ground level and for mixed-use development without property lines shall be measured a line half-way between buildings of differing uses and shall not exceed the standards in Table 4-8-2-2A, Maximum Illumination Levels.

Table 4-8-2-2A: Maximum Spill Light Illumination Levels at Property Line

Type of Use Abutting a Lot Line	Maximum Illumination level at Lot Line (Foot Candles)
Single-family dwelling and duplex residential property line in RA, RN, R6, R13, R24, OT districts (-single-family, duplex, multiplex building types), and OS	0.50 <u>0.3</u>
Attached dwelling and multifamily residential property line (except mixed-use buildings <u>dwelling</u>)	1.00 <u>0.8</u>

Table 4-8-2-2A: Maximum Spill Light Illumination Levels at Property Line

Type of Use Abutting a Lot Line	Maximum Illumination level at Lot Line (Foot Candles)
Mixed-use buildings and non-residential property lines	2-01.0
Industrial	3-01.5

1. Maximum Illumination and Lighting Uniformity.

- a. Lighting of pedestrian and vehicular use areas (e.g., parking lots, plazas, and sidewalks) shall have a uniformity ratio of three ten to one (maximum to minimum).

- b. No single lamp shall exceed:

i. All zone districts except ILG and IGL – 16,000 lumens

ii. IL and IG zone districts - 20,000 lumens.

2. Maximum Light Levels.

- a. The maximum allowed light levels at any point on the property (as measured in foot candles) shall not exceed the following limits:

Pedestrian areas (when not adjacent to parking lots) 3 Foot Candles

Multiplex, Townhome, and Multifamily Building Entries 8 Foot Candles

Parking lots, and all other non-residential use areas 8 Foot Candles

Service Canopies (fuel stations, ATMs, Drive-Thru's, etc.) 20 Foot Candles

- c. **Maximum Height.** The height of exterior light fixtures, whether mounted on poles, walls, or by other means, shall comply with the standards in Table 4-8-2-2B, Maximum Height for Exterior Lighting.

Table 4-8-2-2B: Maximum Height for Exterior Lighting

Base Zoning District	Maximum Height ¹
OS, RA, RN, R6, R13, R24, OT, MX-N, MX-S	22 feet
CG, MX-U, MX-T, IL, IG	35 feet

TABLE NOTES:

¹ Porch and balcony lights on residential buildings are exempt from the maximum height. Lighting allowed no more than 12 ft. above the surface of a rooftop deck.

D. Motion-Activated Security Lighting.

1. Motion-activated security lighting may emit up to 3,000 lumens per fixture.
2. Not more than one motion-activated security light fixture is allowed per 60 linear feet of building elevation.
3. Security lighting shall be timed to turn off after not more than five minutes after motion activation.

- E. **Outdoor Sports or Performance Venue.** Lighting fixtures for outdoor sports areas, athletic fields, and performance areas shall be equipped with a glare control package (e.g., louvers,

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shields, or similar devices) and aimed so that their beams are directed and fall within the primary playing or performance area.

1. Lighting fixtures may not be more than 40 feet in height.

~~F. Parking Lot Lighting.~~

- ~~1. Maintained average horizontal illuminance values in parking lots during times when the parking lot is in use shall not exceed four foot candles.~~
- ~~2. The average horizontal illuminance within the parking area shall not exceed 3.5 foot candles when the associated business(es) is closed.~~

G.F. Pedestrian Area Lighting.

1. **Pole** Light fixtures for plazas, small urban parks, sidewalks, walkways, trails, and bicycle paths outside of vehicular surface areas (i.e., parking lots) shall:
 - a. Provide at least 1.5 foot candles of illumination, but not exceed three foot candles; and
 - b. Have a maximum height of 15 feet.
 - c. No single lamp shall exceed 10,000 lumens.
2. Pedestrian bollard lamps shall be mounted no higher than four feet above grade and shall not exceed 3 foot candles.
 - a. No single lamp shall exceed 900 lumens.

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H.G. Wall Pack Lights. Wall packs on the exterior of the building shall be fully shielded (e.g., true cut-off type bulb or light source not visible from off-site) to direct the light vertically downward and have a maximum of 1600 lumens.

I.H. Awnings. Awnings used for building accents over doors and windows shall not be internally illuminated (i.e., from underneath or behind the awning) unless the awning material is entirely opaque.

J. Service Canopy Lighting. Canopy lighting for uses that shelter outside work, full-service areas or porte-cocheres shall have all light fixtures flushed mounted or recessed into the canopy and equipped with flat lenses.

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1. All light fixtures flushed mounted or recessed into the canopy and equipped with flat lenses; and
2. A light distribution that does not exceed a 10:1 ratio between the average light levels under the canopy and the average light levels of the area outside the canopy.

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K.I. Decorative Lighting.

1. Decorative lighting shall be permitted to enhance the appearance of a building and / or landscape feature provided that:
 - a. All light is cast against the building surface or downward onto a landscape feature;
 - b. All decorative lighting is directed away from residential uses located within 50 feet of the building façade on which the decorative lighting is mounted and is shielded to reduce light trespass on adjacent uses;
 - c. The lamp is not visible from adjacent properties, pedestrian or vehicular traffic; and
 - d. The decorative lighting does not exceed 1600 lumens.
2. Unshielded Tivoli and patio string lighting with no more than 200 lumens per foot provided that the lighting is turned off between 11:00 PM and 6:00 AM.

L. Pole and Fixture Color.

1. All poles and fixtures (luminaires) shall be of dark colors including, but not limited to, black, dark gray, dark green or brown. Reflective or light colored poles and fixtures are not allowed.

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4-8-2-3 Single-Family Detached, Duplex, and Multiplex Lighting Standards

- A. **Generally.** Exterior lighting on single-family detached, duplex, and multiplex uses shall conform to the requirements of this section.
- B. **Exterior Fixture Type and Configuration.** Fixtures shall emit no more than 850 lumens.

5-1-2-2 Evaluation of Aesthetic Consistency

- A. **Generally.** Where the standards of ~~this Division~~, Division 5-1-5, Supplemental Standards for Residential Land Uses (Except Multifamily), or Division 5-1-6, Supplemental Standards for Nonresidential and Multifamily Land Uses, require aesthetic consistency, aesthetic consistency shall be evaluated in accordance with the standards of this Section.
- B. **Roof Pitch and Form.** As to roof pitch, “consistency” means a roof pitch within 1:12 of the slope of the primary roof structure of the principal building.
- C. **Roofing or Cladding Materials.** As to roofing and cladding materials, “consistency” means a material that is not obviously different in terms of texture or color from a material used for the same purpose on the principal building.
- D. **Window Styles, Window Orientation, and Doors.** As to window styles, window orientation, and doors, “consistency” means windows or doors with a design and aspect ratio that is not materially different from windows or doors on the principal building.
- E. **Color Palette.** As to color palette, “consistency” means colors that are:
 - 1. The same as the principal building;
 - 2. Complimentary to the predominate color(s) of the principal building;
 - 3. Monochromatic variants of the primary color(s) of the principal building;

5-1-2-3 General Building Design Standards

- A. **Building Orientation.** ~~All~~Primary buildings shall emphasize the location and importance of the entryways.
 - 1. The main entrance or a courtyard leading to the main entrance of each principal building shall be located on the front facade.
 - 2. On corner lots, the main entrance shall face one of the streets or be oriented to the corner.
- B. **Massing.** Primary ~~Bb~~ buildings shall be designed to avoid a monolithic appearance when viewed from the street.
- C. **Facade Materials and Design.**
 - 1. **General Requirements.**
 - a. All building exterior finish materials shall be durable and consistent with the architectural style for that building.
 - b. Where lap siding is used, it shall have a maximum nine-inch exposed board face.
 - c. Siding material shall be continued down to within nine inches of finished grade on any elevation, except that siding shall be allowed to step to follow grade:
 - i. Between six to 24 inches; or
 - ii. Within 24 inches maximum from finished grade.
 - ~~iii. d. Vinyl siding shall be a VSI (Vinyl Siding Institute) certified product.~~
 - 2. **Prohibited Materials.** The following materials are prohibited:
 - a. Highly reflective opaque materials;
 - b. Natural cinder block, unfinished or smooth concrete block / masonry units or concrete wall;
 - c. Metal panels with a corrugated appearance with exposed fasteners; and
 - ~~d. Vinyl siding.~~

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- e. Unlisted materials that are unsuitable for exterior building applications as determined by the Director.
- 3. **Other Materials.** The Director may permit materials that are not listed in this Section as either allowed or limited, provided that the Director finds that they have comparable aesthetic qualities, durability, and maintenance characteristics. The Director may prohibit materials that are not listed in this Section if the Director finds that they do not have aesthetic qualities, durability, and maintenance characteristics that are comparable to the materials that are allowed or limited under this Section.
- 4. **Side and Rear Facade Design.** Where a side or rear facade of a residential building abuts streets, parks, or open spaces, the facade shall be designed to provide human scale by the use of all of the following:
 - a. At least one change in the vertical or horizontal wall plane within 20 feet above grade;
 - b. At least one change in the color or material of the wall;
 - c. Provision of windows, a porch, or a balcony; and
 - d. Detailing the wall with reveals, belt courses, cornices, projections, or other devices.
- 5. **Rear Facade Design for Double-Frontage Lots.**
 - a. Double-frontage lots shall be required to meet the standards in Section 2-1-10-5, Double-Frontage Lots, for building setbacks or stepped setbacks for taller buildings.
 - b. Structures of two stories or more shall incorporate at least one of the following rear elevation treatments:
 - i. The building façade on the rear elevation shall have brick, stone, or stucco cladding in a minimum amount equivalent to 50 percent of the façade, (excluding windows, doors, trim and vents) from the average grade to the highest eave or 9'-6" above the average grade, whichever is lowest; or
 - ii. At least 50 percent of the area of the building facade shall have a minimum four-foot horizontal difference (plan view) in the rear wall plane at the height of one of the floors.
- 6. **360-Degree Architecture.** All buildings shall incorporate the following design standards to create architectural interest.
 - a. **Materials.**
 - i. Where brick, stone, or stucco cladding is used, they must be applied to the building facade in a manner which begins and ends at edges related to the structure of the building (such as a window sill level, floor plane lines, or interior corners of projection or similar elements). All brick, stone or stucco cladding shall wrap around all outside building corners a minimum of two feet, and must wrap all sides of a column on which it is used. An architectural treatment shall be used to transition from brick, stone, or stucco to other materials.
 - b. **Windows and Doors.**
 - i. Windows are requiredencouraged on all elevations, except as provided in Division 2-1-8-5, Zero Lot Line, and unless restricted by the Building Code. On facades facing streets, parks, or open space, a minimum of 20 percent of the façade shall be windows. A greater percentage of windows may be required by other sections of this Code.

- b. Side-loaded garages shall be located at a right angle to the street. The design of the garage wall facing the street shall have the same predominate materials used on the front façade.
 - c. Rear garages shall be located to the rear of the property either as a detached structure or part of the house. If constructed as part of the house, the part of the house, the front wall of the garage shall be setback at least 15 feet behind the front façade of the house.
2. Front loading, front-facing garages s. doors shall not constitute more than 50 percent of the total width of the building.
 3. No more than three garage bays shall face the street, except when the bays are located behind the principal buildings.
 4. When more than two garage bays exist, all garages doors that face a street shall include at least one two-foot-wide column or a two-foot façade setback separating each garage door.

5-1-2-5 Building Design Standards Applicable to Townhomes and Multifamily

- A. **Generally.** In addition to Section 5-1-2-3, General Building Design Standards, the following standards shall apply to new development or redevelopment of multifamily and townhome units in all zoning districts.
- B. **Building Orientation and Configuration.**
 1. **Single-Building Development.** The primary entrance of a single-building development shall face the street.
 2. **Multi-Building Development.** All buildings shall be configured so that principal building entrance are oriented towards one of the following, in order of priority:
 - a. Public streets;
 - b. Internal streets;
 - c. Courtyards; or
 - d. Open space areas.
- C. **Building Design.**
 1. All sides of a building shall display a similar level of quality and architectural detailing as on the front elevation.
 2. There shall be no blank walls. Façades shall incorporate wall offsets, in the form of projections or recesses in the façade plane of at least a two-foot depth.
 3. For projects with more than one building, a variety of front façade elevations shall be provided.
- D. **Horizontal and Vertical Articulation.**
 1. **General Standards.** All multifamily buildings shall be designed to include horizontal and vertical articulation with at least two of the methods listed below for each interval of 50 feet or less on each street-facing building façade.
 2. **Articulation Methods.**
 - a. Visual breaks in the façade by incorporating a horizontal wall plane offset or projection of at least three feet extending for at least 20 percent of the average width of the primary façade.
 - b. A change in materials, colors, textures, or patterns.
 - c. A change in window sizes, styles, or placement across the façade.

- a. Frame and emphasize the corners of street intersections, development entry, or a primary pedestrian street within the development;
 - b. Frame and enclose parking areas on at least two sides;
 - c. Frame and emphasize a plaza, pocket park, square, or other outdoor gathering spaces for pedestrians; and / or
 - d. Frame and emphasize other site improvements as approved by the Director.
2. Developments composed of multiple buildings totaling 100,000 square feet or more of gross floor area shall be configured to break up the site into a series of smaller blocks.
- E. **Building Design.** The following building design standards are intended to provide architectural interest.
- 1. **Design of Facades.**
 - a. The first floor façade of all buildings, including structured parking facilities, shall be designed to encourage and complement pedestrian-scale interest and activity through the use of elements such as windows, awnings, and other similar features.
 - b. Architectural features and treatments shall not be limited to a single façade. All visible sides of a building, whether viewed from public or private property, shall display a similar level of quality and architectural interest, with elements such as windows, awnings, a variety of exterior materials, reveals, and other similar features.
 - 2. **Horizontal and Vertical Articulation.**
 - a. **General Standards.** All buildings shall be designed to include horizontal and vertical articulation by incorporating the following elements~~-such as:~~
 - i. Single story commercial buildings shall use at least three of the horizontal articulation methods listed below at an interval of 50 feet or less on each façade.
 - ii. Single story industrial buildings shall use at least two of the horizontal articulation methods listed below at an interval of 100 feet or less on each.
 - iii. All multi-story commercial, mixed-use, ~~and~~ multifamily buildings, and industrial buildings in the I-L zoning district, shall use at least two of the ~~horizontal~~ articulation methods listed below at an interval of 50 feet or less on each street-facing building façade.
 - b. **Articulation Methods.**
 - i. Visual breaks in the façade by incorporating a horizontal wall plane offset or projection of at least three feet extending for at least 20 percent of the average width of the primary façade.
 - ii. A change in materials, colors, textures, or pattern.
 - iii. A change in window sizes, styles, or placement across the façade.
 - iv. A change in roof or parapet height of at least three feet, or a change in roof form.
 - v. Incorporation of a wall notch in combination with at least one option from (i.-iv.) above. Wall notches shall be a minimum of three feet deep and eight feet wide and shall total at least 20 percent of the façade length.
 - vi. Use of masonry such as brick or stone, or other durable material to delineate the ground floor.
 - vii. Use of an arcade, gallery or colonnade to accentuate the ground floor.
 - viii. Use of enhanced architectural detailing or fenestration.

ix. Use of cornices or projecting roof lines.

~~ix.~~ For multi-story buildings, the horizontal interval may exceed 50 feet if building material changes and/or articulation occur above the first floor.

Figure 5-2-1-6: Horizontal and Vertical Articulation



- F. **Building Transparency.** The entire ground floor of all buildings located within thea required building frontage zone that faces a public or private street shall provide transparency to increase pedestrian interest by incorporating window and door openings so that the uses are visible from and to the street. The following shall apply:
1. At least 40 percent of the façade between two feet and 10 feet above grade, must be transparent.
 2. Up to 20 percent of the building transparency requirement may be satisfied with permanent art displays.
- G. **Roofs Materials and Roof Form.**
1. **Roof Materials.** Visible roofs may be constructed of conventional asphalt (3-tab) roofs, architectural metal, or other acceptable material, but roofs constructed of clay or concrete tiles, slate, Masonite, or heavy duty/hail resistant dimensional composition are preferred. All composition shingle roofing shall be constructed using high profile, textured shingles.
 2. **Roof Form.**
 - a. Where sloped roofs are used, at least one of the following elements shall be incorporated into the design for each 100 linear feet of roof to avoid long, flat roof surfaces:
 - i. Projecting gables,
 - ii. Dormers,
 - iii. Hips,
 - iv. Vertical elevation change in roof height of at least two feet, or
 - v. Other similar techniques as approved by the Director.
 - b. Where flat roofs are used, the design or height of the parapet shall include at least one change in setback or height of at least two feet along each 100 linear feet of façade.
 - c. On all structures exceeding three stories in height, all pitched roofs shall be internally drained, and external scuppers and wall drains shall be prohibited.

5-1-4-2 Swimming Pools, Hot Tubs, and Spas

- A. **Generally.** Outdoor swimming pools, hot tubs, and spas shall comply with the standards of this Section.
- B. **Location and Setbacks.**
 - 1. No swimming pools, hot tubs, or spas shall be located in a front yard or street side yard setback area.
 - 2. Swimming pools, hot tubs, and spas shall be set back ten feet from property lines.
- C. **Enclosure.** All swimming pools, hot tubs, and spas shall be enclosed as required by Section 303 of the International Property Maintenance Code ("IPMC"). Such enclosures shall be set back from property lines as may be required by Article 4-7, Fences and Divisional Walls.

5-1-4-3 Mini-Structures

"Mini-Structures," including small sheds, playhouses and gazebos, are allowed as provided in Table 5-1-4-3, Mini-Structure Standards.

Table 5-1-4-3: Mini-Structure Standards		
Attribute	Standard	Exception
Size (max)	200 sf.	
Height (max)	12 ft.	Tree Houses
Number of Mini-Structures	Maximum 2	Not limited for the following land uses: Amusement, Outdoor; Recreation, Outdoor; Stables and Riding Academies; Cemetery; Day Care Center; Public Lands, Parks, or Buildings; Schools (all); Storage Yard; Community Agriculture
Location of Mini-Structures	Not allowed in front yard; Not attached to principal building	Allowed in the front yard for Recreation, Outdoor; Cemetery; Public Lands, Parks, or Buildings; Schools (all); Storage Yard; Community Agriculture
Design	Roofed structures shall be compatible with principal building in terms of materials and colors	-
Use	Cannot be used for vehicle storage	-

5-1-4-4 Renewable Energy Systems

- A. **Generally.** Renewable Energy Systems shall comply with the applicable standards of this Section.
 - 1. **Photovoltaic Arrays and Solar Water Heaters.**
 - a. Photovoltaic arrays and solar water heaters may be roof-mounted on buildings and roofed structures in all zoning districts, or installed on building facades.
 - b. Ground-mounted photovoltaic arrays and solar water heaters shall conform to the following standards:
 - i. The installation shall be in a location and configuration that prevents glare that interferes with the use and enjoyment of adjacent property.
 - ii. If the highest point on the panels is more than six feet above grade, the panels shall be set back as if they were detached accessory buildings.

- B. **Conformance to Development Standards.** ADUs must meet the same development standards that are required for the principal dwelling unit, except as provided in this Section.
- C. **Classification of ADUs.** For the purposes of this LDC, ADUs are classified as follows:
1. **Type A.** A Type A ADU is detached from the principal dwelling unit. It is considered a separate dwelling unit for the purposes of the Building Code.
 2. **Type B.** A Type B ADU is located inside in basements, the upper story, or attached to the principal single-family detached building, but the occupants of the ADU and principal dwelling unit do not live together as a single household unit. A Type B ADU is typically rented. Type B ADUs typically have a separate access from the principal dwelling unit. A Type B ADU and the principal dwelling unit into which it is integrated are considered separate dwelling units for the purposes of the Building Code.
- D. **Parking.**
1. One on-site parking space shall be required for an ADU, in addition to any required parking for the principal dwelling unit.
 2. The required parking space may be in tandem with other required spaces.
 3. Garage space that is constructed for use by the occupant(s) of the ADU shall not exceed 250 square feet.
- E. **Unit Size and Configuration.**
1. Except as provided in Subsection E.2., below, ADUs shall be:
 - a. No larger than 40 percent of the living space of the principal building; and
 - b. Within the lot size and floor area ranges set out in Table 5-1-5-2, Maximum Floor Area of Accessory Dwelling Unit.

Table 5-1-5-2: Maximum Floor Area of Accessory Dwelling Unit	
Lot Size	Maximum Floor Area
6,000 sf. or less	600 sf.
Greater than 6,000 sf. and up to 12,499 sf.	850 sf.
12,500 sf. to 1 acre	1,000 sf.
Greater than 1 acre	1,200 sf.

2. The limitations of Subsection E.1., above, shall not apply to ADUs that are located within the footprint of an existing home as long as the ADU is not larger than 50 percent of the floor area of the principal dwelling unit, including the basement. For example, if a home has a 1,000 square foot basement, an ADU could be established in the basement if the rest of the principal dwelling is at least 1,000 square feet.
3. ADUs shall be designed and configured as studio, one bedroom, or two bedroom units.

F. Location. Type A ADUs shall be located as follows;

1. **For interior lots, at or behind the front plane of the primary building.**
2. On corner lots, ~~Type A ADUs shall be set back~~ ten feet behind the facade of the principal building along both street frontages.

G. Number of Accessory Dwelling Units per Lot. Only one ADU is allowed for each residential lot.

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5. The above restrictions are binding upon any successor in ownership of the property;
 6. The deed restrictions shall lapse upon removal of the ADU. To effect this intent, and upon verification of such removal, the Director shall record appropriate documentation releasing such encumbrance. The property owner shall pay all required recording fees, and it shall be the Applicant's responsibility to ensure that such recording was successfully completed.
- M. **Existing Development on Lot.** A single-family detached dwelling unit must exist as a principal dwelling unit on the lot or be constructed simultaneously with the ADU. A certificate of occupancy will only be issued for an ADU after it has been issued for the principal dwelling unit.

5-1-5-3 Accessory Buildings

A. **Generally.**

1. Storage sheds, studios, cabanas, stables, loafing sheds, barns, and detached garages requiring a building permit shall comply with the standards of this Section. Accessory dwelling units are subject to Section 5-1-5-2, Accessory Dwelling Units, and not this Section.
2. Stables, loafing sheds, and barns are allowed only in RA and RN-32.5 zoning districts.
3. Except for barns and stables, each Accessory Building shall have a square footage area that is less than the footprint of the living area, excluding attached garage square footage, of the principal dwelling unit.

- B. **Number.** The maximum number of Accessory Buildings that may be constructed or installed upon a residential lot is based on the zoning district and lot size, and shall be as set forth in Table 5-1-5-3A, Maximum Number of Accessory Buildings.

Table 5-1-5-3A: Maximum Number of Accessory Buildings	
Zoning District	Maximum Number of Accessory Buildings
RN-4	2
RN-6, RN-7.5, RN-D	3
RN-12.5	4
RN-32.5	6
RA: lot less than 5 acres	6
RA: lot 5 acres or larger	7
<u>PUD</u>	<u>Per the approved PUD. If no standards were identified as part of the approved PUD, then the maximum number for the closest zoning district shall be utilized.</u>
R6, R13, R24, OT Form, and MX Zoning Districts and Lot Type	
Small Urban, Urban	-
Small General	2
General, Small Suburban, Suburban,	3
Cluster	1

- C. **Building Coverage.** Accessory Buildings are counted towards the combined square footage of the principal building footprint and accessory structure(s) and shall not exceed the zoning district maximum lot coverage limitations.
- D. **Height.** Accessory Buildings shall not exceed the maximum height for accessory buildings identified in the zoning districts in Chapter 2, Zoning Districts.
- E. **Location.**

1. **All Zoning Districts except RA.** Accessory Buildings shall be:
 - a. Located ~~outside of~~within the setbacks identified in the zoning districts. (See Chapter 2, Zoning Districts); and
 - b. Set back ~~on the same~~at or behind the front plane as the nearest front façade of the principal building.
2. **RA Zoning District.** Accessory Buildings may be located in any yard, and must meet the required setbacks.
3. **Accessory Buildings.** With the exception of non-residential gas station canopies, gas station or car wash facilities where allowed, and security/entry booths, accessory buildings shall not be in the front or side yards.
- F. **Design.** The design of ~~detached garages~~accessory buildings shall be aesthetically consistent with the design of the principal building. See Section 5-1-2-2, Evaluation of Aesthetic Consistency, for applicable standards.

5-1-5-4 Satellite Dishes and Antennas; Amateur Radio Antennas

- A. **Generally.** The standards of this Section apply to satellite dishes and antennas that the Federal Communications Commission ("FCC") has designated as "over-the-air-reception-devices" ("OTARD"), which are typically associated with residential uses; and to amateur ("HAM") radio antennas. These standards are not applicable to facilities that are used for commercial purposes or the provision of personal wireless telecommunication services to people who do not reside on the lot on which the dish or antenna is located.
- B. **TV Antennas, DTV Antennas, Wireless Cable Antennas, and Satellite Dishes One Meter or Less in Diameter.**
 1. The following OTARD are permitted if they are attached to a building or mounted on a mast that extends not more than 12 feet above the highest peak of the roof:
 - a. TV antennas;
 - b. Wireless cable antennas; or
 - c. Satellite dishes that are one meter or less in diameter.
 2. Unless such location is unreasonable in that it does not offer acceptable quality reception or transmission, or it would present an unreasonable expense compared to an alternative location, OTARD shall be mounted on rear building elevations. If the rear building elevation is unreasonable, OTARD shall be mounted on interior side building elevations, as far towards the rear of the building as will not make the location unreasonable. If the interior side building elevation is unreasonable, OTARD shall be mounted on street side building elevations or masts that are as low as possible so as not to be unreasonable. Masts that are not mounted on the building shall be set back from property lines as required for principal buildings.
 3. OTARD shall be mounted as inconspicuously as possible.
 4. Only one satellite dish per dwelling unit is permitted.
 5. Dishes and antennas no longer in use shall be promptly removed.
 6. Subject to operational requirements, the satellite dish color shall be a neutral color (i.e., white or gray), and blend in with the surroundings. No additional signage is permitted on the satellite dish other than the logos of the satellite dish service provider or dish manufacturer.

- D. **Fabric Accessory Structures.** Fabric structures are not allowed, except in the cases of:
1. Mini-structures;
 2. Uses that are located in IL or IG zoning districts;
 3. Temporary uses that are approved according to the standards of Division 3-1-4, Temporary Uses;
 4. Shade structures that cover public recreational uses.

5-1-6-2 Drive-Through Facilities

- A. **Generally.** Drive-through facilities are subject to the standards of this Section.
- B. **Design Standards.**
1. **Location.** Uses with drive-through facilities shall be located on properties with frontage on an arterial or collector street. Drive-through facilities are prohibited in the OT zoning district.
 2. **Speakers.**
 - a. Speakers shall not be oriented towards an adjacent residential zone district unless an intervening building exists. Where an intervening building does not exist, the following shall also apply to minimize the speaker noise impact on an adjacent property:
 - i. If the speaker is located within 15 feet or more of the property line, a solid wall with a minimum height of 6 feet shall be installed on the property line.
 3. **CG and MX Zoning Districts.** In CG and MX zoning districts, a drive-through facility shall be subject to the following:
 - a. In CG and MX-S zoning district, a drive-through lane may be located in the area between a building and a public street. The drive-through lane shall be screened from the public street by landscaping an Option B bufferyard, per Division 4-6-5-3, Bufferyard Options, or a low decorative wall to a minimum height of 48 inches. If a low screen wall is installed, the construction material shall be aesthetically consistent with the first floor exterior color and materials used on the principal building or provide a comparable level of quality.
 - b. In the MX-U zoning district, a drive-through lane shall not be located in the area between a building and a public street. The drive-through windows shall not face a public street.
 - c. In the MX-T zoning district, a drive-through lane shall be designed so that it is enclosed within the envelope of the building, the drive through windows are not visible from adjacent public streets and the drive-through lane shall not be located in the area between a building and a public street.

Figure 5-1-6-2: Illustrative Drive-Through Facilities in the MX

- D. Each bin shall be located on an improved durable, drainable surface. If placed in a parking area, the bin shall not reduce the number of available parking spaces below the minimum number required for the lot.
- E. No bin shall be placed in the following locations:
 - 1. Within a required building setback;
 - 2. Within a site visibility triangle;
 - 3. Within an access easement;
 - 4. In a driveway, sidewalk, or other pedestrian circulation area;
 - 5. Within five feet of any fire hydrant;
 - 6. Within any fire lane;
 - 7. Within required landscaped areas;
 - 8. In whole or in part upon any portion of a public-right-of-way or projecting onto or over any part of a public right-of-way; or
 - 9. On an undeveloped parcel of land.
- F. Each donation collection bin shall be serviced and emptied as needed or within 24 hours of a request by the property owner or city.
- G. Each bin shall be enclosed by use of a one-way receiving door and locked so that the contents of the bin may not be accessed by anyone other than those responsible for the retrieval of the contents.
- H. Each bin shall clearly display a sign indicating that no donated items, garbage or other debris is to be left outside of the bin.
- I. At the time the bin is removed, the site shall be cleaned, all evidence of its use removed, and left in a condition that minimizes adverse impacts to the site itself and to surrounding properties.

5-1-6-5 Trash Collection and Compaction

- A. **Generally.** Nonresidential, mixed-use, multifamily, and clustered small housing development shall include a designated trash collection and / or compaction area, which shall be located and designed to ensure adequate on-site maneuvering area for trash collection vehicles. Residential subdivisions may include designated trash collection and / or compaction areas, which, if provided, must also comply with the standards of this Section. Trash collection dumpsters shall not be allowed on individual single-family or duplex lots, unless on a temporary basis associated with construction projects for which a building permit has been issued.
- B. **Location.**
 - 1. Each trash collection, including recycling bins, or compaction area shall be located not less than 20 feet away from lots used for single-family detached, duplex, multiplex, or townhome uses, and at least 20 feet away from streets, sidewalks, and internal pedestrian circulation systems. Such areas shall be located on the site in the following order of priority (highest priority listed first, and higher order priorities are eliminated only if infeasible):
 - a. In a screened enclosure that is connected to or adjacent to the rear of the principal building;
 - b. In the rear yard; or
 - c. In the interior side yard;

2. Trash collection, recycling bins, or compaction areas shall not be located more than 200 feet from the entrances of uses that they are intended to serve.
- C. **Enclosures.** Each such trash collection area shall be screened from view from all property lines by a non-combustible screen or wall between six feet and eight feet in height. The access to this enclosure shall be screened with an opaque gate. Screening fences and walls (not including gates) shall be aesthetically consistent with one of the predominant materials and one of the predominant colors used in the principal building. Chain-link gates with metal cladding are prohibited.

5-1-6-6 Single-Story Detached Garages as Perimeter Walls

- A. **Generally.** Single-story detached garages may be constructed as perimeter walls of townhome and multifamily sites as provided in this Section.
- B. **Height.** The height of the garage building, measured from the finished grade at the outside building line of the garage shall not exceed:
 1. Six feet to bottom of the eave line on the outside face of the garage building; and
 2. 12 feet to the highest point on the ridge line of the roof.
- C. **Offsets.** The outside-facing walls of the garage buildings ("perimeter walls") shall be interrupted or offset by a distance of at least two feet at intervals of at least 60 feet in facade width. The offset or interruption shall have a width of at least 12 feet.
- D. **Location.** If the outside walls of the garages are used as part of a required bufferyard, they shall be installed on the inside boundary of the bufferyard, with landscaping installed between the garage building and the property line.

5-1-6-7 Custodial Unit

- A. **Generally.** The standards of this section apply to self-storage and kennel facilities with a dwelling unit for an on-site resident manager.
- B. **Design Standards.** Self-storage and kennel facilities with one on-site resident manager/caretaker dwelling shall be meet the following standards:
 1. The resident manager / caretaker dwelling unit shall be incorporated into and occupy space on the premises of the self-storage or kennel facility;
 2. One off-street, covered parking space shall be required for the exclusive use of the resident manager / caretaker.
 3. A landscaped private recreation area, with a minimum area of 750 square feet, shall be provided within the self-storage or kennel facility for the exclusive use of the resident manager / caretaker. The landscaped recreation area shall include:
 - a. A minimum of one 2.5 inch caliper shade tree, turf shrubs, and recreation equipment.
 - b. Recreation equipment shall consist of picnic table and barbeque facilities, or other comparable equipment for use by the resident manager/caretaker.

5-1-6-8 Parking Garage, Structured.

- A. A freestanding garage parking structure or structure that is incorporated into a residential or nonresidential building shall include:
 1. Façade openings that face a public street or open space shall be vertically and horizontally aligned and all floors fronting on those façades shall be level, not inclined.

2. The first floor façade of a parking garage located adjacent to a public street shall be designed to encourage and complement pedestrian-scale interest and activity through the inclusion of at least three architectural elements such as arcades, windows, awnings, overhangs, screens, grills, louvers or other similar non-opaque features.
 3. Parking garage shall be designed so that motorized vehicles parked on all levels of the structure are screened to a minimum height of 42 inches.
- B. Within the MX-U zoning district, the ground floor façade of a structured parking facility that abuts a public sidewalk, street, or open space and that is not occupied by entrances, exits, or waiting areas shall be designed and constructed with a minimum unfinished floor to ceiling height of 13.5 feet in order to allow occupancy by uses other than parking that are allowed in the underlying zone district. Within the MX-T zoning district, parking garage facilities located adjacent to a pedestrian priority street shall contain retail or office uses on the first floor fronting the street, or be wrapped with development of equal or greater height than the parking structure. At least 50 percent of a street-level facing a public sidewalk, street, or open space area shall contain retail or office uses to a minimum depth of 60 feet. See Division 5-1-3, Pedestrian Priority Streets.

5-1-6-8 Electric Vehicle (EV) Charging Stations

- A. **Generally.** The standards of this section shall apply to new developments containing parking stalls or other spaces on-site dedicated to the use of such spaces for the charging of electric vehicles. ~~Additionally~~ these standards shall also apply to existing sites that make modifications to build or plan for EV charging stations.
- B. **Location**
1. For ~~any~~ single-family, duplex, or multiplex use, EV charging stations shall be located inside a garage.
 2. For ~~in any~~ townhome, multifamily, or cottage-home use, EV charging stations and equipment shall be located either in a garage or in a location internal to the site.
 3. For ~~all~~ non-residential and mixed-use development containing ten or less EV charging stations, all charging stations and equipment may be allowed anywhere on site provided:
 - a. All equipment adheres to the required minimum parking front setback from all public and private streets.
 4. For ~~all~~ non-residential and mixed-use development containing more than ten EV charging stations, all charging stations and equipment shall be located internal to the site and set back at least 40-feet from all public streets.
 5. In ~~the any~~ MX zone districts, EV charging stations and equipment shall be located:
 - a. Behind the wall of a front building façade.
 - b. Outside of a required front parking setback.
 6. In ~~the any~~ OT zone district, EV charging stations and equipment shall be located either in a garage or internal to the site, behind a building or buildings, and not visible from a public street.
 7. EV charging stations and equipment may not be located in any portion of a required small urban park or buffer yard.
- C. **Siting, Site Design, and Screening**

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1. If located along a public or private street, a ~~Option Type B~~ per Division 4-6-5-3 ~~Buffer-yard Options~~ between all equipment and the front property line shall be provided.
2. The installation of an EV charging station shall not reduce the size of the parking stall in which it is being installed ~~for~~ below the minimum size required in Subsection 4-5-3-2, ~~Parking Space and Aisle Standards.~~
3. Concrete wheel stops shall be used between the parking space and the equipment if the parking is not parallel.
4. If a canopy will be used, the canopy shall comply with the requirements of Subsection 5-1-2-3-C9, Canopies and Porte-Cochers.
 - a. In any MX zone district if a canopy is used, the canopy shall comply with the requirements of Subsection 4-3-3-4-F, ~~Fueling/Service Station Site Design.~~
5. Parking spaces used for EV charging shall be signed for EV vehicles only.

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Chapter 8 – Development Review Process

Article 8-1 Development Review Bodies

Division 8-1-1 City Staff and Referral Agencies

8-1-1-1 Director of Community and Economic Development

- A. **Generally.** The Director of Community and Economic Development (“Director”) is the member of the City Staff who carries out the planning and zoning functions of the City. The Director shall designate staff members to manage applications through the review process and be points of contact for Applicants. The Director may also delegate review responsibilities to managers or other professional-level staff, or, as appropriate, to consultants selected by the City.
- B. **Duties and Responsibilities.** The Director shall be responsible for the administration of this LDC and the regulations contained herein.
 - 1. The Director shall have the authority to:
 - a. Interpret and apply the provisions set forth in the LDC, other regulations adopted by the City and planning and engineering best practice. The Director shall have the authority to prepare and update Development Procedures, which may include a checklist for each type of development application, setting forth the information that Applicants must submit in order for the City to review development applications, permits and other developmental approvals under this Code, an application review schedule, fees and other relevant and appropriate materials related to the administration of this Code.
 - b. Make district boundary interpretations when uncertainty as to the district boundaries exists.
 - c. Make each of those decisions shown as a decision of the Director in 8-2-2-2, Decision-Making Tracks by Application Type.
 - d. Review and make recommendations on development applications reviewed and acted upon by the Planning Commission, City Council or other Decision Makers, as applicable, as shown in 8-2-2-2, Decision-Making Tracks by Application Type.
 - e. Review all land-use activities, plans involving land-use activity, or applications for land-use activity that are subject to either the Design Guidelines for Olde Town Arvada or the guidelines designated as “mandatory” within the Design Guidelines for the Reno Park Addition Historic District, and take final action to approve, approve with conditions, or deny the issuance of a (CCDG), as appropriate.
 - e-f. Accept land dedications and easements associated with development applications concerning which final approval has been granted by the Director.
 - 2. The Director shall:
 - a. Review applications for Sign Permits and taking final action to approve, approve with conditions, or deny on such applications.
 - b. Maintain the Official Zoning Map, including updates to reflect rezonings.

3. The City Council shall hear and decide administrative appeals as identified Subsection 8-2-5-2C.
4. City Council shall also ratify, as it determines appropriate, the Comprehensive Plan and other plans for the physical development of the City. If the City Council decides to adopt or approve the Comprehensive Plan or other plans for the physical development of the City, then subsequent amendments to said plans shall be subject to City Council adoption or approval.

8-1-2-2 Planning Commission

A. Powers and Duties; Generally.

1. *Decisions.* The Planning Commission shall hear and find facts as to whether the following types of applications comply with the requirements of this LDC:
 - a. Alternative Sign Programs
2. *Recommendations.* The Planning Commission shall consider and recommend to the City Council approval, approval with conditions, or disapproval of the following types of applications or petitions:
 - a. Annexations;
 - b. Height Exceptions;
 - c. Major Subdivision Preliminary Plats;
 - d. Major Modifications;
 - e. Zoning and Rezoning;
 - f. Conditional Uses;
 - ~~f-g.~~ PUD Development Plans (Planned Unit Developments);
 - ~~g-h.~~ Combined PUD Development Plans / Final Development Plans (Planned Unit Developments); and
 - ~~h-i.~~ Vacation of Right-of-Way and Access Easements.

B. Powers and Duties; Initiated Land Development Code Amendments and Other Duties. The Planning Commission may also initiate proposed changes to the LDC and advise the City Council on such proposed changes, and shall perform such other duties as the City Council may be ordinance, resolution or motion prescribe.

C. Powers and Duties; Comprehensive Plan.

1. *Comprehensive Planning.* Upon request by the City Council, the Planning Commission shall have the power to prepare a Comprehensive Plan as a guide for future zoning and rezoning and shall have lawful and comprehensive studies made in conjunction therewith. Any plan so prepared shall be made with the general purpose of carrying out the objective of providing for the considered planning and orderly physical development of the City and applicable surrounding areas. The Planning Commission shall also actively promote implementation of any such Comprehensive Plan and other adopted plans, through its powers and duties as set out in this Section.
2. *Other Plans.* Upon request by the City Council or the Director, the Planning Commission shall be responsible for adopting other land use plans, open space/parks/trails plans, special area plans, corridor plans, and similar plans, and any updates or amendments to such plans. The

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Article 8-2 General Review Procedures

Division 8-2-1 Purpose and Application of Article

8-2-1-1 Purpose of Article

The purpose of this Article is to set out a standardized process for development review and administrative appeals.

8-2-1-2 Application of Article

- A. **Generally.** All procedures for obtaining development approvals and for appealing decisions of the Director or the Planning Commission are set out in this Article.
- B. **Required Development Approvals.** Division 8-2-2, Required Development Approvals, sets out the approvals and permits required by the City for the use and development of real property. Section 8-2-2-2, Decision-Making Tracks By Application Type, establishes eight decision-making tracks for approval of development applications.
- C. **Standardized Decision-Making Procedures.** Division 8-2-3, Standardized Decision-Making Procedures, sets out the steps in the standardized procedures for development review.
- D. **Required Notices.** Division 8-2-4, Required Notices, details the notice requirements for each type of application that requires one or more public notices.
- E. **Appeals.** Division 8-2-5, Administrative Appeals, sets out the process for appealing a decision of the Director or the Planning Commission.

Division 8-2-2 Required Development Approvals

8-2-2-1 Development Approval Required

- A. **Generally.** Unless specifically exempt from the application of this LDC, development approval is required for all:
 - 1. Development;
 - 2. Redevelopment;
 - 3. Qualifying "land use activity" within areas that are subject to Design Guidelines (*see* Section 8-3-4-55-4, Certificate of Compliance with or Waiver from Design Guidelines); or
 - 4. Re-grading of:
 - a. Nonresidential property; or
 - b. Property within the Special Flood Hazard Area.
- B. **Temporary Uses and Special Events.** Certain temporary uses and special events require Temporary Use Permits. *See* Division 3-1-4, Temporary Uses.
- C. **Encroachments into Public Rights-of-Way.** Certain encroachments may be allowed in or over public rights-of-way pursuant to an approved revocable right-of-way license.

8-2-2-2 Decision-Making Tracks by Application Type

- A. **Generally.** Different types of development applications and land use approvals are subject to different decision-making procedures.
- B. **Decision-Making Tracks.** Table 8-2-2-2A, Decision-Making Tracks, sets out eight procedural tracks for review and approval of development applications.

Table 8-2-2-2A: Decision-Making Tracks					
Track	Decision-Maker	Public Hearing	Public Outreach		Administrative Appeal To
			Neighborhood Meeting	Notice	
Track 1	Director ¹	No	No ³	Yes ⁴	Planning Commission or City Council (See Section 8-2-5-2, Appellate Body)
Track 2	Director ²	Planning Commission	Yes	Yes	City Council
Track 3	Planning Commission	Planning Commission	Yes	Yes	City Council
Track 4	City Council	City Council ⁵	No	Yes	-
Track 5	City Council	Planning Commission; City Council	Yes	Yes	-
Track 6	Floodplain Administrator	Floodplain Administrator	No	Yes	Floodplain Hearing Officer
Track 7	Floodplain Hearing Officer	Floodplain Hearing Officer	No	Yes	-
Track 8	Board of Adjustment	Board of Adjustment	No	Yes	-
Track 9	Informational only to Planning Commission and City Council	No	No	No	-

TABLE NOTES:

¹ For Public Improvements Construction Drawings for private development, and is not appealable to the Planning Commission; for Floodplain Development Permits, the decision is by the Floodplain Administrator, and is appealable to the Floodplain Hearing Officer.

² Planning Commission fact-finding is not advisory. Director must issue decision on facts found by Planning Commission as to application's compliance with the applicable standards of this LDC.

³ At the discretion of the Director, a neighborhood meeting may be required to inform residents of the proposed development in their neighborhood.

⁴ Notice required for Track 1 reviews only as required by Section 8-2-3-8, Notice of Administrative Application. The Director shall have the discretion to waive the notice requirement for applications determined to have minimal impact on the notice area.

⁵ Public hearing not required for Revocable Right-of-Way License Agreements.

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- C. **Decision-Making Tracks by Application Type.** Table 8-2-2-2B, Decision-Making Track by Application Type, provides:
1. A brief purpose and description for each application type;
 2. A reference to where more information can be found regarding each application type;
 3. The decision-making track required for each application type; and
 4. The submittal type.

- b. At the conclusion of the public hearing, approve the application as presented; approve with conditions, or deny the application. The City Council may also defer its decision to obtain additional information, or it may remand the application to the Planning Commission for further consideration.

8-2-3-14 Effect of Approvals

- A. **Generally.** Approval of an application authorizes only the particular use, plan, or other specific activity for which the approval was granted. Approvals run with the land that is the subject of the approval, except that LDC Text Amendments and Comprehensive Plan Text Amendments do not run with the land.
- B. **Writing and Findings Required.** If the application is for an administrative approval, the Director shall provide written notification and shall include findings that support the final decision via personal delivery, electronic mail or first-class mail to the Applicant and make the decision available to the public via the on-line development application. The decision and findings shall be signed by the Director. If the application requires a quasi-judicial hearing, the Director shall provide written notification after a final decision on the application via personal delivery, electronic mail or first-class mail to the Applicant and make the decision available to the public via the on-line development application.
- C. **Expiration of Approvals.** An entitlement shall be valid and shall expire as indicated in Table 8-2-3-13, Time Limitations, for the particular type of application, unless the building permit has been issued. A change in ownership of the land shall not affect the established expiration time period of an approval.

Table 8-2-3-14: Time Limitations	
Approval Type	Time Limitation
Conditional Use	5 years
Temporary Use Permit / Special Event Permit	as specified in the permit
Certificate of Compliance with Design Guidelines	3 years, 1 year for signs
Site Plan and Master Development Plan	3 years
Floodplain Development Permit	24 months
Free-Standing Tower	24 months; or as specified in the permit
Miscellaneous Structure Permit	6 months
Sign Permit	1 year
Alternative Sign Program	3 years
Major Subdivision Preliminary Plat	3 years
Public Improvement Construction Documents	2 years
Development Agreement	as specified in development agreement
Reimbursement Assessment District	as specified in documents establishing Reimbursement Assessment District
PUD Development Plan/Final Development Plan	5 years or as specified by development agreement
Height Exception	3 years
Variance	2 years ¹
Minor Modifications from Zoning District and General Development Standards	as specified in approval documents

- A. **Generally.** It is the policy of the City not to allow successive applications for the same development approval after an application is denied. The provisions of this Section as intended to limit the consideration of successive applications.
- B. **Minimum Interval between Submittal of Substantially Similar Applications.** If an application is denied, the City shall not accept any application that is substantially similar to the denied application as determined by the Director for a period of 12 months, unless:
 - 1. After the application is denied, the City amends the applicable provisions in this LDC in a manner that could reasonably allow for approval of the application; or
 - 2. The City Council waives the minimum interval requirement of this Section for good cause shown; or
 - 3. The denied application is for a sign permit, Wireless Communication Facility, or Small Cell facility.

Division 8-2-4 Required Notices

8-2-4-1 General Notice Requirements

- A. **Computation of Time.** In computing any period of time prescribed for the purpose of giving notice under this Division, the day of the publication, mailing, or posting shall be included. The day of the meeting or hearing shall not be counted. Saturdays, Sundays, and legal holidays shall be counted as any other day.
- B. **Notice Cost.**
 - 1. All costs for providing mail and posted notice as required by this Division shall be the direct responsibility of the Applicant.
 - 2. The City shall provide published notice. The cost of such notice shall be included in the development review fee.
- C. **Applicant's Certification.** Prior to the event that is the subject of a public notice, the Applicant shall provide the Director with an executed affidavit certifying that the requirements as to the Applicant's responsibility for the applicable forms of notice under this Division have been met. The Director shall make available sample certifications that address all applicable forms of public notice required by this LDC.
- D. **Failure to Provide Notice; Defective Notice.**
 - 1. Failure to timely provide the required affidavit, or evidence that a mailing list or notice letter was defective, may be cause to suspend the review process until proper notice is provided. Such suspension may be ordered by the Director or body that is responsible for the meeting, hearing, or decision (e.g., neighborhood meeting, public hearing, or staff decision) that is the subject of the notice.
 - 2. Minor defects in any notice shall not impair the notice or invalidate proceedings pursuant to the notice if a *bona fide* attempt has been made to comply with applicable notice requirements. Minor defects in notice shall be limited to errors in a legal description or typographical or grammatical errors that do not impede communication or the notice to affected parties. However, in all cases, the requirements for the timing of the notice and for specifying the time, date, and location of a hearing shall be correctively conveyed. In any case in which a question arises at the public hearing regarding the adequacy of notice, consideration shall be given to the nature and extent of the deficiency, the probability of

confusion resulting from the deficiency, and the type and variety of notice successfully accomplished in determining whether substantial compliance with the notice requirements of this Code has been met.

- E. **Continuation of Hearings and Neighborhood Meetings.** A hearing or neighborhood meeting for which proper notice was given may be continued to a later date without again complying with the public notice requirements of this Division (unless required by Director), provided that the date, time, and location of the continued hearing or meeting is announced to the public at the time of continuance.

8-2-4-2 Required Notice by Application Type

Public notice of administrative applications, neighborhood meetings, or scheduled public meetings or public hearings shall be provided as set out in Table 8-2-4-2, Notice Requirements by Application Type. If an application type is not listed, then no notice is required, unless it is determined to be necessary by the Director.

8-3-5-2 Master Development Plan

- A. **Generally.** The purpose of the Master Development Plan is to provide a mechanism by which it can be ensured that phased site development including structure placement, vehicular and pedestrian mobility, infrastructure and amenities are developed and phased to conform to this LDC.
- B. **Applicability.** A Master Development Plan shall be required for any site where two or more phases of development are anticipated or when two or more parcels of property are to be developed, unless waived at the discretion of the Director.
- C. **Phasing Plan.** A phasing plan for site grading, installation of site improvements, and landscaping and amenities necessary to support each phase of development must be approved as part of the Master Development Plan. The phasing plan is not required to prescribe a timeline or sequence for development, but shall provide for proportionate installation of improvements and amenities that must be included when each phase of development is constructed.
- D. **Application Requirements.** At a minimum, the master development plan shall include the following information. Additional information may be required at the discretion of the Director:
 - 1. Uses proposed;
 - 2. Intensity or density of uses proposed;
 - 3. Location of public or private open space;
 - 4. Locations of existing and proposed buildings on the site;
 - 5. Vehicular and pedestrian networks proposed;
 - 6. Architectural and landscape guidelines;
 - 7. Master grading and drainage plan;
 - 8. Master utilities plan; and
 - 9. Master traffic study.
- E. **Approval Criteria.** A Master Development Plan shall be reviewed for compliance with the following criteria:
 - 1. The proposed Master Development Plan is consistent with the Comprehensive Plan and other adopted City ordinances, resolutions and regulations.
 - 2. The Master Development Plan establishes logical and orderly development phases that address land use, development, infrastructure, open space and other related improvements, as necessary, in accordance with this LDC.
- F. **Modification.** A modification to a previously approved Master Development Plan shall be treated as a new application, except when the following apply:
 - 1. The modification is within the general scope of the purpose and intent of the original approval;
 - 2. The modification does not add more than 20 percent of the square footage of any building in the original Master Development Plan;
 - 3. The modification does not increase the proposed density beyond that allowed in the zone district; and
 - 4. The modification will not require an updated master grading and drainage plan, master utility plan or master traffic study, as determined by the Director.

8-3-5-3 Site Plan

- A. **Generally.** The purpose of the Site Plan is to ensure compliance with the development and design standards and provisions of this Code, while encouraging quality development in the City reflective of the goals, policies, and objectives found in the Comprehensive Plan.

- B. **Site Plans.** All applicable provisions of this Division apply unless specifically listed. A Site Plan is required before a building permit may be issued for all development in the City except those listed below:
1. Single family detached homes or duplex units in a subdivision of nine or fewer lots within a residential zoning district and that are not part of land for which a Master Development Plan has been approved;
 2. Permitted additions to existing single-family detached dwellings or duplex units; and
 3. Interior improvements and tenant finish.
- C. **Approval Criteria.** A Site Plan shall be reviewed for compliance with the following criteria:
1. The application complies with the applicable standards of this LDC, other adopted City regulations, any approved Master Plan that includes the property, and any conditions specifically applied to development of the property by the Planning Commission or City Council in a prior decision affecting the property;
 2. The application is consistent with the Comprehensive Plan;
 3. The City's existing infrastructure and public improvements, including but not limited to its water, wastewater, street, trail, and sidewalks systems, have adequate capacity to serve the proposed development, and any burdens on those systems have been mitigated to the degree practicable;
 4. The application will preserve and protect natural areas, ridgelines, swales, natural landforms, water quality and wildlife habitat of riparian corridors, wetlands and floodplains affected by the proposed development and integrates those areas into site design where practicable;
 5. The application will improve or expand multi-modal connections with adjacent sites, neighborhoods, and urban centers;
 6. The application is similar to surrounding uses in terms of size, scale and building façade materials;
 7. The application mitigates any adverse impacts on the surrounding area to the degree practicable; and
 8. Within the MX, R6, R13 and R24 zoning districts, townhome and multifamily residential uses shall provide appropriate amenities, including recreational facilities, pedestrian facilities, unique aesthetic features and quality design.

8-3-5-4 Certificate of Compliance with Design Guidelines

- A. **Generally.** A Certificate of Compliance with Design Guidelines (CCDG), is required for the erection, alteration, addition to, renovation, restoration, relocation or demolition of the exterior of a building or structure (collectively, "land use activity") within areas of the City that are subject to Design Guidelines, as provided herein.
- B. **Applicability.**
1. *General Rule.*
 - a. Within the Olde Town Zoning District, no land use activity shall be allowed unless the Director has first issued a CCDG, or has otherwise determined pursuant to the provisions of this Section that a waiver from the Design Guideline(s) may be issued.
 - b. Within the Reno Park Design Guidelines Project Area, any land use activity that is subject to the Design Guidelines designated as "mandatory" within the Design

- B. **Disclosure.** If a plat, pursuant subparagraph A. above, contains the plat note described therein, then the developer, builder, or other person or entity engaged in the initial sale of a lot or dwelling unit within the Multi-Family Development Area of such plat to the intended resident or end user shall be required to include in such contract for purchase and sale a disclosure statement in bold-faced type that is clearly legible and in substantially the following form:

THE RECORDED PLAT OF THE PROPERTY WITHIN WHICH THIS LOT OR UNIT IS SITUATED CONTAINS A RESTRICTION REQUIRING MANDATORY, BINDING ARBITRATION FOR CERTAIN TYPES OF CLAIMS, IN LIEU OF SEEKING REDRESS IN A COURT OF LAW. PURCHASERS SHOULD CAREFULLY READ THE PLAT AND NOTE CONCERNING ARBITRATION, AS THEY ARE DEEMED TO HAVE ACCEPTED AND AGREED TO THE TERMS AND CONDITIONS OF SUCH PLAT NOTE.

- C. **Applicability.** A request for plat note, as provided for in this Section, shall be permitted:
1. Only as to a final plat concerning land for which an application is filed after October 5, 2015. "Application," as used in this Subsection C.1. only, shall mean an application specifically connected to, and submitted to the City as part of, an identified development project and which constitutes the application for the first City approval necessary to such project, excluding annexation and rezoning; and
 2. Only if such request is accompanied by a certification, in form approved by the City Attorney, and executed by the Applicant, that any Declaration of Covenants, Conditions, and Restrictions applicable to the Multi-Family Development Area contains or shall contain a provision or provisions requiring binding arbitration for construction defects claims and prohibiting the amendment or deletion of such provision(s) without the consent of the Applicant.

8-3-8-7 Acceptance of Dedications

A. **Generally.**

1. **Major Subdivision Final Plats.** All major subdivision final plats ~~and minor subdivision plats~~ shall be executed by all owners of property within the boundaries of such plat, the surveyor, the attorney or title company who examined the title, and any and all lienholders. Following the approval of a major subdivision final plat ~~or a minor subdivision plat, or conditional approval of such plat after all conditions are met~~, the plat, which shall have all permitted exceptions, waivers, or variances expressly noted thereon, shall be signed by the Director, the City Engineer, and the City Attorney. Dedication, approval, certification, and signature blocks shall be in a form approved by the City Attorney.

- ~~A-2.~~ **Minor Subdivision Plats.** All minor subdivision plats shall be executed by all owners of property within the boundaries of such plat, the surveyor, the attorney or title company who examined the title, and any lienholders. Following the approval of the minor subdivision plat, the plat, which shall have all permitted exceptions, waivers, or variances expressly noted thereon, shall be signed by the Director. Dedication, approval, certification, and signature blocks shall be in a form approved by the City Attorney.

- B. **Method of Acceptance of Dedications; Limitations.** Full execution of the approved major subdivision final plat or minor subdivision plat shall constitute the City's acceptance of any fee-simple dedication or grant of easement to the City as is referenced on the plat. Acceptance of dedications does not constitute final acceptance of public improvements constructed thereon.

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Chapter 11 – Measurements, Rules of Construction, and Definitions

Article 11-1 Measurements

Division 11-1-1 Purpose and Application of Article

11-1-~~1~~-1 Purpose of Article

- A. The purpose of this Article is to provide general rules for measurement used in this Code.

11-1-~~1~~-2 Rules for Measurement

A. **Density**

1. *Net Density.* Net density shall be calculated by dividing the net acreage of a parcel by the minimum lot area required for each dwelling unit.
2. *Gross Density.* Gross density shall be calculated by dividing the gross acreage of a parcel by the minimum lot area required for each dwelling unit.
3. *Rounding.* When applying a density standard to a parcel land area, all resulting fractions shall be rounded to the next lower whole number.
4. *Maximum Density not Guaranteed.* The number of dwelling units allowed on a site is based on the presumption that all applicable standards shall be met. The maximum density established for a zoning district as identified in Chapter 2 is not a guarantee that such densities may be obtained, nor a valid justification for varying other dimensional or development standards.

B. **Lot Area**

1. Lot area is measured as the amount of gross land area contained within the property lines of a lot or parcel, but not including streets or rights-of-way.

C. **Lot Frontage (Lot Width)**

1. Lot frontage or width refers to the horizontal distance between the side lot lines as measured along a straight line parallel to the front lot line – the lot line abutting the street on which the property has its principal access – or the chord thereof. The minimum lot frontage or width shall be measured between the side lot lines along a line that is parallel to the front lot line and located the minimum front setback distance from the front lot line.

D. **Lot Coverage**

1. *General Rule.* Lot coverage is measured as the percentage of the total lot area covered by buildings. It is calculated by dividing the square footage of building cover by the square footage of the lot.
2. *Exemptions.* The following features shall not be counted for the purpose of determining lot coverage:
 - a. Swimming pools and hot tubs.
 - b. Uncovered decks less than 30 inches above grade.
 - c. Mini-structures under 200 square feet in total area.

E. **Street Frontage**

Cantenna

Any can- shaped equipment shroud typically located at the top of small cell poles for the purposes of housing the antenna, antenna mount, cable connections, and other hardware.

Canopy

A roof-like shelter projecting from a building wall and supported by posts or other devices beyond the building wall, typically constructed of non-rigid materials on a supporting frame.

Cemetery

Land used or intended to be used for the burial of the dead and dedicated for cemetery purposes. A funeral home or mortuary or columbarium may be an accessory use to a cemetery, but a crematory is not an accessory use to a cemetery.

Channel

The physical confine of stream or waterway consisting of a bed and stream banks, existing in a variety of geometries.

Channelization

The artificial creation, enlargement or realignment of a stream channel.

Clustered Subdivision

A cluster lot subdivision is a residential development in which lots are allowed to be smaller or narrow. Cluster lot subdivision is a design technique that concentrates buildings in specific areas on a site to allow the remaining land to be used for recreation or other ,common use, common open space, or preservation of environmentally sensitive areas or agricultural uses.

Code of Federal Regulations (CFR)

The codification of the general and permanent rules published in the Federal Register by the executive departments and agencies of the Federal Government. It is divided into 50 titles that represent broad areas subject to federal regulation.

Co-Housing

A cooperative living arrangement in which people build a cluster of single-family houses around a common building for shared meals, child care, guest rooms and similar amenities.

Collocation

The mounting or installing of a WCF on a pre-existing structure, or modifying a structure for the purpose of mounting or installing a WCF on that structure provided that, for purposes of Eligible Facilities Requests, "collocation" means the mounting or installation of transmission equipment on an eligible support structure for the purpose of transmitting and /or receiving radio frequency signals for communications purposes.

Commercial Use or Development

An activity involving the sale of goods or services carried out for profit, including office, retail, service business, and other similar development.

Digital flood insurance rate map (DFIRM)

FEMA digital floodplain map. These digital maps serve as "regulatory floodplain maps" for insurance and floodplain management purposes.

Director

The Director of the Community and Economic Development or designated staff members.

Drive-In or Drive Through Facilities

A facility used to provide products or services to customers who remain in their vehicles, whether through a window or door in a building, a machine in a building or detached structure (e.g., ATM), or via a mechanical device (e.g., a pneumatic tube system). In addition to the pick-up window or door, drive-through service facilities also may include remote menu boards and ordering stations. Use types that commonly have drive-through service include banks, fast food restaurants, and drugstores.

Duplex

A building containing two dwelling units, located side-by-side and totally separated from each other by an unpierced wall extending from foundation to roof, or located one above the other and totally separated from each other by a floor and separate entry doors.

Dwelling

Any building, or part thereof, occupied, in whole or part, for residential occupancy. Dwelling does not include hotels, motels, tents, recreational vehicles, or other structures designed or used primarily for temporary or transient occupancy.

E**Easement**

A right of use over the property of another for specific purposes, such as access, drainage, conservation, the location of public improvements, or other specified purpose. An easement does not constitute fee simple ownership of the land, or a license.

Eave

The projecting lower edge of a roof.

Electric Vehicle (EV) Charging Station

A public or private parking space and all associated equipment, including electrical transformers, that is served by battery charging station equipment that has its primary purpose to transfer electric energy (by conductive or inductive means) to a battery or other energy storage device in an electric vehicle.

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Elevated Building

A nonbasement building: (i) built, in the case of a building in zones A1-30, AE, A, A99, AO, AH, B, C, X, and D, to have the top of the elevated floor above the ground level by means of pilings, columns (posts and piers), or shear walls parallel to the flow of the water; and (ii) adequately anchored so as not to impair the structural integrity of the building during a flood of up to the magnitude of the base flood. In the case of zones A1-30, AE, A, A99, AO, AH, B, C, X, and D, "elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of floodwaters.

An examination, evaluation, and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (*i.e.*, mudflow) and / or flood-related erosion hazards.

Floodplain or Flood-Prone Area

Any land area susceptible to being inundated by water from any source, whether or not identified by FEMA (*see* definition of Flood or Flooding).

Floodplain Development Permit

A City-issued permit or document that is used for any development that occurs within a SFHA identified by FEMA or the City. It is used to address the proposed development to ensure compliance with the requirements of Division 4-1-2, Floodplain Regulations.

Floodplain Administrator

The City official designated by this Code to administer and enforce the floodplain management regulations.

Floodproofing

Any combination of structural and non-structural additions, changes, or adjustments to structures that reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents. Floodproofing can either be accomplished in the form of dry floodproofing in which the structure is watertight below the levels that need flood protection, or wet floodproofing in permanent or contingent measures applied to a structure that prevent or provide resistance to damage from flooding, while allowing floodwaters to enter the structure or area.

Food and Retail Truck Vending

Food and retail vending from a readily movable wheeled, motorized vehicle designed and equipped to serve food [or sell retail goods](#) or a wheeled, non-motorized trailer designed and equipped to serve food [or sell retail goods](#), and towed by a motorized vehicle.

Food Vending

The vending of any type of edible substance (except marijuana-infused edibles) or non-alcoholic beverage.

Freeboard

The vertical distance in feet above a predicted water surface elevation intended to provide a margin of safety to compensate for unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood such as debris blockage of bridge openings and the increased runoff due to urbanization of the watershed.

Freestanding Towers

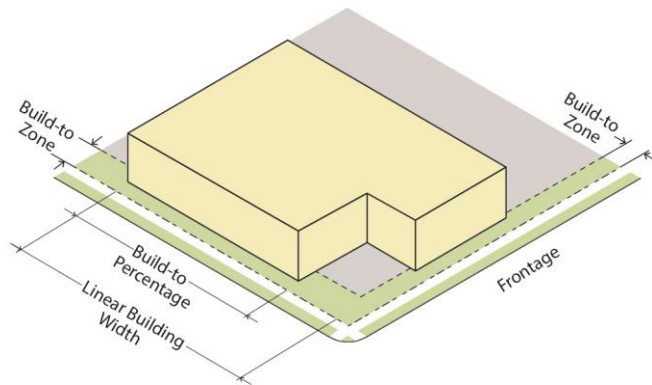
Structures that are designed and constructed to support one or more wireless communications facilities and including all appurtenant devices attached to them. A Freestanding Tower may be designed to be solely supported by attachment to the ground, or supported by direct attachment to the ground and with guy wires, and may be of either lattice or monopole construction.

Frontage

All sides of a lot adjacent to a street shall be considered frontage.

Frontage Zone

The frontage zone is the area on the lot within which the build-to applies. The frontage zone is the area between the minimum and maximum front setback along the public or private streets. The frontage zone must be landscaped or hardscape between the building and the sidewalk.



Fueling/-Service Station

Any building, land area, or other premises used for the retail dispensing or sales of vehicular fuels; Level 3 DC fast-charging or Level 2 charging of electric vehicles; towing of automobiles and light trucks; and including as an accessory use the sale and installation of lubricants, tires, batteries, brakes, mufflers, and similar vehicle repairs and accessory installations. The phrase “fueling/service station” does not include collision centers, or facilities that provide transmission repair, engine overhauls, or repair of heavy trucks or heavy motorized equipment. If a use that fits this definition also includes the sale of ready-to-eat food products (not intended for on-premises consumption), groceries and sundries, or 3.2 beer, such use shall be classified as a “convenience store.”

Funeral Home/Mortuary

A building that is used principally for: (1) human funeral services; (2) embalming and the performance of other services used in the preparation of the dead for burial; or (3) the performance of autopsies and other tests or surgical procedures on human remains. In addition to these functions, funeral homes may also store caskets, funeral urns, hearses and other vehicles used in funeral processions. A funeral home/mortuary may also include a crematorium as an accessory use.

G

Grade

The lowest point or elevation of the finished surface of the ground, paving or sidewalk within the area between the building and the property line, when the property line is more than five feet from the building, or between the building and a line five foot from the building.

Guest House

An accessory dwelling attached to, or detached from, a principal dwelling used to house guests of the occupant of the principal dwelling, and which shall not be rented or leased, or held in ownership by other than the owner of the principal dwelling.

H

Heavy Industry

Industrial uses that are not specifically defined elsewhere in this Code, which can be described in one of the following three ways:

1. Primary processing, manufacturing, assembly or repair operations not specifically defined elsewhere in this Code or this definition, which involve any of the following:
 - a. A material risk of significant environmental contamination, explosion, or fire;
 - b. Perceptible ground vibration at the property line;
 - c. Excessive noise or dust emissions at the property line and downwind;
 - d. Large-scale outdoor storage of inputs or products;
 - e. Significant outdoor installations of processing equipment;
 - f. Outside emission of objectionable odors;
 - g. More than 30 trips by semi-trailer trucks per day; or
2. Processing of minerals (except precious and semi-precious stone cutting for jewelry or precision instruments such as lasers or watches), ores, logs, pulpwood, or fossil fuels; or
3. Activities that are required to undergo New Source Review under the federal Clean Air Act, or are subject to construction or operation permits pursuant to the Colorado Stationary Sources Program or Title V of the federal Clean Air Act.

Heavy Logistics Center

A wholesaling, warehousing, and / or distribution use that provides a central location for receiving, storing and distributing raw materials, semi-finished goods, or finished goods. Heavy logistics centers may be warehouses in which goods are stored (a.k.a. "product warehouses"), or truck terminals in which goods are transferred between trucks or between trucks and trains or other transportation modes (a.k.a. "truck terminals" or "logistics centers"), or moving warehouses (including indoor storage of portable on-demand storage containers), or wholesaling operations (but not wholesale membership clubs in which memberships are available to the general public). Heavy logistics centers are expected to generate at least 50 semi-trailer truck trips per day. Warehousing and distribution uses that involve fewer than 50 semi-trailer truck trips per day are classified as Light Industry.

Historic Structure Any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
3. Individually listed on the Colorado State Inventory of Historic Places; or

Home Child Care

A facility for child care in a place of residence of a family or person for the purpose of providing less than twenty-four hour care for children under the age of eighteen years old who are not related to the head

or rescued animals are housed and offered for adoption). The term “kennel” does not include the breeding or boarding of animals as an accessory to an agricultural use. Kennels may be accessory to retail uses that principally involve the sale of pets or pet supplies.

L

Landscape Buffer

An area of landscaping separating two distinct land uses, or a land use and a street, and acts to soften or mitigate the effects of one land use on the other.

Landscape Surface Area

Area that is vegetated per the requirements of Article 4-6, Landscape and Buffering, or reserved for the use of outdoor pedestrian and / or non-vehicular recreation activity areas including sidewalks, trails, patios, and decks. Detention areas, buffers, and landscaping within a parking lot may be included. Includes areas dedicated as amenitized landscape surface area and small urban parks. ~~Detention areas, buffers, and landscaping within a parking lot may be included.~~

Open Space, Landscape Surface Area, Amenitized Common

Landscape surface area that is Open space within or related to a development, not individually owned or dedicated for public use but generally owned and maintained by a homeowners association, that is designed for and intended for the common use or enjoyment of the residents, employees, or guests of the development. of the development and their guests, and may include such complementary structures and improvements as are necessary and appropriate. Common open space may include trail areas, gardens, small parks, scenic areas, buffer areas, or similar common areas. Common open space may also include active recreational facilities such as pools, tennis courts, playgrounds, and clubhouses. Common open space shall not include driveways, sidewalks, and parking areas.

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Landscaping

The combination of living plant material (including existing living plants), such as trees, shrubs, vines, ground covers, flowers, vegetables, turf or grass; natural features, such as land and water forms; and structural features, including but not limited to landscaped pedestrian plazas, fountains, reflecting pools, screening, walls, fences and benches.

1. Low-Water-Demand Landscapes means landscapes that require approximately 15% of Reference Evapotranspiration or up to 3 gallons water per square foot during the irrigation season in an average year to maintain optimum appearance. Buffalo Grass is a typical turf type.
2. Moderate-Water-Demand Landscapes means landscapes that require approximately 50% of Reference Evapotranspiration or approximately 10 gallons water per square foot during the irrigation season in an average year to maintain optimum appearance. Turf-type Tall Fescue is a typical turf type.
3. High-Water-Demand Landscapes means landscapes that require approximately 100% of Reference Evapotranspiration or up to 20 gallons water per square foot during the irrigation season in an average year to maintain optimum appearance. Kentucky Bluegrass is the typical turf type.

Letter of Map Revision (LOMR)

FEMA's official revision of an effective flood insurance rate map (FIRM), or flood boundary and floodway map (FBFM), or both. LOMRs are generally based on the implementation of physical measures that affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective Base Flood Elevations (BFEs), or the Special Flood Hazard Area (SFHA).

Letter of Map Revision Based on Fill ("LOMR-F")

The Federal Emergency Management Agency's ("FEMA's") amendment, by letter, to an effective Flood Insurance Rate Map ("FIRM") where fill was brought in or used to elevate a property, portion of property, or structure above the Base Flood Elevation ("BFE").

Levee

A man-made embankment, usually earthen, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding. For a levee structure to be reflected on the FEMA FIRMs as providing flood protection, the levee structure must meet the requirements set forth in 44 CFR 65.10.

Little Free Library

A free book exchange for anyone to take and usually the size of a large mailbox.

Light Industry

Uses that involve research and development, assembly, remanufacturing, compounding, packaging, testing, or treatment of products, generally from previously prepared materials or components, with limited outside storage and limited external impacts or risks such that the use is not defined as heavy industry or heavy logistics center. Light industry also includes wholesaling, warehousing, and distribution uses that involve fewer than 50 [semi-trailer](#) truck trips per day. For illustrative purposes, light industrial uses include:

1. Assembly, testing, repair, or refurbishing of products, instruments, electronics, office and computing machines, and fixtures using pre-manufactured components;
2. Offices of general contractors; specialty subcontractors; tradesmen; or telecommunications providers which include:
 - a. Overhead door access to indoor storage of tools, parts, and materials;
 - b. Parking of commercial vehicles or a fleet of cars, vans, or light trucks that are used in the business; or
 - c. Limited outdoor storage areas;
3. Food production (e.g., commercial kitchen or bakery) and packaging, but not:
 - a. Meat processing involving butchering of large animal carcasses;
 - b. Medical marijuana-infused products manufacture; and
 - c. Restaurants;
4. Beverage production (non-alcoholic) and bottling;
5. Furniture making or refinishing;
6. Manufacture of textiles or apparel;
7. Screen printing of apparel (except low volume screen printing at a retail store);
8. Printing and publishing, except copy centers, and except printing presses that require a Stationary Source permit or Title V of the Clean Air Act permit for air emissions;
9. Research, development, and testing laboratories (e.g., for development of products, equipment, or materials), if not classified as office, general or professional, or heavy industry;

Nonconforming Use

A use that was legally established prior to the effective date of this Code or subsequent amendment thereof, but that no longer complies with the use regulations that apply within the zoning district in which the use is located.

O

Office, General or Professional

Buildings in which executive, management, professional services, administrative, clerical, brokering, real estate, and limited technical support are provided, or a headquarters of an enterprise or organization, but not including the on-premises sale or retail goods, or any use included in the definitions of personal services.

Open Space

Any parcel or area of land or water essentially unimproved with any residential, commercial, or industrial uses and set aside, dedicated, or reserved for public or private use and enjoyment including recreational, scenic, or environmental purposes. Open space may include agricultural uses and natural features located on a site, including but not limited to meadows, forested areas, steep slopes, floodplains, hazard areas, unique geologic features, ridgelines, unique vegetation and critical plant communities, stream corridors, wetlands and riparian areas, wildlife habitat and migration corridors, areas containing threatened or endangered species and archeological, historical, and cultural resources.

Open Space, Common

~~**Open Space, Common**~~

~~Open space within or related to a development, not individually owned or dedicated for public use but generally owned and maintained by a homeowners association, that is designed and intended for the common use or enjoyment of the residents of the development and their guests, and may include such complementary structures and improvements as are necessary and appropriate. Common open space may include trail areas, gardens, small parks, scenic areas, buffer areas, or similar common areas. Common open space may also include active recreational facilities such as pools, tennis courts, playgrounds, and clubhouses. Common open space shall not include driveways, sidewalks, and parking areas.~~

Ordinary High-Water Mark

The highest point on the bank of a normal stage channel at which the level has been for a sufficient period of time to leave a definite mark.

Ordinary Maintenance or Repair

Any land-use activity undertaken for the purpose of, and in the ordinary course of, maintaining a building, structure, or sign in good condition, and for which a building permit, sign permit, certificate of compliance with design guidelines, or miscellaneous structure permit, is not required by this Code.

OTARD Antenna

An antenna that is designed to receive direct broadcast satellite service, including direct-to-home satellite services, that is one meter or less in diameter; or an antenna that is designed to receive video programming services via multipoint distribution services, including multichannel multipoint distribution

services, instruction television fixed services, and local multipoint distribution services, and that is one meter or less in diameter or diagonal measurement; or an antenna that is designed to receive television broadcast signals.

Outdoor Retail Display

The temporary outdoor display of goods, materials, or other things for sale or rent during a retail establishment's regular business hours.

Outdoor Storage

Storage of materials, merchandise, stock, supplies, machines, operable vehicles, equipment, manufacturing materials, or chattels of any nature that are not kept in a structure having at least four walls and a roof, regardless of how long such materials are kept on the premises. This definition shall not apply to items for sale to the general public such as new and used cars, recreational vehicles, boats, landscape and building materials, where such items are permitted for sale in the zoning district in which they are located. "Outdoor storage" shall not apply to the storage of wrecked or inoperable vehicles. (See "salvage yard".) In addition, "outdoor storage" does not include outdoor parking of motor vehicles regularly used in connection with the operation of an establishment or parked for less than 48 hours for maintenance service.

Overhead Power Lines (110 kV+)

High voltage (110 kilovolts or more) power lines that are used to transmit electricity over long distances.

P

Parapet

An extension of the main exterior walls of a building above the roof level.

Parking, Structured.

A structure that is composed of one or more levels that are used exclusively for the parking of motor vehicles. A parking structure may be totally below grade (underground parking structure); or partially or totally above grade (above-ground parking structure); and may be separate from or integrated into a building that is used for other purposes. Parking structures include parking lifts. Parking structures may include facilities for level 1 or level 2 electric vehicle charging.

Parking, Surface

An area, other than a street or alley, designed or used primarily for the temporary parking of vehicles. Surface parking (a.k.a parking lots) may include facilities for level 1 or level 2 electric vehicle charging. The phrase "parking, surface" does not include driveways on individual lots, nor does it include individual garages or carports.

~~Place of Assembly~~

~~A building in which people assemble for civic, educational, religious, or cultural purposes. This use includes facilities used for worship, meeting halls, event centers, fraternal organizations, and private clubs.~~

Personal Services

An establishment engaged in the provision of informational, instructional, personal improvement, personal care, and similar services, such as portrait shops, photography studios, art and music schools,

licensed massage therapists, driving schools, handicraft or hobby instruction, laundry and dry-cleaning retail outlets, beauty and barber shops, shoe repair, and tailor/alterations shops.

Personal Services Vending

For the purposes of Transient Merchants and Entertainment, the vending of personal services, such as a chair massage, on a one-on-one basis which does not involve the vending of food, merchandise, or entertainment.

Place of Assembly

A building in which people assemble for civic, educational, religious, or cultural purposes. This use includes facilities used for worship; meeting halls; event centers; fraternal organizations; and private clubs.

Porte-cochère

A roofed structure extending from the entrance of a building over an adjacent driveway, used to shelter those getting in or out of vehicles.

Produce Stand

A temporary or permanent structure used for sale of produce and incidentally use for sale of related items which is located on property used for agriculture or community agriculture.

Property

Property may be a single lot, parcel, tract, or plot of land or may be a combination of abutting lots or parcels that will be bound by the approval.

Property Frontage

Property frontage means the length of a front, side, or rear property line that abuts a street right-of-way.

Property Line

The legally described boundary line that indicates the limits of a parcel, tract, lot, or block for the purpose of delineating ownership and setback requirements.

Public Building

Any building held, used, or controlled exclusively for public purposes by any department or branch of government: state, county, municipality or special district, without reference to the ownership of the building or of the realty upon which it is situated.

Public Park or Public Land

Any land or park that is held, used, or controlled exclusively for public purposes by any department or branch of government; state, county, municipality or special district, without reference to the ownership of the building or of the realty upon which it is situated.

Public Space

Property, other than street right-of-way, that is owned or controlled by the City or another governmental entity and intended for or appropriate for use and enjoyment by the general public.

Pushcart

Replacement Pole

A newly constructed and permitted traffic signal, utility pole, street light, flagpole, electric distribution, or street light poles or other similar structure of proportions and of equal height or such other height that would not constitute a substantial change to a pre-existing pole or structure in order to support a WCF or Small Cell Facility or to accommodate collocation and removal of the pre-existing pole or structure.

Resource Extraction (Minerals)

The extraction of coal or other mineral resources (including sand and gravel, but not oil and gas) from the land (surface or subsurface). The phrase “resource extraction, (minerals)” does not include cut and fill operations within a property, construction of canals or reservoirs, or the removal and transportation of fill from one property to another as part of an approved development plan, provided that both properties are controlled by the same landowner.

Resource Extraction (Oil and Gas)

Exploration for and production of oil and natural gas.

Restaurant

An establishment engaged in the sale of food and beverages in a ready-to-consume state, and which may include the production and sale of fermented malt beverages, malt, special malt, and vinous and spirituous liquors for consumption on the premises as an accessory use.

Restaurant, Fast Food

A restaurant whose principal business is the sale of pre-prepared or rapidly prepared food to the customer in a ready-to-consume state for consumption either within the restaurant building or for carry-out with consumption off the premises, and whose design or principal method of operation includes two or more of the following characteristics:

1. The elimination, in whole or in part, of table service, thus requiring customers to place orders at the counter where the orders are filled;
2. The food is served in edible containers or in paper, plastic, foil or other disposable containers; or
3. The facilities for on premises consumption of food are insufficient for the volume of food sold by the establishment.

Retail Sales and Services, Type 1

A use involving the sale, lease, or rental of consumer, home, and business goods to consumers. Such uses include but are not limited to department stores, furniture stores, clothing stores, and establishments providing the following products or services: antiques, appliances, art, art supplies, beauty supplies, bicycles, books, magazines and newspapers, craft supplies, copies, costumes, dry goods, electronics, fabric, framing, garden supplies, gifts, groceries, hardware, home improvement goods, household products, jewelry, music, musical instruments, office supplies, party supplies, pet grooming, pet supplies, pharmaceuticals, phones, photography equipment, produce, signs, sporting goods, stationary, toys, and videos; and new automotive parts and accessories. The phrase also includes services such as banking, picture framing, installation of electronics (e.g., audio systems and navigation systems) into motor vehicles, real estate offices that are open for walk-in traffic; repairs of products sold by the establishment (e.g., a computer store may also repair computers), repairs of consumer electronics, tattoo parlors, and comparable services that are not included in the definition of the phrase “Retail Sales and Services, Type 2.” The phrase “Retail Sales and Services, Type 1” does not include uses that are classified or defined more specifically in this Code, including but not limited to “Retail Sales and

Semi-Trailer Truck Trip

A semi-trailer truck trip involves the inbound and outbound movement of the truck on a site, with both movements being considered a single trip.

Setback

The required minimum distance between the lot line and the closest projection of a building or structure along a line at right angles to the lot line.

Setback, Front

A setback extending across the full width of the front of a lot or site, the required depth of which is measured from the street right-of-way line.

Setback, Rear

A setback that extends across the full width of the rear of a lot, the depth of which is measured from the rear lot line.

Setback, Side

A setback that extends from the front setback line to the rear setback line, the required depth of which is measured from a right angle from the interior side lot line.

Shroud

A protective covering for small cell antennas and related equipment that conceals these components from public view and is generally mounted at the top of Small Cell Facilities.

Sign

Any advertisement, identification, announcement, direction, or communication produced in whole or in part by the construction, erection, affixing or placing of a structure on any land or on any other structure or produced by painting on or posting or placing any printed, lettered, pictured, figured or colored material on any building, structure or surface.

Sign Face

The surface area of a sign which is designed for placement of text, symbols, or images. The sign face does not include the supporting structure, if any, unless the supporting structure is used for the display of text, symbols, or images. For wall signs, the sign face is equal to the sign area of the wall sign, or the area within any frame or color used to define, differentiate, or mount the wall sign, whichever is larger.

Sign, Applied or Painted

A wall sign that is applied to or painted on a building wall, such that the sign appears flush with, or within not more than one inch of, the surface of the wall.

Sign, Attached

A wall sign, a window sign, a roof sign, or a projecting sign.

Sign, Awning

A projecting sign that is integrated into or applied to an awning that is attached to a building.

Sign, Banner

Sign, Banner Frame

A frame that is secured to a building wall and used to stretch banners such that they are tightly stretched and their mounting hardware is hidden from view.

Sign, Cabinet

A sign composed of a frame or external structure with a box-like design that encloses a sign face and other functional elements of the sign, including dimensional or electrical components.

Sign, Canopy

A sign with one face affixed to a canopy. For purpose of this definition, a canopy is an attached or detached structure, open on at least one side, which is designed to provide overhead shelter from the sun or weather. Canopies include, but are not limited to, service station canopies, carports, porte-cocheres, arcades and pergolas.

Sign, Changeable Copy

A sign or any portion of a sign, which is capable of conveying messages to the public by means of changing the images, letters or numbers, either manually or electronically.

Sign, Detached

A sign that is not attached to or located inside of a building.

Sign, Digital Electronic Message Center

A sign with a display surface that is composed of light emitting diodes (LEDs) that is capable of displaying variable messages and graphics, which are generally created on a computer.

Sign, Dimensional Wall

A three-dimensional sign that is attached to a building wall, such that the elements of the sign do not extend more than eight inches from the building wall. Dimensional wall signs include, but are not limited to, channel lettering.

Sign, Feather Flag

A sign made up of a flexible piece of fabric that is attached to a flexible pole along a long edge such that the pole stretches the fabric taut regardless of wind conditions.

Sign, Fin

A projecting sign that is mounted on, or affixed to a building wall, such that the sign face is generally perpendicular to the building wall. In addition to the wall mount or mounts, a fin sign may include ground-mounted support structures.

Sign, Hanging

A sign that is mounted under an awning or canopy, or under a cantilevered portion of a building. Generally, hanging signs are oriented perpendicular to the building wall.

Sign, Informational

An on-premise sign which gives direction, instructions or facility information and does not contain the name or logo of an establishment or contain any advertising copy, such as: parking, exit or entrance signs.

COUNCIL BILL NO. 21-
ORDINANCE NO.

AN ORDINANCE AMENDING THE LAND DEVELOPMENT CODE, OF THE ARVADA
CITY CODE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ARVADA, COLORADO:

Section 1. Chapter 2, Zoning Districts, of the Land Development Code, of the Arvada City Code is hereby amended:

Table 2-1-3-3A: Residential Neighborhood Lot and Building Standards is amended to read as follows:

Table 2-1-3-3A: Residential Neighborhood Lot and Building Standards								
Standard		Subdistrict						
		RN-32.5	RN-12.5	RN-7.5	RN-6	RN-4	RN-D	
Residential Uses								
Housing Type		Single-Family	Single-Family	Single-Family	Single-Family	Single-Family	Single-Family	Duplex
Lot Standards								
	Min. Lot Area	32,500 sf.	12,500 sf.	7,500 sf.	6,000 sf.	4,000 sf.	6,000 sf.	9,000 sf.
A	Min. Lot Width	100 ft.	100 ft.	75 ft.	50 ft.	40 ft.	60 ft.	75 ft.
	Min. Lot Width (Corner)	100 ft.	100 ft.	85 ft.	60 ft.	40 ft.	75 ft.	85 ft.
	Max. Lot Coverage	25%	35%	40%	40%	40%	40%	30%
Setback Standards								
B	Min. Front	30 ft.	30 ft.	20 ft.	18 ft.	18 ft.	18 ft.	25 ft.
C	Min. Street Side ¹	25ft.	25 ft.	20 ft.	13 ft.	13 ft.	13 ft.	20 ft.
D	Min. Interior Side	15 ft.	10 ft.	7.5 ft.	5 ft.	5 ft.	5 ft.	10 ft.
E	Min. Rear	15 ft.	15 ft.	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.
	Min. Rear, Alley ¹	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.
	Min. Arterial Setback ²	100 ft.	100 ft.	100 ft.	100 ft.	100 ft.	100 ft.	100 ft.
Building Standards								
F	Max. Height, Principal Building	35 ft.	28 ft.	28 ft.	28 ft.	28 ft.	28 ft.	28 ft.
	Max. Height, ADU (detached)	30 ft.	25 ft.	25 ft.	25 ft.	25 ft.	25 ft.	-
G	Max. Height, Accessory Building except for Barns and Stables	20 ft.	16 ft.	16 ft.	16 ft.	16 ft.	16 ft.	16 ft.
	Max. Height, Barns and Stables	35 ft.	30 ft.	-	-	-	-	-
	Max. Height, Mini Structures	12 ft.	12 ft.	12 ft.	12 ft.	12 ft.	12 ft.	12 ft.
Nonresidential Uses								
Lot Standards								
	Min. Lot Area	1 ac.	1 ac.	10,000	10,000	10,000	10,000 sf.	

Table 2-1-3-3A: Residential Neighborhood Lot and Building Standards

Standard		Subdistrict					
		RN-32.5	RN-12.5	RN-7.5	RN-6	RN-4	RN-D
				sf.	sf.	sf.	
A	Min. Lot Width	100 ft.	100 ft.	100 ft.	100 ft.	100 ft.	100 ft.
	Max. Lot Coverage	25%	25%	40%	40%	40%	40%
Setback Standards							
B	Min. Front	30 ft.	30 ft.	25 ft.	18 ft.	18 ft.	18 ft.
C	Min. Interior Side	15 ft.	15 ft.	10 ft.	10 ft.	10 ft.	10 ft.
D	Min. Street Side	30 ft.	30 ft.	25 ft.	18 ft.	18 ft.	18 ft.
E	Min. Rear	15 ft.	15 ft.	15 ft.	10 ft.	10 ft.	10 ft.
	Min. Rear (Alley) ¹	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.
	Min. Arterial Setback ²	100 ft.	100 ft.	100 ft.	100 ft.	100 ft.	100 ft.
Building Standards							
F	Max. Height, Principal Building	35 ft.	35 ft.	35 ft.	35 ft.	35 ft.	35 ft.
G	Max. Height, Accessory Building	20 ft.	16 ft.	16 ft.	16 ft.	16 ft.	16 ft.
	Max. Height, Mini Structure	12 ft.	12 ft.	12 ft.	12 ft.	12 ft.	12 ft.
TABLE NOTES: ¹ The rear setback for alley-loaded garages shall be no less than 2 ft. and no more than 4 ft. or a minimum of 18 ft., at the Applicants discretion. ² Measured from the centerline of the arterial. See Section 2-1-9-2, Arterial Street Setbacks.							

Section 2-1-3-4 R6: Residential 6 is amended to read as follows:

- A. **Purpose.** The purpose of the Residential 6 (R6) zoning district is to allow for new residential development of a variety of housing products up to a gross density of six units per acre along with supporting community and institutional uses.
- B. **Relationship to the Comprehensive Plan.** The R6 zoning district generally implements the “Suburban Residential” land use category stated in the Comprehensive Plan.
- C. **Lot and Building Standards.** The standards for lots and buildings in the R6 zoning district are set out in Table 2-1-3-4A, Residential 6 Lot and Building Standards and Division 2-1-8, Housing Palette.

Figure 2-1-3-4: Illustrative Residential 6 Lot and Building Standards

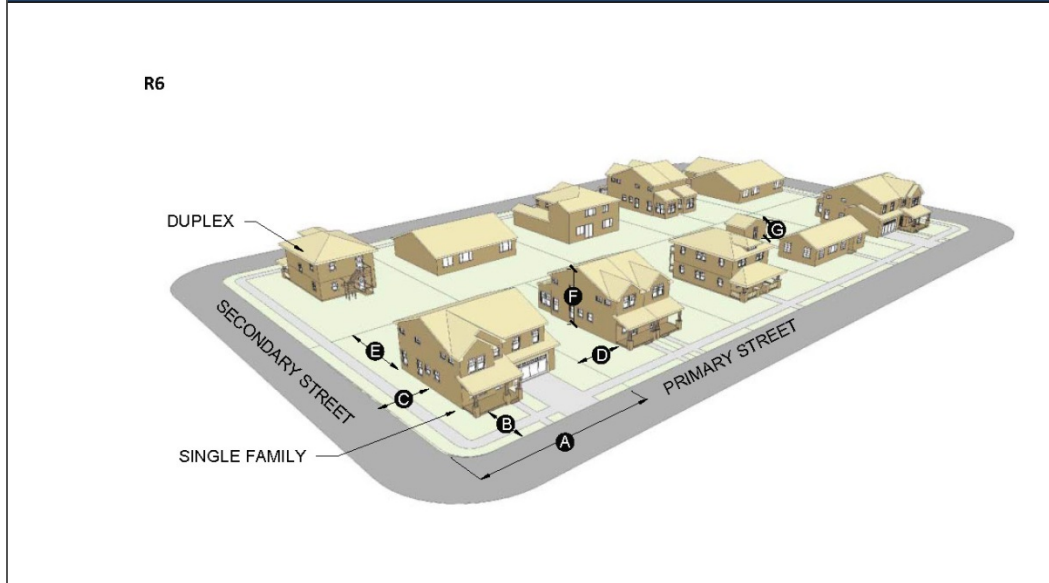


Table 2-1-3-4A: Residential 6 Lot and Building Standards

Standard		Lot Type	
		Residential	Nonresidential
Lot Standards			
	Min. Lot Area	See Subsection D., below, and Division 2-1-8, Housing Palette	10,000 sf.
A	Min. Lot Width		100 ft.
	Max. Lot Coverage		40%
Building and Parking Siting Standards			
B	Min. Front	See Subsection D., below, and Division 2-1-8, Housing Palette	25 ft.
C	Min. Street Side		25 ft.
D	Min. Interior Side		10 ft.
E	Min. Rear		15 ft.
	Min. Arterial Setback ¹	100 ft.	No Minimum
	Min. Parking Setback	20 ft. ²	20 ft.
Building Standards			
F	Max. Height, Principal Building	35 ft.	35 ft.
	Max. Height, ADU (detached)	30 ft.	-
G	Max. Height, Accessory Building	18 ft.	18 ft.
	Max. Height, Mini-structure	12 ft.	12 ft.
Site Standards			
	Min. Landscape Surface Area	20%	30%
	Min. Landscape Surface Area, Amenitized ³	5%	-
Density Standards			
	Max. Density	6 u/a	-

TABLE NOTES:

¹ Measured from the centerline of the arterial. See Section 2-1-9-2, Arterial Street Setbacks.

² Except for driveways associated with single family and duplex units and multiplex buildings.

Table 2-1-3-4A: Residential 6 Lot and Building Standards		
Standard	Lot Type	
	Residential	Nonresidential
³ Percentage of lot. Counts toward Min. Landscape Surface Area. Detached single family and duplex developments with 9 or less units exempt.		

- D. **Housing Palette.** The following housing types identified in Division 2-1-8, Housing Palette, are allowed in the R6 zoning district:
1. Single-Family Detached: Small General; General; Small Suburban; Suburban
 2. Zero Lot Line: Small General; General
 3. Duplexes: Side-By-Side; Over-Under
 4. Townhomes: Suburban Type
 5. Multiplexes
 6. Clustered Housing: Micro Homes; Cottage Types.
- E. **Cross-References.** The cross-references in Table 2-1-3-4B, Cross-References for Residential 6, are provided for the reader's convenience and are not necessarily exhaustive of applicable regulations.

Table 2-1-3-4B: Cross-References for Residential 6	
Topic	Reference
Max. No. of Principal Building	Section 2-1-9-1, One Principal Building per Lot
Land Use Regulations	Division 3-1-2, Land Use by Zoning District
Business Use of the Home	Division 3-1-5, Business Use of the Home
Parking	Article 4-5, Parking and Loading
Landscaping	Article 4-6, Landscaping and Buffering
Fences and Walls	Section 4-7-2-1, Fences and Divisional Walls; and Section 4-7-2-2, Retaining Walls
Exterior Lighting	Article 4-8, Exterior Lighting
Building Design Standards	Division 5-1-2, Building and Structure Design Standards; and Section 5-1-4-1, Decks, Balconies, and Porches
Mini-Structures (e.g., Playground Equipment)	Section 5-1-4-3, Mini-Structures
Accessory Dwelling Units	Section 5-1-5-2, Accessory Dwelling Units
Accessory Buildings	Section 5-1-5-3, Accessory Buildings
Satellite Dishes, Antennas, and Amateur Radio	Section 5-1-5-4, Satellite Dishes and Antennas; Amateur Radio Antennas
Renewable Energy Systems (e.g., Solar Panels)	Section 5-1-4-4, Renewable Energy Systems
Accessory Buildings (Non- Residential and Multifamily)	Section 5-1-6-1.E, Number of Accessory Buildings or Free- Standing Accessory Structures

Section 2-1-3-5 R13: Residential 13 is amended to read as follows:

- A. **Purpose.** The purpose of the Residential 13 (R13) zoning district is to allow for new residential development of a variety of housing products up to a gross density of 13 units per acre.

- B. **Relationship to the Comprehensive Plan.** The R13 zoning district generally implements the “Medium Density Residential” land use category stated in the Comprehensive Plan.
- C. **Lot and Building Standards.** The standards for lots and buildings in the R13 zoning district are set out in Table 2-1-3-5A, Residential 13 Lot and Building Standards and Division 2-1-8, Housing Palette.

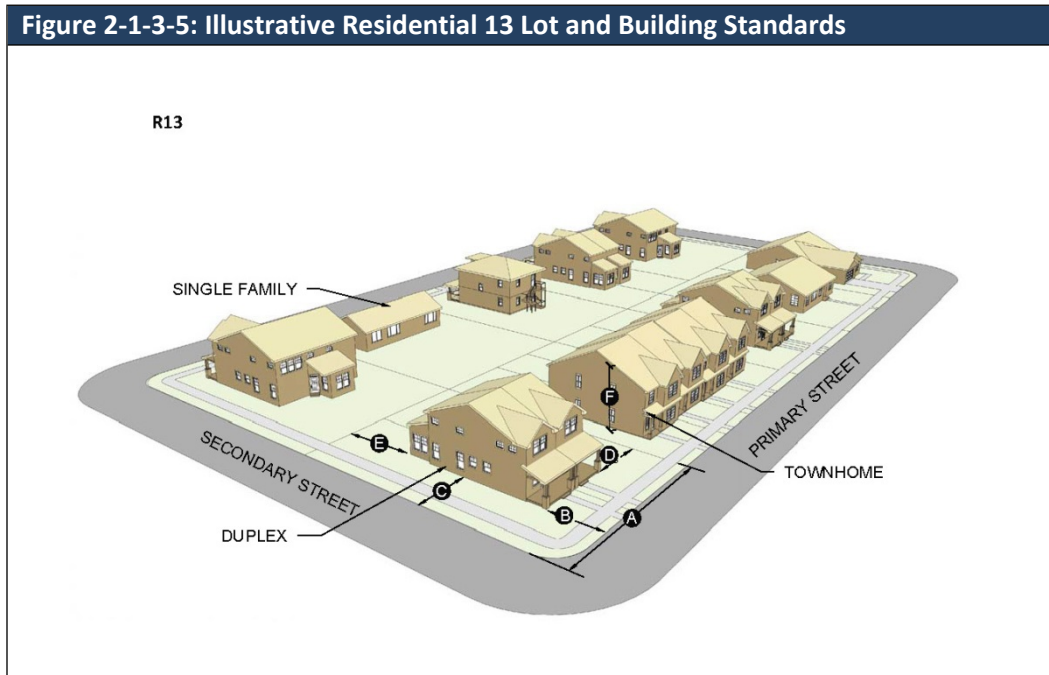


Table 2-1-3-5A: Residential 13 Lot and Building Standards			
Standard		Lot Type	
		Residential	Nonresidential
Lot Standards			
	Min. Lot Area	See Subsection D., below, and Division 2-1-8, Housing Palette	10,000 sf.
A	Min. Lot Width		100 ft.
	Max. Lot Coverage		40%
Setback Standards			
B	Min. Front	See Subsection D., below, and Division 2-1-8, Housing Palette	20 ft.
C	Min. Street Side		20 ft.
D	Min. Interior Side		10 ft.
E	Min. Rear		15 ft.
	Min. Arterial Setback ¹	100 ft.	-
	Min. Parking Setback	20 ft. ²	20 ft.
Building Standards			
F	Max. Height, Principal Building	35 ft.	35 ft.
	Max. Height, ADU (detached)	30 ft.	-
	Max. Height, Accessory Building	18 ft.	18 ft.
	Max. Height, Mini-structure	12 ft.	12 ft.
Site Standards			

Table 2-1-3-5A: Residential 13 Lot and Building Standards			
Standard		Lot Type	
		Residential	Nonresidential
	Min. Landscape Surface Area	20%	30%
	Min. Landscape Surface Area, Amenitized ³	5%	-
Density Standards			
	Max. Density	13 u/a	-
TABLE NOTES: ¹ Measured from the centerline of the arterial. See Section 2-1-9-2, Arterial Street Setbacks. ² Except for driveways associated with single family and duplex units and multiplex buildings. ³ Percentage of lot. Counts toward Min. Landscape Surface Area. Detached single family and duplex developments with 9 or less units exempt.			

- D. **Housing Palette.** The following housing types identified in Division 2-1-8, Housing Palette, are allowed in the R13 zoning district:
1. Single-Family Detached: Small Urban; Urban; Small General; General; Small Suburban
 2. Zero Lot Line: Small General; General
 3. Duplexes: Side-By-Side; Over-Under
 4. Townhomes: Suburban; Urban
 5. Multiplexes
 6. Multifamily: General
 7. Clustered Housing: Micro; Cottages Types.
- E. **Cross-References.** The cross-references in Table 2-1-3-5B, Cross-References for Residential 13, are provided for the reader's convenience and are not necessarily exhaustive of applicable regulations.

Table 2-1-3-5B: Cross-References for Residential 13	
Topic	Reference
Max. No. of Principal Building	Section 2-1-9-1, One Principal Building per Lot
Land Use Regulations	Division 3-1-2, Land Use by Zoning District
Business Use of the Home	Division 3-1-5, Business Use of the Home
Parking	Article 4-5, Parking and Loading
Landscaping	Article 4-6, Landscaping and Buffering
Fences and Walls	Section 4-7-2-1, Fences and Divisional Walls; and Section 4-7-2-2, Retaining Walls
Exterior Lighting	Article 4-8, Exterior Lighting
Building Design Standards	Division 5-1-2, Building and Structure Design Standards; and Section 5-1-4-1, Decks, Balconies, and Porches
Mini-Structures (e.g., Playground Equipment)	Section 5-1-4-3, Mini-Structures
Accessory Dwelling Units	Section 5-1-5-2, Accessory Dwelling Units
Accessory Buildings	Section 5-1-5-3, Accessory Buildings
Satellite Dishes, Antennas, and Amateur Radio	Section 5-1-5-4, Satellite Dishes and Antennas; Amateur Radio Antennas
Renewable Energy Systems	Section 5-1-4-4, Renewable Energy Systems

Table 2-1-3-5B: Cross-References for Residential 13	
Topic	Reference
(e.g., Solar Panels)	
Accessory Buildings (Non-Residential and Multifamily)	Section 5-1-6-1.E, Number of Accessory Buildings or Free-Standing Accessory Structures

Section 2-1-3-6 R24: Residential 24 is amended to read as follows:

- A. **Purpose.** The purpose of the Residential 24 (R24) zoning district is to allow for new residential development of a variety of moderate to higher density housing products, up to a gross density of 24 units per acre.
- B. **Relationship to the Comprehensive Plan.** The R24 zoning district generally implements the “High Density Residential” land use category stated in the Comprehensive Plan.
- C. **Lot and Building Standards.** The standards for lots and buildings in the R24 zoning district are set out in Table 2-1-3-6A, Residential 24 Lot and Building Standards and Division 2-1-8, Housing Palette.

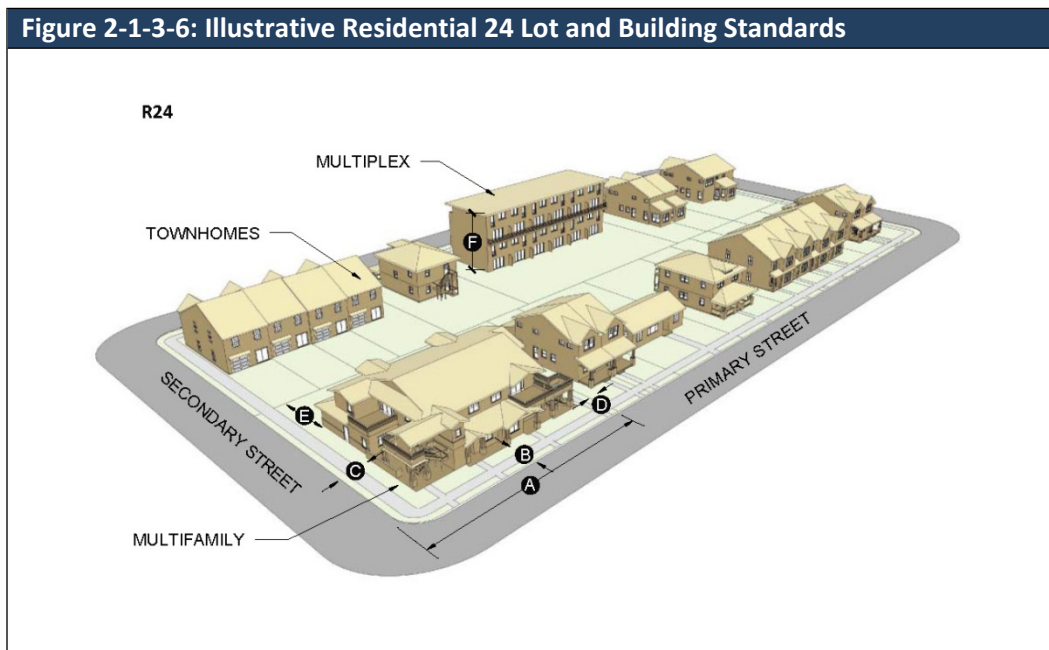


Table 2-1-3-6A: Residential 24 Lot and Building Standards			
Standard		Lot Type	
		Residential	Nonresidential
Lot Standards			
	Min. Lot Area	See Subsection D., below, and Division 2-1-8, Housing Palette	10,000 sf.
A	Min. Lot Width		100 ft.
	Max. Lot Coverage		40%
Building and Parking Siting Standards			
B	Min. Front	See Subsection D., below, and Division	20 ft.
C	Min. Street Side		20 ft.
D	Min. Interior Side		10 ft.

Table 2-1-3-6A: Residential 24 Lot and Building Standards			
Standard		Lot Type	
		Residential	Nonresidential
E	Min. Rear	2-1-8, Housing Palette	15 ft.
	Min. Arterial Setback ¹	100 ft.	-
	Min. Parking Setback	20 ft. ²	20 ft.
Building Standards			
F	Max. Height, Principal Building	35 ft.	35 ft.
	Max. Height, ADU (detached)	30 ft.	-
	Max. Height, Accessory Building	18 ft.	18 ft.
	Max. Height, Mini-structure	12 ft.	12 ft.
Site Standards			
	Min. Landscape Surface Area	20%	30%
	Min. Landscape Surface Area, Amenitized ³	5%	-
Density Standards			
	Max. Density	24 u/a	-
TABLE NOTES:			
¹ Measured from the centerline of the arterial. See Section 2-1-9-2, Arterial Street Setbacks.			
² Except for driveways associated with single family and duplex units and multiplex buildings.			
³ Percentage of lot. Counts toward Min. Landscape Surface Area. Detached single family and duplex developments with 9 or less units exempt.			

- D. **Housing Palette.** The following housing types identified in Division 2-1-8, Housing Palette, are allowed in the R24 zoning district:
1. Single-Family Detached: Small Urban; Urban; Small General; General; Small Suburban
 2. Zero Lot Line: Small General; General
 3. Duplexes: Side-By-Side; Over-Under
 4. Townhomes: Suburban; Urban
 5. Multiplexes
 6. Multifamily: General; Urban
 7. Clustered Housing; Micro Homes; Cottages Types.
- E. **Cross-References.** The cross-references in Table 2-1-3-6B, Cross-References for Residential 24, are provided for the reader's convenience and are not necessarily exhaustive of applicable regulations.

Table 2-1-3-6B: Cross-References for Residential 24	
Topic	Reference
Max. No. of Principal Building	Section 2-1-9-1, One Principal Building per Lot
Land Use Regulations	Division 3-1-2, Land Use by Zoning District
Business Use of the Home	Division 3-1-5, Business Use of the Home
Parking	Article 4-5, Parking and Loading
Landscaping	Article 4-6, Landscaping and Buffering
Fences and Walls	Section 4-7-2-1, Fences and Divisional Walls; and Section 4-7-2-2, Retaining Walls
Exterior Lighting	Article 4-8, Exterior Lighting

Table 2-1-3-6B: Cross-References for Residential 24	
Topic	Reference
Building Design Standards	Division 5-1-2, Building and Structure Design Standards; and Section 5-1-4-1, Decks, Balconies, and Porches
Mini-Structures (e.g., Playground Equipment)	Section 5-1-4-3, Mini-Structures
Accessory Dwelling Units	Section 5-1-5-2, Accessory Dwelling Units
Accessory Buildings	Section 5-1-5-3, Accessory Buildings
Satellite Dishes, Antennas, and Amateur Radio	Section 5-1-5-4, Satellite Dishes and Antennas; Amateur Radio Antennas
Renewable Energy Systems (e.g., Solar Panels)	Section 5-1-4-4, Renewable Energy Systems
Accessory Buildings (Non-Residential and Multifamily)	Section 5-1-6-1.E, Number of Accessory Buildings or Free-Standing Accessory Structures

Table 2-1-4-1A: Mixed-Use, Neighborhood Lot and Building Structures is amended to read as follows:

Table 2-1-4-1A: Mixed-Use, Neighborhood Lot and Building Standards			
Standard		Lot Type	
		Residential or Mixed-Use that includes Residential	Nonresidential or Non-Residential Mixed-Use
Lot Standards			
	Min. Lot Area	See Subsection D., below, and Division 2-1-8, Housing Palette	6,500 sf.
A	Min. Lot Width		60 ft.
	Max. Lot Coverage	70%	70%
Building and Parking Siting Standards			
B	Frontage Zone (min./max.)	For min. refer to Division 2-1-8, Housing Palette / 25 ft.	5 ft. / 25 ft.
	Min. Front Build-to width within Frontage Zone	50%	50%
C	Street Side Setback (min. / max.)	See Subsection D., below, and Division 2-1-8, Housing Palette	10 ft. / -
D	Min. Interior Side Setback		5 ft.
E	Min. Rear Setback, without alley		10 ft.
	Min. Rear Setback, with alley		2 ft. ²
F	Min. Front Parking Setback	15 ft. ³	15 ft.
	Min. Arterial Street	See Section 2-1-9-2, Arterial Street Setbacks	-
Building Standards			
G	Max. Height, Principal Building	35 ft.	35 ft.
	Max. Height, ADU (detached)	30 ft.	-
	Max. Height, Accessory Building	18 ft.	-
	Max. Height, Mini-structure	12 ft.	12 ft.

Table 2-1-4-1A: Mixed-Use, Neighborhood Lot and Building Standards			
Standard		Lot Type	
		Residential or Mixed-Use that includes Residential	Nonresidential or Non-Residential Mixed-Use
Site Standards			
	Min. Landscape Surface Area ¹	15%	20%
	Min. Landscape Surface Area, Amenitized ^{1,4}	5%	-
Density Standards			
	Max. Density	None	
Height Transition Zone			
	Min. Height Transition Zone Depth abutting RA and RN districts	See Section 2-1-10-3, Height Transition to RA and RN Zoning Districts.	
TABLE NOTES:			
¹ For the development parcel.			
² The rear setback for alley-loaded garages shall be no less than 2 ft. and no more than 4 ft. or a minimum of 18 ft., at the Applicant's discretion.			
³ Except for driveways associated with single family and duplex units and multiplex buildings.			
⁴ Percentage of lot. Counts toward Min. Landscape Surface Area. Detached single family and duplex developments with 9 or less units exempt.			

Table 2-1-4-2A: Mixed Use, Suburban Lot and Building Standards is amended to read as follows:

Table 2-1-4-2A: Mixed-Use, Suburban Lot and Building Standards			
Standard		Lot Type	
		Residential or Mixed-Use that Includes Residential	Nonresidential or Non-Residential Mixed-Use
Lot Standards			
	Min. Lot Area	See Subsection D., below, and Division 2-1-8, Housing Palette	-
A	Min. Lot Width		-
	Max. Lot Coverage ¹	60%	60%
Building and Parking Siting Standards			
B	Frontage Zone (min. / max.)	For min. refer to Division 2-1-8, Housing Palette / 35 ft.	10 ft. / 35 ft.
	Min. Front Build-to Width within Frontage Zone	20%	20%
C	Min. Street Side Setback (min. / max.)	See Subsection D., below, and Division 2-1-8, Housing Palette	10 ft. / 35 ft.
D	Min. Interior Side Setback		10 ft.
E	Min. Rear Setback		20 ft.
F	Min. Parking Setback (front)	20 ft. ²	20 ft.
	Min. Arterial Setback	See Section 2-1-9-2, Arterial Street Setbacks	None

Building Standards			
G	Max. Height	45 ft.	45 ft.
	Max. Height, ADU (detached)	30 ft.	
	Max. Height, Accessory Building	18 ft.	
	Max. Height, Mini-structure	12 ft.	12 ft.
		-	
Site Standards			
	Min. Landscape Surface Area	25%	25%
	Max. Outdoor Display	-	5% of enclosed retail floor area
	Min. Area for Small Urban Parks (Lot Area less than 1 ac.) ^{1,3}	2,500 sf.	
	Min. Area for Small Urban Parks (Lot Area 1 ac. or more) ^{1,3}	10 percent of the net parcel area	5,000 sf. or 5 percent of the net parcel area, whichever is greater
Density Standards			
	Max. Density	None	
Height Transition Zone			
	Min. Height Transition Zone Depth abutting RA and RN districts	See Section 2-1-10-3, Height Transition to RA and RN Zoning Districts.	See Section 2-1-10-3, Height Transition to RA and RN Zoning Districts.
TABLE NOTES:			
¹ For the development parcel.			
² Except for driveways associated with single family and duplex units and multiplex buildings.			
³ In addition to principal buildings, Small Urban Parks may count toward the Front Building Facade within Frontage Zone requirement.			

Table 2-1-4-3A: Mixed-Use, Urban Lot and Building Standards is amended to read as follows:

Table 2-1-4-3A: Mixed-Use, Urban Lot and Building Standards			
Standard		Lot Type	
		Residential or Mixed-Use that includes Residential	Nonresidential or Non-Residential Mixed-Use
Lot Standards			
	Min. Lot Area	See Subsection E., below, and Division 2-1-8, Housing Palette	None
A	Min. Lot Width		None
	Max. Lot Coverage ¹	75%	75%
Building and Parking Siting Standards			
B	Frontage Zone (min. / max.)	For min. refer to Division 2-1-8, Housing Palette/20 ft.	0 ft. / 20 ft.
	Min. Front Build-to Width within Frontage Zone	35%	35%
C	Min. Street Side Setback (min. / max.)	See Subsection E., below, and Division	0 ft. / 20 ft.
D	Min. Interior Side Setback		0 ft.

E	Min. Rear Setback	2-1-8, Housing Palette	0 ft.
F	Min. Parking Setback (front)	20 ft. ²	20 ft.
	Min. Arterial Setback	See Section 2-1-9-2, Arterial Street Setbacks	—
Building Standards			
G	Max. Height, Principal Building	as identified on the Official Zoning Map	as identified on the Official Zoning Map
	Max. Height, ADU (detached)	30 ft.	
	Max. Height, Accessory Building	18 ft.	
	Max. Height, Mini-structure	12 ft.	12 ft.
Site Standards			
	Min. Landscape Surface Area	15%	15%
	Max. Outdoor Display	-	5% of enclosed retail floor area
	Min. Area for Small Urban Parks (Lot Area less than 1 ac.) ^{1, 3}	2,500 sf.	
	Min. Area for Small Urban Parks (Lot Area 1 ac. or more) ^{1,3}	10 percent of the net parcel area	5,000 sf. or 5 percent of the net parcel area, whichever is greater
Subdivision Standards			
	Max. Density	None	
Height Transition Zone			
	Min. Height Transition Zone Depth abutting RA and RN districts	See Section 2-1-10-3, Height Transition to RA and RN Zoning Districts.	
TABLE NOTES: ¹ For the development parcel. ² Except for driveways associated with single family and duplex units and multiplex buildings. ³ In addition to principal buildings, Small Urban Parks count toward the Front Building Façade within Frontage Zone requirements.			

Table 2-1-4-4A: Mixed-Use, Transit Lot and Building Standards is amended to read as follows:

Table 2-1-4-4A: Mixed-Use, Transit Lot and Building Standards			
Standard		Lot Type	
		Residential or Mixed-Use that includes Residential	Nonresidential or Non-Residential Mixed Use
Lot Standards			
	Min. Lot Area	See Subsection E., below, and Division 2-1-8, Housing Palette	None
A	Min. Lot Width		None
	Max. Lot Coverage	80%	80%
Building and Parking Siting Standards			
B	Frontage Zone (min. / max.)	For min. refer to Division 2-1-8, Housing Palette / 20 ft.	0 ft. / 20 ft.

Table 2-1-4-4A: Mixed-Use, Transit Lot and Building Standards			
Standard		Lot Type	
		Residential or Mixed-Use that includes Residential	Nonresidential or Non-Residential Mixed Use
	Min. Front Build-to Width within Frontage Zone	60%	60%
C	Street Side Setback (min. / max.)	See Subsection E., below, and Division 2-1-8, Housing Palette	0 ft. / 20 ft.
D	Min. Interior Side Setback		0 ft.
E	Min. Rear Setback		0 ft.
F	Min. Parking Setback (front)	20 ft. ⁶	20 ft.
	Min. Arterial Setback	See Section 2-1-9-2, Arterial Street Setbacks	—
Building Standards			
	Min. Height ²	1 story	1 story
G	Max. Height	As identified on the Official Zoning Map	As identified on the Official Zoning Map
	Max. Height, Accessory Building	18 ft.	
	Max. Height, Mini-structure	12 ft.	12 ft.
	Min. Ground Floor Height ⁴	13 ft. 6 in.	13 ft. 6 in. ³
Site Standards			
	Min. Landscape Surface Area ⁴	10%	10%
	Max. Outdoor Display	-	5% of enclosed retail floor area
	Min. Area for Small Urban Parks (Lot Area less than 1 ac.) ^{1,5}	2,000 sf.	2,000 sf.
	Min. Area for Small Urban Parks (Lot Area 1 ac. or more) ^{1,5}	8 percent of the net parcel land area	3,000 sf. or 4 percent of the net parcel land area, whichever is greater
Subdivision Standards			
	Max. Density	None	
Height Transition Zone			
	Min. Height Transition Zone Depth abutting RA and RN districts	See Section 2-1-10-3, Height Transition to RA and RN Zoning Districts.	
TABLE NOTES:			
¹ For the development parcel.			
² See Section 5-1-3-1, Pedestrian Priority Streets, for minimum height requirement.			
³ For areas required by Section 5-1-3-1, Pedestrian Priority Streets.			
⁴ Rooftop and upper level deck amenities (except individual private balconies) may be counted towards the landscape surface ratio requirement.			
⁵ In addition to principal buildings, small urban parks count toward the Front Building Façade within Frontage Zone requirements.			
⁶ Parking is not allowed in the frontage zone.			

Table 2-1-5-4D: Mixed-Use Building type Placement and Building Width is amended to read as follows:

Table 2-1-5-4D: Mixed-Use Building Type Placement and Building Width

Standard		Context	Unit	Sub-District of OT Zoning District						
				E	EY	GV	OW	RN ¹	RR	W
A	Frontage Zone (min / max)	Generally, except as specified below	ft.	0 / 15	0 / 15	0 / 15	0 / 15	0 / 15	0 / 15	0/15
A	Frontage Zone (min / max)	Ralston Road frontage	ft.	10 / 25	10 / 25	-	10 / 25	10 / 25	10 / 25	10 / 25
A	Frontage Zone (min / max)	Robinson Way or Yukon Street frontage	ft.	10 / 25	10 / 25	-	10 / 25	10 / 25	10 / 25	-
A	Frontage Zone (min / max)	Mcllvoy Park frontage	ft.	10 / 20	10 / 20	10 / 20	10 / 20	10 / 20	10 / 20	10/20
A	Frontage Zone (min / max)	Olde Town Plaza frontage	ft.	-	-	-	0/20	-	-	0 / 20
B	Build-to (min)	Building Façade at Front Setback Line	% ²	75	85	85	75	75	75	85
B	Total Building Width (max)	Generally, except as specified below	ft.	150	180	80	80	180	120	180
B	Total Building Width (max)	Wadsworth Bypass frontage	ft.	240	-	-	-	-	240	-
B	Total Building Width (max)	Mcllvoy Park frontage ³	ft.	120	-	35	-	-	-	120

TABLE NOTES:

¹ The Mixed-Use building form is allowed in this subdistrict only as provided in Section 2-1-5-2, Building Types.² Percent of lot width. See Section 2-1-5-3, Generally Applicable Lot and Building Standards.³ Applies where property is directly adjacent to or across the street from Mcllvoy Park.

Table 2-1-6-1A: Commercial, General Lot and Building Standards is amended to read as follows:

Table 2-1-6-1A: Commercial, General Lot and Building Standards		
Standard		All Lot Types
Lot Standards		
	Min. Lot Area	5,000 sf.
A	Min. Lot Width	50 ft.
	Max. Lot Coverage	35%
Setback Standards		
B	Min. Front	20 ft.
C	Min. Street Side	20 ft.
D	Min. Interior Side	10 ft.
E	Min. Rear	20 ft.
	Min. Front Parking	20 ft.
Building Standards		
F	Max. Height, Principal Building	45 ft.
	Max. Height, Accessory Building	18 ft.
	Max. Height, Mini-structure	12 ft.
Site Standards		
	Min. Landscape Surface Area	20%
	Max. Outdoor Display	5% of enclosed retail floor area
	Max. Outdoor Storage	5% of lot area
Height Transition Zone		
	Min. Height Transition Zone Depth	See Section 2-1-10-3, Height Transition to

Table 2-1-6-1A: Commercial, General Lot and Building Standards		
Standard		All Lot Types
	abutting RA and RN districts	RA and RN Zoning Districts.

Table 2-1-6-2A: Industrial, Light Lot and Building Standards is amended to read as follows:

Table 2-1-6-2A: Industrial, Light Lot and Building Standards		
Standard		All Lot Types
Lot Standards		
	Min. Lot Area	None
	Min. Lot Width	None
	Max. Lot Coverage	50%
Setback Standards		
A	Min. Front	20 ft.
B	Min. Street Side	20 ft.
C	Min. Interior Side	5 ft. ¹
D	Min. Rear Setback	5 ft. ¹
	Min. Front Parking	20 ft.
Building Standards		
E	Max. Height, Buildings	40 ft.
	Max. Height, Mini-structures	12 ft.
Site Standards		
	Min. Landscape Surface Area	15%
	Max. Outdoor Display	10% of enclosed retail floor area
	Max. Outdoor Storage	35% of lot area
TABLE NOTES:		
¹ Side and rear setbacks shall be 20 ft. where adjacent to a single-family detached use in unincorporated Jefferson County.		

Table 2-1-6-3A: Industrial, General Lot and Building Standards is amended to read as follows:

Table 2-1-6-3A: Industrial, General Lot and Building Standards		
Standard		All Lot Types
Lot Standards		
	Min. Lot Area	None
	Min. Lot Width	None
	Max. Lot Coverage	60%
Setback Standards		
A	Min. Front	20 ft.
B	Min. Street Side	10 ft.
C	Min. Interior Side	10 ft. ¹
D	Min. Rear	10 ft. ¹
	Min. Front Parking	10 ft.
Building Standards		
E	Max. Height, Buildings	45 ft.

Table 2-1-6-3A: Industrial, General Lot and Building Standards		
Standard		All Lot Types
	Max. Height, Mini-structures	12 ft.
Site Standards		
	Min. Landscape Surface Area	10%
	Max. Outdoor Display	90% of enclosed retail floor area
	Max. Outdoor Storage	90% of lot area
TABLE NOTES:		
¹ Side and rear setbacks shall be 20 ft. where adjacent to a single-family detached use in unincorporated Jefferson County.		

Table 2-1-8-7: Townhome Building Standards is amended to read as follows:

Table 2-1-8-7: Townhome Building Standards										
Lot Type	Vehicular Access	Minimum						Maximum		
		Unit Width	Street Setback	Alley Garage Setback	Non-street Frontage Perimeter Setback	Building Separation, side to side	Building Separation, all others	Units Per Building	Building Coverage	Height
Suburban	Alley or Parking Court	20 ft.	15 ft. ¹	2 ft. ²	15 ft.	10 ft.	30 ft. ³	8	100%	35 ft.
	Street	28 ft.	18 ft.	-	15 ft.	10 ft.	30 ft. ³	8	100%	35 ft.
Urban	Alley or Parking Court	16 ft.	10 ft. ¹	2 ft. ²	10 ft. ⁴	10 ft.	20 ft.	10	100%	35 ft.
TABLE NOTES:										
¹ Where garage access is directly from a side street, the minimum garage setback shall be 18 ft.										
² The rear setback for alley-loaded garages shall be no less than 2 ft. and no more than 4 ft. or a minimum of 18 ft., at the Applicants discretion.										
³ Building separation can be reduced to 20 feet if buildings are one or two stories.										
⁴ If more than one-half of the units in a townhome building are adjacent to a non-street frontage perimeter, then the minimum setback shall be 15 feet.										

Table 2-1-10-1: Permitted Encroachments into Required Setbacks is amended to read as follows:

Table 2-1-10-1: Permitted Encroachments into Required Setbacks	
Structure or Feature	Permitted Locations in Setbacks
Single-story covered front porches	Permitted to extend outward from the building 8 feet into a front setback, but no closer than 12 feet to the front property line. This encroachment shall only apply to the front setback, not the street side setback. ¹
All other covered porches, decks, terraces, and patios and are not enclosed	Permitted to extend outward from the building 8 feet into a rear setback, but no closer than 8 feet from the rear property line. Permitted to extend outward from the building 4 feet into a side setback, but no closer than 3 feet from the side property line. ¹
Covered stairs that provide below grade access to a building	

Table 2-1-10-1: Permitted Encroachments into Required Setbacks	
Structure or Feature	Permitted Locations in Setbacks
Uncovered porches, decks, patios, concrete slabs, and other flatwork, provided that such items are no more than 30 inches in height above grade	Permitted anywhere in setbacks. ¹
Uncovered balconies, decks, and outside stairs more than 30 inches above grade	Permitted to extend outward from building 6 feet into a front or rear setback, but no closer than 12 feet to the front property line and 8 feet to the rear property line. Permitted to extend outward from the building 4 feet into a side setback, but no closer than 3 feet from the property line. ¹
Bay windows, window sills, eaves, cantilevers, cornices, fireplace chimneys, roof overhangs, and architectural and ornamental features	Permitted to extend outward from building up to 2 feet into any setback. ¹
Clotheslines and clothesline poles	Permitted in rear or side setback only, but not closer than 18 inches from any side or rear property line. ¹
Driveways	Permitted anywhere in setbacks.
Trash containers	Permitted in side and rear setbacks when not adjacent to residential use. Not permitted in the OT and MX districts frontage zone.
Fences and walls	See Article 4-7, Fences and Divisional Walls.
Flagpoles, lighting poles, and other poles not otherwise covered in this table	Permitted in any setback, provided that the height of any such pole, except for flagpoles, shall not exceed the distance from the base of the pole to the nearest property line. Flag poles are subject to the height and setback restrictions set forth in Section 6-1-2-3. Amateur radio antennas shall not be located in a front setback.
One accessory building not larger than 600 square feet or an attached garage addition provided that the garage addition will not result in more than a cumulative total of 600 square feet of attached garage The encroachment shall apply to the accessory building, or an attached garage addition, but does not apply to both	Permitted in any side or rear setback in the RN zoning district only, but not closer than 5 feet from any side or rear property line.
Landscaping, including trees, shrubs, flowers, hedges, and other features	Permitted anywhere in setbacks, subject to city standards governing sight distances. See Section 4-4-3-4 Intersection Visibility.
Little Library	If no more than 3 square feet and 5'5 feet high, may encroach into front setback but not closer than one-foot from the front property line or public sidewalk, whichever

Table 2-1-10-1: Permitted Encroachments into Required Setbacks	
Structure or Feature	Permitted Locations in Setbacks
	is closer.
Mini-structures	See Section 5-1-4-3, Mini Structures.
Mobility access ramps and lifts for existing single-family detached dwelling units, duplex, and townhomes	Allowed as necessary upon written request to the Director.
Signs	See Chapter 6, Signs.
Swimming pools	See Section 5-1-4-2 Swimming Pools, Hot Tubs, and Spas.
Air conditioning units	Permitted in side and rear setbacks but not in a front setback.
Counterforts	Permitted in any setback provided it does not encroach more than 5 feet into a front or rear setback and 3 feet into the side setback.
Window wells	Permitted in any side setback provided it does not exceed 15 square feet and does not encroach more than 3 feet into the side lot setback easement.
Window awnings	Permitted in any setback, but not closer than 10 feet from the rear property line or 18 inches from a side property line.
Wireless Communications Facilities	See Chapter 7, Wireless Communications Facilities.
TABLE NOTES:	
¹ The maximum encroachment noted is measured from the building wall, or in the case of pergolas, carports, or other structures without walls, the maximum encroachment is measured from the vertical structural element such as a post.	

The remaining portions of Chapter 2 shall remain unchanged.

Section 2. Chapter 3, Use Regulations, of the Land Development Code, of the Arvada City Code is hereby amended:

Table 3-1-2-5: Commercial Land Use by Zoning District is amended to read as follows:

Table 3-1-2-5: Commercial Land Use by Zoning District																					
Land Use	Open Space and Residential						Mixed-Use				Olde Town						Commercial and Industrial			Reference	
	OS	RA	RN	R6	R13	R24	MX-N	MX-S	MX-U	MX-T	OT-E	OT-EY	OT-GV	OT-OW	OT-RN	OT-RR	OT-W	CG	IL		IG
Animal Day Care / Training		C					L	L	L	L								L	L		3-1-3-5
Animal Hospital (Large Animal)		A																			-
Art Studio / Makerspace		A					A	A	A	A	L	L	L	L	L	L	L	A	A	A	3-1-3-5
Auction House or Yard																			L	L	3-1-3-5
Continuing Care Facility					A	A	A	A	A	A	A	A	A		A	A	C				
Kennel		C																	L	A	3-1-3-5
Office, General or Professional							A	A	A	A	A	A	A	A	A	A	A	A	A	A	-

Table 3-1-2-5: Commercial Land Use by Zoning District																					
Land Use	Open Space and Residential						Mixed-Use				Olde Town							Commercial and Industrial			Reference
	OS	RA	RN	R6	R13	R24	MX-N	MX-S	MX-U	MX-T	OT-E	OT-EY	OT-GV	OT-OW	OT-RN	OT-RR	OT-W	CG	IL	IG	
Retail Sales and Services Type 1 ¹							L	L	L	L	L	L	L	L	L	L	L	L	L		3-1-3-5
Retail Sales and Services Type 2 ¹								L	L	L								L	L		3-1-3-5
Veterinary Offices or Clinics		C					L	L	L	L	L	L	L			L	L	L	L		3-1-3-5
Workshop							A	A	A	A								A	A	A	3-1-3-5
TABLE NOTES:																					
¹ All drive-through facilities are subject to the standards in Section 5-1-6-2, Drive-Through Facilities, which may prohibit a drive-through in certain locations.																					

Section 3-1-3-5 Commercial Standards is amended to read as follows:

A. Animal Day Care / Training.

1. In the MX and CG zoning districts, the use shall be located entirely indoors.
2. In the IL zoning district, if the use is located within 300 feet of a residential zoning district, no outdoor activities related to the use shall occur between the hours of 9:00 PM and 7:00 AM.

B. Art Studio / Makerspace.

Such use shall not exceed 5,000 square feet unless located within a vertically mixed-use building.

C. Auction House.

All business activities shall be conducted within an entirely enclosed building.

D. Kennel.

1. In the RA and IL zoning districts, a kennel facility shall be subject to the following:
 - a. Outdoor facilities, including outdoor runs, shall not be located within 150 feet of any adjacent residential zoning district.
 - b. If the use is located within 300 feet of residentially zoned property, no outdoor activities related to the use shall occur on the subject property between the hours of 9:00 PM and 7:00 AM.
 - c. The parts of a building where animals are boarded shall be fully enclosed and shall be sufficiently insulated so no unreasonable noise or odor can be detected off premises.
 - d. All kennels shall be licensed by the City of Arvada pursuant to Article VIII, "Kennel License," of Chapter 14 of the Arvada Code of Ordinances.
2. A residence for a caretaker is allowed, subject to the requirements of Section 5-1-6-7, Custodial Unit.

E. Retail Sales and Services, Type 1.

1. **Retail Sales Uses – General.**

Retail sales uses must take place within a completely enclosed building, except that accessory outdoor display of merchandise, and accessory outdoor customer seating/dining areas are permitted, subject to the following standards:

- a. Outdoor display areas must comply with the minimum street setback requirements of the subject zoning district.
- b. Outdoor display areas may not occupy or use required parking space or drive aisle unless approved by the Director.
- c. Outdoor seasonal temporary sales display requires a temporary use permit.

F. **Retail Sales and Services, Type 2.**

1. **Convenience Lending Operations.**

All convenience lending operations except national banks and those operating as of the effective date of this Code shall comply with the following locational restrictions and standards:

- a. It shall be unlawful to operate or cause to be operated a convenience lending operation within 2,500 feet of another convenience lending operation.
- b. It shall be unlawful to operate or cause to be operated a convenience lending operation within 300 feet of any residentially-zoned property.
- c. The distance between any two such operations shall be measured in a straight line, without regard to intervening structures or objects, from the closest exterior wall of the structure in which each such operation is located, and the distance between a convenience lending operation and a residentially-zoned property shall be measured in a straight line, without regard to intervening structures or objects, from the closest exterior wall of the structure in which the operation is located to the nearest property line of the residentially-zoned property, excluding public street rights of way.

2. **Used Merchandise Stores and Donation Centers (retail, used - primarily donated; retail, used - primarily non-donated; used merchandise donation center).**

- a. Used merchandise stores that accept donated goods on the premises and used merchandise donation centers shall:
 - i. Coordinate delivery and acceptance of donations, during business hours only, either inside the store or center, or outside the store or center as long as donations are moved inside immediately after drop-off;
 - ii. Sort and store donations only inside the store or center;
 - iii. Patrol the store or center premises as the need arises to remove any donations left outside after hours; and
 - iv. Remove donations left outside of the store or center after business hours no later than 7:00 AM the next morning.
- b. A used merchandise store shall devote more than 50% of its floor area to retail sales.
- c. The arrangement of activities inside a used merchandise store shall be such to preserve a retail character when it is viewed from the outside. Where the building

façade includes windows or doors, the areas within the building visible through these openings shall be used for retail sales only.

- d. Used merchandise donation centers shall be limited to a maximum gross floor area of 2,500 square feet and a maximum tenant width of 25 feet.
 - e. Donation boxes, trailers, containers, or other structures intended and utilized as an exterior, stand-alone receptacle or depository for the donation of goods are prohibited.
 - i. Based upon the generally mobile, temporary, impermanent, and accessory nature thereof, and notwithstanding the provisions of Chapter 9, Nonconformities of this Code, any such box, trailer, container, or structure, or use of such box, trailer, container, or structure, legally established prior to May 12, 2011 shall be permitted to continue in place, but such use, and the lawful status of such structure and use, shall terminate upon the occurrence of any of the following:
 - a. Any change in tenancy, ownership, or management of the structure or user thereof;
 - b. Any cessation of such use, or absence of such structure from the premises, for a period of 30 days or more;
 - c. Any damage or destruction of the structure, by any means, to the extent of more than 50 percent of its structural replacement value prior to such damage or destruction;
 - d. Any enlargement or expansion of such structure or use;
 - e. Any alteration (beyond that necessary for routine maintenance and repair) or relocation of the structure on the premises, other than that which, in the sole discretion of the Director, is determined appropriate; or
 - f. A failure to register the structure or use within the allotted time period, as provided in below.
- 3. The owner of any such box, trailer, container, or structure legally established prior to May 12, 2011, and the user thereof (if different than the owner), must have registered such structure or use with the Director prior to December 30, 2011.

G. Veterinary Office or Clinic.

- 1. All veterinary offices or clinics shall be subject to the following requirements:
 - a. All facilities, including all treatment rooms, cages, pens, training rooms, and exercise runs, shall be within a completely enclosed, soundproof building.
 - b. Short-term overnight boarding associated with the medical treatment and post-operative care of animals shall be allowed, provided such boarding is contained within a completely enclosed building.

H. Workshop.

- 1. The use shall not exceed 5,000 square feet unless located within a vertically mixed-use building.

Section 3-1-3-7 Industrial, Processing, Recycling, Storage, and Disposal Standards is amended to read as follows:

A. Brewery / Winery / Distillery.

1. In the MX-S zoning districts warehousing is prohibited.

B. Heavy Logistic Center Industry

1. All buildings shall be a minimum of 300 feet from any residential district.
2. Landscaping and barriers shall be provided and located such that no part of parked vehicles will extend beyond the yard space or into the setback space from a lot line abutting a residential lot or separated therefrom by a street.
3. An Option B landscape bufferyard, per Section 4-6-5-3, Bufferyard Options, is required between the use and adjoining right-of-way.
4. Barriers shall be provided and located such that no part of parked vehicles will extend beyond the yard space or into the setback space from a lot line abutting a residential lot or separated therefrom by a street.

C. Light Industry.

1. Bakery.

- a. In the IL and IG zoning districts, no more than 50 percent of the gross floor area of a bakery shall be devoted to retail sales.

2. Manufacturing, Light Trade and Technical Uses.

- a. In the IL and IG zoning districts, the following shall apply:
 - i. Loading and unloading of shipments shall be permitted.
 - ii. The land uses inside the building shall preserve a commercial, retail or office character viewed from the outside.
 - iii. All industry, manufacturing and production uses shall utilize the best industry standard, maintenance, and control available to maintain the lowest possible measurement of emission of odorous gases.
- b. In the MX-N, MX-S, MX-U, MX-T, and CG zoning districts:
 - i. Primary manufacturing, processing, and fabrication uses shall be completely enclosed within a building.
- c. In the MX-N, MX-S, and MX-U zoning districts:
 - i. If the use is located within 200 feet of a residential district, the use shall not operate between the hours of 9:00 PM and 7:00 AM.

3. Office, General Contractor.

- a. Office uses with storage related to construction shall only be permitted in the IL and IG zoning districts, and the following requirement shall apply:
 - i. Any outdoor storage area shall be screened with an Option C or D landscape buffer, per Section 4-6-5-3, Bufferyard Options.

4. Research, Development, and Testing Laboratories.

- a. In the CG, IL and IG zoning districts:
 - i. Laboratories shall not contain or utilize toxic or explosive materials.
 - ii. All facilities shall be completely enclosed.

5. Warehousing and Distribution.

- a. In the CG and IL zoning districts, retail sales in conjunction with a permitted warehouse establishment may be allowed subject to the following conditions:

- i. All retail sales shall be conducted within the same structure housing the principal warehouse use, and no outdoor retail sales activity shall be allowed.
- ii. Parking for the retail accessory use shall be provided in accordance with the off-street parking standards for retail uses in Section 4-5-2-2, Parking Requirement Tables.

6. Wholesale Establishments.

- a. Wholesale establishments with stock may be permitted in the IG zoning district except for the following:
 - i. Live animals;
 - ii. Commercial explosives;
 - iii. Flammable or combustible liquids are permitted provided their use, dispensing, mixing, and storage complies with all the requirements of the currently adopted edition of the applicable Building Code, Fire Code, Plumbing Code, Mechanical Code, and National Electrical Code and all applicable State and Federal laws;
 - iv. Flammable gases are permitted provided their use, dispensing, mixing, and storage complies with all of the requirements of the currently adopted edition of the applicable Building Code, Fire Code, Mechanical Code, Plumbing Code, and National Electrical Code, and all applicable State and Federal laws.
- b. Retail sales in conjunction with wholesale establishments may be allowed, provided that:
 - i. Not more than 20 percent of floor area or sales volume of any individual user or tenant may be devoted to retail operations. Notwithstanding this 20 percent limitation, furniture and carpet wholesalers may have greater than 20 percent of their floor area or sales volume devoted to retail operations.
 - ii. All retail sales shall be conducted within the same structure housing the principal wholesale use, and no outdoor retail sales activity shall be allowed.
 - iii. Parking for the retail accessory use shall be provided in accordance with the off-street parking standards for retail uses as set forth in Section 4-5-2-2, Parking -Requirement Tables.

D. Recycling Drop-Off (Attended).

- 1. The facility shop shall be located at least 500 feet from a residential zone district. This requirement may be reduced or eliminated by the Director if the Applicant proves that the proposed use, site design, its traffic generation, and other external effects indicates a reduced separation will have no significant effect on the nearby residential zone district.
- 2. The use shall comply with the screening and enclosure requirements of Division 5-1-6-3, Outdoor Storage and Outdoor Retail Display.

E. Resource Extraction (Minerals).

The following applies in all zoning districts:

- 1. **Permitting Requirements.**

- a. The Applicant shall be responsible for securing all other permits or approvals required by any other governmental agency that may have jurisdiction over the proposed use.
 - b. It shall be unlawful for any person, firm, or other entity to process, crush, blast or similarly treat earth materials on any approved borrow pit site.
 - c. In addition to the standards specified in this Section and in Chapter 2, Zoning Districts of this Code, the proposed use shall be evaluated using the applicable standards that the state or federal government use to evaluate a permit request for the specific use. Additionally, all annual or other reports required by another governmental agency shall be simultaneously submitted to the City.
2. **Mining Operations.**
- a. Mining equipment, except for reservoir construction equipment, shall be considered mechanical equipment and, in lieu of the screening standards set forth in Article 4-6, Landscaping and Buffering, such equipment shall be subject to the following requirements:
 - i. All mining equipment and operation areas shall be screened from sight from adjacent properties or right-of-way by the use of berms or by other equivalent means; and
 - ii. All mining equipment shall be located behind building setback lines.
 - b. All roadways longer than 100 feet used for ingress and egress from the public roadway to the area of mining operations shall be cleaned and maintained to minimize the fugitive dust which is generated by vehicles.
 - c. All mining operations, except for reservoir construction, shall be at least 200 feet from the property line. No open pit mine shall be deeper than 200 feet. No reclaimed open pit mine shall be left deeper than 100 feet.
 - d. No finished grade shall exceed slopes of one foot of rise in three feet of horizontal distance. A diverse permanent vegetative cover shall be established on all disturbed areas to achieve erosion control equal to pre-mining levels. The cover shall be predominantly of native species. Disturbed areas shall be kept to a minimum. Reclamation shall commence within one growing season after slopes reach final grade.
 - e. Mining, processing, or transporting operations, except for reservoir construction, shall be within the time limits of 7:00 a.m. to 6:00 p.m., with no operations on Sunday. Maintenance operations are not subject to this provision.
 - f. The use of explosives is subject to all state and federal standards and restricted to a maximum of five calendar days per year. All blasting shall be conducted in a manner which will not cause a peak particle velocity on any adjacent property which exceeds one-half inch per second. A blast over pressure shall not exceed 130 db peak measured at 6 Hz or lower flat response at the property line.
 - g. Quarrying of hard rock aggregate is prohibited.
 - h. Sediment caused by accelerated soil erosion shall be removed from runoff water before leaving the site. Runoff shall not be discharged from the site in quantities or at velocities above those occurring before mining.
3. **Exempt Activities.** The following burrowing and hauling of earth material may be done without obtaining a conditional use permit from the City:

- a. Minor projects which have cuts or fills each of which is less than five feet in vertical depth at its deepest point measured from the existing ground surface, which include the following:
 - i. Less than 50 cubic yards of earth material; or
 - ii. The removal of less than 10,000 square feet of vegetation.
- b. Minimum excavation required in connection with a building or other structure authorized by a valid building permit.
- c. Grading work being done pursuant to an approved grading plan in conjunction with an approved recorded plat, development plan or over lot grading plan being done on the same property.
- d. Trenching incidental to the construction and installation of approved underground pipeline, septic tank, disposal lines, electrical or communication facilities, and drilling or excavation for approved wells or fence posts.
- e. Grading or excavation in accordance with plans incorporated in an approved conditional use permit.
- f. Maintenance and cleaning of ditches, lakes, ponds, and water storage reservoirs.

F. Resource Extraction (Oil and Gas).

- 1. Reserved.

G. Salvage Yard.

- 1. The following applies:
 - a. Salvage yards shall not be located on property adjacent to any of the following streets:
 - i. 52nd Avenue;
 - ii. 60th Avenue;
 - iii. Lamar Street; and
 - iv. Sheridan Boulevard.
 - b. The use shall not be located closer than 25 feet to an adjacent street right-of-way.
 - c. The subject property shall be surrounded by an Option C or D buffer, per Section 4-6-5-3, Bufferyard Options.
 - d. Best management practices for stormwater quality must be implemented and maintained on-site.

H. Self-Storage.

- 1. The following shall apply to all Self-Storage facilities:
 - a. Public access to any storage unit within 150 feet of any residential zoning district or lot containing a residential use in any mixed-use zoning district is not allowed between 10:00 PM and 7:00 AM.
 - b. The use is not allowed at the intersection of two arterial streets.
 - c. Self-storage facilities are subject to the design standards in Section 5-1-2-8, Industrial, Self-Storage, or Distribution.
- 2. In the MX-S and CG zoning districts:
 - a. All storage shall be within a building, and access to individual storage units shall be from interior corridors. Storage units with access from the exterior building

may be permitted on non-street frontage facades. No outdoor storage of goods or vehicles is allowed.

- b. The use shall be located a minimum of 150 feet from any residential zoning district.
3. In the IL and IG zoning districts:
 - a. The use may have multiple buildings with storage units and / or storage units in free-standing buildings.
 - b. Doors to individual storage units shall not be directly accessible from any street frontage.
 - c. Individual storage units shall face the interior of the site. This does not apply to storage units within an enclosed structure.
 - d. A residence for a caretaker is allowed, subject to the requirements of Section 5-1-6-7, Custodial Unit.
4. Operation and Activities.
 - a. The incidental retail sale of products associated with the business (e.g., boxes, moving supplies) is allowed.

I. Storage Yard.

1. In the IG zoning districts:
 - a. The use shall not be located closer than 25 feet to an adjacent street right-of-way.
 - b. No storage or accumulation of waste products, including paint, stain, oils, grease, or other flammable, toxic, or hazardous materials, or stagnant water, shall be permitted as part of any storage yard use if they exceed the currently adopted fire code requirements. Flammable liquids or gases in excess of 1,000 gallons shall be stored underground.
 - c. Suitable containers for rubbish shall be placed on the premises. *See* Section 5-1-6-5, Trash Collection and Compaction.
 - d. There shall be at least one 24 feet access drive that shall be wide enough to accommodate two vehicles side-by-side.
 - e. No storage yards shall be located closer than 300 feet from any lot line that abuts a residential zoning district or single-family detached residential uses in unincorporated Jefferson County.
 - f. In areas that adjoin a residential use, there is no height limit on the outdoor storage provided that the storage yard is screened from view from the closest point of the adjacent residential structure or right-of-way.
 - g. Permitted hours of operation shall be 7:00 AM to 7:00 PM.
 - h. There shall be no height restriction for machinery, vehicles, and cranes licensed, leased, and/or titled to a business conducted on the property.
 - i. Storage of customer vehicles for a period not to exceed 90 days is exempt from the screening height restrictions.

J. Waste Removal Fleet Storage and Administration.

1. In the IL and IG zoning districts:
 - a. The use shall not be located closer than 25 feet to an adjacent street right-of-way.

- b. No storage yards shall be located closer than 300 feet from any lot line that abuts a residential zoning district or dwelling unit.
- c. Permitted hours of operation shall be 7:00 AM to 7:00 PM.

K. Waste Transfer Station.

- 1. In the IG zoning district:
 - a. The use shall not be located within one-half mile of a residential zoning district.
 - b. The subject property shall be surrounded by an Option C buffer, per Section 4-6-5-3, Bufferyard Options.

Section 3-1-3-8 Motor Vehicle Use Standards is amended to read as follows:

A. Fueling / Service Station.

1. Fueling / Service Station Requirements

- a. When permitted:
 - i. The use shall be located within 660 feet of an intersection of arterial streets unless it is associated with a retail use (e.g., a grocery store or warehouse club) that is at least 45,000 square feet in floor area.
 - ii. No more than two service stations or convenience stores with fuel sales may be located within 660 feet of a single Arterial/Arterial intersection. Where more than two service stations or convenience stores exist at the time of the adoption of this Code, they shall be considered an allowed use.
 - iii. Vehicle access to such uses shall be limited to a maximum of one curb cut per street frontage.
 - iv. On-site vehicle access and circulation shall be designed so that adjacent residential uses or properties are not disturbed, either by day or night, by the movement of vehicles or the lights from vehicles.
 - v. Fueling pump canopies shall comply with the requirements of Subsection 5-1-2-3-C-9, Canopies and Port-Cochères.
 - vi. In the MX-S, MX-U and MX-T zoning districts, options for the site design of the fueling / service station are set out in Subsection 4-3-3-4F, Fueling / Service Station Site Design.
 - vii. A service station with a convenience store shall provide adequate space to allow a minimum of three cars to stack in a line for fuel dispensing services without using or obstructing any portion of an adjacent public sidewalk or right-of-way.

2. Minimum Lot Dimensions.

- i. Minimum lot area: 12,000 square feet.
- ii. Minimum lot width (street frontage): 120 feet.
- iii. Limits on Number of Service Bays and Pump Islands. A service station or convenience store with fuel sales may have a maximum two service bays and two pump islands on a 12,000 square foot lot. One service bay or one pump island may be added for each additional 2,000 square feet of lot area, provided that the total number of service bays shall not exceed five per lot and the number of pump islands shall not exceed five per lot.

3. Building and Equipment Setbacks and Buffers.

- i. Fuel pumps, pump islands, detached canopies, compressed air connections, and similar equipment, shall be set back a minimum of 40 feet from all street rights-of-way and from all property lines abutting a residential zoning district or a parcel containing residential uses.
- ii. When the service station use abuts a residential zoning district, use, or property, an Option C or D buffer shall be required, per Section 4-6-5-3, Bufferyard Options.

4. Service Station with Vehicle Repair.

- a. When permitted:
 - i. Hydraulic hoists, pits, and all lubrications, greasing, automobile washing, or repairing equipment shall be entirely enclosed within a building. When any such building or portion of a building faces, abuts, or is adjacent to residentially zoned property, the closest, adjacent building wall or face shall consist of a solid blank wall with no openings other than those required by applicable building codes.
 - ii. All repair work, vehicle washing, lubrication, and installation of parts and accessories shall be wholly performed within an enclosed building or structure.
 - iii. All vehicle parts, dismantled vehicles, and similar materials, and all discarded materials such as tires, cans, and drums, shall be stored within an enclosed building or totally screened from view by a solid, opaque fence. *See* Division 4-7-2, Fences and Divisional Walls for acceptable fence/wall materials.
 - iv. All vehicles awaiting repair shall be stored onsite in approved parking spaces and under no circumstances shall such vehicles be stored outside in an inoperable condition or stored on or obstruct access to a public right-of-way.

B. Motor Vehicle Repairs and Service, Heavy.

- 1. When permitted:
 - a. All repair and vehicle storage shall be completely enclosed within a building.
 - b. An Option B buffer, per Section 4-6-5-3, Bufferyard Options, is required between the use and adjoining right-of-way.
 - c. An Option C or D buffer, per Section 4-6-5-3, Bufferyard Options, is required between the use and any adjoining residential zoning district or MX with residential uses.
 - d. Overhead bay doors that face residential zoning districts shall be set back at least 60 feet from the residential zoning district boundary.
 - e. The use shall not operate between 7:00 PM and 7:00 AM if it is located within 300 feet of a residential zoning district, measured from the outside building wall that encloses the use to the zoning district boundary.

C. Motor Vehicle Repairs and Service, Light.

- 1. In the MX-N, MX-S, CG, and IL zoning districts:
 - a. All vehicle repair uses shall be conducted within a completely enclosed building.

- b. The use shall not operate between 7:00 PM and 7:00 AM if it is located within 300 feet of a residential zoning district, measured from the outside building wall that encloses the use to the zoning district boundary. An Option C or D landscape buffer, per Section 4-6-5-3, Bufferyard Options is required between the use and any adjoining residential zoning district.
- c. Storage of vehicles on the premises shall not exceed 15 days.
- d. Open storage of wrecked or inoperable cars, discarded tires, auto parts, or similar materials shall be prohibited.
- e. Garage bays shall not face a street.

D. Motor Vehicle Storage.

- 1. In the IL and IG zoning districts;
 - a. An Option B landscape buffer, per Section 4-6-5-3, Bufferyard Options, is required between the use and adjoining right-of-way.
 - b. An Option C or D landscape buffer, per Section 4-6-5-3, Bufferyard Options, is required between the use and any adjoining residential zoning district.
 - c. The use shall be located behind the principal building, unless the stored motor vehicles are inventory that is for sale or for rent.

E. Motor Vehicle Towing Services.

- 1. In the IL and IG zoning district:
 - a. An Option C or D landscape buffer, per Section 4-6-5-3, Bufferyard Options, is required between the yard and adjoining right-of-way and any adjoining residential zone district.
 - b. Vehicular ingress-egress shall be limited to one point for each side of property abutting any street.
 - c. All vehicles and activities not within fully enclosed buildings shall be enclosed by a solid fence or wall at least six feet in height, including point of ingress or egress.
 - d. No vehicle repair, maintenance, or body work shall take place.
- 2. In the IL zoning district:
 - a. The site shall not be more than two acres in size.

F. Motor Vehicle Wash.

- 1. Motor vehicle wash facilities including automotive detail facilities shall comply with the following conditions:
 - a. **General Requirements.**
 - i. A motor vehicle wash facility is prohibited at the intersection of two arterial streets, unless it is located in a center occupying at least two acres and containing other commercial establishments occupying at least 12,000 square feet gross floor area.
 - ii. The motor vehicle wash facility, including all driveways, entrances and appurtenant structures, must be set back a minimum of 20 feet from any adjacent street. The entire 20-foot setback must be landscaped to provide a buffer from adjacent streets.
 - iii. No motor vehicle wash facility shall be located on a corner lot.

- b. **Open Bay Motor Vehicle Wash Facility.**
 - i. No new motor vehicle wash facility may be located within one-half mile of any other existing motor vehicle wash facility having two or more car wash bays within the city limits of Arvada.
- c. **Enclosed Motor Vehicle Wash Facility.**
 - i. All enclosed motor vehicle washing bays must have bay doors. No bay door shall face the adjacent street or an adjacent residential district.
 - ii. All enclosed motor vehicle wash facilities must be self-contained, except those services such as drying, polishing or vacuuming which may be performed outdoors. Exterior vacuums must have the machinery located within the main wash building with only vacuum hoses located outside.
- G. **Parking Lot Surface, Stand-Alone.** Where identified as a conditional use, a stand-alone surface parking lot shall be subject to the following requirements:
 - 1. A stand-alone surface parking lot shall not front an arterial or collector street.
 - 2. The stand-alone surface parking lot shall meet all the landscaping requirements of Article 4-6, Landscaping and Buffering.
 - 3. A stand-alone surface parking lot associated with an adjacent primary use shall also comply with the requirements of Section 4-5-3-4, Off-Site Parking.
- H. **Parking Garage, Structured.** Refer to Section 5-1-6-8.
- I. **Vehicle Equipment Sales or Rentals.**
 - 1. **Vehicle Sales and Rentals.**
 - a. In the MX-S, MX-U, MX-T, CG, and IL zoning districts:
 - i. All vehicles used for sales display or inventory must be stored indoors.
 - ii. An Option C or D landscape buffer, per Section 4-6-5-3, Bufferyard Options, is required between the use and any adjoining residential zoning district.
 - iii. Overhead bay doors that face residential zoning districts shall be set back at least 60 feet from a residential zoning district boundary.
 - b. In the MX-T zoning district, only automobile rentals shall be permitted and only in principal hotel and motel uses with surface parking limited to a maximum number of 10 parking spaces dedicated to the use.
 - 2. **Equipment Sales and Rentals.**
 - a. In the CG, and IL zoning districts:
 - i. An Option C or D landscape buffer, per Section 4-6-5-3, Bufferyard Options, is required between the use and any adjoining residential zoning district.
 - ii. Overhead bay doors that face residential zoning districts shall be set back at least 60 feet from the residential zoning district boundary.

Section 3-1-4-5 Food and Retail Truck Vending is amended to read as follows:

- A. **Generally.** Food and retail truck vending is allowed as provided in this Section.
- B. **Where Permitted.**
 - 1. Food and retail truck vending is permitted in the following areas and under the following circumstances:

- a. On private property as provided in Section 3-1-4-2, Temporary Uses by Zoning District;
 - b. In any park or public space (regardless of zoning district), if approved by the governmental entity exercising ownership or control thereof; and
 - c. In a public street right-of-way (regardless of zoning district), subject to the limitations established in Subsection D.2., below.
- 2. Notwithstanding any provision herein to the contrary, allowing food and retail truck vending in a park, public space, or public street right-of-way shall be in the sole discretion of the governmental entity exercising ownership or control thereof.
- C. **Permit Required.** Except as otherwise provided herein, no person may engage in activities of food or retail truck vending without first obtaining a City of Arvada business license and a Food Truck Permit for food vendors or a Retail Vending Truck Permit. The approved temporary use permit shall be permanently displayed to the public in the food handling area of the food truck vending operation or in the retail area of a retail vending truck.
- D. **Standards.** The following rules and requirements shall apply to all food and retail truck vending:
 - 1. **Hours of Operation.** Hours of operation shall be between 6:00 a.m. and 11:00 p.m. unless a different time is specified in the temporary use permit.
 - 2. **Location.**
 - a. Operations shall not obstruct the visibility of motorists, nor obstruct parking lot circulation or block access to a public street, alley, or sidewalk.
 - b. Operations shall be located at least 50 feet from any residential use or mixed-use buildings where residential units are on the first floor as measured from the closest point of the food truck to the nearest property line of the residential unit, except as may otherwise be permitted pursuant to subsection B.1.c., where permitted above.
 - c. Food and retail trucks may operate on private property provided they meet the following requirements:
 - i. The operator must obtain prior written permission from the private property owner.
 - ii. The food or retail truck must be parked on a paved surface outside of the public right-of-way.
 - d. Operations are prohibited on public street rights of way, except for the following:
 - i. Food and retail truck vending may be allowed in a public street right-of-way closed to vehicular traffic when a Special Event Permit has been issued for a special event requiring such closure.
 - 3. **Refuse.**
 - a. Operators shall be responsible for the storage and daily disposal of all trash, refuse, and litter. All areas used for food and retail trucks shall be maintained in a safe and clean condition.
 - b. Operators shall not cause any liquid wastes used in the operation, with the exception of clean ice melt, to be discharged from the vehicle or structure.

- c. The food and retail trucks shall not be washed on location.
- 4. Health Department Certificate.
 - a. Operators shall obtain a Health Department Certificate required by the Colorado Department of Public Health and Environment and other state and local agencies to operate a mobile retail food establishment.

Section 3-1-5-3 Short-Term Rentals is amended to read as follows:

- A. **License Required.** Short Term Rental is prohibited within the City unless a license has been duly issued therefore pursuant to this Section 3-1-5-3 and in compliance with the Code, including without limitation, Chapter 98, Article V, Division 2, Lodging License.
- B. **Application.**
 - 1. An application for a license shall be submitted to the Director and shall be signed by the fee owner of record of the property to be licensed or an individual authorized in writing by the fee owner of record. All license applications shall be submitted on a form supplied by the Director, which shall include such information as is reasonably necessary for the Director to act on such application, together with an application fee as authorized under Section 74-31 of the Code. The applicant must specify which portions of the Dwelling Unit, Dwelling Unit or Accessory Dwelling Unit, Residential (“ADUR”) will constitute the licensed premises available for use by renters.
 - 2. The applicant shall self-certify that the information on the application is accurate and truthful under penalty of perjury under the laws of the State of Colorado. Applicants shall inform the Director in writing of any material change to the information submitted on an application for a license within thirty (30) calendar days of such change.
- C. **Term of License and Renewal.** An application fee shall be received by the City prior to issuance of a license. Licenses issued pursuant to this Section shall be valid for a period of one (1) calendar year from the date of issuance. Licenses must be renewed annually. Applications for renewals of a Short Term Rental license are subject to all application, fees, licensing and operation requirements set forth in this Section that apply to new licenses. In the Financial Officer's discretion, after consultation with the Director, the Financial Officer may impose conditions upon a license at the time of renewal to address non-compliance with the terms of the license, the provisions of this Section, or any other applicable provision of federal, state, or local law. Failure to comply with such conditions may result in suspension, revocation, or non-renewal of the license.
- D. **License Regulations.**
 - 1. The licensee shall comply with all applicable Code provisions and state and federal law including, but not limited to, Chapter 18, Buildings and Building Regulations, and Chapter 38, Article III, Nuisances, and Chapter 98, Taxation.
 - 2. The licensee shall ensure that renters of a Short Term Rental Unit shall only be allowed access to the portions of the Dwelling, Dwelling Unit or ADUR identified in the license.
 - 3. During the term that a Short Term Rental Unit is occupied by a short-term tenant, the owner and/or the local contact person designated by the owner shall be available twenty-four (24) hours per day, seven (7) days per week, for the purpose of

responding within one (1) hour to complaints regarding the condition or operation of the Short Term Rental Unit or the conduct of short term tenants. If the local contact person designated by the owner changes, then the owner shall update the license on file within five (5) business days. For the purposes of this section, "local contact person" means an individual located within thirty (30) miles of the Short Term Rental Unit, during the entire length of the Short Term Rental period, who has access to the licensed premises and is authorized to make decisions regarding the licensed premises.

4. Each Short Term Rental Unit shall provide two brochures to its guests:
 - a. The first brochure shall include the licensee's contact information, the local contact party's contact information, and any necessary emergency contact information. The brochure shall also provide information pertinent to the neighborhood where the Short Term Rental Unit is located including, but not limited to, parking restrictions, trash collection schedule, relevant water restrictions, fire evacuation routes, and any other information, as required by the Director, applicable to the Short Term Rental Unit and the surrounding neighborhood.
 - b. The second brochure will be provided by the city and include relevant local ordinances, rules, and regulations that apply to all residences in the city. The licensee must display the city's brochure in each Short Term Rental Unit as it is made available and updated by the city.

E. Licensing Requirements.

1. *Number of Short Term Rentals Units per lot.* If a lot contains more than one legal Dwelling, Dwelling Unit or ADUR, only one Dwelling, Dwelling Unit or ADUR on such lot is eligible for licensure as a Short Term Rental Unit.
2. *Permitted structures.* Short Term Rental Units are allowed in primary and accessory structures with finished living space. All structures shall comply with the regulations for primary and accessory structures, including maximum size, height, lot coverage, and setbacks, for the property's zoning district. In the case of a multifamily property, the property owner is allowed one (1) Short Term Rental Unit. In the case of condominiums or buildings held in similar common ownership, each owner shall be limited to one (1) Short Term Rental Unit per property.
3. *Reservations.* Only one Short Term Rental reservation to one party at a time is allowed.
4. *Parking requirements.* One additional on-site parking space shall be required if a portion of a primary structure is used for Short Term Rental.
5. *Safety requirements.* Each Short Term Rental Unit shall be equipped with an operational smoke detector, carbon monoxide detector, and fire extinguisher on the licensed premises. The Director or his or her designee may inspect the Dwelling, Dwelling Unit or ADUR prior to issuance of a license and during the term of any license issued to verify compliance with such requirements, Code provisions and state and federal law. Refusal by the applicant to allow such inspection shall be grounds for denial, non-renewal or revocation of a license.

6. *Occupancy.* The occupancy of a Short Term Rental Unit shall not exceed the total number of unrelated persons that are otherwise permitted to occupy property in the City.
 7. *Prohibited uses.* Use of the Short Term Rental Unit for any commercial or large social events or gatherings, such as weddings, is prohibited.
 8. *Trash collection.* The owner shall maintain weekly residential trash collection services for the Short Term Rental Unit.
 9. *Number of days in use.* The maximum number of days per calendar year that a Short Term Rental may be occupied by guests is 240. Upon renewal of the license, the Owner shall provide to the City the number of days that the Short Term Rental was occupied by guests during the previous 365 days. The Owner shall certify that the number reported is accurate.
 10. *Number of Short Term Rentals per Owner.* No applicant may operate more than three individual properties as short term rentals within the City at any one time. Upon renewal of the license, the Owner shall certify that the number operated is in accordance with this regulation.
- F. **Refusal to Grant, Suspension, Revocation, Nonrenewal of License.** The Director may refuse to grant an initial license, or suspend, revoke, or not renew any license requested or issued pursuant to this Section if the Director determines that any of the following have occurred: (i) fraud, material misrepresentation or false statement in the initial application for the license or any renewal application; or (ii) failure to comply with the terms or conditions of the license, the provisions of this Section, or any other application provision of federal, state, or local law including, but not limited to, the Arvada City Code.
1. If the Director finds that a violation of any provision of this Section exists, the Director, after notice to the licensee, may take any one or more of the following actions to remedy the violation:
 - a. Impose a civil penalty according to the following schedule:
 - (i) For the first violation of the provision, \$150;
 - (ii) For the second violation of the same provision, \$300; and
 - (iii) For the third violation of the same provision, \$1,000.
 - b. Revoke the license;
 - c. Issue any order reasonably calculated to ensure compliance with this Section.
 2. The Director's authority under this Section is in addition to any other authority the Director has to enforce this Section, and election of one remedy by the Director shall not preclude resorting to any other remedy as well.
 - a. The Director shall not accept a new application from the same licensee for the same Dwelling, Dwelling Unit or ADUR after revocation of a license:
 - (i) For at least one year following the revocation; and
 - (ii) Unless the applicant demonstrates compliance with all licensing requirements.
 3. All licensed premises shall be subject to inspection by the Director or his or her designee for the purpose of investigating and determining compliance with the requirements for any license issued under this Section. Where any part of the licensed premises consists of a locked area, such area shall be made available for inspection as

- provided hereunder, without delay, upon request. Refusal to allow an inspection may result in the license being revoked subject to the following Subsection 5.
4. An applicant or licensee may appeal any decision to grant, not renew, or suspend his or her application or license to the City Manager within 14 consecutive calendar days from the city providing notice of the decision. The City Manager's decision shall be final.
 5. An applicant may appeal any decision to revoke his or her license through the city's Administrative Hearing procedure as provided in Chapter 2, Article V, Division 3 of the Arvada City Code. Appeals must be received within 14 consecutive calendar days from the city providing notice of the revocation.
- G. **Administration.** The Financial Officer and Director shall administer the provisions of this Article and are authorized to jointly promulgate rules and regulations for its administration and implementation.

The remaining portions of Chapter 3 shall remain unchanged.

Section 3. Chapter 4, Environmental and Site Design, of the Land Development Code, of the Arvada City Code is hereby amended:

Section 4-2-1-4 Subdivision Requirements and Standards is amended to read as follows:

A. **General Requirements.**

1. Every subdivision shall comply with applicable zoning district, design and development standards in this LDC.
2. Every subdivision shall comply with all other ordinances and regulations of the City of Arvada.
3. Public infrastructure shall be constructed in accordance with the City of Arvada Engineering Code of Standards and Specifications as approved by the Director.

B. **Minimum Standards.** The standards in this Article are minimum standards. The City may impose more restrictive standards when it finds that they are necessary to conform the design of a proposed subdivision to sound engineering or design standards or other standards in this LDC.

C. **Buildable Lots.** All lots created through the subdivision process shall be developable and conform to the minimum zoning, development, and floodplain standards in this LDC. No subdivisions shall create lots that prohibit development due to configuration of the lots, steepness of terrain, location of watercourses or floodplain, natural physical conditions, or other existing conditions.

D. **Layout and Design.** The design and layout of the lots shall be dependent upon topography, natural vegetation, soil conditions, drainage, street traffic, or other conditions. The following standards shall apply to:

1. A subdivision of two or more lots;
2. A division of a lot; or
3. Combining lots.

E. **Lot Size and Configuration.**

1. **Lot Area.** The minimum area and dimensions of all lots shall conform to the requirements of the zoning districts and development standards relating to the zoning district in which the lot is located. *See* Chapter 2 of this Code.
 2. **Lot Lines.** Side lot lines shall be substantially at right angles or radial to street lines, except where other terrain makes such design impractical.
 3. **Double Frontage Lots.**
 - a. Double frontage lots are discouraged in new subdivisions except where necessary to provide separation of residential development from parkways and arterials, or to overcome specific disadvantages of topography and orientation.
 - b. If approved, double frontage lots shall have an average lot depth of not less than 130 feet.
 - c. Unless waived by the Director, the owner / developer shall construct fences along the rear of double frontage lots. Such fences shall be six feet high, and composed of cedar picket fencing with brick posts not more than 60 feet apart, unless an alternate design or material is approved by the Director.
 4. **Flag Lots.** Flag lots and other irregularly shaped lots are discouraged in new and existing subdivisions.
 5. **Corner Lots.** Corner lots may be required to be wider than interior lots to provide for setback requirements.
- F. **Drainage.** Lots shall be designed and located to provide positive drainage away from all buildings, shall comply with the standards in Division 4-1-3, Stormwater and Drainage Control, and shall allow for the infiltration of storm water runoff to the maximum extent feasible.
- G. **Access.**
1. Every residential lot shall abut a public or private street or access easement. Access to residential lots shall be from local streets except as specifically authorized by the Director.
 2. For subdivisions, at least two points of vehicular access into a proposed subdivision shall be provided, where feasible, unless it can be shown to the satisfaction of the Director that legal, topographical, and / or engineering constraints preclude such access. The Director may allow for additional access supported by traffic impact study and meets all other design criteria.
 3. For lot splits, shared common access shall be provided to the maximum extent practicable.
- H. **Block Layout and Length.**
1. Blocks shall normally be at least 400 feet in length and not more than 1,200 feet in length. The Director may approve a shorter or longer block length when necessary to accommodate natural features such as steep slopes, environmentally sensitive lands, and pedestrian linkages.
 2. Block lengths and widths shall be suitable for the uses contemplated and the zoning requirements pertaining to minimum lot sizes and dimensions.
 3. In blocks over 1,000 feet long, pedestrian, bicycle, and equestrian crosswalks may be required. Said crosswalks shall normally require a six and one-half foot width.

4. Blocks along designated or planned parkways or arterial streets shall not be less than 660 feet in length, unless approved by the Director.
- I. **Street Design.** All public and private streets shall comply with the Article 4-4, Access, Circulation, Mobility, and Utilities, City of Arvada Engineering Code of Standards and Specifications, and the following standards:
 1. **Coordination of Streets.**
 - a. All new collector and local streets shall connect with surrounding streets at safe and convenient locations as required by the Director to allow convenient movement of traffic and reasonable access for emergency vehicles.
 - b. When connections to surrounding streets are proposed or required by the City, public right-of-way shall be dedicated and streets developed to existing paved rights-of-way.
 - c. When developing adjacent to an existing RA or RN-32.5 zoning district where there is no paved street between the subdivision and an existing paved street, an interim street, improved in accordance with local street standards, shall be constructed by the Applicant for developments with densities in excess of one residential unit per acre of land.
 - d. Whenever possible, proposed intersections along one side of a street shall coincide with existing or proposed intersections on the opposite side of such street. Where a centerline offset (jog) occurs at an intersection, the distance between centerlines of the intersecting streets shall be not less than required by the City of Arvada Engineering Code of Standards and Specifications.
 - e. The street pattern shall not cause adjacent property to be landlocked nor prevent access to public land.
 2. **Street Intersections.**
 - a. Streets shall be arranged in relation to existing topography to produce streets of reasonable gradient to facilitate adequate drainage and to produce desirable lots of maximum utility.
 - b. Where a subdivision abuts or contains the right-of-way of a drainage way, a limited access highway, or an irrigation ditch, or abuts a commercial or industrial land use, the Director may require the location of a street approximately parallel to and on each side of this right-of-way at a distance suitable for appropriate use of the intervening land. This distance shall be determined with due regard for approach grades, drainage, bridges or future grade separations.
 3. **Street Design Standards.**
 - a. Streets shall be related appropriately to the expected use of the property. Minimum requirements for street right-of-way, pavement width, and other standards for public and private streets are set forth in the City of Arvada Engineering Code of Standards and Specifications.
 - b. Other designs and materials may be required for the construction of streets, curbs, and sidewalks when, in the determination of the Director, such methods would be more environmentally desirable or more in keeping with the design of the development or neighborhood.

- c. Turnarounds shall be provided at the ends of cul-de-sacs and at elbows on one-way streets. Turnarounds shall meet the minimum requirements of the Fire Protection District.
- J. **Street Naming and Traffic Control Signs.**
 - 1. **Continuation of Existing Names.** The City will assign a name subject to final plat, site plan or final development plan approval.
 - 2. **Street Signage.**
 - a. All streets in a subdivision shall be named and identified by signs installed at every street intersection.
 - b. These signs shall be standard street signs as indicated in the current edition of the Manual on Uniform Traffic Control Devices.
 - c. All traffic control signs, as well as street name signs, required in a subdivision shall be provided and installed by the City at the expense of the subdivider in conformance with the current edition of the Manual on Uniform Traffic Control Devices, and any relevant Colorado state supplements.
- K. **Sidewalks, Trails and Bicycle Paths.**
 - 1. **General Requirements.**
 - a. The layout and design of an interconnected system of sidewalks, trails, and/or bicycle paths shall be consistent with the City of Arvada Transportation Plan and Bicycle Plan, as amended, and all other adopted plans and policies.
 - b. All subdivisions shall comply with the development standards set forth in Section 4-4-2-1, Pedestrian and Bicycle Access and Circulation.
 - c. All subdivisions shall include an interconnected system of sidewalks, trails and or bicycle paths that directly connects to all uses, lots, open space areas, and parks.
 - 2. **Trails.**
 - a. The owner/developer shall provide and construct pedestrian, bicycle, or equestrian trail rights-of-way in compliance with Section 4-4-2-1, Pedestrian and Bicycle Access and Circulation, and Section 8-4-3-6, Park and Trail Dedications and Fees-in-Lieu. Additional trail rights-of-way may be required where necessary for access to parks, schools, shopping areas, or other community facilities.
 - b. Trails shall be eight feet wide, unless a wider trail is required by the City. All trails between lots shall be located within a minimum 40-foot wide landscaped strip, which 40-foot wide strip may be dedicated to the City or set aside as private, amenitized landscape surface area.

Section 4-2-2-1 Cluster Subdivisions is amended to read as follows:

- A. **Generally.** This Division provides optional standards for cluster subdivision development to create more compact development in order to preserve and protect sensitive lands, create amenitized landscape areas, and to implement the Comprehensive Plan and/or adopted specific area plans. A cluster subdivision is a residential or mixed-use subdivision in which some or all of the lots are allowed to be smaller (in area and width) than otherwise required for the underlying zoning district, in exchange for permanent protection of sensitive lands and/or open space.

B. Zoning Districts Where Allowed.

1. The cluster subdivision option is available in the R6, R13, and R24 zoning districts.

C. Minimum Parcel Size. The minimum parcel size for a cluster subdivision shall be three acres.

D. Cluster Subdivision Development Standards.

1. All other standards in the LDC shall apply to cluster subdivisions unless modified by this Section.

E. Identification and Maintenance of Protected Lands.

1. Protected lands as defined in Section 4-1-4-2, Limits of Development, shall be identified on the final subdivision plat with a notation that indicates that those lands shall not be used for future development.
2. Protected lands shall be identified with appropriate permanent signage markers in order to distinguish these areas from private lots.
3. Protected lands shall be permanently maintained and preserved as:
 - a. Open space tracts with deed restrictions;
 - b. Land dedicated to the City;
 - c. Land protected through a conservation easement; or
 - d. Land protected by other means approved by the City.
4. For any protected land not dedicated to the City, the developer shall provide a permanent mechanism acceptable to the City Attorney for the primary purpose of conservation, preservation, and management of protected lands.
5. There shall be no further subdivision of land in an area approved for cluster subdivision; however, dedication of easements for public purposes may be permitted.

F. Use of Protected Lands.

1. Protected lands shall be left in an undisturbed natural state or landscaped pursuant to Section 4-6-5, Landscape Areas and Bufferyards.
2. The protected lands shall be used for low-intensity recreation, agriculture, buffers, critical wildlife habitat, or other passive park or open space purposes.
3. The use of protected lands may be further limited or controlled at the time of final approval where necessary to protect adjacent properties.

G. Review and Approval of Cluster Subdivisions.

1. The review and approval of cluster subdivisions shall follow the procedures for preliminary and final plats. The applicable procedure is dependent on the number of lots proposed in the cluster subdivision.

Section 4-3-2-2 Common Open Spaces is amended to read as follows:

4-3-2-2 Landscape Surface Area

- A. **Generally.** Development shall be designed with landscaped areas that support the resource values of the natural open space in terms of its ecological function (e.g., habitat, water quality enhancement, energy efficiency, etc.), aesthetic contribution, recreational value, and buffering value in accordance with Article 4-6 Landscaping and Buffering.

- B. **Site Design.** Site design shall be organized to include, protect or enhance the natural open spaces areas and landmark features of the site.
- C. **Enhancement of Open Space / Open Space Corridors.** Landscaped areas should be organized so as to create integrated systems that connect with dedicated school lands, parklands, other open spaces, or public lands or trails within the subject property or on adjoining property.
- D. **Natural Resource and Hazard Areas.** Natural resources such as water features including lakes, natural ponds, rivers, streams, wetlands, riparian areas, drainage ways, ditches, and flood hazard areas and vistas of natural features including distant peaks and ridges, steep slopes, existing tree canopy, wildlife habitat areas should be undisturbed.

Section 4-3-2-3 Landscape Surface Area, Amenitized is added to read as follows:

4-3-2-3 Landscape Surface Area, Amenitized

- A. **Generally.** Sometimes referred to as “common open space.” Development shall be designed with amenities for the common use or enjoyment of residents, employees, or guests of the development. Any portion of the area intended to meet requirements of small urban parks (Section 4-3-3-4 Mixed-Use) must be publicly accessible. Amenities may include:
 - 1. Passive recreational facilities such as trails, community gardens, courtyards with seating, shaded picnic areas, scenic areas, open grassy areas large enough for recreation, or similar common areas; or
 - 2. Active recreational facilities such as pools, tennis courts, playgrounds, and clubhouses; or
 - 3. Commercial outdoor seating and dining areas, or similar common areas serving employees and/or guests.
- B. **Accessibility.** Areas shall be accessible to all residents, employees, or guests of a development and meet all design requirements of the Americans with Disabilities Act (ADA).

Section 4-3-3-2 Residential is amended to read as follows:

- A. **Generally.** The standards of this Section apply to residential developments that include more than 10 dwelling units, located in all residential zoning districts and the MX and OT zoning districts, where single-family, duplexes, townhomes, multiplex, and multifamily are permitted, as provided in the following Subsections.
- B. **Arrangement of Landscape Areas and Buildings.**
 - 1. Amenitized landscape areas shall be provided to the extent practicable and situated so that landscaped areas and outdoor recreation amenities are centrally located within the development.
 - 2. Principal buildings, such as club houses and recreational facilities, and landscaping shall, to the extent practicable, be located and designed so that residents can easily observe the buildings, landscaped areas, circulation paths, and access points into the development.

- C. **Parking.** For multiplex, townhome and multifamily development, at least 50 percent of required off-street parking shall be provided in garages or carports, rather than surface lots. Where surface parking lots are used, they shall to the extent practicable be located between or behind buildings, rather than adjacent to street frontages.
- D. **Single-Family Detached, Duplex, and Multiplex.**
1. **Generally.** Single-family detached, duplex, and multiplex residential subdivisions shall be designed to mitigate the impacts of streets and paved areas on the neighborhood, and to provide comfortable alternative routes for pedestrians and bicyclists, including continuous sidewalks, tree-lined streets, and pedestrian-scaled details.
 2. **Creation of Neighborhoods.** Residential development that includes more than 200 dwelling units shall be designed to create identifiable “neighborhoods” of 30 to 100 units.
 3. **Configuration of Lots.** Lots shall be configured to maximize the number of lots that are:
 - a. Within close proximity to an amenitized landscape area (e.g., playground or trail); and
 - b. Connected by trails or common greens that do not cross streets.
- E. **Townhome.**
1. **Creation of Neighborhoods.** Residential development that includes more than 200 dwelling units shall be designed to create identifiable “neighborhoods” of 30 to 100 units.
 2. **Configuration of Lots.** Lots shall be configured to maximize the number of lots that are:
 - a. Within close proximity to an amenitized landscape area (e.g. playground or trail); or
 - b. Connected by trails or common greens that do not cross streets.
 3. Buildings shall front on and align with:
 - a. Adjacent streets; or
 - b. Meet the minimum Non-Street Frontage Perimeter Setbacks identified in Table 2-1-8-7, Townhome Building Standards.
 4. **Connectivity.**
 - a. Where there is a sidewalk, separation between buildings shall be a minimum of 20 feet wide to allow for a minimum five foot wide sidewalk and landscaping
- F. **Multifamily.** The standards of this Subsection shall apply to all new multifamily residential development.
1. **Street Connectivity.**
 - a. Multifamily sites of 10 acres or more shall include a minimum of one public street (or private drive that is built to City street standards), that is continuous through the subject property, and that connects to a public street on both ends.
 - b. The Director may waive this requirement for a through-access street or drive, if it is demonstrated that:

- i. There are adequate alternatives available for residents and vehicles to travel through the subject property to adjacent properties and developments; or
 - ii. There are no opportunities for a through-street to safely make such connections.
- 2. **Landscape Areas.** Landscape areas shall be provided as follows:
 - a. Large landscaped areas should be the fundamental organizing element of the site. Landscaped areas should be well defined by buildings and streets. Buildings should be oriented in such a way as to create courtyards and open space areas.
 - b. Large existing trees and other natural features should be integrated into the landscape areas.
 - c. Landscape areas should be centralized and directly accessible to a majority of the surrounding units. Where possible, it should be linked to adjacent parks, paths, and open space areas.
 - d. The landscape areas shall be useable, non-riparian areas with slopes not exceeding 3:1.
- 3. **Site Amenities.** In conjunction with the landscape surface area requirements, and the required small urban parks in the MX-S, MX-U and the MX-T zoning districts (*See* Subsection 4-3-3-4E), all multifamily projects shall provide site amenities from the list below for the residents. Amenities shall be centrally located for a majority of the residents, and may be located within the landscape areas. Multifamily projects with less than 50 units shall provide two of the amenities from the list below. Multifamily projects with more than 50 units shall provide three of the amenities from the list below.
 - a. Plaza.
 - b. Swimming pool.
 - c. Sports court, such as tennis, basketball, or volleyball.
 - d. Natural open space area with benches.
 - e. Jogging trail.
 - f. Fountain, art, or sculpture.
 - g. Other amenity as approved by the Director

Section 4-3-3-3 Clustered Small Housing is amended to read as follows:

- A. **Generally.** The standards of this Section apply to developments of the clustered small housing types that are described in Section 2-1-8-9, Clustered Housing Types.
- B. **Common Green.**
 - 1. Clustered housing types shall be organized around one or two amenitized landscape areas ("green(s)"), with no dimension that is less than the larger of:
 - a. 1.5 times the height of the tallest building that fronts on the common green; or
 - b. 20 feet, for micro homes or 30 feet for cottages.
 - 2. The common green(s) shall be developed and maintained to provide for passive and/or active recreation activities for the residents of the housing cluster.

3. The common green(s) shall be centrally located and easily accessible to all dwelling units within the cluster.
4. The common green(s) shall be surrounded by clustered housing types on at least two sides, which do not have to be opposite sides.
5. Stormwater management facilities are allowed within a common green, if they do not adversely impact access to or use of the common green for all-season pedestrian access to the dwelling units, and for anticipated active and passive recreation activities.

C. Front Porches.

1. Cottages. Each cottage dwelling unit shall have a front porch that is not less than seven feet in any dimension.
2. Micro Homes. Each micro home shall have a front porch that is not less than five feet in any dimension.

D. Private Entry Yards.

1. Each dwelling unit may have a private entry yard, in front of the building elevation that contains the primary entrance to the dwelling unit, that is:
 - a. Not more than 10 feet deep; and
 - b. Enclosed with a fence that is not more than 36 inches in height in front of the front building plane, and not more than 60 inches in height behind the front building plane.
2. Private entry yards may border the common greens, but are not included in the dimensions of the common green.

E. Configuration. Housing clusters shall relate to both the street and to a common green, in that:

1. Each building that is constructed along the principal street side of the subject property shall include architectural features that provide visual continuity with adjoining properties and visual interest from the street, such as a primary or secondary entrance or porch that is oriented to the street.
2. Not less than 50 percent of the dwelling units shall front on a common green.

F. Pedestrian Network.

1. Pedestrian connections shall link all buildings to the street, common green(s), and parking areas.
2. Pedestrian connections from parking areas to common buildings and the front doors of dwelling units shall traverse a common green.
3. If housing clusters share a common building, *see* Subsection G., below, the pedestrian network shall connect the housing clusters.

G. Common Building. A common building with amenities is allowed within clustered housing developments. Amenities may include a kitchen, meeting area, common dining area, indoor recreation facilities, storage (provided that other amenities are also provided in the building), and up to two guest bedrooms. Up to two housing clusters that are connected with pedestrian pathways may share a common building, unless the size of the common building and provided amenities are designed to accommodate additional clusters, the common building is centrally located and within 600 feet of all dwelling units, and the common building is connected to the clusters by pedestrian pathways.

- H. **Individual Storage Buildings.** One individual storage building is allowed for each dwelling unit, provided that:
1. The storage building is not more than 10 feet in height, measured from grade to the peak of the roof;
 2. The storage building is not more than 80 sf. in floor area;
 3. The storage building is located behind the dwelling unit, and set back:
 - a. 20 feet from any street; and
 - b. five feet from any boundary of the housing cluster and
 4. The storage building is screened from the street and a common green.
- I. **Parking Design.**
1. **Generally.**
 - a. Required parking shall be provided in shared surface parking lots, covered parking spaces in shared parking lots, shared detached garage buildings, or directly accessed from an alley.
 - b. No parking space or drive aisle shall be located between a front building elevation and a common green.
 - c. For alley accessed parking, parking spaces shall be located between the alley and rear building planes, and shall not extend into side or front yards of individual buildings.
 2. **Surface Parking and Covered Parking Spaces.**
 - a. Surface parking and covered parking spaces shall be set back from streets as provided in Section 2-1-8-9, Clustered Housing Types.
 - b. Surface parking and covered parking spaces shall be screened from the street and the common green(s) and from individual units with a parking lot bufferyard as provided in Section 4-6-6-3 Parking Area Landscape.
 - c. Surface parking spaces shall be distributed on the site to minimize visual impacts and optimize access to individual units.
 3. **Shared Detached Garage Buildings.**
 - a. Shared detached garage buildings may not exceed four overhead doors per building, and a total floor area of 1,200 square feet.
 - b. Shared detached garage buildings shall be reserved for the parking of vehicles owned by the residents of the development.

Table 4-5-2-2A: Residential Land Use Parking Standards is amended to read as follows:

Table 4-5-2-2A: Residential Land Use Parking Standards	
Land Use	Minimum Required Parking
Standard Housing Types	
Single-Family Detached or Duplex	2 sp. / du ¹
Townhome	2.2 sp. / du ¹
Multifamily and Multiplex	efficiency units: 1.4 sp. / du 1 BR units: 1.6 sp. / du

Table 4-5-2-2A: Residential Land Use Parking Standards	
Land Use	Minimum Required Parking
	2 BR units: 2.1 sp. / du ¹ 3+ BR units: 2.5 sp. / du ¹
Multifamily, Affordable ²	efficiency units / 1 BR units: 1.4 sp. / du 2 + BR units: 2.0 sp. / du ¹
Multifamily, Senior ³	1 sp. / du
Clustered Housing Types	
Micro Home	1.25 sp. / du
Cottage	2.25 sp. / du
TABLE NOTES: ¹ Tandem spaces may be counted towards this requirement. ² Projects that receive Low Income Housing Tax Credits. ³ Age restricted projects for residents 62 years and older.	

Section 4-5-3-4 Off-Site Parking is amended to read as follows:

- A. **Generally.** In lieu of locating parking spaces required by Division 4-5-2, Parking and Loading Calculations, on the lot that generates the demand for the required parking, parking spaces may be provided on any lot or premises controlled, *i.e.*, by fee-simple ownership, easement interests, lease interests, or participation in a parking district or other joint venture to provide centralized off-street parking, by the owner of the use that generates the parking demand, provided that:
1. The parking spaces are within 200 feet of the boundaries of the property generating such parking requirements and no required off-street parking space within said parking lot is more than 500 feet from the property it is serving; and
 2. The parking spaces are not already counted towards the parking requirements of another use after application of Section 4-5-2-4, Shared Parking, Section 4-5-2-5, Parking Credits and Reductions, or Section 4-5-2-6, Parking Studies, as may be applicable.
- B. **Exceptions.** Off-site parking is not allowed in:
1. Residential zoning districts, except that manufactured home parks and clustered housing types may utilize centralized parking; and
 2. Locations in which a street with more than two lanes separates the off-site parking area from the subject property.

Section 4-5-3-6 Vehicle Stacking is amended to read as follows:

- A. **Generally.** Vehicle stacking spaces are used to measure the capacity of a drive-through lane to hold cars while transactions are taking place at drive-through stations. Adequate space must be provided for on-site stacking, storage and queuing of vehicles.
1. The required stacking distance for the site may be distributed between access points serving the site, provided a minimum stacking of 20 feet is provided at all access points.
 2. Stacking spaces must be a minimum of 8.5 feet in width and 20 feet in length.

3. Electronic devices such as loudspeakers, automobile service order devices, and similar instruments shall not be audible beyond the property line adjacent to a residential zone district.
 4. Stacking spaces for internal drive-through services shall be measured from the point of service and within a designated drive aisle.
 5. Required vehicle stacking spaces shall not interfere with access to parking spaces.
- B. **Drive-Through.** Uses that include drive-through service shall provide the following minimum number of stacking spaces:
1. **Financial institutions, drive-through convenience retail, fueling stations, and pharmacies.** Three stacking spaces.
 2. **Drive-through restaurants.**
 - a. If two service windows are provided (one for payments and one for pick-up):
 - i. Four stacking spaces to each menu board;
 - ii. Three stacking spaces between the menu board and the first window, including the position at the first window; and
 - iii. Two spaces between the first window and the second window, including the position at the second window (*See Figure 4-5-3-6, Illustrative Stacking Requirements*).
 - b. If one service window is provided, for both payments and pick up:
 - i. Six stacking spaces to the menu board; and
 - ii. Three stacking spaces between the menu board and the service window.
 3. **Drive-through only uses in buildings with less than 300 square feet of gross floor area and no separate menu board.** Three stacking spaces per service window.
 4. **Dry cleaners.** Two stacking spaces per service window.
 5. **Vehicle wash.**
 - a. Two stacking spaces for each bay in a self-service vehicle wash facility;
 - b. Five stacking spaces for each in-bay or conveyor vehicle wash facility; and
 - c. If the facility provides detailing, manual drying or polishing, and / or vacuuming, sufficient area to provide those services without creating additional demand for stacking at the vehicle wash entrance.
 6. **Other Uses.** The determination by the Director of stacking spaces necessary for other uses may require a queuing study conducted by a qualified transportation planner or traffic engineer at the Applicant's expense.
- C. **Design.**
1. Stacking lanes shall be clearly marked, and shall not interfere with on-site or off-site traffic circulation, or access to parking spaces.
 2. Stacking areas shall not be located in the front setback or side street.

Section 4-5-3-7 Design and Use of Off-Street Loading Areas is amended to read as follows:

- A. **Generally.** All required off-street loading spaces shall be designed, constructed, and maintained in accordance with the standards and requirements of this Section.

B. Location.

1. Loading spaces shall be located on the same lot as the building or structure to which they relate.
2. No loading space shall be located in any front setback area.
3. Except where alley loading or over-the-curb loading is allowed, loading areas shall be located and designed to ensure adequate on-site maneuvering area for delivery vehicles.
4. No loading area shall be designed in a manner that would allow any vehicle to extend into any front setback area or adjacent to any residential zone district while being loaded or unloaded.
5. Trucks parked in loading areas shall not encroach into required parking spaces or building setbacks.
6. Parked trucks loading or unloading materials shall not block travel lanes in parking lot or fire lanes.

C. Buffering. Drive-through stacking areas and loading areas, including overhead doors, oriented so to face a residential zone district or a public right-of-way shall be screened from view from all property lines and adjacent streets to the greatest extent possible, as determined by the Director, by the following:

1. By an opaque fence or wall between six feet and eight feet in height that incorporates at least one of the predominant materials and one of the predominant colors used in the principal building. The fence or wall may exceed eight feet in height when there is a difference in grade between the street and loading area to effectively screen the area. (For a drive-through stacking area, a fence or wall shall only be used when the area is adjacent to a residential zone district).
2. A landscape berm may be used instead or combined with the required fence or wall.
3. If such areas are covered, then the covering shall include at least one of the predominant exposed roofing colors on the principal building.

D. Surfacing. All required off-street loading spaces and access drives shall be improved with an asphaltic, concrete, or equivalent surface and shall be graded and drained in order to dispose of all surface water accumulation within such areas, as well as any associated parking area.

E. Alleys. All alleys that are used for loading shall meet the City of Arvada Engineering Code of Standards and Specifications.

4-5-3-8 Bicycle Parking Design is amended to read as follows:

A. Generally. The bicycle parking spaces that are required by Section 4-5-2-8, Bicycle Parking, shall be designed according to the standards of this Section. The purpose of these design standards is to ensure that bicycle parking is convenient to bicyclists and provides security from theft and damage.

B. Standards.

1. **Generally.** Bicycle parking shall be designed to ensure that it is convenient to bicyclists and secured from theft and damage.

- a. Bicycle parking shall be securely locked and safeguarded from accidental or intentional damage.
 - b. Each required bicycle parking space shall be accessible without moving another bicycle.
 - c. There shall be an aisle at least five feet around the perimeter of all bicycle parking areas to allow room for bicycle maneuvering.
- C. **Short-term Bicycle Parking.** Short-term bicycle parking facilities or racks shall accommodate securing a bicycle using an industry-standard bike lock.
 1. Short-term bicycle parking spaces shall be located within 50 feet of the main entrance to the building. Where there is more than one main entrance to a building, short-term spaces should be split between building entrances.
 2. Bicycle racks shall meet the following standards:
 - a. A U-shaped bike rack or variation thereof that allows for the bike to be locked to the rack by the frame and at least one wheel;
 - b. A bicycle that is six feet long can be securely held with its frame supported so that the bicycle cannot be pushed or fall in a manner that will damage the wheel components; and
 - c. The racks are securely anchored to a hard surface.
 3. **MX Zoning Districts.** Multifamily residential, mixed-use, and office uses in the MX-N, MX-S MX-U and MX-T zoning districts shall provide bicycle parking in locations that are covered, secure, and illuminated. Such bicycle parking areas shall be maintained by the property owner, a property owners' association, or a metropolitan district.
 4. **OT and CG Zoning Districts.** Multifamily, schools, retail, and office uses in the OT and CG zoning districts shall provide bicycle parking locations that are secure, illuminated and along traveled ways.
- D. **Long-term Bicycle Parking.** Long-term bicycle parking shall be in a secure and weather-protected place. Long-term parking does not have to be provided on site; however long-term bicycle parking must be within a reasonable distance of a site in order to encourage bicycle use.
 1. Long-term bicycle parking is not required on a site when:
 - a. Non-residential gross building area is less than 5,000 square feet; or
 - b. There are ten or fewer residential units in a development or redevelopment.
 2. Long-term bicycle parking, when required, shall be located within 50 feet of a building entrance and be visible from the building entrance. If the location of the bicycle parking is not obvious from the building entrance, signs shall be posted that indicate the location of bicycle parking.
 3. Long-term bicycle parking is require to be covered and shall be at least one of the following:
 - a. In a locked room;
 - b. In a bicycle locker;
 - c. Under roof overhangs or awnings;
 - d. In an area that is enclosed by a fence with a locked gate;
 - e. A free standing building;
 - f. Within view of an attendant or security guard; or

g. In an area that is monitored by a security camera.

E. Surfacing and Clear Area.

1. The surface of bicycle parking spaces shall be of hardscape material such as asphalt, concrete, or other materials approved by the Director.
2. Racks shall be bordered by physical barriers or located a sufficient distance from motor vehicles to prevent damage to parked bicycles.

Section 4-6-3-1 Applicability is amended to read as follows:

- A. **Generally.** All new construction, including building expansions that increase the footprint of a building by 25 percent or more, and modification to an existing landscape area shall comply with the standards in this Article.
- B. **Exceptions.** Exceptions to this Article are allowed under the following circumstances:
 1. **Interior Tenant Improvement.** The landscaping requirements of this Article shall not apply to existing structures where interior tenant improvements occur and where there is no addition to the number of parking spaces provided.
 2. **Existing Structures.** Where existing structures are situated so as to preclude the installation of required landscaping, the Director may authorize reductions for the required landscaping.
 3. **Physical Limitations of the Site.** The Director may authorize modifications to landscaping requirements for structure additions or tenant improvements where landscaping requirements are not feasible due to physical limitations of the site. Where the landscaping requirements have been modified, the landscaping shall be relocated in the following manner:
 - a. To another portion of the lot;
 - b. Along a property line; or
 - c. To an area, including a nearby public park or other City-owned property, as determined by the Director upon review with the owner or developer.
 4. **Single-Family Detached and Duplex.** Single-family detached and duplex dwelling unit lots, are exempt from landscaping requirements, provided the initial development of the subdivision contains nine or fewer lots of single-family and/or duplex. Common landscape areas, bufferyards, water quality/detention basins, or streetscape areas, shall meet the applicable requirements of this Chapter.
- C. **Site Changes.** Townhome, multiplex, multifamily, mixed-use, commercial, and industrial uses that are part of larger project shall be required to submit a site plan for the area that is disturbed that meets the requirements of this Article. The Director may require that a site plan covering the entire project area be submitted.
- D. **Parking lot Reconfiguration.** Modifications to any existing parking lot in an amount greater than 20 percent, or expansions of an existing parking lot by 25 spaces or more shall meet the landscaping requirements of this Article for the area being modified or expanded.

4-6-3-2 General Landscaping Standards is amended to read as follows:

- A. **Landscape Plan Required.** A landscape plan with designated landscaped areas shall be submitted as a part of all development applications where landscaping, buffering, or screening is required, unless the applicable Decision-Making Body determines that compliance with the provisions of this Article can be demonstrated without the use of a landscape plan. Final landscape plans shall be stamped, signed and dated by a State of Colorado Registered Landscape Architect for all projects except residential minor subdivisions as defined in Subsection B.4 above or where the Director determines the scope of the project does not warrant such plans.
- B. **Vegetative Coverage.** Landscaped areas shall be covered with shrubs in combination with lower water consuming ground-level plants, ornamental grasses, or turf for at least 75 percent of the landscape area, at maturity.
- C. **Detention and Retention Ponds.** Detention and retention ponds shall be physically, functionally and visually integrated into adjacent landscape uses through the use of topography, building and parking lot placement, plantings, permanent water features, recreational or open space amenities, or other methods. Slopes shall not exceed a 4:1 ratio or be flatter than 2 percent.
- D. **Steep Slopes.** Grading in landscaped areas shall not exceed slopes greater than 6:1 in the amenitized area of Small Urban Parks and 4:1 for all other areas, except that public maintained shrub beds and native grass areas shall not exceed 3:1 slope.
- E. **Alternative Requirements for Hardscape Features.**
 - 1. In mixed-use and nonresidential districts, pedestrian walks and other hardscape landscape features and amenities, such as Small Urban Parks, outdoor seating areas, and plazas with recreation and entertainment areas, water features, and public art, may comprise up to 50 percent of the landscape area.
 - 2. The Director may approve a greater percentage of hardscape features based on the consideration of the proposed development, mix of uses, and the quality of the proposed landscape design.

Section 4-6-5-2 Purpose and Applicability is amended to read as follows:

4-6-5-2 Bufferyard Purpose and Applicability

- A. **Purposes of Bufferyards.** A bufferyard is a landscaped area between two differing land uses and is designed to provide a transition between the uses, mitigate or minimize potential nuisances such as noise, light, and glare, protect the character of an area, and protect natural resources from impacts of nearby development.
- B. **Applicability.**
 - 1. **Uses Requiring a Bufferyard.** The following uses require a bufferyard per Section 4-6-5-3, Bufferyard Options, where directly adjacent to a single-family detached dwelling, duplex dwelling or multiplex, or a RN zoning district:
 - a. Multifamily and townhomes;
 - b. Mixed-use buildings;
 - c. Non-residential buildings;
 - d. Drive-through facilities;

- e. Industrial manufacturing and processing uses, and storage uses in the IL and IG zoning districts; and
 - f. Dead-end drives and turnarounds.
2. **Additional Uses Requiring a Bufferyard.** The following uses require a bufferyard per Section 4-6-5-3, Bufferyard Options, where directly adjacent to a multifamily, townhomes, or other attached residential buildings or a mixed-use building with a residential component:
- a. Drive-through facilities; and
 - b. Industrial manufacturing, processing uses, and storage uses in the IL and IG zoning districts.

Section 4-6-6-2 Street Bufferyards is amended to read as follows:

A. Street Bufferyards in Setbacks.

- 1. In the CG, IL and IG zoning districts, and multifamily in the R13 and R24 zoning districts, the front setback shall be landscaped in accordance with Sections 4-6-6-4, Foundation Plantings and 4-6-6-5, General Landscape Areas .
- 2. In the MX and OT zoning districts, if the principal building is set back more than five feet from the property line, then that area shall be landscaped in accordance with Sections 4-6-6-4, Foundation Plantings and 4-6-6-5, General Landscape Areas. If the building is set back less than five feet, the area shall be hardscaped with paving materials such as concrete, pavers or other quality paving materials, or landscaped with shrubs and ground-level plants. The remainder of all setbacks shall be landscaped in accordance with Sections 4-6-6-4, Foundation Plantings and 4-6-6-5, General Landscape Areas.

Section 4-6-6-3 Parking Area Landscaping is amended to read as follows:

- A. Generally.** Surface parking lots shall be landscaped to reduce the apparent size of the parking area; prevent views of long rows of parked cars; create an impression of smaller, connected parking lots; provide shade for parked cars; reduce the heat island effect of an urbanized area; and define pedestrian access ways, according to the standards of this Section.
- B. Exceptions.**
- 1. The surface parking lot landscape requirements of this Section do not apply to:
 - a. Parking lots in the IL and IG zoning districts if the subject property is located south of West 60th Avenue and east of or adjacent to Lamar Street; or
 - b. Surface parking lots with 24 or fewer parking spaces and with 12 or fewer parking spaces in a row.
 - 2. The access point landscape requirements of this Section do not apply to driveways that provide access to individual single-family detached, duplex, multiplex, or townhome lots.
- C. Perimeter Landscape Buffer.**
- 1. **Required Perimeter Landscape Buffer.**

- a. Parking lots adjacent to single-family detached, duplex, multiplex, or townhome uses shall meet the Option C or D bufferyard in Division 4-6-5-3, Bufferyard Options.
2. **Exceptions.**
 - a. The requirements for perimeter landscaping do not apply at points of ingress or egress to the surface parking lot, or to points of cross-access among properties that share a parking lot.

D. Required Surface Parking Lot Landscape Areas.

1. Landscaping shall be installed in the following required landscape areas:
 - a. Landscape islands are required at the end of each row of parking spaces in each parking module;
 - b. Landscape islands are required and must be distributed throughout the parking lot, at a rate of at least one landscaped island for each 12 consecutive parking spaces;
 - c. Vegetated entry medians are required with a minimum of at least 300 square feet in surface area and a minimum five feet in width (not including curbs), if the surface parking lot contains 180 or more parking spaces;
 - d. Landscape strips are required at least 14 feet in width (not including curbs) that separate groups of parking modules (along their long edges) into “cells” as provided in Table 4-6-6-3, Parking Module Separation Requirements.

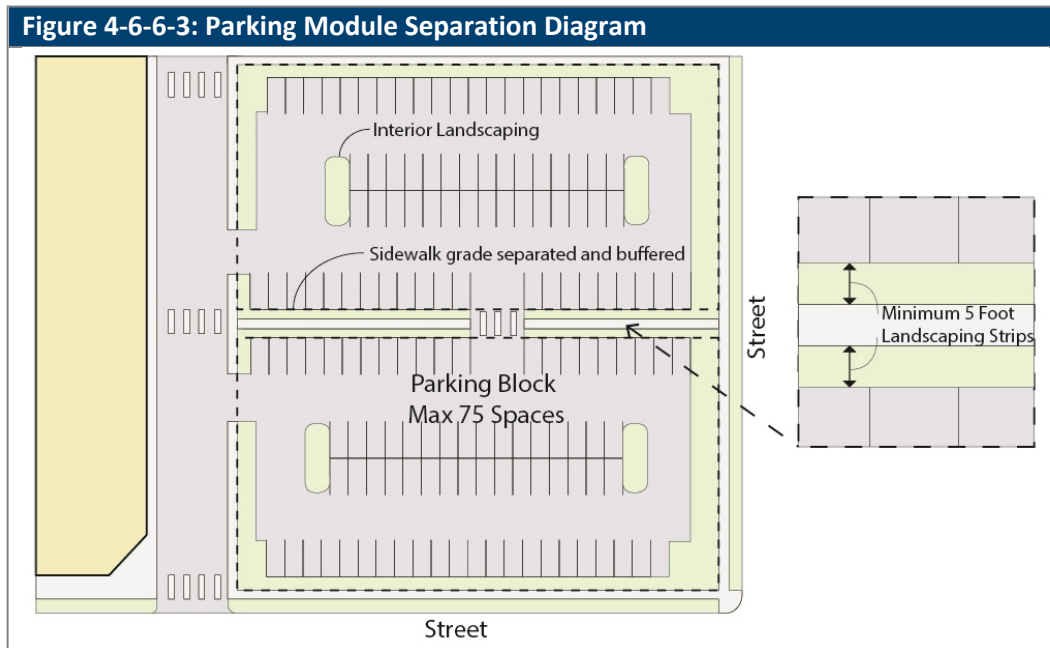


Table 4-6-6-3: Parking Module Separation Requirements	
Predominant Type of Land Use	Maximum Number of Parking Spaces in Cell
Residential	50
Nonresidential (except Industrial)	75
Industrial	100 if the parking area is located within 300 feet of a

	public street; otherwise, no maximum
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2. Landscape islands that are used to meet the requirements of Subsection D.1.a. and D.1.b., above, shall be at least eight feet in width (not including curbs) and 16 feet in length, and may be combined (eight feet in width by 32 feet in length) at the ends of adjacent parking modules.
 3. Landscape strips may include sidewalks (and landscape islands may be crossed by sidewalks), but the sidewalks shall be counted as required landscape areas for the purposes of the calculation of planting requirements (*see* Subsection E., below).
 4. A raised sidewalk to connect the parking area with major building entries should be provided between the cells with a five foot planting strip on both sides of the sidewalk. An alternative layout is a sidewalk connection with a central five foot wide landscaped area, flanked with sidewalks on both sides.
- E. **Minimum Planting Requirements.** Required surface parking lot landscape areas shall be planted with one shade tree or two ornamental trees, plus eight shrubs per 300 square feet of required landscape area.

Section 4-6-6-5 General Landscape Areas is amended to read as follows:

- A. **Generally.** Except as provided in Subsection B., below, the landscaping requirements of this Section apply to all permeable areas of the subject property that are not otherwise a designated required planting area pursuant to Division 4-6-5, Landscape Areas and Bufferyards or Section 4-6-6-1, Street Trees, through Section 4-6-6-4, Foundation Plantings, inclusive.
- B. **Exceptions.** The requirements of this Section do not apply to:
 1. Preserved open space; and
 2. Irrigation canals, irrigation ditches, reservoirs, and appurtenant maintenance areas (whether owned in fee simple or as easements).
- C. **Planting Requirements.** General landscape areas shall be planted with at least:
 1. One canopy or evergreen tree, or two ornamental trees per 3,000 square feet of landscape surface area;
 2. A minimum of 10 percent of all trees shall be evergreen; and
 3. 75 percent vegetative ground coverage at maturity, excluding tree canopy.
- D. **Shrub Requirements.** Shrubs shall be planted at a maximum spacing of five feet on center.
- E. **Planting on Steeper Slopes.** On slopes greater than 3:1, the following can be planted:
 1. Trees and shrubs; and
 2. Groundcovers.

Section 4-7-2-1 Fences and Divisional Walls is amended to read as follows

- A. **Generally.** All fences and divisional walls shall comply with the requirements of this Division.

1. If a proposed fence or divisional wall is located directly adjacent to a zoning district boundary or on a shared property line, the less restrictive standards shall apply.
- B. **Permits Required.** All fences and divisional walls require fence permits, except for the following:
 1. Repair of a fence section not greater than eight linear feet in length.
- C. **Height.** All fences and divisional walls shall comply with the maximum heights shown in the following Table 4-7-2-1, Maximum Height of Fences and Divisional Walls Within Required Setback Areas, unless a different maximum height is explicitly permitted:
 1. By this Code or approved through the Minor or Major Modification, or PUD approval process;
 2. For an activity field (*i.e.*, tennis court, baseball, football, soccer fields) at the discretion of the Director; or
 3. For fences associated with a Utility, Major for security purposes, at the discretion of the Director.
- D. **Location.** All fences and divisional walls may encroach into required yards and setbacks. Fences and wall shall not:
 1. Be constructed within a public right-of-way or areas to be dedicated for public right-of-way unless a revocable permit is approved;
 2. Conflict with sight distance visibility of intersections or points of ingress/egress;
 3. Block or divert a natural drainage flow onto or off of any other property;
 4. Block access within an access easement; and
 5. Encroach into a utility easement, unless the easement holder has provided written consent. (This specific requirement shall only apply to masonry walls.)

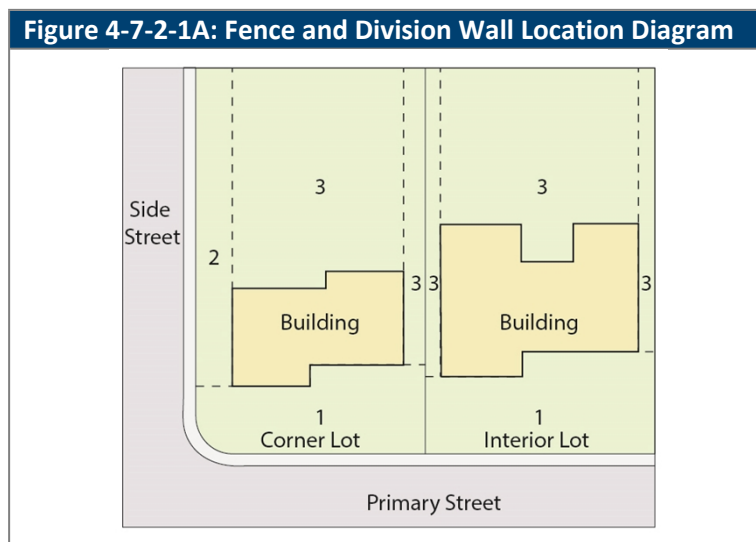


Table 4-7-2-1 : Maximum Height of Fences and Divisional Walls Within Required Setback Areas	
Zoning District	Setback

	Area 1 Front	Area 2 Street Side	Area 3 Rear & Interior Side
OS, RA, RN, R6, R13, R24, MX-N	3 ft. ²	3 ft. ^{2,3,4}	6 ft. ^{4,9}
MX-S, CG	3 ft. ²	3 ft. ^{2,5}	6 ft.
MX-U, MX-T	3 ft. ²	3 ft. ^{2,5}	6 ft.
OT Zoning Districts	3 ft. ^{5,6,7,8}	3 ft. ^{5,6,7,8}	3 ft. ⁸
IL	6 ft.	6 ft.	6 ft.
IG	6 ft.	8 ft.	8 ft.
PUD	Per the approved PUD. If no standards were identified as part of the approved PUD, then the fence standards for the closest zoning district shall be utilized.		

TABLE NOTES:

¹ See Figure 4-7-2-1A, Fence and Divisional Wall Location Diagram.

² Height may be increased to 4 ft. if the fence is at least 50 percent transparent when viewed at a perpendicular angle.

³ Height may be increased to 6 ft. (regardless of opacity) if the fence is set back at least 6 ft. from the property line or 6 ft. from the back of adjacent sidewalk, whichever is greater.

⁴ Height may be increased to 8 ft. for divisional walls that face arterial streets.

⁵ Height may be increased to 6 ft. if a minimum of 50% open for school yards.

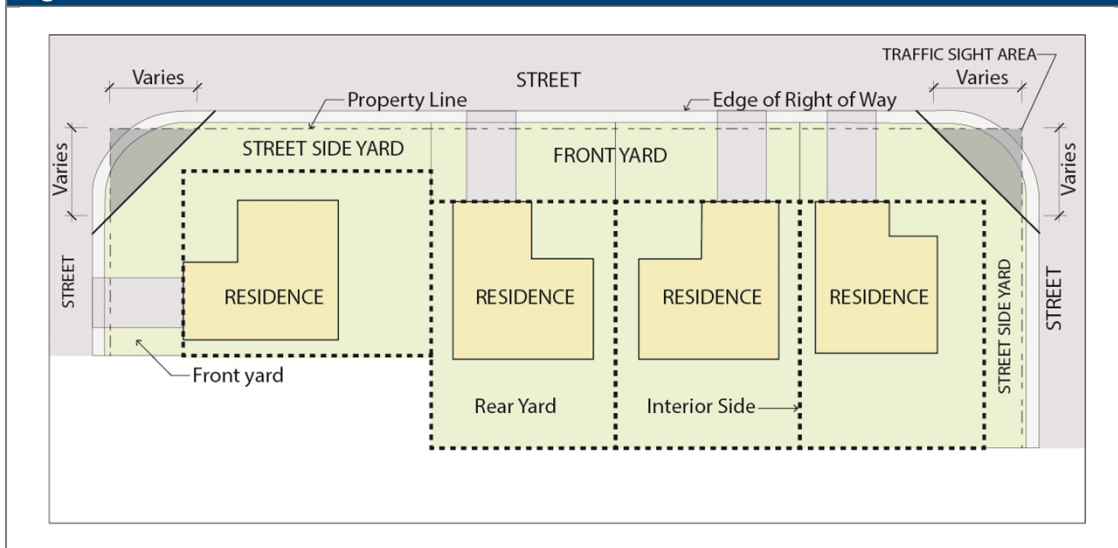
⁶ Height may be increased to 4 ft. if a minimum of 50% open for single-family, duplex or multiplex building types.

⁷ Height may be increased to 4 ft. if a minimum of 50% open for mixed-use building type outdoor dining areas.

⁸ Height may be increased to 6 ft. except within any McIlvoy Park Frontage zone or any side or rear setback adjacent to McIlvoy Park or Olde Town Plaza, or where it would extend in front of a building within any frontage zone.

⁹ Maximum height is 6 ft. for rear yards on double frontage lots.

Figure 4-7-2-1B: General Fence Location



E. Setbacks from Streets, Sidewalks, Open Space, Trails, and Multi-Use Pathways.

1. No solid fence or divisional wall that is between four and eight feet in height shall be installed closer than:
 - a. Eight feet from the flowline of a street; and
 - b. Five feet to the nearest edge of a sidewalk, open space corridor less than 15 feet wide, trail, or multi-use pathway.

2. No solid fence or divisional wall that is more than eight feet in height shall be installed closer than:
 - a. Ten feet from the flowline of a street; and
 - b. Eight feet to the nearest edge of a sidewalk, open space corridor less than 15 feet wide, trail, or multi-use pathway.
 3. Fences that exist in the condition identified in Subsection E1 and E2 above prior to the adoption of this Code shall be considered conforming.
 4. The area between the fence or divisional wall and the street, sidewalk, trail, or multi-use pathway shall be landscaped with shrubs, groundcover, perennials, ornamental grasses, or turf materials that provide contrast with the sidewalk. Inorganic ground cover such as river rock, cobble rock, or gravel may be used as part of the landscape provided that the ground cover, ornamental grasses or turf which are planted achieve 50 percent coverage at maturity. Hardscape materials are allowed only at points of access through the fence or divisional wall.
 5. Fences shall comply with the sight triangle requirements of Section 4-4-3-3, Intersection Visibility.
- F. Design of Street-Facing Fences or Divisional Walls.**
1. All fences or divisional walls adjacent to a street, open space, trails, and multi-use pathways, the finished surface of the fence shall face towards the street frontage. Non-decorative elements such as fence posts and supporting structures, when visible on one side and not the other, shall face inward.
 2. No portion of any front yard setback may be fenced for use as an animal pen or dog run.
- G. Perimeter Fence and Walls.** Perimeter fences and walls along arterial streets or railroad tracks may be constructed up to eight feet in height. Perimeter fencing shall be constructed of Western Red Cedar wood or other material approved by the Director, or masonry. Masonry fence posts two foot by two foot in size, shall be located at property corners but no further than 100 feet apart on-center, and with sloped column caps to drain water to the sides of the posts.
- H. Security Fencing.**
1. No barbed wire or other sharp-pointed fences or similar security devices on divisional walls shall be installed on any property, except:
 - a. In the IL or IG zoning districts that is used for industrial purposes, upon demonstration to the Director or the Decision Making Body that a substantial security need justifies the installation; or
 - b. In the RA or OS zoning districts on property that is used for agricultural purposes.
 2. Electrically charged fences are not allowed unless necessary for livestock control in an RA zoning district.
- I. Relationship to State Statutes or Regulations.**
1. Where the Colorado statutes or implementing administrative regulations require fencing or divisional walls that are taller than those that are allowed by Table 4-7-2-1, Maximum Height of Fences and Divisional Walls Within Required Setback Areas,

the Director may approve the increased fence or divisional wall height in accordance with the statutes or implementing administrative regulations.

2. If the fence or divisional wall is located within Area 1 or Area 2 as shown in Figure 4-7-2-1A, Fence and Divisional Wall Location Diagram, then where feasible and consistent with the statute or regulation, the Director shall require landscaping or design treatments to mitigate the visual impacts of the increased height of the fence or garden wall when viewed from the public streets. Mitigation measures may include, but are not limited to, tree, shrub, or hedge plantings; material and color selections that de-emphasize the fence or garden wall; transparency; and additional setbacks for the fence or divisional wall.

J. Fence and Wall Materials.

1. Fences and divisional walls shall be made of high quality, durable materials that require low maintenance and are complementary with the overall design of the principal building and site landscape. The following materials are allowed:
 - a. Wood and composite wood;
 - b. Non-reflective plastic and vinyl fencing;
 - c. Natural stone, stacked stone, brick, stucco, decorative concrete masonry blocks that replicate the appearance of brick, stone, stucco and CMUs;
 - d. Metal iron, metal picket and other metals simulating the appearance of wrought iron, chain-link fencing or aluminum or wrought iron decorative fencing;
2. The Director may approve other materials that are equal to or surpass the materials listed in this Subsection J. in terms of durability, maintenance, and aesthetics.
3. Prohibited Material. Sheet plastic, sheet metal, chicken wire, fabric materials, fiberboard, garage door panels, snow fencing, rope, plywood fences, PVC pipes, and miscellaneous materials not commonly used with residential fences are not allowed.

- K. Maintenance.** All fences and divisional walls shall be maintained in good condition at all times.

Section 4-8-2-2 General Design Standards is amended to read as follows:

- A. Shielding of Lights.** Luminaires shall be shielded and directed to avoid glare and overspill onto adjacent property.
1. All exterior light fixtures shall be full cutoff fixtures that are directed downward (90 degrees from true vertical) and shall have flat lenses, emitting no more than 10 percent of the total lumens between 80 and 90 degrees from true vertical. Fixtures shall be configured so that lights do not cause glare.
 2. All light fixtures on structures, poles, bollards, stands, or mounted on a building shall have a shield, adjustable reflector, and/or non-protruding diffuser to shield the light source from sight from adjacent residential zoning districts.

Figure 4-8-2-2: Light Fixtures Examples



- B. **Maximum Spill Light Illumination Levels.** Except for public street lighting, all exterior lighting and indoor lighting visible from outside shall be designed to minimize adverse impacts on adjacent properties by minimizing glare and limiting light at the property line and located so that the maximum illumination measured in foot candles at ground level and for mixed-use development without property lines shall be measured a line half-way between buildings of differing uses and shall not exceed the standards in Table 4-8-2-2A, Maximum Illumination Levels.

Table 4-8-2-2A: Maximum Spill Light Illumination Levels	
Type of Use Abutting a Lot Line	Maximum Illumination level at Lot Line (Foot Candles)
Single-family dwelling and duplex residential property line in RA, RN, R6, R13, R24, OT districts (-single-family, duplex, multiplex building types), and OS	0.5
Attached dwelling and multifamily residential property line (except mixed-use buildings)	1.0
Mixed-use buildings and non-residential property lines	2.0
Industrial	3.0

1. **Maximum Illumination and Lighting Uniformity.**

- Lighting shall have a uniformity ratio of ten to one (maximum to minimum).
- No single lamp shall exceed:
 - All zone districts except IL and IG – 16,000 lumens
 - IL and IG zone districts - 20,000 lumens

2. **Maximum Light Levels.**

- The maximum allowed light levels at any point on the property (as measured in foot candles) shall not exceed the following limits:

- i. Pedestrian areas (when not adjacent to parking lots): 3 Foot Candles.
 - ii. Multiplex, Townhome, and Multifamily Building Entries: 8 Foot Candles.
 - iii. Parking lots and all other non-residential use areas: 8 Foot Candles.
 - iv. Service Canopies (fuel stations, ATMs, Drive-Through's, etc.): 20 Foot Candles.
- C. **Maximum Height.** The height of exterior light fixtures, whether mounted on poles, walls, or by other means, shall comply with the standards in Table 4-8-2-2B, Maximum Height for Exterior Lighting.

Table 4-8-2-2B: Maximum Height for Exterior Lighting	
Base Zoning District	Maximum Height ¹
OS, RA, RN, R6, R13, R24, OT, MX-N, MX-S	22 feet
CG, MX –U, MX-T, IL, IG	35 feet
TABLE NOTES: ¹ Porch and balcony lights on residential buildings are exempt from the maximum height. Lighting allowed no more than 12 ft. above the surface of a rooftop deck.	

- D. **Motion-Activated Security Lighting.**
 - 1. Motion-activated security lighting may emit up to 3,000 lumens per fixture.
 - 2. Not more than one motion-activated security light fixture is allowed per 60 linear feet of building elevation.
 - 3. Security lighting shall be timed to turn off after not more than five minutes after motion activation.
- E. **Outdoor Sports or Performance Venue.** Lighting fixtures for outdoor sports areas, athletic fields, and performance areas shall be equipped with a glare control package (e.g., louvers, shields, or similar devices) and aimed so that their beams are directed and fall within the primary playing or performance area.
 - 1. Lighting fixtures may not be more than 40 feet in height.
- F. **Pedestrian Area Lighting.**
 - 1. Pole light fixtures for plazas, small urban parks, sidewalks, walkways, trails, and bicycle paths outside of vehicular surface areas (i.e., parking lots) shall:
 - a. Provide at least one foot candles of illumination, but not exceed three foot candles; and
 - b. Have a maximum height of 15 feet.
 - c. No single lamp shall exceed 10,000 lumens.
 - 2. Pedestrian bollard lamps shall be mounted no higher than four feet above grade and shall not exceed 3 foot candles.
 - a. No single lamp shall exceed 900 lumens.
- G. **Wall Pack Lights.** Wall packs on the exterior of the building shall be fully shielded (e.g., true cut- off type bulb or light source not visible from off-site) to direct the light vertically downward and have a maximum of 1600 lumens.

- H. **Awnings.** Awnings used for building accents over doors and windows shall not be internally illuminated (i.e., from underneath or behind the awning) unless the awning material is entirely opaque.
 - 1. **Service Canopy Lighting.** Canopy lighting for uses that shelter outside work, full-service areas or porte-cocheres shall have all light fixtures flushed mounted or recessed into the canopy and equipped with flat lenses.
- I. **Decorative Lighting.**
 - 1. Decorative lighting shall be permitted to enhance the appearance of a building and / or landscape feature provided that:
 - a. All light is cast against the building surface or downward onto a landscape feature;
 - b. All decorative lighting is directed away from residential uses located within 50 feet of the building façade on which the decorative lighting is mounted and is shielded to reduce light trespass on adjacent uses;
 - c. The lamp is not visible from adjacent properties, pedestrian or vehicular traffic; and
 - d. The decorative lighting does not exceed 1600 lumens.
 - 2. Unshielded Tivoli and patio string lighting with no more than 200 lumens per foot provided that the lighting is turned off between 11:00 PM and 6:00 AM.
- J. **Pole and Fixture Color.**
 - 1. All poles and fixtures (luminaires) shall be of dark colors including, but not limited to, black, dark gray, dark green or brown. Reflective or light colored poles and fixtures are not allowed.

The remaining portions of Chapter 4 shall remain unchanged.

Section 4. Chapter 5, Building Design, of the Land Development Code, of the Arvada City Code is hereby amended:

Section 5-1-2-2 Evaluation of Aesthetic Consistency is amended to read as follows:

- A. **Generally.** Where the standards of Division 5-1-5, Supplemental Standards for Residential Land Uses (Except Multifamily), or Division 5-1-6, Supplemental Standards for Nonresidential and Multifamily Land Uses, require aesthetic consistency, aesthetic consistency shall be evaluated in accordance with the standards of this Section.
- B. **Roof Pitch and Form.** As to roof pitch, “consistency” means a roof pitch within 1:12 of the slope of the primary roof structure of the principal building.
- C. **Roofing or Cladding Materials.** As to roofing and cladding materials, “consistency” means a material that is not obviously different in terms of texture or color from a material used for the same purpose on the principal building.
- D. **Window Styles, Window Orientation, and Doors.** As to window styles, window orientation, and doors, “consistency” means windows or doors with a design and aspect ratio that is not materially different from windows or doors on the principal building.
- E. **Color Palette.** As to color palette, “consistency” means colors that are:

1. The same as the principal building;
2. Complimentary to the predominate color(s) of the principal building;
3. Monochromatic variants of the primary color(s) of the principal building;

Section 5-1-2-3 General Building Design Standards is amended to read as follows:

- A. **Building Orientation.** Primary buildings shall emphasize the location and importance of the entryways.
 1. The main entrance or a courtyard leading to the main entrance of each principal building shall be located on the front facade.
 2. On corner lots, the main entrance shall face one of the streets or be oriented to the corner.
- B. **Massing.** Primary buildings shall be designed to avoid a monolithic appearance when viewed from the street.
- C. **Facade Materials and Design.**
 1. **General Requirements.**
 - a. All building exterior finish materials shall be durable and consistent with the architectural style for that building.
 - b. Where lap siding is used, it shall have a maximum nine-inch exposed board face.
 - c. Siding material shall be continued down to within nine inches of finished grade on any elevation, except that siding shall be allowed to step to follow grade:
 - i. Between six to 24 inches; or
 - ii. Within 24 inches maximum from finished grade.
 - d. Vinyl siding shall be a VSI (Vinyl Siding Institute) certified product.
 2. **Prohibited Materials.** The following materials are prohibited:
 - a. Highly reflective opaque materials;
 - b. Natural cinder block, unfinished or smooth concrete block / masonry units or concrete wall;
 - c. Metal panels with a corrugated appearance with exposed fasteners; and
 - d. Unlisted materials that are unsuitable for exterior building applications as determined by the Director.
 3. **Other Materials.** The Director may permit materials that are not listed in this Section as either allowed or limited, provided that the Director finds that they have comparable aesthetic qualities, durability, and maintenance characteristics. The Director may prohibit materials that are not listed in this Section if the Director finds that they do not have aesthetic qualities, durability, and maintenance characteristics that are comparable to the materials that are allowed or limited under this Section.
 4. **Side and Rear Facade Design.** Where a side or rear facade of a residential building abuts streets, parks, or open spaces, the facade shall be designed to provide human scale by the use of all of the following:
 - a. At least one change in the vertical or horizontal wall plane within 20 feet above grade;

- b. At least one change in the color or material of the wall;
 - c. Provision of windows, a porch, or a balcony; and
 - d. Detailing the wall with reveals, belt courses, cornices, projections, or other devices.
5. **Rear Facade Design for Double-Frontage Lots.**
- a. Double-frontage lots shall be required to meet the standards in Section 2-1-10-5, Double-Frontage Lots, for building setbacks or stepped setbacks for taller buildings.
 - b. Structures of two stories or more shall incorporate at least one of the following rear elevation treatments:
 - i. The building façade on the rear elevation shall have brick, stone, or stucco cladding in a minimum amount equivalent to 50 percent of the façade, (excluding windows, doors, trim and vents) from the average grade to the highest eave or 9'-6" above the average grade, whichever is lowest; or
 - ii. At least 50 percent of the area of the building facade shall have a minimum four-foot horizontal difference (plan view) in the rear wall plane at the height of one of the floors.
6. **360-Degree Architecture.** All buildings shall incorporate the following design standards to create architectural interest.
- a. **Materials.**
 - i. Where brick, stone, or stucco cladding is used, they must be applied to the building facade in a manner which begins and ends at edges related to the structure of the building (such as a window sill level, floor plane lines, or interior corners of projection or similar elements). All brick, stone or stucco cladding shall wrap around all outside building corners a minimum of two feet, and must wrap all sides of a column on which it is used. An architectural treatment shall be used to transition from brick, stone, or stucco to other materials.
 - b. **Windows and Doors.**
 - i. Windows are encouraged on all elevations, except as provided in Division 2-1-8-5, Zero Lot Line, and unless restricted by the Building Code. On facades facing streets, parks, or open space, a minimum of 20 percent of the façade shall be windows. A greater percentage of windows may be required by other sections of this Code.
 - ii. Window and door openings shall be articulated on all elevations of the building through the use of:
 - a. Shutters, awnings or canopies;
 - b. Decorative lintels and/or sills (such as projecting, recessed, those constructed of materials other than the principal building material or ornamentation);
 - c. Overhangs; or
 - d. Surrounds and trims.
7. **Façade and Roof Color.** Colors used on building exteriors should integrate a building's various design elements or features.

- a. Walls should be subdued in color and not reflective. Bright colors should be used sparingly and limited to accenting a building, and should not be used to act as signs or create “sign buildings”. Monotonous color palettes are strongly discouraged.
 - b. All building projections, including, but not limited to, gutters, downspouts, chimneys, flues and vents, shall match in color the permanent color of the surface from which they project or match the building's trim color.
- 8. **Rooflines.**
 - a. Building rooflines visible from a public street, park, or open space shall incorporate features to create a varied and visually distinctive roof form through features, such as prominent cornice or fascia, stepped roofs, emphasized dormers, chimneys, gables, or an articulated roofline.
 - b. Roof slopes, excluding covered porches and patios, shall have a minimum pitch of 2:12 unless screened with a parapet wall. Subordinate roofs can be of a lesser pitch. A building of a style that is traditionally associated with flatter roofs, such as Prairie or Modern style, may be allowed as determined by the Director.
 - c. The maximum length of a continuous roof ridgeline is 35 feet. Roofs with dormers and other architectural details are exempt from this requirement.
 - d. Pitched roofs shall have a minimum eave overhang of at least one-foot.
- 9. **Canopies and Port-Cochères.** Canopies and port-cochères that cover vehicular use areas, service areas, or outdoor storage areas shall meet the following standards:
 - a. The same architectural treatments utilized on the principal building in terms of cladding materials, roof pitch, roofing materials, and color scheme shall be used on canopies and port-cochères.
 - b. A maximum of 25 percent of each canopy fascia area visible from a public street may be internally illuminated, and no portion of any fascia may be externally illuminated. Each side of a canopy shall be considered a separate fascia area.
- 10. **Rooftop, Wall Mounted and Ground Mounted Mechanical Equipment, Flues and Exterior Building Elements.**
 - a. **Screening.**
 - i. Rooftop mechanical equipment and appurtenances should all be screened from a public street through the use of parapets or enclosures that are equal to, or greater than, the height of the equipment to be screened. The parapet or enclosure shall use one of the predominate materials or colors used on the primary façade of the building.
 - ii. The Director may reduce or waive these screening requirements for building elevations that face substantial changes in grade that make screening impracticable if relocation of the mechanical equipment to a less conspicuous location is also impracticable.
 - iii. All air conditioning compressors shall be completely screened. Screening enclosures shall use at least one of the predominant materials used in the facades of the primary structure where feasible, and one of the predominant colors used in the primary structure.

- iv. All rooftop and wall vents and flues on a pitched roof or extending above the top of the nearest parapet shall be painted with one of the predominant colors used in the primary structure.
- v. Wall-mounted utility equipment and meters shall be screened from view from a public street and shall be painted a color to blend with the building façade.
- b. **Noise attenuation.** Equipment that generates noise perceptible at the adjacent street or property line shall be baffled or otherwise attenuated to direct unavoidable noise upward.

Section 5-1-2-4 Building Design Standards Applicable to Single-Family Detached, Duplex, and Multiplex is amended to read as follows:

- A. **Generally.** In addition to Section 5-1-2-3, General Building Design Standards, the following standards shall apply to new development or redevelopment of single-family detached, duplex, and multiplex units in all zoning districts.
- B. **Front Façade Design.** In new development of single-family detached and duplex buildings, the front façade shall have significant variation as defined below:
 - 1. No identical home elevation shall be repeated directly across the street or adjacent to the other home.
 - 2. No identical model elevation shall be repeated more than once every three lots.
 - 3. Distinct elevations shall be provided by incorporating at least three of the following:
 - a. The use of different materials and color on the front facade;
 - b. Variations in the front wall plane;
 - c. Vary the size and location of the front porch;
 - d. A variation of building types;
 - e. The overall width of the front façade elevation differs by more than four feet;
 - f. The overall height of the front façade elevation differs by more than four feet; and
 - g. Windows size and shapes are substantially different.
- C. **Garages.** All garages for single-family detached and duplex buildings shall comply with Section 5-1-2-2, Evaluation of Aesthetic Consistency, and are subject to the following:
 - 1. For each new development containing ten or more single-family or duplex dwelling units in all zoning districts, 50 percent of the total number of lots in the subdivision that have a street-accessed garage shall use at least one of the following garage variations:
 - a. Recessed garage doors facing the street shall be recessed a minimum of four feet behind the front wall plane of the house.
 - b. Side-loaded garages shall be located at a right angle to the street. The design of the garage wall facing the street shall have the same predominate materials used on the front façade.
 - c. Rear garages shall be located to the rear of the property either as a detached structure or part of the house. If constructed as part of the house, the part of the

house, the front wall of the garage shall be setback at least 15 feet behind the front façade of the house.

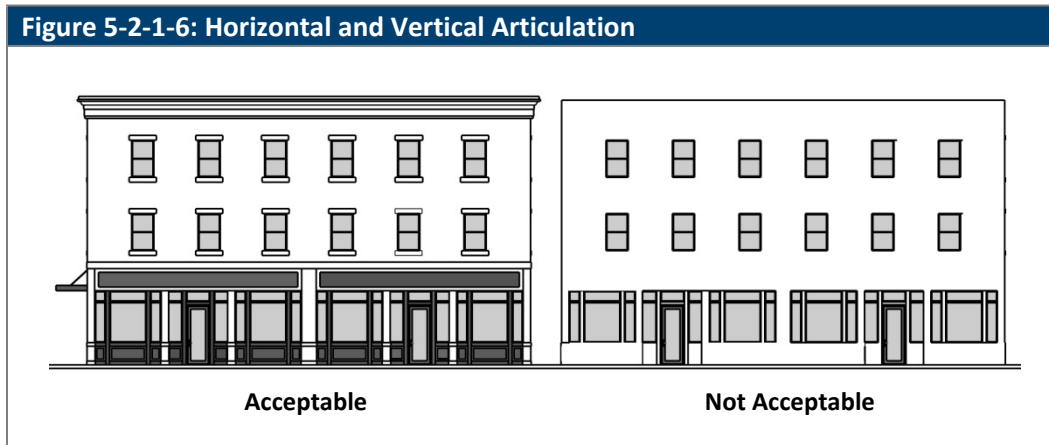
2. Front loading, front-facing garage doors shall not constitute more than 50 percent of the total width of the building.
3. No more than three garage bays shall face the street, except when the bays are located behind the principal buildings.
4. When more than two garage bays exist, all garages doors that face a street shall include at least one two-foot-wide column or a two-foot façade setback separating each garage door.

Section 5-1-2-6 Nonresidential and Mixed-Use Design Standards is amended to read as follows:

- A. **Generally.** This Section shall apply to any new nonresidential development, mixed-use development, redevelopment, or building expansion in all zoning districts. In addition to Section 5-1-2-5, Building Design Standards Applicable to Townhomes and Multifamily, the following standards shall apply to new development or redevelopment of multifamily and townhome units in the MX zoning districts. In the OT Zoning District, these standards may be modified through the design review process based on the standards in the Olde Town Building Form Standards and Design Guidelines for Olde Town.
- B. **Building Orientation and Configuration.**
 1. Structures shall be arranged so that the primary facade, or each facade with a main pedestrian entry, orients onto a public or private street, a public park, open space or common green, plaza, courtyard, private street-like drive, or a pedestrian passage, in the following order of priority:
 - a. A public or private street;
 - b. A public park, open space or common green;
 - c. A plaza or courtyard; or
 - d. A pedestrian walkway.
- C. **Single-Story Commercial and Mixed-Use Developments.**
 1. Commercial and mixed-use developments shall break up supporting commercial buildings into a cluster of individual pad and liner buildings at intersections and street edges.
 2. Pad and liner buildings located within the frontage zone shall be designed to be “double-fronted”, where at least one entrance shall face the street or public space, following the order of priority in B.1 above. Secondary entries can be oriented to the parking lot.
 3. Large commercial or large format buildings with a minimum of 50,000 square feet of gross area, such as a grocery store or big box retail building, may be placed internal to the site.
- D. **Multi-Building Developments.**
 1. Multi-building developments that have three or more buildings shall be organized to create pedestrian-friendly spaces and streetscapes. This should be accomplished by placing buildings to:

- a. Frame and emphasize the corners of street intersections, development entry, or a primary pedestrian street within the development;
 - b. Frame and enclose parking areas on at least two sides;
 - c. Frame and emphasize a plaza, pocket park, square, or other outdoor gathering spaces for pedestrians; and / or
 - d. Frame and emphasize other site improvements as approved by the Director.
 - 2. Developments composed of multiple buildings totaling 100,000 square feet or more of gross floor area shall be configured to break up the site into a series of smaller blocks.
- E. **Building Design.** The following building design standards are intended to provide architectural interest.
- 1. **Design of Facades.**
 - a. The first floor façade of all buildings, including structured parking facilities, shall be designed to encourage and complement pedestrian-scale interest and activity through the use of elements such as windows, awnings, and other similar features.
 - b. Architectural features and treatments shall not be limited to a single façade. All visible sides of a building, whether viewed from public or private property, shall display a similar level of quality and architectural interest, with elements such as windows, awnings, a variety of exterior materials, reveals, and other similar features.
 - 2. **Horizontal and Vertical Articulation.**
 - a. **General Standards.** All buildings shall be designed to include horizontal and vertical articulation by incorporating the following elements:
 - i. Single story commercial buildings shall use at least three of the horizontal articulation methods listed below at an interval of 50 feet or less on each façade.
 - ii. Single story industrial buildings shall use at least two of the horizontal articulation methods listed below at an interval of 100 feet or less on each.
 - iii. All multi-story commercial, mixed-use, multifamily, and industrial buildings in the IL zoning district, shall use at least two of the articulation methods listed below at an interval of 50 feet or less on each street-facing building façade.
 - b. **Articulation Methods.**
 - i. Visual breaks in the façade by incorporating a horizontal wall plane offset or projection of at least three feet extending for at least 20 percent of the average width of the primary façade.
 - ii. A change in materials, colors, textures, or pattern.
 - iii. A change in window sizes, styles, or placement across the façade.
 - iv. A change in roof or parapet height of at least three feet, or a change in roof form.

- v. Incorporation of a wall notch in combination with at least one option from (i.-iv.) above. Wall notches shall be a minimum of three feet deep and eight feet wide and shall total at least 20 percent of the façade length.
- vi. Use of masonry such as brick or stone, or other durable material to delineate the ground floor.
- vii. Use of an arcade, gallery or colonnade to accentuate the ground floor.
- viii. Use of enhanced architectural detailing or fenestration.
- ix. Use of cornices or projecting roof lines.
- x. For multi-story buildings, the horizontal interval may exceed 50 feet if building material changes and/or articulation occur above the first floor.



- F. **Building Transparency.** The entire ground floor of all buildings located within a required building frontage zone that faces a public or private street shall provide transparency to increase pedestrian interest by incorporating window and door openings so that the uses are visible from and to the street. The following shall apply:
- 1. At least 40 percent of the façade between two feet and 10 feet above grade, must be transparent.
 - 2. Up to 20 percent of the building transparency requirement may be satisfied with permanent art displays.
- G. **Roofs Materials and Roof Form.**
- 1. **Roof Materials.** Visible roofs may be constructed of conventional asphalt (3-tab) roofs, architectural metal, or other acceptable material, but roofs constructed of clay or concrete tiles, slate, Masonite, or heavy duty/hail resistant dimensional composition are preferred. All composition shingle roofing shall be constructed using high profile, textured shingles.
 - 2. **Roof Form.**
 - a. Where sloped roofs are used, at least one of the following elements shall be incorporated into the design for each 100 linear feet of roof to avoid long, flat roof surfaces:
 - i. Projecting gables,
 - ii. Dormers,

- iii. Hips,
- iv. Vertical elevation change in roof height of at least two feet, or
- v. Other similar techniques as approved by the Director.
- b. Where flat roofs are used, the design or height of the parapet shall include at least one change in setback or height of at least two feet along each 100 linear feet of façade.
- c. On all structures exceeding three stories in height, all pitched roofs shall be internally drained and external scuppers and wall drains shall be prohibited.
- d. All sloped roofs shall have overhanging eaves of at least one foot in depth, and roofs with a pitch of less than 2:12 shall be screened by a parapet wall.

Table 5-1-4-3: Mini-Structure Standards is amended to read as follows:

Table 5-1-4-3: Mini-Structure Standards		
Attribute	Standard	Exception
Size (max)	200 sf.	
Height (max)	12 ft.	Tree Houses
Number of Mini-Structures	Maximum 2	Not limited for the following land uses: Amusement, Outdoor; Recreation, Outdoor; Stables and Riding Academies; Cemetery; Day Care Center; Public Lands, Parks, or Buildings; Schools (all); Storage Yard; Community Agriculture
Location of Mini-Structures	Not allowed in front yard; Not attached to principal building	Allowed in the front yard for Recreation, Outdoor; Cemetery; Public Lands, Parks, or Buildings; Schools (all); Storage Yard; Community Agriculture
Design	Roofed structures shall be compatible with principal building in terms of materials and colors	-
Use	Cannot be used for vehicle storage	-

Section 5-1-5-2 Accessory Dwelling Units is amended to read as follows:

- A. **Generally.** Accessory Dwelling Units (“ADUs”) are allowed in conjunction with all single-family detached dwellings in residential, OT and MX zoning districts, subject to the standards in this Section.
- B. **Conformance to Development Standards.** ADUs must meet the same development standards that are required for the principal dwelling unit, except as provided in this Section.
- C. **Classification of ADUs.** For the purposes of this LDC, ADUs are classified as follows:

1. **Type A.** A Type A ADU is detached from the principal dwelling unit. It is considered a separate dwelling unit for the purposes of the Building Code.
2. **Type B.** A Type B ADU is located inside in basements, the upper story, or attached to the principal single-family detached building, but the occupants of the ADU and principal dwelling unit do not live together as a single household unit. A Type B ADU is typically rented. Type B ADUs typically have a separate access from the principal dwelling unit. A Type B ADU and the principal dwelling unit into which it is integrated are considered separate dwelling units for the purposes of the Building Code.

D. Parking.

1. One on-site parking space shall be required for an ADU, in addition to any required parking for the principal dwelling unit.
2. The required parking space may be in tandem with other required spaces.
3. Garage space that is constructed for use by the occupant(s) of the ADU shall not exceed 250 square feet.

E. Unit Size and Configuration.

1. Except as provided in Subsection E.2., below, ADUs shall be:
 - a. No larger than 40 percent of the living space of the principal building; and
 - b. Within the lot size and floor area ranges set out in Table 5-1-5-2, Maximum Floor Area of Accessory Dwelling Unit.

Table 5-1-5-2: Maximum Floor Area of Accessory Dwelling Unit	
Lot Size	Maximum Floor Area
6,000 sf. or less	600 sf.
Greater than 6,000 sf. and up to 12,499 sf.	850 sf.
12,500 sf. to 1 acre	1,000 sf.
Greater than 1 acre	1,200 sf.

2. The limitations of Subsection E.1., above, shall not apply to ADUs that are located within the footprint of an existing home as long as the ADU is not larger than 50 percent of the floor area of the principal dwelling unit, including the basement. For example, if a home has a 1,000 square foot basement, an ADU could be established in the basement if the rest of the principal dwelling is at least 1,000 square feet.
3. ADUs shall be designed and configured as studio, one bedroom, or two bedroom units.

F. Location. Type A ADUs shall be located as follows:

1. For interior lots, at or behind the front plane of the primary building.
2. On corner lots, ten feet behind the facade of the principal building along both street frontages.

G. Number of Accessory Dwelling Units per Lot. Only one ADU is allowed for each residential lot.

H. Design. The appearance of ADUs built as additions to the existing principal building or as separate structure should continue the residential character and appearance of the principal building.

1. **Type A ADUs.**
 - a. Type A ADUs shall be clearly subordinate to the principal building in terms of floor area.
 - b. Windows that face an adjoining residential property should be designed and configured to protect the privacy of neighbors, unless fencing or landscaping is provided that adequately accomplishes the same purpose.
 - c. Type A ADUs should be designed in a manner that is aesthetically consistent with the principal building in at least four of the following:
 - i. roof pitch;
 - ii. roof form;
 - iii. roofing materials;
 - iv. cladding materials;
 - v. window styles and window orientation;
 - vi. doors; and
 - vii. color palette.
2. **Type B ADUs.** Type B ADUs are integrated into the principal building. If the ADU involves a modification to the exterior of the building, the modification shall be subject to the same design standards as Type A ADUs (Subsection H.1., above). If the entrance to the ADU is visible from an adjacent street, it shall be designed in a manner as to be clearly subordinate to the entrance of the principal dwelling.
- I. **Outdoor Areas.** The subject property shall provide accessible outdoor space and landscaping for both the principal dwelling unit and the ADU.
- J. **Utility Service Requirements.** ADUs must be connected to the utilities (except telephone, television, electrical, and internet) of the principal dwelling unit and may not have separate services.
- K. **Owner Occupancy.**
 1. The property owner, as reflected in title records and evidenced by voter registration, vehicle registration or other similar means, must occupy either the principal dwelling unit or ADU.
 2. The Director may waive this requirement for temporary absences of less than one year provided that the owner has maintained the permitted use for a minimum of two years and submits proof of the temporary absence.
- L. **Deed Restriction.** Before obtaining a building permit for an ADU, the property owner shall file with the County Clerk and Recorder, in a form acceptable to the Director, a declaration of restrictions in reference to the deed under which the property was acquired by the present owner stating that:
 1. The ADU shall not be sold separately from the principal dwelling unit, nor shall the lot on which it is situated be subdivided unless such subdivision can be accomplished in accordance with all provisions of this Code;
 2. The ADU shall be restricted to the approved size;
 3. The certificate of occupancy for the ADU shall be in effect only so long as either the main residence, or the ADU, is occupied by the owner of record as their principal dwelling unit, subject to any temporary waiver granted pursuant Subsection L., above;

4. Lack of compliance with deed restrictions may subject the owner of the property to any and all penalties provided for in this Code;
 5. The above restrictions are binding upon any successor in ownership of the property;
 6. The deed restrictions shall lapse upon removal of the ADU. To effect this intent, and upon verification of such removal, the Director shall record appropriate documentation releasing such encumbrance. The property owner shall pay all required recording fees, and it shall be the Applicant's responsibility to ensure that such recording was successfully completed.
- M. **Existing Development on Lot.** A single-family detached dwelling unit must exist as a principal dwelling unit on the lot or be constructed simultaneously with the ADU. A certificate of occupancy will only be issued for an ADU after it has been issued for the principal dwelling unit.

Section 5-1-5-3 Accessory Buildings is amended to read as follows:

A. **Generally.**

1. Storage sheds, studios, cabanas, stables, loafing sheds, barns, and detached garages requiring a building permit shall comply with the standards of this Section. Accessory dwelling units are subject to Section 5-1-5-2, Accessory Dwelling Units, and not this Section.
2. Stables, loafing sheds, and barns are allowed only in RA and RN-32.5 zoning districts.
3. Except for barns and stables, each Accessory Building shall have a square footage area that is less than the footprint of the living area, excluding attached garage square footage, of the principal dwelling unit.

- B. **Number.** The maximum number of Accessory Buildings that may be constructed or installed upon a residential lot is based on the zoning district and lot size, and shall be as set forth in Table 5-1-5-3A, Maximum Number of Accessory Buildings.

Table 5-1-5-3A: Maximum Number of Accessory Buildings	
Zoning District	Maximum Number of Accessory Buildings
RN-4	2
RN-6, RN-7.5, RN-D	3
RN-12.5	4
RN-32.5	6
RA: lot less than 5 acres	6
RA: lot 5 acres or larger	7
PUD	Per the approved PUD. If no standards were identified as part of the approved PUD, then the maximum number for the closest zoning district shall be utilized.
R6, R13, R24, OT Form, and MX Zoning Districts and Lot Type	
Small Urban, Urban	-
Small General	2
General, Small Suburban, Suburban,	3
Cluster	1

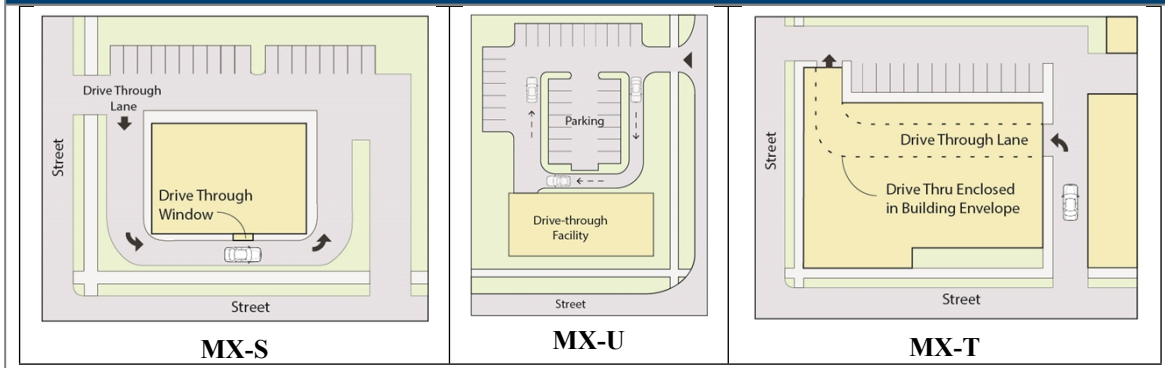
- C. **Building Coverage.** Accessory Buildings are counted towards the combined square footage of the principal building footprint and accessory structure(s) and shall not exceed the zoning district maximum lot coverage limitations.
- D. **Height.** Accessory Buildings shall not exceed the maximum height for accessory buildings identified in the zoning districts in Chapter 2, Zoning Districts.
- E. **Location.**
 - 1. **All Zoning Districts except RA.** Accessory Buildings shall be:
 - a. Located within the setbacks identified in the zoning districts. (*See* Chapter 2, Zoning Districts); and
 - b. Set back at or behind the front plane as the nearest front façade of the principal building.
 - 2. **RA Zoning District.** Accessory Buildings may be located in any yard, and must meet the required setbacks.
 - 3. **Accessory Buildings.** With the exception of non-residential gas station canopies, gas station or car wash facilities where allowed, and security/entry booths, accessory buildings shall not be in the front or side yards.
- F. **Design.** The design of accessory buildings shall be aesthetically consistent with the design of the principal building. *See* Section 5-1-2-2, Evaluation of Aesthetic Consistency, for applicable standards.

Section 5-1-6-2 Drive-Through Facilities is amended to read as follows:

- A. **Generally.** Drive-through facilities are subject to the standards of this Section.
- B. **Design Standards.**
 - 1. **Location.** Uses with drive-through facilities shall be located on properties with frontage on an arterial or collector street. Drive-through facilities are prohibited in the OT zoning district.
 - 2. **Speakers.**
 - a. Speakers shall not be oriented towards an adjacent residential zone district unless an intervening building exists. Where an intervening building does not exist, the following shall also apply to minimize the speaker noise impact on an adjacent property:
 - i. If the speaker is located within 15 feet or more of the property line, a solid wall with a minimum height of 6 feet shall be installed on the property line.
 - 3. **CG and MX Zoning Districts.** In CG and MX zoning districts, a drive-through facility shall be subject to the following:
 - a. In CG and MX-S zoning district, a drive-through lane may be located in the area between a building and a public street. The drive-through lane shall be screened from the public street by an Option B bufferyard, per Division 4-6-5-3, Bufferyard Options, or a low decorative wall to a minimum height of 48 inches. If a low screen wall is installed, the construction material shall be aesthetically consistent with the first floor exterior color and materials used on the principal building or provide a comparable level of quality.

- b. In the MX-U zoning district, a drive-through lane shall not be located in the area between a building and a public street. The drive-through windows shall not face a public street.
- c. In the MX-T zoning district, a drive-through lane shall be designed so that it is enclosed within the envelope of the building, the drive through windows are not visible from adjacent public streets and the drive-through lane shall not be located in the area between a building and a public street.

Figure 5-1-6-2: Illustrative Drive-Through Facilities in the MX



- C. **Stacking.** Drive-through lanes shall meet the applicable requirements of Section 4-5-3-6, Vehicle Stacking. Additional stacking may be required if the Director finds that, based on pertinent data, the drive-through configuration would likely otherwise create congestion on adjacent streets due to queuing at the drive-in or drive-through stations.

Section 5-1-6-5 Trash Collection and Compaction is amended to read as follows:

- A. **Generally.** Nonresidential, mixed-use, multifamily, and clustered small housing development shall include a designated trash collection and/or compaction area, which shall be located and designed to ensure adequate on-site maneuvering area for trash collection vehicles. Residential subdivisions may include designated trash collection and/or compaction areas, which, if provided, must also comply with the standards of this Section. Trash collection dumpsters shall not be allowed on individual single-family or duplex lots, unless on a temporary basis associated with construction projects for which a building permit has been issued.
- B. **Location.**
 1. Each trash collection, including recycling bins, or compaction area shall be located not less than 20 feet away from lots used for single-family detached, duplex, multiplex, or townhome uses, and at least 20 feet away from streets, sidewalks, and internal pedestrian circulation systems. Such areas shall be located on the site in the following order of priority (highest priority listed first, and higher order priorities are eliminated only if infeasible):
 - a. In a screened enclosure that is connected to or adjacent to the rear of the principal building;
 - b. In the rear yard; or

- c. In the interior side yard;
- 2. Trash collection, recycling bins, or compaction areas shall not be located more than 200 feet from the entrances of uses that they are intended to serve.
- C. **Enclosures.** Each such trash collection area shall be screened from view from all property lines by a non-combustible screen or wall between six feet and eight feet in height. The access to this enclosure shall be screened with an opaque gate. Screening fences and walls (not including gates) shall be aesthetically consistent with one of the predominant materials and one of the predominant colors used in the principal building. Chain-link gates with metal cladding are prohibited.

Section 5-1-6-7 Custodial Unit is amended to read as follows:

- A. **Generally.** The standards of this section apply to self-storage and kennel facilities with a dwelling unit for an on-site resident manager.
- B. **Design Standards.** Self-storage and kennel facilities with one on-site resident manager/caretaker dwelling shall be meet the following standards:
 - 1. The resident manager / caretaker dwelling unit shall be incorporated into and occupy space on the premises of the self-storage or kennel facility;
 - 2. One off-street, covered parking space shall be required for the exclusive use of the resident manager / caretaker.
 - 3. A landscaped private recreation area, with a minimum area of 750 square feet, shall be provided within the self-storage or kennel facility for the exclusive use of the resident manager / caretaker. The landscaped recreation area shall include:
 - a. A minimum of one 2.5 inch caliper shade tree, turf shrubs, and recreation equipment.
 - b. Recreation equipment shall consist of picnic table and barbeque facilities, or other comparable equipment for use by the resident manager/caretaker.

Section 5-1-6-9 Electric Vehicle (EV) Charging Stations is added to read as follows:

5-1-6-9 Electric Vehicle (EV) Charging Stations

- A. **Generally.** The standards of this section shall apply to new developments containing parking stalls or other spaces on-site dedicated to the use of such spaces for the charging of electric vehicles. These standards shall also apply to existing sites that make modifications to build or plan for EV charging stations.
- B. **Location**
 - 1. For single-family, duplex, or multiplex use, EV charging stations shall be located inside a garage.
 - 2. For townhome, multifamily, or cottage-home use, EV charging stations and equipment shall be located either in a garage or in a location internal to the site.
 - 3. For non-residential and mixed-use development containing ten or less EV charging stations, all charging stations and equipment may be allowed anywhere on site provided:

- a. All equipment adheres to the required minimum parking front setback from all public and private streets.
 - 4. For non-residential and mixed-use development containing more than ten EV charging stations, all charging stations and equipment shall be located internal to the site and set back at least 40-feet from all public streets.
 - 5. In the MX zone districts, EV charging stations and equipment shall be located:
 - a. Behind the wall of a front building façade; and
 - b. Outside of a required front parking setback.
 - 6. In the OT zone district, EV charging stations and equipment shall be located either in a garage or internal to the site, behind a building or buildings, and not visible from a public street.
 - 7. EV charging stations and equipment may not be located in any portion of a required small urban park or buffer yard.
- C. Sitting, Site Design, and Screening**
- 1. If located along a public or private street, an Option B per Division 4-6-5-3, Bufferyard Options, between all equipment and the front property line shall be provided.
 - 2. The installation of an EV charging station shall not reduce the size of the parking stall in which it is being installed below the minimum size required in Subsection 4-5-3-2, Parking Space and Aisle Standards.
 - 3. Concrete wheel stops shall be used between the parking space and the equipment if the parking is not parallel.
 - 4. If a canopy will be used, the canopy shall comply with the requirements of Subsection 5-1-2-3-C9, Canopies and Port-Cochères.
 - a. In any MX zone district if a canopy is used, the canopy shall comply with the requirements of Subsection 4-3-3-4-F, Fueling/Service Station Site Design.
 - 5. Parking spaces used for EV charging shall be signed for EV vehicles only.

The remaining portions of Chapter 5 shall remain unchanged.

Section 5. Chapter 8, Development Review Process, of the Land Development Code, of the Arvada City Code is hereby amended:

Section 8-1-1-1 Director of Community and Economic Development is amended to read as follows:

- A. **Generally.** The Director of Community and Economic Development (“Director”) is the member of the City Staff who carries out the planning and zoning functions of the City. The Director shall designate staff members to manage applications through the review process and be points of contact for Applicants. The Director may also delegate review responsibilities to managers or other professional-level staff, or, as appropriate, to consultants selected by the City.

B. **Duties and Responsibilities.** The Director shall be responsible for the administration of this LDC and the regulations contained herein.

1. The Director shall have the authority to:
 - a. Interpret and apply the provisions set forth in the LDC, other regulations adopted by the City and planning and engineering best practice. The Director shall have the authority to prepare and update Development Procedures, which may include a checklist for each type of development application, setting forth the information that Applicants must submit in order for the City to review development applications, permits and other developmental approvals under this Code, an application review schedule, fees and other relevant and appropriate materials related to the administration of this Code.
 - b. Make district boundary interpretations when uncertainty as to the district boundaries exists.
 - c. Make each of those decisions shown as a decision of the Director in 8-2-2-2, Decision-Making Tracks by Application Type.
 - d. Review and make recommendations on development applications reviewed and acted upon by the Planning Commission, City Council or other Decision Makers, as applicable, as shown in 8-2-2-2, Decision-Making Tracks by Application Type.
 - e. Review all land-use activities, plans involving land-use activity, or applications for land-use activity that are subject to either the Design Guidelines for Olde Town Arvada or the guidelines designated as "mandatory" within the Design Guidelines for the Reno Park Addition Historic District, and take final action to approve, approve with conditions, or deny the issuance of a (CCDG), as appropriate.
 - f. Accept land dedications and easements associated with development applications concerning which final approval has been granted by the Director.
2. The Director shall:
 - a. Review applications for Sign Permits and taking final action to approve, approve with conditions, or deny on such applications.
 - b. Maintain the Official Zoning Map, including updates to reflect rezonings.
 - c. Administer the provisions of this LDC and approvals granted hereunder, and coordinate with the Code Enforcement, Neighborhood Services and the City Attorney with regard to enforcement of this LDC.
 - d. Make recommendations regarding amendments to this LDC and to the Comprehensive Plan and other land use or strategic plans approved or adopted by the City.
 - e. Develop or supervise the development of master plans, special area plans, or strategic plans, however titled, as directed by the Planning Commission.
 - f. Provide expertise and technical assistance to the advisory and decision making bodies under this Code, upon request, and as appropriate.
3. The Director shall also determine:
 - a. Whether the proposed development creates a need for off-site public improvements;

- b. Whether required development-related agreements (*see* Division 8-4-5, Development-Related Agreements and Covenants) comply with the requirements of this LDC and the Arvada Municipal Code with respect to the identification of required public improvements and the security provided for said public improvements; and
- c. Whether proposed public improvements and drainage plans comply with applicable engineering standards.
- d. Review applications for revocable right-of-way permits and determine as to whether and to what extent the requested encroachment will or could interfere with municipal or public use of the right-of-way.

Section 8-1-2-2 Planning Commission is amended to read as follows:

A. Powers and Duties; Generally.

- 1. *Decisions.* The Planning Commission shall hear and find facts as to whether the following types of applications comply with the requirements of this LDC:
 - a. Alternative Sign Programs
- 2. *Recommendations.* The Planning Commission shall consider and recommend to the City Council approval, approval with conditions, or disapproval of the following types of applications or petitions:
 - a. Annexations;
 - b. Height Exceptions;
 - c. Major Subdivision Preliminary Plats;
 - d. Major Modifications;
 - e. Zoning and Rezoning;
 - f. Conditional Uses;
 - g. PUD Development Plans (Planned Unit Developments);
 - h. Combined PUD Development Plans / Final Development Plans (Planned Unit Developments); and
 - i. Vacation of Right-of-Way and Access Easements.

B. Powers and Duties; Initiated Land Development Code Amendments and Other Duties. The Planning Commission may also initiate proposed changes to the LDC and advise the City Council on such proposed changes, and shall perform such other duties as the City Council may by ordinance, resolution or motion prescribe.

C. Powers and Duties; Comprehensive Plan.

- 1. *Comprehensive Planning.* Upon request by the City Council, the Planning Commission shall have the power to prepare a Comprehensive Plan as a guide for future zoning and rezoning and shall have lawful and comprehensive studies made in conjunction therewith. Any plan so prepared shall be made with the general purpose of carrying out the objective of providing for the considered planning and orderly physical development of the City and applicable surrounding areas. The Planning Commission shall also actively promote implementation of any such Comprehensive Plan and other adopted plans, through its powers and duties as set out in this Section.

2. *Other Plans.* Upon request by the City Council or the Director, the Planning Commission shall be responsible for adopting other land use plans, open space/parks/trails plans, special area plans, corridor plans, and similar plans, and any updates or amendments to such plans. The Planning Commission shall also actively promote implementation of the Comprehensive Plan and other adopted plans, through its powers and duties as set out in this Section.

Section 8-2-2-1 Development Approval Required is amended to read as follows:

- A. **Generally.** Unless specifically exempt from the application of this LDC, development approval is required for all:
 1. Development;
 2. Redevelopment;
 3. Qualifying "land use activity" within areas that are subject to Design Guidelines (*see* Section 8-3-5-4, Certificate of Compliance with or Waiver from Design Guidelines); or
 4. Re-grading of:
 - a. Nonresidential property; or
 - b. Property within the Special Flood Hazard Area.
- B. **Temporary Uses and Special Events.** Certain temporary uses and special events require Temporary Use Permits. *See* Division 3-1-4, Temporary Uses.
- C. **Encroachments into Public Rights-of-Way.** Certain encroachments may be allowed in or over public rights-of-way pursuant to an approved revocable right-of-way license.

Table 8-2-2-2A: Decision Making Tracks is amended to read as follows:

Table 8-2-2-2A: Decision-Making Tracks					
Track	Decision-Maker	Public Hearing	Public Outreach		Administrative Appeal To
			Neighborhood Meeting	Notice	
Track 1	Director ¹	No	No ³	Yes ⁴	Planning Commission or City Council (<i>See</i> Section 8-2-5-2, Appellate Body)
Track 2	Director ²	Planning Commission	Yes	Yes	City Council
Track 3	Planning Commission	Planning Commission	Yes	Yes	City Council
Track 4	City Council	City Council ⁵	No	Yes	-
Track 5	City Council	Planning Commission; City Council	Yes	Yes	-
Track 6	Floodplain Administrator	Floodplain Administrator	No	Yes	Floodplain Hearing Officer
Track 7	Floodplain Hearing Officer	Floodplain Hearing Officer	No	Yes	-

Track 8	Board of Adjustment	Board of Adjustment	No	Yes	-
Track 9	Informational only to Planning Commission and City Council	No	No	No	-

TABLE NOTES:

¹ For Public Improvements Construction Drawings for private development, and is not appealable to the Planning Commission; for Floodplain Development Permits, the decision is by the Floodplain Administrator, and is appealable to the Floodplain Hearing Officer.

² Planning Commission fact-finding is not advisory. Director must issue decision on facts found by Planning Commission as to application's compliance with the applicable standards of this LDC.

³ At the discretion of the Director, a neighborhood meeting may be required to inform residents of the proposed development in their neighborhood.

⁴ Notice required for Track 1 reviews only as required by Section 8-2-3-8, Notice of Administrative Application. The Director shall have the discretion to waive the notice requirement for applications determined to have minimal impact on the notice area.

⁵ Public hearing not required for Revocable Right-of-Way License Agreements.

Table 8-2-2-2B: Decision-Making Tracks by Application Type is amended to read as follows:

Table 8-2-2-2B: Decision-Making Tracks by Application Type					
Application Type	Required For	Exceptions	Reference	Decision-Making Track	Submission Type
1. Annexation, Zoning, and Rezoning					
Annexation	Annexing property into the City	-	Division 8-3-3, Annexation and Disconnection	Track 5 ¹	Project
Disconnection	Removing property from the City limits	-	Division 8-3-3, Annexation and Disconnection	Track 5 ¹	Project
Zoning or Rezoning	Changing the zoning designation of land within the City or establishing initial zoning for land being annexed into the City	-	Division 8-3-4, Zoning and Rezoning	Track 5	Project
2. Land Use					
Limited Use	Establishing a limited use	-	Division 3-1-3, Use-Specific Standards for Primary Land Uses, as applicable to the use	Track 1	Project
Conditional Use	Establishing a conditional use	-	Division 3-1-3, Use-Specific Standards for Primary Land Uses, as applicable to the	Track 5	Project

Table 8-2-2-2B: Decision-Making Tracks by Application Type

Application Type	Required For	Exceptions	Reference	Decision-Making Track	Submittal Type
			use; and Section 8-3-5-1, Conditional Use		
Temporary Use / Special Event	Commencing / conducting certain temporary uses on a subject property	-	Division 3-1-4, Temporary Uses, as applicable to the temporary use or special event; and Section 8-3-5-5, Temporary Use Permit	Track 1	Permit
3. Certificate of Compliance, Site Plans and Site Development					
Certification of Compliance with Design Guidelines	Verifying compliance with or waiver from applicable Design Guidelines, if the subject property is located in an area that is subject to Design Guidelines (e.g., Olde Town or Reno Park)	As provided in the applicable design guidelines document; <i>see</i> Appendix A: Design Guidelines for Olde Town Arvada; and Appendix B: Design Guidelines for the Reno Park Addition Historic District	Applicable design guidelines document; <i>see</i> Appendix A: Design Guidelines for Olde Town Arvada; and Appendix B: Design Guidelines for the Reno Park Addition Historic District; and Section 8-3-5-4, Certificate of Compliance with Design Guidelines	Track 1, if not processed with another application type; otherwise same track as related application. <i>See</i> Sec. 8-3-5-4, Certificate of Compliance with Design Guidelines	Project
Master Development Plan	Establishing or modifying a plan for a phased project to ensure compliance with the LDC	-	Section 8-3-5-2, Master Development Plan	Track 1	Project
Site Plan or Site Plan Amendment	Establishing or modifying the physical layout of a subject property, including infrastructure, development and architectural standards,	Single-family detached and duplex housing types on individual lots in a subdivision of nine or fewer lots. Accessory dwelling units and accessory	Applicable provisions of Chapter 2, Zoning Districts; Chapter 3, Use Regulations;; Chapter 4, Environmental and Site Design; and Chapter 5 Building Design	Track 1	Project

Table 8-2-2-2B: Decision-Making Tracks by Application Type					
Application Type	Required For	Exceptions	Reference	Decision-Making Track	Submittal Type
	parking and loading, landscaping, lighting, grading, drainage, , major structure footprints, and building footprints	buildings			
Floodplain Map Amendment	Changing the boundaries of a special flood hazard area	-	As provided by federal regulation	Track 6, as provided by federal regulation	Project
Floodplain Development Permit	Authorizing development within the floodplain or floodway	-	Applicable provisions of Division 4-1-2, Floodplain Regulations; and Section 8-3-5-6, Floodplain Development Permit	Track 6 (<i>see</i> footnote 1 of Table 8-2-2-2.A., above)	Permit
Miscellaneous Structure Permit	Authorizing the construction or installation of fences, walls, decks, retaining walls, garden walls, accessory buildings, accessory structures or sheds	Mini-structures less than 200 square feet	Section 8-3-5-7, Miscellaneous Structure Permit-	Track 1	Permit
Revocable Right-of-Way License Agreement	Authorizing encroachments within public rights-of-way (e.g., signs, outdoor dining areas, etc.)	Temporary structures that are approved by Temporary Use or Special Event Permits	Section 8-3-5-7, Revocable Right-of-Way License Agreements	Track 4	Project
4. Wireless Communications Facilities					
Small Cell Facilities Permit	Authorizing the co-location of wireless communication s facilities; authorizing small-cell facilities in the right-of-way	-	Chapter 7, Wireless Communications Facilities; and Division 8-3-6, Wireless Communications Facilities	Track 1, as modified by Division 8-3-6, Wireless Communication s Facilities	Permit
Base Stations	Authorizing the	-	Chapter 7,	Track 1, as	Project

Table 8-2-2-2B: Decision-Making Tracks by Application Type					
Application Type	Required For	Exceptions	Reference	Decision-Making Track	Submittal Type
and Alternative Tower Structures	installation of a new wireless communication s facility on private property		Wireless Communications Facilities; and Division 8-3-6, Wireless Communications Facilities	modified by Division 8-3-6, Wireless Communication s Facilities	
Free-standing Towers	Authorizing the new installation of a freestanding wireless communication s tower	-	Chapter 7, Wireless Communications Facilities; and Division 8-3-6, Wireless Communications Facilities	Track 5, as modified by Division 8-3-6, Wireless Communication s Facilities	Project
5. Signs					
Sign Permit	Installing or displaying a sign (may also require Certification of Compliance with Design Guidelines)	Exceptions and exemptions listed in Sec. 6-1-2-2, Exemptions and Partial Exemptions; and Sec. 6-1-2-3, Permit Exceptions	Chapter 6, Signs, or an approved Alternative Sign Program; and Section 8-3-7, Sign Permits	Track 1	Permit
Alternative Sign Program	Establishing a specific signage program for a particular subject property or development, which may modify some of the standards of Chapter 6, Signs	-	Chapter 6, Signs; and Section 8-3-7-2, Alternative Sign Programs	Track 2	Project
6. Subdivisions, Plats, and Vacations					
Major Subdivision Concept Plan	Providing the City with a generalized land use plan and layout for the area proposed to be included within a subdivision	This review process is available at the Applicant's option	Applicable standards of Chapter 2, Zoning Districts; Chapter 4, Environmental and Site Design; and Chapter 9, Nonconformities	Track 9	Project
Major Subdivision Preliminary Plat	Establishing the preliminary layout of lots, streets, utilities, and open spaces	-	Applicable standards of Chapter 2, Zoning Districts; Chapter 4,	Track 5	Project

Table 8-2-2-2B: Decision-Making Tracks by Application Type

Application Type	Required For	Exceptions	Reference	Decision-Making Track	Submission Type
	within a subdivision, prior to approval of a major subdivision final plat for 10 or more lots.		Environmental and Site Design; and Chapter 9, Nonconformities		
Major Subdivision Final Plat	Establishing the final layout of the lots, tracts, streets, alleys, and easements within a subdivision for 10 or more lots	-	Applicable standards of Chapter 2, Zoning Districts; Chapter 4, Environmental and Site Design; and Chapter 9, Nonconformities	Track 1	Project
Minor Subdivision Plat	Establishing the specific layout of the lots, tracts, streets, alleys, and easements within a subdivision that including nine or fewer new lots or tracts	-	Applicable standards of Chapter 2, Zoning Districts; Chapter 4, Environmental and Site Design; and Chapter 9, Nonconformities	Track 1	Project
Vacation of Right-of-Way	Extinguishing Right-of-Way that is held by the City	-	Division 8-3-9, Vacation of Rights-of-Way; Termination of Easements	Track 4	Project
Vacation of Easement	Extinguishing an easement that is held by the City	-	Division 8-3-9, Vacation of Rights-of-Way; Termination of Easements	Track 1	Project
7. Infrastructure Development and Public Improvements					
Public Improvement Construction Drawings	Approving construction drawings for wastewater, water, stormwater, street, and landscaping improvements	Landscaping on individual lots used for single-family detached and duplex housing types	Engineering Code of Standards and Specifications; Division 8-4-4, Public Improvements, Warranties and Utilities	Track 1 (see footnote 1 of Table 4-3-2-2A., above)	Project
Development Agreement	Setting out the timing and terms for the installation of	-	Division 8-4-5, Development-Related Agreements and	Track 1	Project

Table 8-2-2-2B: Decision-Making Tracks by Application Type

Application Type	Required For	Exceptions	Reference	Decision-Making Track	Submission Type
	public and private improvements, and providing for security to ensure that the improvements are constructed and warranted		Covenants-		
Formation of Reimbursement Assessment District and Metropolitan District	Creating reimbursement assessment districts for financing public improvements	Development that does not require a reimbursement assessment district, as determined by the Applicant	-	Track 4	Project
Out-of-City Utility Request	Any request for City provision of utility service to property outside City limits	-	Section 8-3-5-8	Track 5	Project
8. Planned Unit Developments					
PUD Sketch Plan	Providing the City with an early, informal, and generalized land use/site plan for the area proposed to be included within a PUD	This review process is available at the Applicant's option	Section 8-3-10-5, PUD Sketch Plan	Track 9	Project
PUD Development Plan	Establishing the types and total amount of development proposed within a PUD (dwelling units, land uses, and nonresidential floor area), as well as the proposed general plan for pedestrian and vehicular circulation within and connecting to	-	Section 8-3-10-6, PUD Development Plan	Track 5	Project

Table 8-2-2-2B: Decision-Making Tracks by Application Type

Application Type	Required For	Exceptions	Reference	Decision-Making Track	Submittal Type
	the PUD; may run concurrently with preliminary plat application				
PUD Final Development Plan	Establishing or modifying the physical layout of a subject property, including infrastructure, development and architectural standards, parking and loading, landscaping, lighting, grading, drainage, , major structure footprints, and building footprints in accordance with an approved PUD Development Plan		Section 8-3-10-6, PUD Unit Development Plan	Track 1	Project
9. Interpretations, Variances, Modifications, Exceptions, and Interpretations					
Administrative Minor Modifications	Authorizing a minor variation to the standards of the LDC	-	Section 8-3-11-3, Administrative Minor Modifications	Track 1	Project
Major Modification	Authorizing a major variation to the standards of the LDC	-	Section 8-3-11-4, Major Modifications	Track 5	Project
Reasonable Accommodations	Authorizing a minor variation to the standards of this LDC	-	Section 8-3-11-5, Reasonable Accommodations	Track 1	Project
Official Interpretations	Providing an official written interpretation of the provisions of this LDC	-	Section 8-3-11-7, Official Interpretations	Track 1	Project

Table 8-2-2-2B: Decision-Making Tracks by Application Type					
Application Type	Required For	Exceptions	Reference	Decision-Making Track	Submittal Type
Height Exception	To exceed building or structure height standards in the LDC	-	Section 8-3-11-1, Height Exceptions	Track 5	Project
Variance or Exception to Standards	Authorizing a departure from the strict application of the standards in the LDC	Where other methods exist for authorizing the modification, such as an administrative minor modification, floodplain variance; or where standards are statutory requirements (e.g., state-mandated subdivision monumentation standards)	Section 8-3-11-2, Variances	Track 8	Project
Floodplain Variance	Authorizing a departure from the strict application of Division 4-1-2, Floodplain Regulations	-	Section 8-3-11-6, Floodplain Variances	Track 7	Project
10. Vested Rights					
Early Vested Rights	Obtaining vested rights prior to the approval of a site-specific development plan	-	Section 8-3-12-1, Early Vested Rights	Track 4	Project
Vested Rights (and Extension)	Obtaining vested rights in accordance with Article 68 of Title 24, C.R.S., as amended	-	Section 8-3-12-2, Vested Rights	Track 4	Project
11. Amendments and Terminations					
Annexation Agreement Amendment	Amending an annexation agreement	-		Track 4	Project
Major	Amending text	-	-	Track 3	Project

Table 8-2-2-2B: Decision-Making Tracks by Application Type					
Application Type	Required For	Exceptions	Reference	Decision-Making Track	Submission Type
Comprehensive Plan Amendment	or Future Land Use Map, where amendment does not fall within the category of "minor"				
Minor Comprehensive Plan Amendment	Correcting obvious errors (either text or mapping), and updating outdated data without changing policy	-	-	Track 1	Project
Major LDC Amendment	Changing procedures or standards in the LDC, where amendment does not fall within the category of "minor"	-	-	Track 5	Project
Minor LDC Amendment	Correcting non-substantive clerical or formatting errors in the LDC text or maps, or adding or correcting illustrations	-	Section 8-3-2-2, Text Amendment Requirements	Track 1	Project
Abandonment of Development Approval	Terminating a development approval without a replacement development approval	-	-	Track 1 if development never commenced and there is no development agreement	Project
TABLE NOTES: ¹ As modified by Colorado law pertaining to annexation and disconnection.					

Table 8-2-3-13: Time Limitations is amended to read as follows:

Table 8-2-3-14: Time Limitations	
Approval Type	Time Limitation
Conditional Use	5 years
Temporary Use Permit / Special Event Permit	as specified in the permit
Certificate of Compliance with Design Guidelines	3 years, 1 year for signs

Site Plan and Master Development Plan	3 years
Floodplain Development Permit	24 months
Free-Standing Tower	24 months; or as specified in the permit
Miscellaneous Structure Permit	6 months
Sign Permit	1 year
Alternative Sign Program	3 years
Major Subdivision Preliminary Plat	3 years
Public Improvement Construction Documents	2 years
Development Agreement	as specified in development agreement
Reimbursement Assessment District	as specified in documents establishing Reimbursement Assessment District
PUD Development Plan/Final Development Plan	5 years or as specified by development agreement
Height Exception	3 years
Variance	2 years ¹
Minor Modifications from Zoning District and General Development Standards	as specified in approval documents
Minor Modification	as specified in the approval documents
Major Modification	as specified in the approval documents
Floodplain Variance	24 months
Vested Rights (and Extension)	36 months ²
Base Station, Alternative Tower Structure and Freestanding Tower	1 year if site not constructed
Small Cell Facility	Specified as defined in the MLA for each carrier-
TABLE NOTES: ¹ Or at such alternative time specified in the approval. In addition, a variance that has been not been utilized shall automatically lapse and have no further effect if the rights granted by it are discontinued for 180 consecutive days. ² Unless specified otherwise in the approval or by development agreement.	

Section 8-2-4-1 General Notice Requirements is amended to read as follows:

- A. **Computation of Time.** In computing any period of time prescribed for the purpose of giving notice under this Division, the day of the publication, mailing, or posting shall be included. The day of the meeting or hearing shall not be counted. Saturdays, Sundays, and legal holidays shall be counted as any other day.
- B. **Notice Cost.**
 1. All costs for providing mail and posted notice as required by this Division shall be the direct responsibility of the Applicant.
 2. The City shall provide published notice. The cost of such notice shall be included in the development review fee.
- C. **Applicant's Certification.** Prior to the event that is the subject of a public notice, the Applicant shall provide the Director with an executed affidavit certifying that the requirements as to the Applicant's responsibility for the applicable forms of notice under this Division have been met. The Director shall make available sample certifications that address all applicable forms of public notice required by this LDC.

D. Failure to Provide Notice; Defective Notice.

1. Failure to timely provide the required affidavit, or evidence that a mailing list or notice letter was defective, may be cause to suspend the review process until proper notice is provided. Such suspension may be ordered by the Director or body that is responsible for the meeting, hearing, or decision (*e.g.*, neighborhood meeting, public hearing, or staff decision) that is the subject of the notice.
2. Minor defects in any notice shall not impair the notice or invalidate proceedings pursuant to the notice if a *bona fide* attempt has been made to comply with applicable notice requirements. In any case in which a question arises at the public hearing regarding the adequacy of notice, consideration shall be given to the nature and extent of the deficiency, the probability of confusion resulting from the deficiency, and the type and variety of notice successfully accomplished in determining whether substantial compliance with the notice requirements of this Code has been met

- E. **Continuation of Hearings and Neighborhood Meetings.** A hearing or neighborhood meeting for which proper notice was given may be continued to a later date without again complying with the public notice requirements of this Division (unless required by Director), provided that the date, time, and location of the continued hearing or meeting is announced to the public at the time of continuance.

Section 8-2-4-2 Required Notice by Application Type is amended to read as follows:

Public notice of administrative applications, neighborhood meetings, or scheduled public meetings or public hearings shall be provided as set out in Table 8-2-4-2, Notice Requirements by Application Type. If an application type is not listed, then no notice is required, unless it is determined to be necessary by the Director.

Table 8-2-4-2: Notice Requirements by Application Type				
Table Key: — Not Required or Not Applicable ✓ Required				
Application Type	Notice Type			
	Published	Posted	Mailed ²	Internet ³
1. Annexation, Zoning and Rezoning				
Annexation or Disconnection ¹	✓	✓	✓	✓
Zoning or Rezoning	✓	✓	✓	✓
City Initiated Remapping	✓	—	—	—
2. Land Use				
Conditional Use	✓	✓	✓	✓
3. Site Plans and Site Development				
Master Development Plan	—	—	✓	✓
Site Plan	—	—	✓	✓
4. Wireless Communications Facilities				
Major Wireless Communications Facility Permit	—	✓	✓	✓
5. Signs				
Alternative Sign Program	✓	✓	✓	✓
6. Subdivisions, Plats, and Vacations				
Major Subdivision Preliminary Plat	✓	✓	✓	✓
Vacation of Right-of-Way and Public Easements	✓	✓	✓	✓
7. Infrastructure Development and Public Improvements				
Formation of Reimbursement Assessment District	✓	—	✓	✓
8. Planned Unit Developments				
PUD Preliminary Development Plan	✓	✓	✓	✓
9. Variances, Modifications, Exceptions, and Conversions				
Height Exception	✓	✓	✓	✓
Variance	✓	✓	✓	✓
Major Modification	✓	✓	✓	✓
Floodplain Variance	—	—	✓	✓
10. Vested Rights				
Vested Rights (and Extension)	✓	✓	✓	✓
11. Amendments				
Land Development Code Text Amendment	✓	—	—	✓
Major Comprehensive Plan Amendment	✓	—	—	✓
Major PUD Amendment	✓	✓	✓	✓
TABLE NOTES:				
¹ As required by applicable provisions of C.R.S. § 31-12-101, et seq.				
² See Subsection 8-2-4-4, Statutory Mineral Estate Notices				
³ See Subsection 8-2-4-3D, Internet Requirements				

A. **Generally.** Contents of the public notice will be determined by the Director.

B. **Public Notice Contents.** All notices required by this Section shall:

1. Indicate the time and place of the public hearing or meeting, if necessary, except for a Notice of Administrative Application;
 2. Sufficiently describe the property involved; for example, by legal description, general vicinity, street address, size, and/or nearest cross street;
 3. Describe the nature, scope, and purpose of the application or proposal being advertised;
 4. Indicate that interested parties may appear and the manner, extent and timing of public participation permitted (*e.g.*, filing written comments with the Director, speaking at the scheduled hearing or meeting, etc.), except for Notice of Administrative Application; and
 5. Indicate where additional information can be obtained.
- C. **Appeal Notices.** Notices of a pending appeal must include a copy of the petition for appeal and a date, time, and location for the appeal hearing, and either a copy of the rules of procedure for the Appellate Body or instructions regarding how to obtain a copy. Such notices shall be mailed to the Applicant (if different from the appellant), the appellant, and any person or entity that has applied for party status.
- D. **Vested Rights Notices.** Notice of a decision to grant vested rights shall be published in accordance with the requirements of C.R.S. § 24-68-101, as it may be amended from time to time.

Section 8-3-5-3 Site Plan is amended to read as follows:

- A. **Generally.** The purpose of the Site Plan is to ensure compliance with the development and design standards and provisions of this Code, while encouraging quality development in the City reflective of the goals, policies, and objectives found in the Comprehensive Plan.
- B. **Site Plans.** All applicable provisions of this Division apply unless specifically listed. A Site Plan is required before a building permit may be issued for all development in the City except those listed below:
1. Single family detached homes or duplex units in a subdivision of nine or fewer lots within a residential zoning district and that are not part of land for which a Master Development Plan has been approved;
 2. Permitted additions to existing single-family detached dwellings or duplex units; and
 3. Interior improvements and tenant finish.
- C. **Approval Criteria.** A Site Plan shall be reviewed for compliance with the following criteria:
1. The application complies with the applicable standards of this LDC, other adopted City regulations, any approved Master Plan that includes the property, and any conditions specifically applied to development of the property by the Planning Commission or City Council in a prior decision affecting the property;
 2. The application is consistent with the Comprehensive Plan;
 3. The City's existing infrastructure and public improvements, including but not limited to its water, wastewater, street, trail, and sidewalks systems, have adequate capacity to

- serve the proposed development, and any burdens on those systems have been mitigated to the degree practicable;
4. The application will preserve and protect natural areas, ridgelines, swales, natural landforms, water quality and wildlife habitat of riparian corridors, wetlands and floodplains affected by the proposed development and integrates those areas into site design where practicable;
 5. The application will improve or expand multi-modal connections with adjacent sites, neighborhoods, and urban centers;
 6. The application is similar to surrounding uses in terms of size, scale and building façade materials;
 7. The application mitigates any adverse impacts on the surrounding area to the degree practicable; and
 8. Within the MX, R6, R13 and R24 zoning districts, townhome and multifamily residential uses shall provide appropriate amenities, including recreational facilities, pedestrian facilities, unique aesthetic features and quality design.

Section 8-3-8-7 Acceptance of Dedications is amended to read as follows:

A. Generally.

1. **Major Subdivision Final Plats.** All major subdivision final plats shall be executed by all owners of property within the boundaries of such plat, the surveyor, the attorney or title company who examined the title, and any and all lienholders. Following the approval of a major subdivision final plat, the plat, which shall have all permitted exceptions, waivers, or variances expressly noted thereon, shall be signed by the Director, the City Engineer, and the City Attorney. Dedication, approval, certification, and signature blocks shall be in a form approved by the City Attorney.
2. **Minor Subdivision Plats.** All minor subdivision plats shall be executed by all owners of property within the boundaries of such plat, the surveyor, the attorney or title company who examined the title, and any lienholders. Following the approval of the minor subdivision plat, the plat, which shall have all permitted exceptions, waivers, or variances expressly noted thereon, shall be signed by the Director. Dedication, approval, certification, and signature blocks shall be in a form approved by the City Attorney.

- B. Method of Acceptance of Dedications; Limitations.** Full execution of the approved major subdivision final plat or minor subdivision plat shall constitute the City's acceptance of any fee-simple dedication or grant of easement to the City as is referenced on the plat. Acceptance of dedications does not constitute final acceptance of public improvements constructed thereon.

The remaining portions of Chapter 8 shall remain unchanged.

Section 6. Chapter 11, Measurements, Rules of Construction, and Definitions, of the Land Development Code, of the Arvada City Code is hereby amended:

Division 11-3-3 Definitions is amended or added to read as follows, all defined words not listed here, remain unchanged.

Clustered Subdivision

A cluster lot subdivision is a residential development in which lots are allowed to be smaller or narrow. Cluster lot subdivision is a design technique that concentrates buildings in specific areas on a site to allow the remaining land to be used for recreation or other common use, or preservation of environmentally sensitive areas or agricultural uses.

Electric Vehicle (EV) Charging Station

A public or private parking space and all associated equipment, including electrical transformers, that is served by battery charging station equipment that has its primary purpose to transfer electric energy (by conductive or inductive means) to a battery or other energy storage device in an electric vehicle.

Food and Retail Truck Vending

Food and retail vending from a readily movable wheeled, motorized vehicle designed and equipped to serve food or sell retail goods or a wheeled, non-motorized trailer designed and equipped to serve food or sell retail goods, and towed by a motorized vehicle.

Fueling/Service Station

Any building, land area, or other premises used for the retail dispensing or sales of vehicular fuels; Level 3 DC fast-charging or Level 2 charging of electric vehicles; towing of automobiles and light trucks; and including as an accessory use the sale and installation of lubricants, tires, batteries, brakes, mufflers, and similar vehicle repairs and accessory installations. The phrase “fueling/service station” does not include collision centers, or facilities that provide transmission repair, engine overhauls, or repair of heavy trucks or heavy motorized equipment. If a use that fits this definition also includes the sale of ready-to-eat food products (not intended for on-premises consumption), groceries and sundries, such use shall be classified as a “convenience store.”

Heavy Logistics Center

A wholesaling, warehousing, and/or distribution use that provides a central location for receiving, storing and distributing raw materials, semi-finished goods, or finished goods. Heavy logistics centers may be warehouses in which goods are stored (a.k.a. “product warehouses”), or truck terminals in which goods are transferred between trucks or between trucks and trains or other transportation modes (a.k.a. “truck terminals” or “logistics centers”), or moving warehouses (including indoor storage of portable on-demand storage containers), or wholesaling operations (but not wholesale membership clubs in which memberships are available to the general public). Heavy logistics centers are expected to generate at least 50 semi-trailer truck trips per day. Warehousing and distribution uses that involve fewer than 50 semi-trailer truck trips per day are classified as Light Industry.

Landscape Surface Area

Area that is vegetated per the requirements of Article 4-6, Landscape and Buffering, or reserved for the use of outdoor pedestrian and/or non-vehicular recreation activity areas including sidewalks, trails, patios, decks, amenitized landscape surface area, and small urban parks. Detention areas, buffers, and landscaping within a parking lot may be included.

Landscape Surface Area, Amenitized

Landscape surface area that is designed for the common use or enjoyment of residents, employees, or guests of the development.

Light Industry

Uses that involve research and development, assembly, remanufacturing, compounding, packaging, testing, or treatment of products, generally from previously prepared materials or components, with limited outside storage and limited external impacts or risks such that the use is not defined as heavy industry or heavy logistics center. Light industry also includes wholesaling, warehousing, and distribution uses that involve fewer than 50 semi-trailer truck trips per day. For illustrative purposes, light industrial uses include:

1. Assembly, testing, repair, or refurbishing of products, instruments, electronics, office and computing machines, and fixtures using pre-manufactured components;
2. Offices of general contractors; specialty subcontractors; tradesmen; or telecommunications providers which include:
 - a. Overhead door access to indoor storage of tools, parts, and materials;
 - b. Parking of commercial vehicles or a fleet of cars, vans, or light trucks that are used in the business; or
 - c. Limited outdoor storage areas;
3. Food production (*e.g.*, commercial kitchen or bakery) and packaging, but not:
 - a. Meat processing involving butchering of large animal carcasses;
 - b. Medical marijuana-infused products manufacture; and
 - c. Restaurants;
4. Beverage production (non-alcoholic) and bottling;
5. Furniture making or refinishing;
6. Manufacture of textiles or apparel;
7. Screen printing of apparel (except low volume screen printing at a retail store);
8. Printing and publishing, except copy centers, and except printing presses that require a Stationary Source permit or Title V of the Clean Air Act permit for air emissions;
9. Research, development, and testing laboratories (*e.g.*, for development of products, equipment, or materials), if not classified as office, general or professional, or heavy industry;
10. Disassembly of consumer electronics and / or appliances into component parts, where all operations and storage are within an enclosed building;
11. Manufacture of glass products (*e.g.*, window panes, bottles and jars), including hand-blown products;
12. Fabrication of building materials such as countertops, drywall, and cut stone (if not classified as heavy industry);
13. Manufacture or compounding of pharmaceutical products, dietary supplements, health and beauty products, and herbal products;
14. Packaging of products; or
15. Storing, selling, and/or distributing merchandise for or to retailers; industrial, commercial, institutional, or professional business users; or wholesalers, except that wholesale membership clubs that offer memberships to the general public are not light industrial uses.

Open Space, Common is deleted in its entirety.

Place of Assembly is amended by placing it between the definitions for Personal Services Vending and Porte- Cochère; the definition remains unchanged.

Produce Stand

A temporary or permanent structure used for sale of produce and incidentally used for sale of related items which is located on property used for agriculture or community agriculture.

Retail Sales and Services, Type 1

A use involving the sale, lease, or rental of consumer, home, and business goods to consumers. Such uses include but are not limited to department stores, furniture stores, clothing stores, and establishments providing the following products or services: antiques, appliances, art, art supplies, beauty supplies, bicycles, books, magazines and newspapers, craft supplies, copies, costumes, dry goods, electronics, fabric, framing, garden supplies, gifts, groceries, hardware, home improvement goods, household products, jewelry, music, musical instruments, office supplies, party supplies, pet grooming, pet supplies, pharmaceuticals, phones, photography equipment, produce, signs, sporting goods, stationary, toys, and videos; and new automotive parts and accessories. The phrase also includes services such as banking, picture framing, installation of electronics (*e.g.*, audio systems and navigation systems) into motor vehicles, real estate offices that are open for walk-in traffic; repairs of products sold by the establishment (*e.g.*, a computer store may also repair computers), repairs of consumer electronics, tattoo parlors, and comparable services that are not included in the definition of the phrase “Retail Sales and Services, Type 2.” The phrase “Retail Sales and Services, Type 1” does not include uses that are classified or defined more specifically in this Code, including but not limited to “Retail Sales and Services, Type 2,” “Restaurant,” “Restaurant, Fast Food,” “Adult Entertainment,” “Adult Retail Sales,” “Marijuana Uses,” and “Vehicle / Equipment Sales or Rentals.”

Retail sales and services, type 1 uses are generally conducted indoors. However, the phrase also includes uses in which not more than 25 percent of the area used for storage and display of products is located outside or in partially enclosed structures.

Semi-Trailer Truck Trip

A semi-trailer truck trip involves the inbound and outbound movement of the truck on a site, with both movements being considered a single trip.

Sign, Canopy

A sign with one face affixed to a canopy. For purpose of this definition, a canopy is an attached or detached structure, open on at least one side, which is designed to provide overhead shelter from the sun or weather. Canopies include, but are not limited to, service station canopies, carports, porte-cocheres, arcades and pergolas.

The remaining portions of Chapter 11 shall remain unchanged.

Section 7. Should any provision of this ordinance be declared by a court to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

Section 8. This ordinance shall be effective on _____, 2021.

INTRODUCED, READ, AND ORDERED PUBLISHED this_____, 2021.

PASSED, ADOPTED AND APPROVED this 18th day of October, 2021.

Marc Williams, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

Rachael A. Morris, City Attorney:

BY: _____

Publication Dates:

REDLINE/STRIKEOVER VERSION

FOR INFORMATION ONLY -- NOT PART OF THE ORDINANCE

Underlined indicates new material
~~Strikethrough~~ indicates deleted material

Table 2-1-3-3A: Residential Neighborhood Lot and Building Standards								
Standard		Subdistrict						
		RN-32.5	RN-12.5	RN-7.5	RN-6	RN-4	RN-D	
Residential Uses								
Housing Type		Single-Family	Single-Family	Single-Family	Single-Family	Single-Family	Single-Family	Duplex
Lot Standards								
	Min. Lot Area	32,500 sf.	12,500 sf.	7,500 sf.	6,000 sf.	4,000 sf.	6,000 sf.	9,000 sf.
A	Min. Lot Width	100 ft.	100 ft.	75 ft.	50 ft.	40 ft.	60 ft.	75 ft.
	Min. Lot Width (Corner)	100 ft.	100 ft.	85 ft.	60 ft.	40 ft.	75 ft.	85 ft.
	Max. Lot Coverage	25%	35%	40%	40%	40%	40%	30%
Setback Standards								
B	Min. Front	30 ft.	30 ft.	20 ft.	18 ft.	18 ft.	18 ft.	25 ft.
C	Min. Street Side ¹	25ft.	25 ft.	20 ft.	13 ft.	13 ft.	13 ft.	20 ft.
D	Min. Interior Side	15 ft.	10 ft.	7.5 ft.	5 ft.	5 ft.	5 ft.	10 ft.
E	Min. Rear	15 ft.	15 ft.	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.
	Min. Rear, Alley ¹	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.
	Min. Arterial Setback ²	100 ft.	100 ft.	100 ft.	100 ft.	100 ft.	100 ft.	100 ft.
Building Standards								
F	Max. Height, Principal Building	35 ft.	28 ft.	28 ft.	28 ft.	28 ft.	28 ft.	28 ft.
	Max. Height, ADU (detached)	30 ft.	25 ft.	25 ft.	25 ft.	25 ft.	25 ft.	-
G	Max. Height, Accessory Building except for Barns and Stables	20 ft.	16 ft.	16 ft.	16 ft.	16 ft.	16 ft.	16 ft.
	Max. Height, Barns and Stables	35 ft.	30 ft.	-	-	-	-	-
	Max. Height, Mini Structures	12 ft.	12 ft.	12 ft.	12 ft.	12 ft.	12 ft.	12 ft.
Nonresidential Uses								
Lot Standards								
	Min. Lot Area	1 ac.	1 ac.	10,000 sf.	10,000 sf.	10,000 sf.	10,000 sf.	
A	Min. Lot Width	100 ft.	100 ft.	100 ft.	100 ft.	100 ft.	100 ft.	

Table 2-1-3-3A: Residential Neighborhood Lot and Building Standards

Standard		Subdistrict					
		RN-32.5	RN-12.5	RN-7.5	RN-6	RN-4	RN-D
	Max. Lot Coverage	25%	25%	40%	40%	40%	40%
Setback Standards							
B	Min. Front	30 ft.	30 ft.	25 ft.	18 ft.	18 ft.	18 ft.
C	Min. Interior Side	15 ft.	15 ft.	10 ft.	10 ft.	10 ft.	10 ft.
D	Min. Street Side	30 ft.	30 ft.	25 ft.	18 ft.	18 ft.	18 ft.
E	Min. Rear	15 ft.	15 ft.	15 ft.	10 ft.	10 ft.	10 ft.
	Min. Rear (Alley) ¹	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.	0 ft.
	Min. Arterial Setback ²	100 ft.	100 ft.	100 ft.	100 ft.	100 ft.	100 ft.
Building Standards							
F	Max. Height, Principal Building	35 ft.	35 ft.	35 ft.	35 ft.	35 ft.	35 ft.
G	Max. Height, Accessory Building	20 ft.	16 ft.	16 ft.	16 ft.	16 ft.	16 ft.
	Max. Height, Mini Structure	12 ft.	12 ft.	12 ft.	12 ft.	12 ft.	12 ft.
TABLE NOTES:							
¹ For driveway access must be 18 ft. The rear setback for alley-loaded garages shall be no less than 2 ft. and no more than 4 ft. or a minimum of 18 ft., at the Applicants discretion.							
² Measured from the centerline of the arterial. See Section 2-1-9-2, Arterial Street Setbacks.							

2-1-3-4 R6: Residential 6

- F. **Purpose.** The purpose of the Residential 6 (R6) zoning district is to allow for new residential development of a variety of housing products up to a gross density of six units per acre along with supporting community and institutional uses.
- G. **Relationship to the Comprehensive Plan.** The R6 zoning district generally implements the “Suburban Residential” land use category stated in the Comprehensive Plan.
- H. **Lot and Building Standards.** The standards for lots and buildings in the R6 zoning district are set out in Table 2-1-3-4A, Residential 6 Lot and Building Standards and Division 2-1-8, Housing Palette.

Figure 2-1-3-4: Illustrative Residential 6 Lot and Building Standards

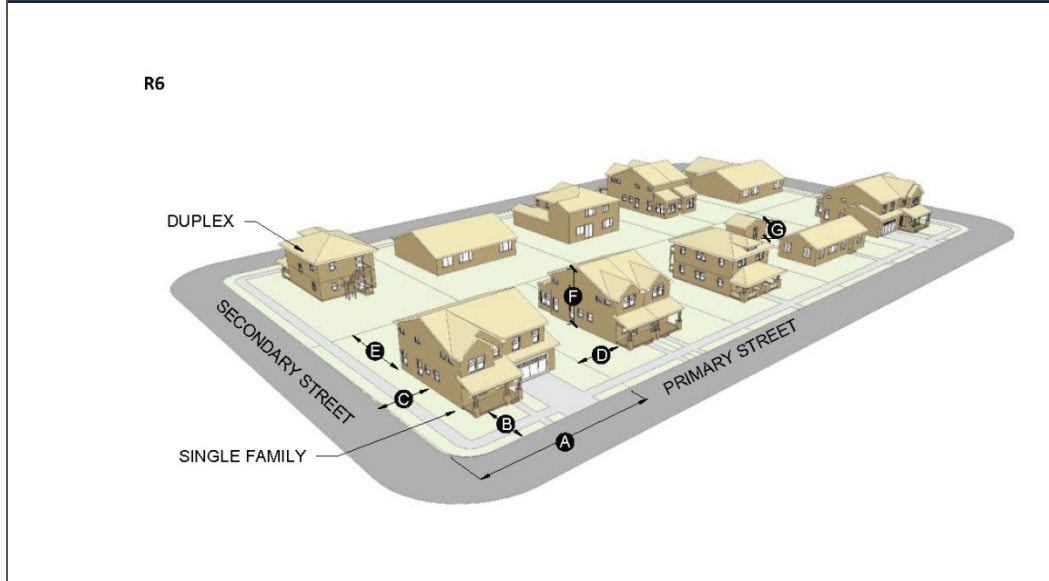


Table 2-1-3-4A: Residential 6 Lot and Building Standards

Standard		Lot Type	
		Residential	Nonresidential
Lot Standards			
	Min. Lot Area	See Subsection D., below, and Division 2-1-8, Housing Palette	10,000 sf.
A	Min. Lot Width		100 ft.
	Max. Lot Coverage		40%
Building and Parking Siting Standards			
B	Min. Front	See Subsection D., below, and Division 2-1-8, Housing Palette	25 ft.
C	Min. Street Side		25 ft.
D	Min. Interior Side		10 ft.
E	Min. Rear		15 ft.
	Min. Arterial Setback ¹	100 ft.	No Minimum
	Min. Parking Setback	20 ft. ²	20 ft.
Building Standards			
F	Max. Height, Principal Building	35 ft.	35 ft.
	Max. Height, ADU (detached)	30 ft.	-
G	Max. Height, Accessory Building	18 ft.	18 ft.
	Max. Height, Mini-structure	12 ft.	12 ft.
Site Standards			
	Min. Landscape Surface Area	20%	30%
	Min. Landscape Surface Area, Amenitized³	5%	-
Density Standards			
	Max. Density	6 u/a	-

TABLE NOTES:

¹ Measured from the centerline of the arterial. See Section 2-1-9-2, Arterial Street Setbacks.

Table 2-1-3-4A: Residential 6 Lot and Building Standards		
Standard	Lot Type	
	Residential	Nonresidential
² Except for driveways associated with single family and duplex units and multiplex buildings. ³ Percentage of lot. Counts toward Min. Landscape Surface Area. Detached single family and duplex developments with 9 or less units exempt.		

- I. **Housing Palette.** The following housing types identified in Division 2-1-8, Housing Palette, are allowed in the R6 zoning district:
1. Single-Family Detached: Small General; General; Small Suburban; Suburban
 2. Zero Lot Line: Small General; General
 3. Duplexes: Side-By-Side; Over-Under
 4. Townhomes: Suburban Type; ~~Urban Type~~
 5. Multiplexes
 6. Clustered Housing: Micro Homes; Cottage Types.
- J. **Cross-References.** The cross-references in Table 2-1-3-4B, Cross-References for Residential 6, are provided for the reader's convenience and are not necessarily exhaustive of applicable regulations.

Table 2-1-3-4B: Cross-References for Residential 6	
Topic	Reference
Max. No. of Principal Building	Section 2-1-9-1, One Principal Building per Lot
Land Use Regulations	Division 3-1-2, Land Use by Zoning District
Business Use of the Home	Division 3-1-5, Business Use of the Home
Parking	Article 4-5, Parking and Loading
Landscaping	Article 4-6, Landscaping and Buffering
Fences and Walls	Section 4-7-2-1, Fences and Divisional Walls; and Section 4-7-2-2, Retaining Walls
Exterior Lighting	Article 4-8, Exterior Lighting
Building Design Standards	Division 5-1-2, Building and Structure Design Standards; and Section 5-1-4-1, Decks, Balconies, and Porches
Mini-Structures (e.g., Playground Equipment)	Section 5-1-4-3, Mini-Structures
Accessory Dwelling Units	Section 5-1-5-2, Accessory Dwelling Units
Accessory Buildings	Section 5-1-5-3, Accessory Buildings
Satellite Dishes, Antennas, and Amateur Radio	Section 5-1-5-4, Satellite Dishes and Antennas; Amateur Radio Antennas
Renewable Energy Systems (e.g., Solar Panels)	Section 5-1-4-4, Renewable Energy Systems
Accessory Buildings (Non- Residential and Multifamily)	Section 5-1-6-1.E, Number of Accessory Buildings or Free- Standing Accessory Structures

2-1-3-5 R13: Residential 13

- F. **Purpose.** The purpose of the Residential 13 (R13) zoning district is to allow for new residential development of a variety of housing products up to a gross density of 13 units per acre.
- G. **Relationship to the Comprehensive Plan.** The R13 zoning district generally implements the “Medium Density Residential” land use category stated in the Comprehensive Plan.
- H. **Lot and Building Standards.** The standards for lots and buildings in the R13 zoning district are set out in Table 2-1-3-5A, Residential 13 Lot and Building Standards and Division 2-1-8, Housing Palette.

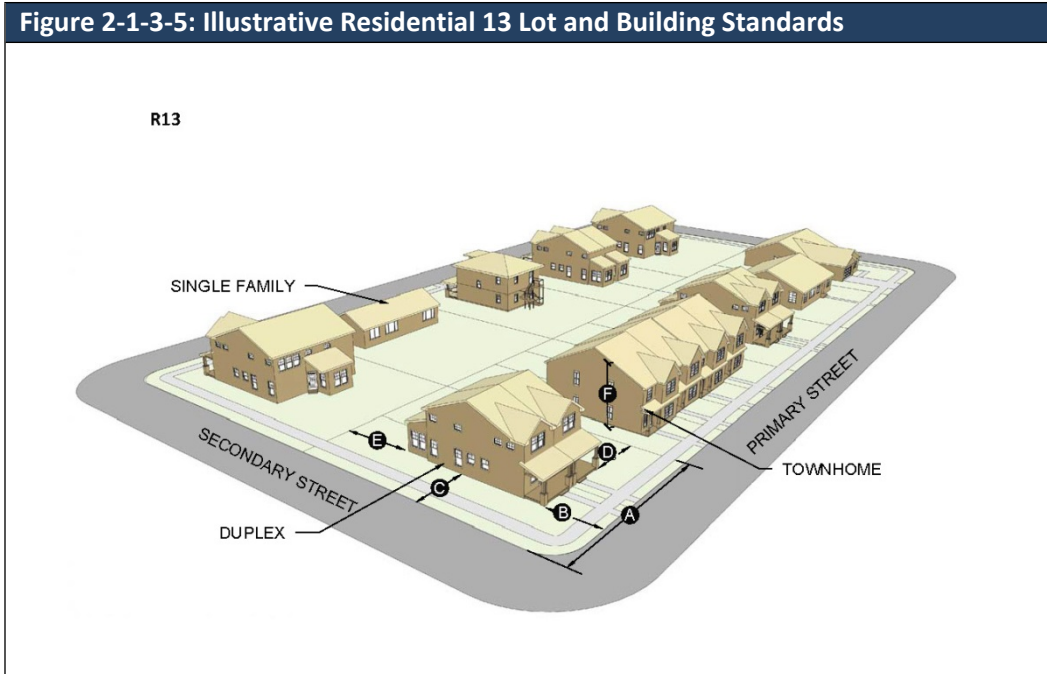


Table 2-1-3-5A: Residential 13 Lot and Building Standards			
Standard		Lot Type	
		Residential	Nonresidential
Lot Standards			
	Min. Lot Area	See Subsection D., below, and Division 2-1-8, Housing Palette	10,000 sf.
A	Min. Lot Width		100 ft.
	Max. Lot Coverage		40%
Setback Standards			
B	Min. Front	See Subsection D., below, and Division 2-1-8, Housing Palette	20 ft.
C	Min. Street Side		20 ft.
D	Min. Interior Side		10 ft.
E	Min. Rear		15 ft.
	Min. Arterial Setback ¹	100 ft.	-
	Min. Parking Setback	20 ft. ²	20 ft.
Building Standards			
F	Max. Height, Principal Building	35 ft.	35 ft.
	Max. Height, ADU (detached)	30 ft.	-

Table 2-1-3-5A: Residential 13 Lot and Building Standards			
Standard		Lot Type	
		Residential	Nonresidential
	Max. Height, Accessory Building	18 ft.	18 ft.
	Max. Height, Mini-structure	12 ft.	12 ft.
Site Standards			
	Min. Landscape Surface Area	20%	30%
	Min. Landscape Surface Area, Amenity ²	50%	-
Density Standards			
	Max. Density	13 u/a	-
TABLE NOTES: ¹ Measured from the centerline of the arterial. See Section 2-1-9-2, Arterial Street Setbacks. ² Except for driveways associated with single family and duplex units and multiplex buildings. ³ Percentage of lot. Counts toward Min. Landscape Surface Area. Detached single family and duplex developments with 9 or less units exempt.			

- I. **Housing Palette.** The following housing types identified in Division 2-1-8, Housing Palette, are allowed in the R13 zoning district:
1. Single-Family Detached: Small Urban; Urban; Small General; General; Small Suburban
 2. Zero Lot Line: Small General; General
 3. Duplexes: Side-By-Side; Over-Under
 4. Townhomes: Suburban; Urban
 5. Multiplexes
 6. Multifamily: General
 7. Clustered Housing: Micro; Cottages Types.
- J. **Cross-References.** The cross-references in Table 2-1-3-5B, Cross-References for Residential 13, are provided for the reader's convenience and are not necessarily exhaustive of applicable regulations.

Table 2-1-3-5B: Cross-References for Residential 13	
Topic	Reference
Max. No. of Principal Building	Section 2-1-9-1, One Principal Building per Lot
Land Use Regulations	Division 3-1-2, Land Use by Zoning District
Business Use of the Home	Division 3-1-5, Business Use of the Home
Parking	Article 4-5, Parking and Loading
Landscaping	Article 4-6, Landscaping and Buffering
Fences and Walls	Section 4-7-2-1, Fences and Divisional Walls; and Section 4-7-2-2, Retaining Walls
Exterior Lighting	Article 4-8, Exterior Lighting
Building Design Standards	Division 5-1-2, Building and Structure Design Standards; and

Table 2-1-3-5B: Cross-References for Residential 13	
Topic	Reference
	Section 5-1-4-1, Decks, Balconies, and Porches
Mini-Structures (e.g., Playground Equipment)	Section 5-1-4-3, Mini-Structures
Accessory Dwelling Units	Section 5-1-5-2, Accessory Dwelling Units
Accessory Buildings	Section 5-1-5-3, Accessory Buildings
Satellite Dishes, Antennas, and Amateur Radio	Section 5-1-5-4, Satellite Dishes and Antennas; Amateur Radio Antennas
Renewable Energy Systems (e.g., Solar Panels)	Section 5-1-4-4, Renewable Energy Systems
Accessory Buildings (Non-Residential and Multifamily)	Section 5-1-6-1.E, Number of Accessory Buildings or Free-Standing Accessory Structures

2-1-3-6 R24: Residential 24

- A. **Purpose.** The purpose of the Residential 24 (R24) zoning district is to allow for new residential development of a variety of moderate to higher density housing products, up to a gross density of 24 units per acre.
- B. **Relationship to the Comprehensive Plan.** The R24 zoning district generally implements the “High Density Residential” land use category stated in the Comprehensive Plan.
- C. **Lot and Building Standards.** The standards for lots and buildings in the R24 zoning district are set out in Table 2-1-3-6A, Residential 24 Lot and Building Standards and Division 2-1-8, Housing Palette.

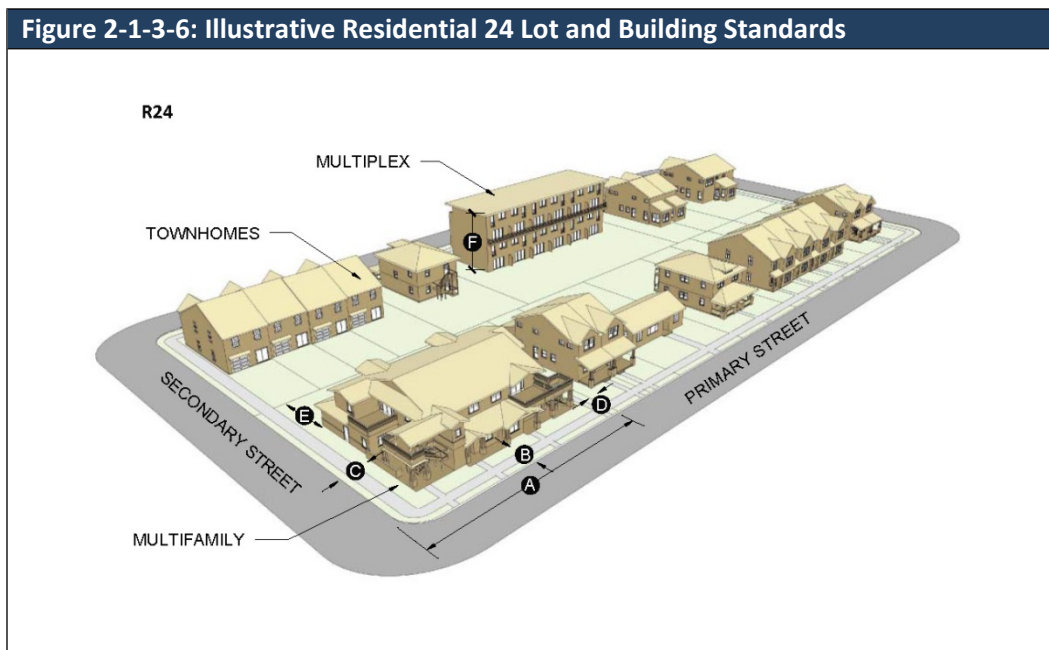


Table 2-1-3-6A: Residential 24 Lot and Building Standards			
Standard		Lot Type	
		Residential	Nonresidential
Lot Standards			
	Min. Lot Area	See Subsection D., below, and Division 2-1-8, Housing Palette	10,000 sf.
A	Min. Lot Width		100 ft.
	Max. Lot Coverage		40%
Building and Parking Siting Standards			
B	Min. Front	See Subsection D., below, and Division 2-1-8, Housing Palette	20 ft.
C	Min. Street Side		20 ft.
D	Min. Interior Side		10 ft.
E	Min. Rear		15 ft.
	Min. Arterial Setback ¹	100 ft.	-
	Min. Parking Setback	20 ft. ²	20 ft.
Building Standards			
F	Max. Height, Principal Building	35 ft.	35 ft.
	Max. Height, ADU (detached)	30 ft.	-
	Max. Height, Accessory Building	18 ft.	18 ft.
	Max. Height, Mini-structure	12 ft.	12 ft.
Site Standards			
	Min. Landscape Surface Area	20%	30%
	Min. Landscape Surface Area, Amenitized³	5%	-
Density Standards			
	Max. Density	24 u/a	-
TABLE NOTES:			
¹ Measured from the centerline of the arterial. See Section 2-1-9-2, Arterial Street Setbacks.			
² Except for driveways associated with single family and duplex units and multiplex buildings.			
³ Percentage of lot. Counts toward Min. Landscape Surface Area. Detached single family and duplex developments with 9 or less units exempt.			

A.D. Housing Palette. The following housing types identified in Division 2-1-8, Housing Palette, are allowed in the R24 zoning district:

1. Single-Family Detached: Small Urban; Urban; Small General; General; Small Suburban
2. Zero Lot Line: Small General; General
3. Duplexes: Side-By-Side; Over-Under
4. Townhomes: Suburban; Urban
5. Multiplexes
6. Multifamily: General; Urban
7. Clustered Housing; Micro Homes; Cottages Types.

B.E. Cross-References. The cross-references in Table 2-1-3-6B, Cross-References for Residential 24, are provided for the reader's convenience and are not necessarily exhaustive of applicable regulations.

Table 2-1-3-6B: Cross-References for Residential 24	
Topic	Reference
Max. No. of Principal Building	Section 2-1-9-1, One Principal Building per Lot
Land Use Regulations	Division 3-1-2, Land Use by Zoning District
Business Use of the Home	Division 3-1-5, Business Use of the Home
Parking	Article 4-5, Parking and Loading
Landscaping	Article 4-6, Landscaping and Buffering
Fences and Walls	Section 4-7-2-1, Fences and Divisional Walls; and Section 4-7-2-2, Retaining Walls
Exterior Lighting	Article 4-8, Exterior Lighting
Building Design Standards	Division 5-1-2, Building and Structure Design Standards; and Section 5-1-4-1, Decks, Balconies, and Porches
Mini-Structures (e.g., Playground Equipment)	Section 5-1-4-3, Mini-Structures
Accessory Dwelling Units	Section 5-1-5-2, Accessory Dwelling Units
Accessory Buildings	Section 5-1-5-3, Accessory Buildings
Satellite Dishes, Antennas, and Amateur Radio	Section 5-1-5-4, Satellite Dishes and Antennas; Amateur Radio Antennas
Renewable Energy Systems (e.g., Solar Panels)	Section 5-1-4-4, Renewable Energy Systems
Accessory Buildings (Non- Residential and Multifamily)	Section 5-1-6-1.E, Number of Accessory Buildings or Free- Standing Accessory Structures

Table 2-1-4-1A: Mixed-Use, Neighborhood Lot and Building Standards			
Standard		Lot Type	
		Residential <u>or</u> <u>Mixed-Use that</u> <u>includes Residential</u>	Nonresidential <u>or</u> <u>Non-Residential</u> <u>Mixed-Use</u>
Lot Standards			
	Min. Lot Area	See Subsection D., below, and Division 2-1-8, Housing Palette	6,500 sf.
A	Min. Lot Width		60 ft.
	Max. Lot Coverage	70%	70%
Building and Parking Siting Standards			
B	Frontage Zone (min./max.)	For min. refer to Division 2-1-8, Housing Palette / 25 ft.	5 ft. / 25 ft.
	Min. Front Build-to-building <u>Building-Façade</u> <u>width</u> within Frontage Zone	50%	50%
C	Street Side Setback (min. / max.)	See Subsection D., below, and Division 2-1-8, Housing Palette	10 ft. / -
D	Min. Interior Side Setback		5 ft.
E	Min. Rear Setback, without alley		10 ft.
	Min. Rear Setback, with alley		2 ft. ²
F	Min. Front Parking Setback	15 ft. ³	15 ft.

Table 2-1-4-1A: Mixed-Use, Neighborhood Lot and Building Standards			
Standard		Lot Type	
		Residential <u>or</u> <u>Mixed-Use that</u> <u>includes Residential</u>	Nonresidential <u>or</u> <u>Non-Residential</u> <u>Mixed-Use</u>
	Min. Arterial Street	See Section 2-1-9-2, Arterial Street Setbacks	-
Building Standards			
G	Max. Height, Principal Building	35 ft.	35 ft.
	Max. Height, ADU (detached)	30 ft.	-
	Max. Height, Accessory Building	18 ft.	-
	Max. Height, Mini-structure	12 ft.	12 ft.
Site Standards			
	Min. Landscape Surface Area ¹	15%	20%
	Min. Landscape Surface Area, Amenitized^{1,4}	5%	-
Density Standards			
	Max. Density	None	
Height Transition Zone			
	Min. Height Transition Zone Depth abutting RA and RN districts	See Section 2-1-10-3, Height Transition to RA and RN Zoning Districts.	

TABLE NOTES:

¹ For the development parcel.

² ~~For driveway access must be 18 ft. The rear setback for alley-loaded garages shall be no less than 2 ft. and no more than 4 ft. or a minimum of 18 ft., at the Applicant’s discretion.~~

³ Except for driveways associated with single family and duplex units and multiplex buildings.

⁴ [Percentage of lot. Counts toward Min. Landscape Surface Area. Detached single family and duplex developments with 9 or less units exempt.](#)

Table 2-1-4-2A: Mixed-Use, Suburban Lot and Building Standards			
Standard		Lot Type	
		Residential or Mixed-Use that Includes Residential	Nonresidential or Non-Residential Mixed-Use
Lot Standards			
	Min. Lot Area	See Subsection D., below, and Division 2-1-8, Housing Palette	-
A	Min. Lot Width		-
	Max. Lot Coverage ¹	60%	60%
Building and Parking Siting Standards			
B	Frontage Zone (min. / max.)	For min. refer to Division 2-1-8, Housing Palette / 35 ft.	10 ft. / 35 ft.

	Min. Front Build <u>to Widening Façade</u> within Frontage Zone	20%	20%
C	Min. Street Side Setback (min. / max.)	See Subsection D., below, and Division 2-1-8, Housing Palette	10 ft. / 35 ft.
D	Min. Interior Side Setback		10 ft.
E	Min. Rear Setback		20 ft.
F	Min. Parking Setback (front)		20 ft. ²
	Min. Arterial Setback	See Section 2-1-9-2, Arterial Street Setbacks	None
Building Standards			
G	Max. Height	45 ft.	45 ft.
	Max. Height, ADU (detached)	30 ft.	
	Max. Height, Accessory Building	18 ft.	
	Max. Height, Mini-structure	12 ft.	12 ft.
		-	
Site Standards			
	Min. Landscape Surface Area	25%	25%
	Max. Outdoor Display	-	5% of enclosed retail floor area
	Min. Area for Small Urban Parks (Lot Area less than 1 ac.) ^{1,3}	2,500 sf.	
	Min. Area for Small Urban Parks (Lot Area 1 ac. or more) ^{1,3}	10 percent of the net parcel area	5,000 sf. or 5 percent of the net parcel area, whichever is greater
Density Standards			
	Max. Density	None	
Height Transition Zone			
	Min. Height Transition Zone Depth abutting RA and RN districts	See Section 2-1-10-3, Height Transition to RA and RN Zoning Districts.	See Section 2-1-10-3, Height Transition to RA and RN Zoning Districts.
TABLE NOTES:			
¹ For the development parcel.			
² Except for driveways associated with single family and duplex units and multiplex buildings.			
³ In addition to principal buildings, Small Urban Parks may count toward the Front Building Facade within Frontage Zone requirement.			

Table 2-1-4-3A: Mixed-Use, Urban Lot and Building Standards			
Standard		Lot Type	
		Residential or Mixed-Use that includes Residential	Nonresidential or Non-Residential Mixed-Use
Lot Standards			
	Min. Lot Area	See Subsection E., below, and Division 2-1-8, Housing	None
A	Min. Lot Width		None

		Palette	
	Max. Lot Coverage ¹	75%	75%
Building and Parking Siting Standards			
B	Frontage Zone (min. / max.)	For min. refer to Division 2-1-8, Housing Palette/20 ft.	0 ft. / 20 ft.
	Min. Front Build <u>to Widthing Façade</u> within Frontage Zone	35%	35%
C	Min. Street Side Setback (min. / max.)	See Subsection E., below, and Division 2-1-8, Housing Palette	0 ft. / 20 ft.
D	Min. Interior Side Setback		0 ft.
E	Min. Rear Setback		0 ft.
F	Min. Parking Setback (front)		20 ft. ²
	Min. Arterial Setback	See Section 2-1-9-2, Arterial Street Setbacks	—
Building Standards			
G	Max. Height, Principal Building	as identified on the Official Zoning Map	as identified on the Official Zoning Map
	Max. Height, ADU (detached)	30 ft.	
	Max. Height, Accessory Building	18 ft.	
	Max. Height, Mini-structure	12 ft.	12 ft.
Site Standards			
	Min. Landscape Surface Area	15%	15%
	Max. Outdoor Display	-	5% of enclosed retail floor area
	Min. Area for Small Urban Parks (Lot Area less than 1 ac.) ^{1, 3}	2,500 sf.	
	Min. Area for Small Urban Parks (Lot Area 1 ac. or more) ^{1,3}	10 percent of the net parcel area	5,000 sf. or 5 percent of the net parcel area, whichever is greater
Subdivision Standards			
	Max. Density	None	
Height Transition Zone			
	Min. Height Transition Zone Depth abutting RA and RN districts	See Section 2-1-10-3, Height Transition to RA and RN Zoning Districts.	
TABLE NOTES:			
¹ For the development parcel.			
² Except for driveways associated with single family and duplex units and multiplex buildings.			
³ In addition to principal buildings, Small Urban Parks count toward the Front Building Façade within Frontage Zone requirements.			

Table 2-1-4-4A: Mixed-Use, Transit Lot and Building Standards			
Standard		Lot Type	
		Residential or Mixed-Use that includes Residential	Nonresidential or Non-Residential Mixed Use
Lot Standards			
	Min. Lot Area	See Subsection E.,	None
A	Min. Lot Width	below, and Division 2-	None

Table 2-1-4-4A: Mixed-Use, Transit Lot and Building Standards			
Standard		Lot Type	
		Residential or Mixed-Use that includes Residential	Nonresidential or Non-Residential Mixed Use
		1-8, Housing Palette	
	Max. Lot Coverage	80%	80%
Building and Parking Siting Standards			
B	Frontage Zone (min. / max.)	For min. refer to Division 2-1-8, Housing Palette / 20 ft.	0 ft. / 20 ft.
	Min. Front Building Façade to width within Frontage Zone	60%	60%
C	Street Side Setback (min. / max.)	See Subsection E., below, and Division 2-1-8, Housing Palette	0 ft. / 20 ft.
D	Min. Interior Side Setback		0 ft.
E	Min. Rear Setback		0 ft.
F	Min. Parking Setback (front)	20 ft. ⁶	20 ft.
	Min. Arterial Setback	See Section 2-1-9-2, Arterial Street Setbacks	—
Building Standards			
	Min. Height ²	<u>1 story</u>	1 story ²
G	Max. Height	As identified on the Official Zoning Map	As identified on the Official Zoning Map
	Max. Height, Accessory Building	18 ft.	
	Max. Height, Mini-structure	12 ft.	12 ft.
	Min. Ground Floor Height ⁴	13 ft. 6 in.	13 ft. 6 in. ³
Site Standards			
	Min. Landscape Surface Area ⁴	10%	10%
	Max. Outdoor Display	-	5% of enclosed retail floor area
	Min. Area for Small Urban Parks (Lot Area less than 1 ac.) ^{1,5}	2,000 sf.	2,000 sf.
	Min. Area for Small Urban Parks (Lot Area 1 ac. or more) ^{1,5}	8 percent of the net parcel land area	3,000 sf. or 4 percent of the net parcel land area, whichever is greater
Subdivision Standards			
	Max. Density	None	
Height Transition Zone			
	Min. Height Transition Zone Depth abutting RA and RN districts	See Section 2-1-10-3, Height Transition to RA and RN Zoning Districts.	
TABLE NOTES:			
¹ For the development parcel.			
² See Section 5-1-3-1, Pedestrian Priority Streets, for minimum height requirement.			
³ For areas required by Section 5-1-3-1, Pedestrian Priority Streets.			
⁴ Rooftop and upper level deck amenities (except individual private balconies) may be counted towards the landscape surface ratio requirement.			
⁵ In addition to principal buildings, small urban parks count toward the Front Building Façade within Frontage Zone requirements.			
⁶ Parking is not allowed in the frontage zone.			

Table 2-1-5-4D: Mixed-Use Building Type Placement and Building Width

Standard		Context	Unit	Sub-District of OT Zoning District						
				E	EY	GV	OW	RN ¹	RR	W
A	Frontage Zone (min / max)	Generally, except as specified below	ft.	0 / 15	0 / 15	0 / 15	0 / 15	0 / 15	0 / 15	0/15
	Frontage Zone (min / max)	Ralston Road frontage	ft.	10 / 25	10 / 25	-	10 / 25	10 / 25	10 / 25	10 / 25
	Frontage Zone (min / max)	Robinson Way or Yukon Street frontage	ft.	10 / 25	10 / 25	-	10 / 25	10 / 25	10 / 25	-
	Frontage Zone (min / max)	Mcllvoy Park frontage	ft.	10 / 20	10 / 20	10 / 20	10 / 20	10 / 20	10 / 20	10/20
	Frontage Zone (min / max)	Olde Town Plaza frontage	ft.	-	-	-	0/20	-	-	0 / 20
B	Build-to (min)	Building Façade at Front Setback Line	% ²	75	85	85	75	75	75	85
B	Total Building Width (max)	Generally, except as specified below	ft.	150	180	60 <u>80</u>	60 <u>80</u>	180	120	180
B	Total Building Width (max)	Wadsworth Bypass frontage	ft.	240	-	-	-	-	240	-
B	Total Building Width (max)	Mcllvoy Park frontage ³	ft.	120	-	35	-	-	-	120

TABLE NOTES:¹ The Mixed-Use building form is allowed in this subdistrict only as provided in Section 2-1-5-2, Building Types.² Percent of lot width. See Section 2-1-5-3, Generally Applicable Lot and Building Standards.³ Applies where property is directly adjacent to or across the street from Mcllvoy Park.**Table 2-1-6-1A: Commercial, General Lot and Building Standards**

Standard		All Lot Types
Lot Standards		
	Min. Lot Area	5,000 sf.
A	Min. Lot Width	50 ft.
	Max. Lot Coverage	35%
Setback Standards		
B	Min. Front	20 ft.
C	Min. Street Side	20 ft.
D	Min. Interior Side	10 ft.
E	Min. Rear	20 ft.
	Min. Front Parking	20 ft.
Building Standards		
F	Max. Height, Principal Building	45 ft.
	Max. Height, Accessory Building	18 ft.
	Max. Height, Mini-structure	12 ft.
Site Standards		
	Min. Landscape Surface Area	20%
	Max. Outdoor Display	5% of enclosed retail floor area
	Max. Outdoor Storage	5% <u>of lot area</u>
Height Transition Zone		
	Min. Height Transition Zone Depth abutting RA and RN districts	See Section 2-1-10-3, Height Transition to RA and RN Zoning Districts.

Table 2-1-6-2A: Industrial, Light Lot and Building Standards		
Standard		All Lot Types
Lot Standards		
	Min. Lot Area	None
	Min. Lot Width	None
	Max. Lot Coverage	50%
Setback Standards		
A	Min. Front	20 ft.
B	Min. Street Side	20 ft.
C	Min. Interior Side	5 ft. ¹
D	Min. Rear Setback	5 ft. ¹
	Min. Front Parking	20 ft.
Building Standards		
E	Max. Height, Buildings	40 ft.
	Max. Height, Mini-structures	12 ft.
Site Standards		
	Min. Landscape Surface Area	15%
	Max. Outdoor Display	10% of enclosed retail floor area
	Max. Outdoor Storage of Lot Area	35% <u>of lot area</u>
TABLE NOTES:		
¹ Side and rear setbacks shall be 20 ft. where adjacent to a single-family detached use in unincorporated Jefferson County.		

Table 2-1-6-3A: Industrial, General Lot and Building Standards		
Standard		All Lot Types
Lot Standards		
	Min. Lot Area	None
	Min. Lot Width	None
	Max. Lot Coverage	60%
Setback Standards		
A	Min. Front	20 ft.
B	Min. Street Side	10 ft.
C	Min. Interior Side	10 ft. ¹
D	Min. Rear	10 ft. ¹
	Min. Front Parking	10 ft.
Building Standards		
E	Max. Height, Buildings	45 ft.
	Max. Height, Mini-structures	12 ft.
Site Standards		
	Min. Landscape Surface Area	10%
	Max. Outdoor Display	90% of enclosed retail floor area
	Max. Outdoor Storage	90% <u>of lot area</u>
TABLE NOTES:		
¹ Side and rear setbacks shall be 20 ft. where adjacent to a single-family detached use in unincorporated Jefferson County.		

Table 2-1-8-7: Townhome Building Standards

Lot Type	Vehicular Access	Minimum						Maximum		
		Unit Width	Street Setback	Alley Garage Setback	Non-street Frontage Perimeter Setback	Building Separation, side to side	Building Separation, all others	Units Per Building	Building Coverage	Height
Suburban	Alley or Parking Court	20 ft.	15 ft. ¹	2 ft. ²	15 ft.	10 ft.	30 ft. ³	8	100%	35 ft.
	Street	28 ft.	18 ft.	-	15 ft.	10 ft.	30 ft. ³	8	100%	35 ft.
Urban	Alley or Parking Court	16 ft.	10 ft. ¹	2 ft. ²	10 ft. ⁴	10 ft.	20 ft.	10	100%	35 ft.

TABLE NOTES:¹ Where garage access is directly from a side street, the minimum garage setback shall be 18 ft.² The rear setback for alley-loaded garages shall be no less than 2 ft. and no more than 4 ft. or a minimum of 18 ft., at the Applicants discretion.³ Building separation can be reduced to 20 feet if buildings are one or two stories.⁴ If **more than** one-half of the units in a townhome building are adjacent to a non-street frontage perimeter, then the minimum setback shall be 15 feet.**Table 2-1-10-1: Permitted Encroachments into Required Setbacks**

Structure or Feature	Permitted Locations in Setbacks
Single-story covered front porches	Permitted to extend outward from the building 8 feet into a front setback, but no closer than 12 feet to the front property line. This encroachment shall only apply to the front setback, not the street side setback. ¹
All other covered porches, decks, terraces, and patios and are not enclosed Covered stairs that provide below grade access to a building	Permitted to extend outward from the building 8 feet into a rear setback, but no closer than 8 feet from the rear property line. Permitted to extend outward from the building 4 feet into a side setback, but no closer than 3 feet from the side property line. ¹
Uncovered porches, decks, patios, concrete slabs, and other flatwork, provided that such items are no more than 30 inches in height above grade	Permitted anywhere in setbacks. ¹
Uncovered balconies, decks, and outside stairs of any height more than 30 inches above grade	Permitted to extend outward from building 6 feet into a front or rear setback, but no closer than 12 feet to the front property line and 8 feet to the rear property line. Permitted to extend outward from the building 4 feet into a side setback, but no closer than 3 feet from the property line. ¹
Bay windows, window sills, eaves, cantilevers, cornices, fireplace chimneys, roof overhangs, and architectural and ornamental features	Permitted to extend outward from building up to 2 feet into any setback. ¹
Clotheslines and clothesline poles	Permitted in rear or side setback only, but not closer than 18 inches from any side or rear property line. ¹
Driveways	Permitted anywhere in setbacks.

Table 2-1-10-1: Permitted Encroachments into Required Setbacks	
Structure or Feature	Permitted Locations in Setbacks
Trash containers	Permitted in side and rear setbacks when not adjacent to residential use. Not permitted in the OT and MX districts frontage zone.
Fences and walls	See Article 4-7, Fences and Divisional Walls.
Flagpoles, lighting poles, and other poles not otherwise covered in this table	Permitted in any setback, provided that the height of any such pole, except for flagpoles, shall not exceed the distance from the base of the pole to the nearest property line. Flag poles are subject to the height and setback restrictions set forth in Section 6-1-2-3. Amateur radio antennas shall not be located in a front setback.
One accessory building not larger than 600 square feet or an attached garage addition provided that the garage addition will not result in more than a cumulative total of 600 square feet of attached garage The encroachment shall apply to the accessory building, or an attached garage addition, but does not apply to both	Permitted in any side or rear setback in the RN zoning district only, but not closer than 5 feet from any side or rear property line.
Landscaping, including trees, shrubs, flowers, hedges, and other features	Permitted anywhere in setbacks, subject to city standards governing sight distances. See Section 4-4-3-4 Intersection Visibility.
Little Library	If no more than 3 square feet and 5'5 feet high, may encroach into front setback but not closer than one-foot from the front property line or public sidewalk, whichever is closer.
Mini-structures	See Section 5-1-4-3, Mini Structures.
Mobility access ramps and lifts for existing single-family detached dwelling units, duplex, and townhomes	Allowed as necessary upon written request to the Director.
Signs	See Chapter 6, Signs.
Swimming pools	See Section 5-1-4-2 Swimming Pools, Hot Tubs, and Spas.
Air conditioning units	Permitted in side and rear setbacks but not in a front setback.
Counterforts	Permitted in any setback provided it does not encroach more than 5 feet into a front or rear setback and 3 feet into the side setback.
Window wells	Permitted in any side setback provided it does not exceed 15 square feet and does not encroach more than 3 feet into the side lot setback easement.
Window awnings	Permitted in any setback, but not closer than 10 feet from the rear property line or 18 inches from a side property line.
Wireless Communications Facilities	See Chapter 7, Wireless Communications Facilities.
TABLE NOTES: ¹ The maximum encroachment noted is measured from the building wall, or in the case of pergolas, carports, or other structures without walls, the maximum encroachment is measured from the vertical structural element such as a post.	

Table 3-1-2-5: Commercial Land Use by Zoning District

Land Use	Open Space and Residential						Mixed-Use				Olde Town							Commercial and Industrial			Reference
	OS	RA	RN	R6	R13	R24	MX-N	MX-S	MX-U	MX-T	OT-E	OT-EY	OT-GV	OT-OW	OT-RN	OT-RR	OT-W	CG	IL	IG	
Animal Day Care / Training		C					L	L	L	L								L	L		3-1-3-5
Animal Hospital (Large Animal)		A																			-
Art Studio / Makerspace		A					A	A	A	A	L	L	L	L	L	L	L	A	A	A	3-1-3-5
Auction House or Yard																			L	L	3-1-3-5
Continuing Care Facility					A	A	A	A	A	A	A	A	A			A	A	C			
Kennel		C																	L	A	3-1-3-5
Office, General or Professional							A	A	A	A	A	A	A	A	A	A	A	A	A	A	-
Retail Sales and Services Type 1 ¹							L	L	L	L	L	L	L	L	L	L	L	L	L		3-1-3-5
Retail Sales and Services Type 2 ¹								L	L	L								L	L		3-1-3-5
Veterinary Offices or Clinics		C					L	L	L	L	L	L	L			L	L	L	L		3-1-3-5
Workshop							A	A	A	A								A	A	A	3-1-3-5

TABLE NOTES:
¹ All drive-through facilities are subject to the standards in Section 5-1-6-2, Drive-Through Facilities, which may prohibit a drive-through in certain locations.

3-1-3-5 Commercial Standards

A. Animal Day Care / Training.

1. In the MX and CG zoning districts, the use shall be located entirely indoors.
2. In the IL zoning district, if the use is located within 300 feet of a residential zoning district, no outdoor activities related to the use shall occur between the hours of 9:00 PM and 7:00 AM.

B. Art Studio / Makerspace.

Such use shall not exceed 5,000 square feet unless located within a vertically mixed-use building.

C. Auction House.

All business activities shall be conducted within an entirely enclosed building.

D. Kennel.

1. In the RA and IL zoning districts, a kennel facility shall be subject to the following:
 - ~~1.a.~~ Outdoor facilities, including outdoor runs, shall not be located within 150 feet of any adjacent residential zoning district.
 - ~~2.b.~~ If the use is located within 300 feet of residentially zoned property, no outdoor activities related to the use shall occur on the subject property between the hours of 9:00 PM and 7:00 AM.
 - ~~3.c.~~ The parts of a building where animals are boarded shall be fully enclosed and shall be sufficiently insulated so no unreasonable noise or odor can be detected off premises.
 - d. All kennels shall be licensed by the City of Arvada pursuant to Article VIII, "Kennel License," of Chapter 14 of the Arvada Code of Ordinances.

4.2. A residence for a caretaker is allowed, subject to the requirements of Section 5-1-6-7, Custodial Unit.

E. **Retail Sales and Services, Type 1.**

1. **Retail Sales Uses – General.**

Retail sales uses must take place within a completely enclosed building, except that accessory outdoor display of merchandise, and accessory outdoor customer seating/dining areas are permitted, subject to the following standards:

- a. Outdoor display areas must comply with the minimum street setback requirements of the subject zoning district.
- b. Outdoor display areas may not occupy or use required parking space or drive aisle unless approved by the Director.
- c. Outdoor seasonal temporary sales display requires a temporary use permit.

F. **Retail Sales and Services, Type 2.**

1. **Convenience Lending Operations.**

All convenience lending operations except national banks and those operating as of the effective date of this Code shall comply with the following locational restrictions and standards:

- a. It shall be unlawful to operate or cause to be operated a convenience lending operation within 2,500 feet of another convenience lending operation.
- b. It shall be unlawful to operate or cause to be operated a convenience lending operation within 300 feet of any residentially-zoned property.
- c. The distance between any two such operations shall be measured in a straight line, without regard to intervening structures or objects, from the closest exterior wall of the structure in which each such operation is located, and the distance between a convenience lending operation and a residentially-zoned property shall be measured in a straight line, without regard to intervening structures or objects, from the closest exterior wall of the structure in which the operation is located to the nearest property line of the residentially-zoned property, excluding public street rights of way.

2. **Used Merchandise Stores and Donation Centers (retail, used - primarily donated; retail, used - primarily non-donated; used merchandise donation center).**

- a. Used merchandise stores that accept donated goods on the premises and used merchandise donation centers shall:
 - i. Coordinate delivery and acceptance of donations, during business hours only, either inside the store or center, or outside the store or center as long as donations are moved inside immediately after drop-off;
 - ii. Sort and store donations only inside the store or center;
 - iii. Patrol the store or center premises as the need arises to remove any donations left outside after hours; and
 - iv. Remove donations left outside of the store or center after business hours no later than 7:00 AM the next morning.
- b. A used merchandise store shall devote more than 50% of its floor area to retail sales.
- c. The arrangement of activities inside a used merchandise store shall be such to preserve a retail character when it is viewed from the outside. Where the building façade

includes windows or doors, the areas within the building visible through these openings shall be used for retail sales only.

- d. Used merchandise donation centers shall be limited to a maximum gross floor area of 2,500 square feet and a maximum tenant width of 25 feet.
- e. Donation boxes, trailers, containers, or other structures intended and utilized as an exterior, stand-alone receptacle or depository for the donation of goods are prohibited.
 - i. Based upon the generally mobile, temporary, impermanent, and accessory nature thereof, and notwithstanding the provisions of Chapter 9, Nonconformities of this Code, any such box, trailer, container, or structure, or use of such box, trailer, container, or structure, legally established prior to May 12, 2011 shall be permitted to continue in place, but such use, and the lawful status of such structure and use, shall terminate upon the occurrence of any of the following:
 - a. Any change in tenancy, ownership, or management of the structure or user thereof;
 - b. Any cessation of such use, or absence of such structure from the premises, for a period of 30 days or more;
 - c. Any damage or destruction of the structure, by any means, to the extent of more than 50 percent of its structural replacement value prior to such damage or destruction;
 - d. Any enlargement or expansion of such structure or use;
 - e. Any alteration (beyond that necessary for routine maintenance and repair) or relocation of the structure on the premises, other than that which, in the sole discretion of the Director, is determined appropriate; or
 - f. A failure to register the structure or use within the allotted time period, as provided in below.
3. The owner of any such box, trailer, container, or structure legally established prior to May 12, 2011, and the user thereof (if different than the owner), must have registered such structure or use with the Director prior to December 30, 2011.

G. Veterinary Office or Clinic.

1. All veterinary offices or clinics shall be subject to the following requirements:
 - a. All facilities, including all treatment rooms, cages, pens, training rooms, and exercise runs, shall be within a completely enclosed, soundproof building.
 - b. Short-term overnight boarding associated with the medical treatment and post-operative care of animals shall be allowed, provided such boarding is contained within a completely enclosed building.

H. Workshop.

1. The use shall not exceed 5,000 square feet unless located within a vertically mixed-use building.

3-1-3-7 Industrial, Processing, Recycling, Storage, and Disposal Standards

A. Brewery / Winery / Distillery.

1. In the MX-S zoning districts warehousing is prohibited.

B. Heavy Logistic Center Industry

1. All buildings shall be a minimum of 300 feet from any residential district.
2. Landscaping and barriers shall be provided and located such that no part of parked vehicles will extend beyond the yard space or into the setback space from a lot line abutting a residential lot or separated therefrom by a street.
3. An Option B landscape bufferyard, per Section 4-6-5-3, Bufferyard Options, is required between the use and adjoining right-of-way.
4. Barriers shall be provided and located such that no part of parked vehicles will extend beyond the yard space or into the setback space from a lot line abutting a residential lot or separated therefrom by a street.

C. Light Industry.

1. Bakery.

- a. In the IL and IG zoning districts, no more than 50 percent of the gross floor area of a bakery shall be devoted to retail sales.

2. Manufacturing, Light Trade and Technical Uses.

- a. In the IL and IG zoning districts, the following shall apply:
 - i. Loading and unloading of shipments shall be permitted.
 - ii. The land uses inside the building shall preserve a commercial, retail or office character viewed from the outside.
 - iii. All industry, manufacturing and production uses shall utilize the best industry standard, maintenance, and control available to maintain the lowest possible measurement of emission of odorous gases.
- b. In the MX-N, MX-S, MX-U, MX-T, and CG zoning districts:
 - i. Primary manufacturing, processing, and fabrication uses shall be completely enclosed within a building.
- c. In the MX-N, MX-S, and MX-U zoning districts:
 - i. If the use is located within 200 feet of a residential district, the use shall not operate between the hours of 9:00 PM and 7:00 AM.

3. Office, General Contractor.

- a. Office uses with storage related to construction shall only be permitted in the IL and IG zoning districts, and the following requirement shall apply:
 - i. Any outdoor storage area shall be screened with an Option C or D landscape buffer, per Section 4-6-5-3, Bufferyard Options.

4. Research, Development, and Testing Laboratories.

- a. In the CG, IL and IG zoning districts:
 - i. Laboratories shall not contain or utilize toxic or explosive materials.
 - ii. All facilities shall be completely enclosed.

5. Warehousing and Distribution.

- a. In the CG and IL zoning districts, retail sales in conjunction with a permitted warehouse establishment may be allowed subject to the following conditions:

- i. All retail sales shall be conducted within the same structure housing the principal warehouse use, and no outdoor retail sales activity shall be allowed.
- ii. Parking for the retail accessory use shall be provided in accordance with the off-street parking standards for retail uses in Section 4-5-2-2, Parking Requirement Tables.

6. Wholesale Establishments.

- a. Wholesale establishments with stock may be permitted in the IG zoning district except for the following:
 - i. Live animals;
 - ii. Commercial explosives;
 - iii. Flammable or combustible liquids are permitted provided their use, dispensing, mixing, and storage complies with all the requirements of the currently adopted edition of the applicable Building Code, Fire Code, Plumbing Code, Mechanical Code, and National Electrical Code and all applicable State and Federal laws;
 - iv. Flammable gases are permitted provided their use, dispensing, mixing, and storage complies with all of the requirements of the currently adopted edition of the applicable Building Code, Fire Code, Mechanical Code, Plumbing Code, and National Electrical Code, and all applicable State and Federal laws.
- b. Retail sales in conjunction with wholesale establishments may be allowed, provided that:
 - i. Not more than 20 percent of floor area or sales volume of any individual user or tenant may be devoted to retail operations. Notwithstanding this 20 percent limitation, furniture and carpet wholesalers may have greater than 20 percent of their floor area or sales volume devoted to retail operations.
 - ii. All retail sales shall be conducted within the same structure housing the principal wholesale use, and no outdoor retail sales activity shall be allowed.
 - iii. Parking for the retail accessory use shall be provided in accordance with the off-street parking standards for retail uses as set forth in Section 4-5-2-2, Parking - Requirement Tables.

D. Recycling Drop-Off (Attended).

- 1. The facility shop shall be located at least 500 feet from a residential zone district. This requirement may be reduced or eliminated by the Director if the Applicant proves that the proposed use, site design, its traffic generation, and other external effects indicates a reduced separation will have no significant effect on the nearby residential zone district.
- 2. The use shall comply with the screening and enclosure requirements of Division 5-1-6-3, Outdoor Storage and Outdoor Retail Display.

E. Resource Extraction (Minerals).

The following applies in all zoning districts:

1. Permitting Requirements.

- a. The Applicant shall be responsible for securing all other permits or approvals required by any other governmental agency that may have jurisdiction over the proposed use.

- b. It shall be unlawful for any person, firm, or other entity to process, crush, blast or similarly treat earth materials on any approved borrow pit site.
- c. In addition to the standards specified in this Section and in Chapter 2, Zoning Districts of this Code, the proposed use shall be evaluated using the applicable standards that the state or federal government use to evaluate a permit request for the specific use. Additionally, all annual or other reports required by another governmental agency shall be simultaneously submitted to the City.

2. **Mining Operations.**

- a. Mining equipment, except for reservoir construction equipment, shall be considered mechanical equipment and, in lieu of the screening standards set forth in Article 4-6, Landscaping and Buffering, such equipment shall be subject to the following requirements:
 - i. All mining equipment and operation areas shall be screened from sight from adjacent properties or right-of-way by the use of berms or by other equivalent means; and
 - ii. All mining equipment shall be located behind building setback lines.
- b. All roadways longer than 100 feet used for ingress and egress from the public roadway to the area of mining operations shall be cleaned and maintained to minimize the fugitive dust which is generated by vehicles.
- c. All mining operations, except for reservoir construction, shall be at least 200 feet from the property line. No open pit mine shall be deeper than 200 feet. No reclaimed open pit mine shall be left deeper than 100 feet.
- d. No finished grade shall exceed slopes of one foot of rise in three feet of horizontal distance. A diverse permanent vegetative cover shall be established on all disturbed areas to achieve erosion control equal to pre-mining levels. The cover shall be predominantly of native species. Disturbed areas shall be kept to a minimum. Reclamation shall commence within one growing season after slopes reach final grade.
- e. Mining, processing, or transporting operations, except for reservoir construction, shall be within the time limits of 7:00 a.m. to 6:00 p.m., with no operations on Sunday. Maintenance operations are not subject to this provision.
- f. The use of explosives is subject to all state and federal standards and restricted to a maximum of five calendar days per year. All blasting shall be conducted in a manner which will not cause a peak particle velocity on any adjacent property which exceeds one-half inch per second. A blast over pressure shall not exceed 130 db peak measured at 6 Hz or lower flat response at the property line.
- g. Quarrying of hard rock aggregate is prohibited.
- h. Sediment caused by accelerated soil erosion shall be removed from runoff water before leaving the site. Runoff shall not be discharged from the site in quantities or at velocities above those occurring before mining.

3. **Exempt Activities.** The following burrowing and hauling of earth material may be done without obtaining a conditional use permit from the City:

- a. Minor projects which have cuts or fills each of which is less than five feet in vertical depth at its deepest point measured from the existing ground surface, which include the following:

- i. Less than 50 cubic yards of earth material; or
 - ii. The removal of less than 10,000 square feet of vegetation.
- b. Minimum excavation required in connection with a building or other structure authorized by a valid building permit.
- c. Grading work being done pursuant to an approved grading plan in conjunction with an approved recorded plat, development plan or over lot grading plan being done on the same property.
- d. Trenching incidental to the construction and installation of approved underground pipeline, septic tank, disposal lines, electrical or communication facilities, and drilling or excavation for approved wells or fence posts.
- e. Grading or excavation in accordance with plans incorporated in an approved conditional use permit.
- f. Maintenance and cleaning of ditches, lakes, ponds, and water storage reservoirs.

F. Resource Extraction (Oil and Gas).

- 1. Reserved.

G. Salvage Yard.

- 1. The following applies:
 - a. Salvage yards shall not be located on property adjacent to any of the following streets:
 - i. 52nd Avenue;
 - ii. 60th Avenue;
 - iii. Lamar Street; and
 - iv. Sheridan Boulevard.
 - b. The use shall not be located closer than 25 feet to an adjacent street right-of-way.
 - c. The subject property shall be surrounded by an Option C or D buffer, per Section 4-6-5-3, Bufferyard Options.
 - d. Best management practices for stormwater quality must be implemented and maintained on-site.

H. Self-Storage.

- 1. The following shall apply to all Self-Storage facilities:
 - a. Public access to any storage unit within 150 feet of any residential zoning district or lot containing a residential use in any mixed-use zoning district is not allowed between 10:00 PM and 7:00 AM.
 - b. The use is not allowed at the intersection of two arterial streets.
 - c. Self-storage facilities are subject to the design standards in Section 5-1-2-8, Industrial, Self-Storage, or Distribution.
- 2. In the MX-S and CG zoning districts:
 - a. All storage shall be within a building, and access to individual storage units shall be from interior corridors. Storage units with access from the exterior building may be permitted on non-street frontage facades. No outdoor storage of goods or vehicles is allowed.
 - b. The use shall be located a minimum of 150 feet from any residential zoning district.

3. In the IL and IG zoning districts:
 - a. The use may have multiple buildings with storage units and / or storage units in free-standing buildings.
 - b. Doors to individual storage units shall not be directly accessible from any street frontage.
 - c. Individual storage units shall face the interior of the site. This does not apply to storage units within an enclosed structure.
 - d. A residence for a caretaker is allowed, subject to the requirements of Section 5-1-6-7, Custodial Unit.
4. Operation and Activities.
 - a. The incidental retail sale of products associated with the business (e.g., boxes, moving supplies) is allowed.

I. Storage Yard.

1. In the IG zoning districts:
 - a. The use shall not be located closer than 25 feet to an adjacent street right-of-way.
 - b. No storage or accumulation of waste products, including paint, stain, oils, grease, or other flammable, toxic, or hazardous materials, or stagnant water, shall be permitted as part of any storage yard use if they exceed the currently adopted fire code requirements. Flammable liquids or gases in excess of 1,000 gallons shall be stored underground.
 - c. Suitable containers for rubbish shall be placed on the premises. See Section 5-1-6-5, Trash Collection and Compaction.
 - d. There shall be at least one 24 feet access drive that shall be wide enough to accommodate two vehicles side-by-side.
 - e. No storage yards shall be located closer than 300 feet from any lot line that abuts a residential zoning district or single-family detached residential uses in unincorporated Jefferson County.
 - f. In areas that adjoin a residential use, there is no height limit on the outdoor storage provided that the storage yard is screened from view from the closest point of the adjacent residential structure or right-of-way.
 - g. Permitted hours of operation shall be 7:00 AM to 7:00 PM.
 - h. There shall be no height restriction for machinery, vehicles, and cranes licensed, leased, and/or titled to a business conducted on the property.
 - i. Storage of customer vehicles for a period not to exceed 90 days is exempt from the screening height restrictions.

J. Waste Removal Fleet Storage and Administration.

1. In the IL and IG zoning districts:
 - a. The use shall not be located closer than 25 feet to an adjacent street right-of-way.
 - b. No storage yards shall be located closer than 300 feet from any lot line that abuts a residential zoning district or dwelling unit.
 - c. Permitted hours of operation shall be 7:00 AM to 7:00 PM.

K. Waste Transfer Station.

1. In the IG zoning district:

- a. The use shall not be located within one-half mile of a residential zoning district.
- b. The subject property shall be surrounded by an Option C buffer, per Section 4-6-5-3, Bufferyard Options.

3-1-3-8 Motor Vehicle Use Standards.

A. Fueling / Service Station.

1. Fueling / Service Station Requirements

- a. When permitted:
 - i. The use shall be located within 660 feet of an intersection of arterial streets unless it is associated with a retail use (e.g., a grocery store or warehouse club) that is at least 45,000 square feet in floor area.
 - ii. No more than two service stations or convenience stores with fuel sales may be located within 660 feet of a single Arterial/Arterial intersection. Where more than two service stations or convenience stores exist at the time of the adoption of this Code, they shall be considered an allowed use.
 - iii. Vehicle access to such uses shall be limited to a maximum of one curb cut per street frontage.
 - iv. On-site vehicle access and circulation shall be designed so that adjacent residential uses or properties are not disturbed, either by day or night, by the movement of vehicles or the lights from vehicles.
 - v. Fueling pump canopies shall comply with the requirements of Subsection 5-1-2-3-C-9, Canopies and Port-Cochères.
 - vi. In the MX-S, MX-U and MX-T zoning districts, options for the site design of the fueling / service station are set out in Subsection 4-3-3-4F, Fueling / Service Station Site Design.
 - vii. A service station with a convenience store shall provide adequate space to allow a minimum of three cars to stack in a line for fuel dispensing services without using or obstructing any portion of an adjacent public sidewalk or right-of-way.

2. Minimum Lot Dimensions.

- i. Minimum lot area: 12,000 square feet.
- ii. Minimum lot width (street frontage): 120 feet.
- iii. Limits on Number of Service Bays and Pump Islands. A service station or convenience store with fuel sales may have a maximum two service bays and two pump islands on a 12,000 square foot lot. One service bay or one pump island may be added for each additional 2,000 square feet of lot area, provided that the total number of service bays shall not exceed five per lot and the number of pump islands shall not exceed five per lot.

3. Building and Equipment Setbacks and Buffers.

- iii. Fuel pumps, pump islands, detached canopies, compressed air connections, and similar equipment, shall be set back a minimum of 40 feet from all street rights-of-way and from all property lines abutting a residential zoning district or a parcel containing residential uses.

- iv. When the service station use abuts a residential zoning district, use, or property, an Option C or D buffer shall be required, per Section 4-6-5-3, Bufferyard Options.

4. Service Station with Vehicle Repair.

- a. When permitted:
 - i. Hydraulic hoists, pits, and all lubrications, greasing, automobile washing, or repairing equipment shall be entirely enclosed within a building. When any such building or portion of a building faces, abuts, or is adjacent to residentially zoned property, the closest, adjacent building wall or face shall consist of a solid blank wall with no openings other than those required by applicable building codes.
 - ii. All repair work, vehicle washing, lubrication, and installation of parts and accessories shall be wholly performed within an enclosed building or structure.
 - iii. All vehicle parts, dismantled vehicles, and similar materials, and all discarded materials such as tires, cans, and drums, shall be stored within an enclosed building or totally screened from view by a solid, opaque fence. See Division 4-7-2, Fences and Divisional Walls for acceptable fence/wall materials.
 - iv. All vehicles awaiting repair shall be stored onsite in approved parking spaces and under no circumstances shall such vehicles be stored outside in an inoperable condition or stored on or obstruct access to a public right-of-way.

J. Motor Vehicle Repairs and Service, Heavy.

- 1. When permitted:
 - a. All repair and vehicle storage shall be completely enclosed within a building.
 - b. An Option B buffer, per Section 4-6-5-3, Bufferyard Options, is required between the use and adjoining right-of-way.
 - c. An Option C or D buffer, per Section 4-6-5-3, Bufferyard Options, is required between the use and any adjoining residential zoning district or MX with residential uses.
 - d. Overhead bay doors that face residential zoning districts shall be set back at least 60 feet from the residential zoning district boundary.
 - e. The use shall not operate between 7:00 PM and 7:00 AM if it is located within 300 feet of a residential zoning district, measured from the outside building wall that encloses the use to the zoning district boundary.

K. Motor Vehicle Repairs and Service, Light.

- 1. In the MX-N, MX-S, CG, and IL zoning districts:
 - a. All vehicle repair uses shall be conducted within a completely enclosed building.
 - ~~b.~~
 - ~~b. The use shall not operate between 7:00 PM and 7:00 AM if it is located within 300 feet of a residential zoning district, measured from the outside building wall that encloses the use to the zoning district boundary.~~
 - ~~a.c.~~ An Option C or D landscape buffer, per Section 4-6-5-3, Bufferyard Options is required between the use and any adjoining residential zoning district.
 - ~~e.d.~~ Storage of vehicles on the premises shall not exceed 15 days.
 - ~~d.e.~~ Open storage of wrecked or inoperable cars, discarded tires, auto parts, or similar materials shall be prohibited.
 - ~~e.f.~~ Garage bays shall not face a street.

L. Motor Vehicle Storage.

1. In the IL and IG zoning districts;
 - d. An Option B landscape buffer, per Section 4-6-5-3, Bufferyard Options, is required between the use and adjoining right-of-way.
 - e. An Option C or D landscape buffer, per Section 4-6-5-3, Bufferyard Options, is required between the use and any adjoining residential zoning district.
 - f. The use shall be located behind the principal building, unless the stored motor vehicles are inventory that is for sale or for rent.

M. Motor Vehicle Towing Services.

1. In the IL and IG zoning district:
 - e. An Option C or D landscape buffer, per Section 4-6-5-3, Bufferyard Options, is required between the yard and adjoining right-of-way and any adjoining residential zone district.
 - f. Vehicular ingress-egress shall be limited to one point for each side of property abutting any street.
 - g. All vehicles and activities not within fully enclosed buildings shall be enclosed by a solid fence or wall at least six feet in height, including point of ingress or egress.
 - h. No vehicle repair, maintenance, or body work shall take place.
2. In the IL zoning district:
 - b. The site shall not be more than two acres in size.

N. Motor Vehicle Wash.

1. Motor vehicle wash facilities including automotive detail facilities shall comply with the following conditions:
 - a. **General Requirements.**
 - i. A motor vehicle wash facility is prohibited at the intersection of two arterial streets, unless it is located in a center occupying at least two acres and containing other commercial establishments occupying at least 12,000 square feet gross floor area.
 - ii. The motor vehicle wash facility, including all driveways, entrances and appurtenant structures, must be set back a minimum of 20 feet from any adjacent street. The entire 20-foot setback must be landscaped to provide a buffer from adjacent streets.
 - iii. No motor vehicle wash facility shall be located on a corner lot.
 - b. **Open Bay Motor Vehicle Wash Facility.**
 - i. No new motor vehicle wash facility may be located within one-half mile of any other existing motor vehicle wash facility having two or more car wash bays within the city limits of Arvada.
 - c. **Enclosed Motor Vehicle Wash Facility.**
 - i. All enclosed motor vehicle washing bays must have bay doors. No bay door shall face the adjacent street or an adjacent residential district.
 - ii. All enclosed motor vehicle wash facilities must be self-contained, except those services such as drying, polishing or vacuuming which may be performed outdoors. Exterior vacuums must have the machinery located within the main wash building with only vacuum hoses located outside.

- O. **Parking Lot Surface, Stand-Alone.** Where identified as a conditional use, a stand-alone surface parking lot shall be subject to the following requirements:
 - 1. A stand-alone surface parking lot shall not front an arterial or collector street.
 - 2. The stand-alone surface parking lot shall meet all the landscaping requirements of Article 4-6, Landscaping and Buffering.
 - 2.3. A stand-alone surface parking lot associated with an adjacent primary use shall also comply with the requirements of Section 4-5-3-4, Off-Site Parking.
- P. **Parking Garage, Structured.** Refer to Section 5-1-6-8.
- Q. **Vehicle Equipment Sales or Rentals.**
 - 1. **Vehicle Sales and Rentals.**
 - b. In the MX-S, MX-U, MX-T, CG, and IL zoning districts:
 - i. All vehicles used for sales display or inventory must be stored indoors.
 - ii. An Option C or D landscape buffer, per Section 4-6-5-3, Bufferyard Options, is required between the use and any adjoining residential zoning district.
 - iii. Overhead bay doors that face residential zoning districts shall be set back at least 60 feet from a residential zoning district boundary.
 - c. In the MX-T zoning district, only automobile rentals shall be permitted and only in principal hotel and motel uses with surface parking limited to a maximum number of 10 parking spaces dedicated to the use.
 - 3. **Equipment Sales and Rentals.**
 - a. In the ~~MX-S, MX-U, MX-T~~, CG, and IL zoning districts:
 - i. An Option C or D landscape buffer, per Section 4-6-5-3, Bufferyard Options, is required between the use and any adjoining residential zoning district.
 - ii. Overhead bay doors that face residential zoning districts shall be set back at least 60 feet from the residential zoning district boundary.

3-1-4-5 Food and Retail Truck Vending

- A. **Generally.** Food and retail truck vending is allowed as provided in this Section.
- B. **Where Permitted.**
 - 1. Food and retail truck vending is permitted in the following areas and under the following circumstances:
 - a. On private property as provided in Section 3-1-4-2, Temporary Uses by Zoning District;
 - b. In any park or public space (regardless of zoning district), if approved by the governmental entity exercising ownership or control thereof; and
 - c. In a public street right-of-way (regardless of zoning district), subject to the limitations established in Subsection D.2., below.
 - 2. Notwithstanding any provision herein to the contrary, allowing food and retail truck vending in a park, public space, or public street right-of-way shall be in the sole discretion of the governmental entity exercising ownership or control thereof.
- C. **Permit Required.** Except as otherwise provided herein, no person may engage in activities of food or retail truck vending without first obtaining a City of Arvada business license and a Food Truck Permit for food vendors or a Retail Vending Truck Permit. The approved temporary use

permit shall be permanently displayed to the public in the food handling area of the food truck vending operation or in the retail area of a retail vending truck.

D. **Standards.** The following rules and requirements shall apply to all food and retail truck vending:

1. Hours of Operation. Hours of operation shall be between 6:00 a.m. and 11:00 p.m. unless a different time is specified in the temporary use permit.
2. Location.
 - a. Operations shall not obstruct the visibility of motorists, nor obstruct parking lot circulation or block access to a public street, alley, or sidewalk.
 - b. Operations shall be located at least 50 feet from any residential ~~zoning district~~use or mixed-use ~~zoning districts~~buildings where residential units are on the first floor as measured from the closest point of the food truck to the nearest property line of the residential unit, except as may otherwise be permitted pursuant to subsection B.1.c., where permitted above.
 - c. Food and retail trucks may operate on private property provided they meet the following requirements:
 - i. The operator must obtain prior written permission from the private property owner.
 - ii. The food or retail truck must be parked on a paved surface outside of the public right-of-way.
 - d. Operations are prohibited on public street rights of way, except for the following:
 - i. Food and retail truck vending may be allowed in a public street right-of-way closed to vehicular traffic when a Special Event Permit has been issued for a special event requiring such closure.
3. Refuse.
 - a. Operators shall be responsible for the storage and daily disposal of all trash, refuse, and litter. All areas used for food and retail trucks shall be maintained in a safe and clean condition.
 - b. Operators shall not cause any liquid wastes used in the operation, with the exception of clean ice melt, to be discharged from the vehicle or structure.
 - c. The food and retail trucks shall not be washed on location.
4. Health Department Certificate.
 - a. Operators shall obtain a Health Department Certificate required by the Colorado Department of Public Health and Environment and other state and local agencies to operate a mobile retail food establishment.

3-1-5-3 Short-Term Rentals

- H. **License Required.** Short Term Rental is prohibited within the City unless a license has been duly issued therefore pursuant to this Section 3-1-5-3 and in compliance with the Code, including without limitation, Chapter 98, Article V, Division 2, Lodging License.
- I. **Application.**
 1. An application for a license shall be submitted to the Director and shall be signed by the fee owner of record of the property to be licensed or an individual authorized in writing by the

fee owner of record. All license applications shall be submitted on a form supplied by the Director, which shall include such information as is reasonably necessary for the Director to act on such application, together with an application fee as authorized under Section 74-31 of the Code. The applicant must specify which portions of the Dwelling Unit, Dwelling Unit or Accessory Dwelling Unit, Residential ("ADUR") will constitute the licensed premises available for use by renters.

2. The applicant shall self-certify that the information on the application is accurate and truthful under penalty of perjury under the laws of the State of Colorado. Applicants shall inform the Director in writing of any material change to the information submitted on an application for a license within thirty (30) calendar days of such change.

J. **Term of License and Renewal.** An application fee shall be received by the City prior to issuance of a license. Licenses issued pursuant to this Section shall be valid for a period of one (1) calendar year from the date of issuance. Licenses must be renewed annually. Applications for renewals of a Short Term Rental license are subject to all application, fees, licensing and operation requirements set forth in this Section that apply to new licenses. In the Financial Officer's discretion, after consultation with the Director, the Financial Officer may impose conditions upon a license at the time of renewal to address non-compliance with the terms of the license, the provisions of this Section, or any other applicable provision of federal, state, or local law. Failure to comply with such conditions may result in suspension, revocation, or non-renewal of the license.

K. **License Regulations.**

5. The licensee shall comply with all applicable Code provisions and state and federal law including, but not limited to, Chapter 18, Buildings and Building Regulations, and Chapter 38, Article III, Nuisances, and Chapter 98, Taxation.
6. The licensee shall ensure that renters of a Short Term Rental Unit shall only be allowed access to the portions of the Dwelling, Dwelling Unit or ADUR identified in the license.
7. During the term that a Short Term Rental Unit is occupied by a short-term tenant, the owner and/or the local contact person designated by the owner shall be available twenty-four (24) hours per day, seven (7) days per week, for the purpose of responding within one (1) hour to complaints regarding the condition or operation of the Short Term Rental Unit or the conduct of short term tenants. If the local contact person designated by the owner changes, then the owner shall update the license on file within five (5) business days. For the purposes of this section, "local contact person" means an individual located within thirty (30) miles of the Short Term Rental Unit, during the entire length of the Short Term Rental period, who has access to the licensed premises and is authorized to make decisions regarding the licensed premises.
8. Each Short Term Rental Unit shall provide two brochures to its guests:
 - a. The first brochure shall include the licensee's contact information, the local contact party's contact information, and any necessary emergency contact information. The brochure shall also provide information pertinent to the neighborhood where the Short Term Rental Unit is located including, but not limited to, parking restrictions, trash collection schedule, relevant water restrictions, fire evacuation routes, and any other information, as required by the Director, applicable to the Short Term Rental Unit and the surrounding neighborhood.
 - b. The second brochure will be provided by the city and include relevant local ordinances, rules, and regulations that apply to all residences in the city. The licensee must display

the city's brochure in each Short Term Rental Unit as it is made available and updated by the city.

L. Licensing Requirements.

11. *Number of Short Term Rentals Units per lot.* If a lot contains more than one legal Dwelling, Dwelling Unit or ADUR, only one Dwelling, Dwelling Unit or ADUR on such lot is eligible for licensure as a Short Term Rental Unit.
12. *Permitted structures.* Short Term Rental Units are allowed in primary and accessory structures with finished living space. All structures shall comply with the regulations for primary and accessory structures, including maximum size, height, lot coverage, and setbacks, for the property's zoning district. In the case of a multifamily property, the property owner is allowed one (1) Short Term Rental Unit. In the case of condominiums or buildings held in similar common ownership, each owner shall be limited to one (1) Short Term Rental Unit per property.
13. *Reservations.* Only one Short Term Rental reservation to one party at a time is allowed.
14. *Parking requirements.* One additional on-site parking space shall be required if a portion of a primary structure is used for Short Term Rental.
15. *Safety requirements.* Each Short Term Rental Unit shall be equipped with an operational smoke detector, carbon monoxide detector, and fire extinguisher on the licensed premises. The Director or his or her designee may inspect the Dwelling, Dwelling Unit or ADUR prior to issuance of a license and during the term of any license issued to verify compliance with such requirements, Code provisions and state and federal law. Refusal by the applicant to allow such inspection shall be grounds for denial, non-renewal or revocation of a license.
16. *Occupancy.* The occupancy of a Short Term Rental Unit shall not exceed the total number of unrelated persons that are otherwise permitted to occupy property in the City.
17. *Prohibited uses.* Use of the Short Term Rental Unit for any commercial or large social events or gatherings, such as weddings, is prohibited.
18. *Trash collection.* The owner shall maintain weekly residential trash collection services for the Short Term Rental Unit.
19. *Number of days in use.* The maximum number of days per calendar year that a Short Term Rental may be occupied by guests is 240. ~~By December 31st of each calendar year~~Upon renewal of the license, the Owner shall provide to the City the number of days that the Short Term Rental was occupied by guests during the previous 365 days. The Owner shall certify that the number reported is accurate.
20. *Number of Short Term Rentals per Owner.* No applicant may operate more than three individual properties as short term rentals within the City at any one time. ~~By December 31st of each calendar year~~Upon renewal of the license, the Owner shall certify that the number operated is in accordance with this regulation.

- M. Refusal to Grant, Suspension, Revocation, Nonrenewal of License.** The Director may refuse to grant an initial license, or suspend, revoke, or not renew any license requested or issued pursuant to this Section if the Director determines that any of the following have occurred: (i) fraud, material misrepresentation or false statement in the initial application for the license or any renewal application; or (ii) failure to comply with the terms or conditions of the license, the provisions of this Section, or any other application provision of federal, state, or local law including, but not limited to, the Arvada City Code.

6. If the Director finds that a violation of any provision of this Section exists, the Director, after notice to the licensee, may take any one or more of the following actions to remedy the violation:
 - d. Impose a civil penalty according to the following schedule:
 - (i) For the first violation of the provision, \$150;
 - (ii) For the second violation of the same provision, \$300; and
 - (iii) For the third violation of the same provision, \$1,000.
 - e. Revoke the license;
 - f. Issue any order reasonably calculated to ensure compliance with this Section.
7. The Director's authority under this Section is in addition to any other authority the Director has to enforce this Section, and election of one remedy by the Director shall not preclude resorting to any other remedy as well.
 - a. The Director shall not accept a new application from the same licensee for the same Dwelling, Dwelling Unit or ADUR after revocation of a license:
 - (iii) For at least one year following the revocation; and
 - (iv) Unless the applicant demonstrates compliance with all licensing requirements.
8. All licensed premises shall be subject to inspection by the Director or his or her designee for the purpose of investigating and determining compliance with the requirements for any license issued under this Section. Where any part of the licensed premises consists of a locked area, such area shall be made available for inspection as provided hereunder, without delay, upon request. Refusal to allow an inspection may result in the license being revoked subject to the following Subsection 5.
9. An applicant or licensee may appeal any decision to grant, not renew, or suspend his or her application or license to the City Manager within 14 consecutive calendar days from the city providing notice of the decision. The City Manager's decision shall be final.
10. An applicant may appeal any decision to revoke his or her license through the city's Administrative Hearing procedure as provided in Chapter 2, Article V, Division 3 of the Arvada City Code. Appeals must be received within 14 consecutive calendar days from the city providing notice of the revocation.
- N. **Administration.** The Financial Officer and Director shall administer the provisions of this Article and are authorized to jointly promulgate rules and regulations for its administration and implementation.

4-2-1-4 Subdivision Requirements and Standards

- A. **General Requirements.**
 1. Every subdivision shall comply with applicable zoning district, design and development standards in this LDC.
 2. Every subdivision shall comply with all other ordinances and regulations of the City of Arvada.
 3. Public infrastructure shall be constructed in accordance with the City of Arvada Engineering Code of Standards and Specifications as approved by the Director.
- B. **Minimum Standards.** The standards in this Article are minimum standards. The City may impose more restrictive standards when it finds that they are necessary to conform the design

of a proposed subdivision to sound engineering or design standards or other standards in this LDC.

- C. **Buildable Lots.** All lots created through the subdivision process shall be developable and conform to the minimum zoning, development, and floodplain standards in this LDC. No subdivisions shall create lots that prohibit development due to configuration of the lots, steepness of terrain, location of watercourses or floodplain, natural physical conditions, or other existing conditions.
- D. **Layout and Design.** The design and layout of the lots shall be dependent upon topography, natural vegetation, soil conditions, drainage, street traffic, or other conditions. The following standards shall apply to:
 - 1. A subdivision of two or more lots;
 - 2. A division of a lot; or
 - 3. Combining lots.
- E. **Lot Size and Configuration.**
 - 1. **Lot Area.** The minimum area and dimensions of all lots shall conform to the requirements of the zoning districts and development standards relating to the zoning district in which the lot is located. See Chapter 2 of this Code.
 - 2. **Lot Lines.** Side lot lines shall be substantially at right angles or radial to street lines, except where other terrain makes such design impractical.
 - 3. **Double Frontage Lots.**
 - a. Double frontage lots are discouraged in new subdivisions except where necessary to provide separation of residential development from parkways and arterials, or to overcome specific disadvantages of topography and orientation.
 - b. If approved, double frontage lots shall have an average lot depth of not less than 130 feet.
 - c. Unless waived by the Director, the owner / developer shall construct fences along the rear of double frontage lots. Such fences shall be six feet high, and composed of cedar picket fencing with brick posts not more than 60 feet apart, unless an alternate design or material is approved by the Director.
 - 4. **Flag Lots.** Flag lots and other irregularly shaped lots are discouraged in new and existing subdivisions.
 - 5. **Corner Lots.** Corner lots may be required to be wider than interior lots to provide for setback requirements.
- F. **Drainage.** Lots shall be designed and located to provide positive drainage away from all buildings, shall comply with the standards in Division 4-1-3, Stormwater and Drainage Control, and shall allow for the infiltration of storm water runoff to the maximum extent feasible.
- G. **Access.**
 - 1. Every residential lot shall abut a public or private street or access easement. Access to residential lots shall be from local streets except as specifically authorized by the Director.
 - 2. For subdivisions, at least two points of vehicular access into a proposed subdivision shall be provided, where feasible, unless it can be shown to the satisfaction of the Director that legal, topographical, and / or engineering constraints preclude such access. The Director may allow for additional access supported by traffic impact study and meets all other design criteria.
 - 3. For lot splits, shared common access shall be provided to the maximum extent practicable.

H. Block Layout and Length.

1. Blocks shall normally be at least 400 feet in length and not more than 1,200 feet in length. The Director may approve a shorter or longer block length when necessary to accommodate natural features such as steep slopes, environmentally sensitive lands, and pedestrian linkages.
2. Block lengths and widths shall be suitable for the uses contemplated and the zoning requirements pertaining to minimum lot sizes and dimensions.
3. In blocks over 1,000 feet long, pedestrian, bicycle, and equestrian crosswalks may be required. Said crosswalks shall normally require a six and one-half foot width.
4. Blocks along designated or planned parkways or arterial streets shall not be less than 660 feet in length, unless approved by the Director.

I. Street Design. All public and private streets shall comply with the Article 4-4, Access, Circulation, Mobility, and Utilities, City of Arvada Engineering Code of Standards and Specifications, and the following standards:

1. Coordination of Streets.

- a. All new collector and local streets shall connect with surrounding streets at safe and convenient locations as required by the Director to allow convenient movement of traffic and reasonable access for emergency vehicles.
- b. When connections to surrounding streets are proposed or required by the City, public right-of-way shall be dedicated and streets developed to existing paved rights-of-way.
- c. When developing adjacent to an existing RA or RN-32.5 zoning district where there is no paved street between the subdivision and an existing paved street, an interim street, improved in accordance with local street standards, shall be constructed by the Applicant for developments with densities in excess of one residential unit per acre of land.
- d. Whenever possible, proposed intersections along one side of a street shall coincide with existing or proposed intersections on the opposite side of such street. Where a centerline offset (jog) occurs at an intersection, the distance between centerlines of the intersecting streets shall be not less than required by the City of Arvada Engineering Code of Standards and Specifications.
- e. The street pattern shall not cause adjacent property to be landlocked nor prevent access to public land.

2. Street Intersections.

- a. Streets shall be arranged in relation to existing topography to produce streets of reasonable gradient to facilitate adequate drainage and to produce desirable lots of maximum utility.
- b. Where a subdivision abuts or contains the right-of-way of a drainage way, a limited access highway, or an irrigation ditch, or abuts a commercial or industrial land use, the Director may require the location of a street approximately parallel to and on each side of this right-of-way at a distance suitable for appropriate use of the intervening land. This distance shall be determined with due regard for approach grades, drainage, bridges or future grade separations.

3. Street Design Standards.

- a. Streets shall be related appropriately to the expected use of the property. Minimum requirements for street right-of-way, pavement width, and other standards for public and private streets are set forth in the City of Arvada Engineering Code of Standards and Specifications.
 - b. Other designs and materials may be required for the construction of streets, curbs, and sidewalks when, in the determination of the Director, such methods would be more environmentally desirable or more in keeping with the design of the development or neighborhood.
 - c. Turnarounds shall be provided at the ends of cul-de-sacs and at elbows on one-way streets. Turnarounds shall meet the minimum requirements of the Fire Protection District.
- J. **Street Naming and Traffic Control Signs.**
 - 1. **Continuation of Existing Names.** The City will assign a name subject to final plat, site plan or final development plan approval.
 - 2. **Street Signage.**
 - a. All streets in a subdivision shall be named and identified by signs installed at every street intersection.
 - b. These signs shall be standard street signs as indicated in the current edition of the Manual on Uniform Traffic Control Devices.
 - c. All traffic control signs, as well as street name signs, required in a subdivision shall be provided and installed by the City at the expense of the subdivider in conformance with the current edition of the Manual on Uniform Traffic Control Devices, and any relevant Colorado state supplements.
- K. **Sidewalks, Trails and Bicycle Paths.**
 - 1. **General Requirements.**
 - a. The layout and design of an interconnected system of sidewalks, trails, and/or bicycle paths shall be consistent with the City of Arvada Transportation Plan and Bicycle Plan, as amended, and all other adopted plans and policies.
 - b. All subdivisions shall comply with the development standards set forth in Section 4-4-2-1, Pedestrian and Bicycle Access and Circulation.
 - c. All subdivisions shall include an interconnected system of sidewalks, trails and or bicycle paths that directly connects to all uses, lots, open space areas, and parks.
 - 2. **Trails.**
 - a. The owner/developer shall provide and construct pedestrian, bicycle, or equestrian trail rights-of-way in compliance with Section 4-4-2-1, Pedestrian and Bicycle Access and Circulation, and Section 8-4-3-6, Park and Trail Dedications and Fees-in-Lieu. Additional trail rights-of-way may be required where necessary for access to parks, schools, shopping areas, or other community facilities.
 - b. Trails shall be eight feet wide, unless a wider trail is required by the City. All trails between lots shall be located within a minimum 40-foot wide landscaped strip, which 40-foot wide strip may be dedicated to the City or set aside as private, amenitized common open space/landscape surface area.

4-2-2-1 Cluster Subdivisions

- A. **Generally.** This Division provides optional standards for cluster subdivision development to create more compact development in order to preserve and protect sensitive lands, create common-open-spaceamenitized landscape areas, and to implement the Comprehensive Plan and/or adopted specific area plans. A cluster subdivision is a residential or mixed-use subdivision in which some or all of the lots are allowed to be smaller (in area and width) than otherwise required for the underlying zoning district, in exchange for permanent protection of sensitive lands and/or common open space.
- B. **Zoning Districts Where Allowed.**
 - 1. The cluster subdivision option is available in the R6, R13, and R24 zoning districts.
- C. **Minimum Parcel Size.** The minimum parcel size for a cluster subdivision shall be three acres.
- D. **Cluster Subdivision Development Standards.**
 - 1. All other standards in the LDC shall apply to cluster subdivisions unless modified by this Section.
- E. **Identification and Maintenance of Protected Lands.**
 - 1. Protected lands as defined in Section 4-1-4-2, Limits of Development, shall be identified on the final subdivision plat with a notation that indicates that those lands shall not be used for future development.
 - 2. Protected lands shall be identified with appropriate permanent signage markers in order to distinguish these areas from private lots.
 - 3. Protected lands shall be permanently maintained and preserved as:
 - a. Open space tracts with deed restrictions;
 - b. Land dedicated to the City;
 - c. Land protected through a conservation easement; or
 - d. Land protected by other means approved by the City.
 - 4. For any protected land not dedicated to the City, the developer shall provide a permanent mechanism acceptable to the City Attorney for the primary purpose of conservation, preservation, and management of protected lands.
 - 5. There shall be no further subdivision of land in an area approved for cluster subdivision; however, dedication of easements for public purposes may be permitted.
- F. **Use of Protected Lands.**
 - 1. Protected lands shall be left in an undisturbed natural state or landscaped pursuant to Section 4-6-5, Landscape Areas and Bufferyards.
 - 2. The protected lands shall be used for low-intensity recreation, agriculture, buffers, critical wildlife habitat, or other passive park or open space purposes.
 - 3. The use of protected lands may be further limited or controlled at the time of final approval where necessary to protect adjacent properties.
- G. **Review and Approval of Cluster Subdivisions.**
 - 1. The review and approval of cluster subdivisions shall follow the procedures for preliminary and final plats. The applicable procedure is dependent on the number of lots proposed in the cluster subdivision.

- E. **Generally.** Development shall be designed with landscaped areas that support the resource values of the natural open space in terms of its ecological function (e.g., habitat, water quality enhancement, energy efficiency, etc.), aesthetic contribution, recreational value, and buffering value in accordance with Article 4-6 Landscaping and Buffering.
- F. **Site Design.** Site design shall be organized to include, protect or enhance the natural open spaces areas and landmark features of the site.
- G. **Enhancement of Open Space / Open Space Corridors.** Landscaped areas should be organized so as to create integrated systems that connect with dedicated school lands, parklands, other open spaces, or public lands or trails within the subject property or on adjoining property.
- H. **Natural Resource and Hazard Areas.** Natural resources such as water features including lakes, natural ponds, rivers, streams, wetlands, riparian areas, drainage ways, ditches, and flood hazard areas and vistas of natural features including distant peaks and ridges, steep slopes, existing tree canopy, wildlife habitat areas should be undisturbed.

4-3-2-3 Landscape Surface Area, Amenitized

- C. **Generally.** Sometimes referred to as “common open space.” Development shall be designed with amenities for the common use or enjoyment of residents, employees, or guests of the development. Any portion of the area intended to meet requirements of small urban parks (Section 4-3-3-4 Mixed-Use) must be publically accessible. Amenities may include:
 - 1. Passive recreational facilities such as trails, community gardens, courtyards with seating, shaded picnic areas, scenic areas, open grassy areas large enough for recreation, or similar common areas; or
 - 2. Active recreational facilities such as pools, tennis courts, playgrounds, and clubhouses; or
 - 3. Commercial outdoor seating and dining areas, or similar common areas serving employees and/or guests.
- D. **Accessibility.** Areas shall be accessible to all residents, employees, or guests of a development and meet all design requirements of the Americans with Disabilities Act (ADA).

4-3-2-2 Common Open Spaces

- E. **Generally.** Development shall be designed to include common open spaces and amenities for the enjoyment of residents, employees, and the public in a manner that supports the resource values of the open space in terms of its ecological function (e.g., habitat, water quality enhancement, energy efficiency, etc.), aesthetic contribution, recreational value, and buffering value.
- F. **Formal Open Spaces.** Parks, squares, plazas, courtyards, greens, and other formal gathering open spaces, when required, shall be:
 - 1. Situated as focal points; and
 - 2. Visible and accessible from streets, sidewalks, and / or trails.
- G. **Site Design.** Site design shall be organized to include, protect or enhance the natural open spaces areas and landmark features of the site.
- H. **Enhancement of Open Space / Open Space Corridors.** Open space should be organized so as to create integrated systems that connect with dedicated school lands, parklands, other open spaces, or public lands or trails within the subject property or on adjoining property.
- I. **Natural Resource and Hazard Areas.** Natural resources such as water features including lakes, natural ponds, rivers, streams, wetlands, riparian areas, drainage ways, ditches, and flood

hazard areas and vistas of natural features including distant peaks and ridges, steep slopes, existing tree canopy, wildlife habitat areas should be undisturbed. **Stormwater Management Devices.** Land area occupied by stormwater management including retention and detention ponds and bioretention areas (filters or rain gardens) may be treated as an open space site amenity if the area includes at least one of the following or a combination of the following:

1. Access and pedestrian elements, such as paths and benches, that support passive recreation uses.
2. Gentle slopes, vegetative landscaping, fountains, or water visible water circulation devices, and visually attractive low fencing or other elements that make stormwater management a site amenity.

J. —

K. **Passive and Active Recreational Areas.** Open space areas for passive and active recreational purposes, such as pools, playgrounds, tennis courts, trails, ball fields, and clubhouses, including required public parks and trails should be included in common open space areas.

L. **Stormwater Management Devices.** Land area occupied by stormwater management including retention and detention ponds and bioretention areas (filters or rain gardens) may be treated as an open space site amenity if the area includes at least one of the following or a combination of the following:

1. Access and pedestrian elements, such as paths and benches, that support passive recreation uses.
2. Gentle slopes, vegetative landscaping, fountains, or water visible water circulation devices, and visually attractive low fencing or other elements that make stormwater management a site amenity.

M. **Formal Plantings and Gardens.** Formally planted and regularly maintained open areas that provide passive recreation opportunities, including arranged plantings, gardens, community gardens, green roofs, gazebos and similar structures, and/or roof gardens shall have:

1. At least one direct access to a building, or to a street, bikeway, or walkway accessible to the public or the development's occupants and users.
2. Such feature shall be centrally located and compliment the landscape design to the surrounding development.

4-3-3-2 Residential

A. **Generally.** The standards of this Section apply to residential developments that include more than 10 dwelling units, located in all residential zoning districts and the MX and OT zoning districts, where single-family, duplexes, townhomes, multiplex, and multifamily are permitted, as provided in the following Subsections.

B. **Arrangement of Open Space/Landscape Areas and Buildings.**

1. Open space Amenitized landscape areas shall be provided to the extent practicable and situated so that open-space/landscaped areas and outdoor recreation amenities are centrally located within the development.
2. Principal buildings, such as club houses and recreational facilities, and landscaping shall, to the extent practicable, be located and designed so that residents can easily observe the buildings, common open-spaces/landscaped areas, circulation paths, and access points into the development.

- C. **Parking.** For multiplex, townhome and multifamily development, at least 50 percent of required off-street parking shall be provided in garages or carports, rather than surface lots. Where surface parking lots are used, they shall to the extent practicable be located between or behind buildings, rather than adjacent to street frontages.
- D. **Single-Family Detached, Duplex, and Multiplex.**
1. **Generally.** Single-family detached, duplex, and multiplex residential subdivisions shall be designed to mitigate the impacts of streets and paved areas on the neighborhood, and to provide comfortable alternative routes for pedestrians and bicyclists, including continuous sidewalks, tree-lined streets, and pedestrian-scaled details.
 2. **Creation of Neighborhoods.** Residential development that includes more than 200 dwelling units shall be designed to create identifiable “neighborhoods” of 30 to 100 units.
 3. **Configuration of Lots.** Lots shall be configured to maximize the number of lots that are:
 - a. Within close proximity to a ~~n “useable” common open space~~ amenitized landscape area (e.g., playground or trail); and
 - b. Connected by trails or common greens that do not cross streets.
- E. **Townhome.**
1. **Creation of Neighborhoods.** Residential development that includes more than 200 dwelling units shall be designed to create identifiable “neighborhoods” of 30 to 100 units.
 2. **Configuration of Lots.** Lots shall be configured to maximize the number of lots that are:
 - a. Within close proximity to a amenitized landscape area ~~“useable” common open space~~ (e.g. playground or trail); or
 - b. Connected by trails or common greens that do not cross streets.
 3. Buildings shall front on and align with:
 - a. Adjacent streets; or
 - b. Meet the minimum Non-Street Frontage Perimeter Setbacks identified in Table 2-1-8-7, Townhome Building Standards.
 4. **Connectivity.**
 - a. Where there is a sidewalk, separation between buildings shall be a minimum of 20 feet wide to allow for a minimum five foot wide sidewalk and landscaping
- F. **Multifamily.** The standards of this Subsection shall apply to all new multifamily residential development.
1. **Street Connectivity.**
 - a. Multifamily sites of 10 acres or more shall include a minimum of one public street (or private drive that is built to City street standards), that is continuous through the subject property, and that connects to a public street on both ends.
 - b. The Director may waive this requirement for a through-access street or drive, if it is demonstrated that:
 - i. There are adequate alternatives available for residents and vehicles to travel through the subject property to adjacent properties and developments; or
 - ii. There are no opportunities for a through-street to safely make such connections.
 2. **Common Open Space**Landscape Areas. Landscape areas ~~Common open space~~ shall be provided as follows:

- a. Large ~~open space~~landscaped areas should be the fundamental organizing element of the site. ~~Common open space~~Landscaped areas should be well defined by buildings and streets. Buildings should be oriented in such a way as to create courtyards and open space areas.
 - b. Large existing trees and other natural features should be integrated into the ~~open space~~landscape areas.
 - c. Common open spaceLandscape areas should be centralized and directly accessible to a majority of the surrounding units. Where possible, it should be linked to adjacent parks, paths, and open space areas.
 - d. The ~~open space~~landscape areas shall be useable, non-riparian areas with slopes not exceeding 3:1.
3. **Site Amenities.** In conjunction with the ~~common open space~~landscape surface area requirements, and the required small urban parks in the MX-S, MX-U and the MX-T zoning districts (See Subsection 4-3-3-4E), all multifamily projects shall provide site amenities from the list below for the residents. Amenities shall be centrally located for a majority of the residents, and may be located within the ~~common open space~~landscape areas. Multifamily projects with less than 50 units shall provide two of the amenities from the list below. Multifamily projects with more than 50 units shall provide three of the amenities from the list below.
- a. Plaza.
 - b. Swimming pool.
 - c. Sports court, such as tennis, basketball, or volleyball.
 - d. Natural open space area with benches.
 - e. Jogging trail.
 - f. Fountain, art, or sculpture.
 - g. Other amenity as approved by the Director

4-3-3-3 Clustered Small Housing

- A. **Generally.** The standards of this Section apply to developments of the clustered small housing types that are described in Section 2-1-8-9, Clustered Housing Types.
- B. **Common Green.**
 - 1. Clustered housing types shall be organized around one or two ~~common open space~~amenitized landscape areas ("green(s)"), with no dimension that is less than the larger of:
 - a. 1.5 times the height of the tallest building that fronts on the common green; or
 - b. 20 feet, for micro homes or 30 feet for cottages.
 - 2. The common green(s) shall be developed and maintained to provide for passive and/or active recreation activities for the residents of the housing cluster.
 - 3. The common green(s) shall be centrally located and easily accessible to all dwelling units within the cluster.
 - 4. The common green(s) shall be surrounded by clustered housing types on at least two sides, which do not have to be opposite sides.

5. Stormwater management facilities are allowed within a common green, if they do not adversely impact access to or use of the common green for all-season pedestrian access to the dwelling units, and for anticipated active and passive recreation activities.
- C. **Front Porches.**
1. Cottages. Each cottage dwelling unit shall have a front porch that is not less than seven feet in any dimension.
 2. Micro Homes. Each micro home shall have a front porch that is not less than five feet in any dimension.
- D. **Private Entry Yards.**
1. Each dwelling unit may have a private entry yard, in front of the building elevation that contains the primary entrance to the dwelling unit, that is:
 - a. Not more than 10 feet deep; and
 - b. Enclosed with a fence that is not more than 36 inches in height in front of the front building plane, and not more than 60 inches in height behind the front building plane.
 2. Private entry yards may border the common greens, but are not included in the dimensions of the common green.
- E. **Configuration.** Housing clusters shall relate to both the street and to a common green, in that:
1. Each building that is constructed along the principal street side of the subject property shall include architectural features that provide visual continuity with adjoining properties and visual interest from the street, such as a primary or secondary entrance or porch that is oriented to the street.
 2. Not less than 50 percent of the dwelling units shall front on a common green.
- F. **Pedestrian Network.**
1. Pedestrian connections shall link all buildings to the street, common green(s), and parking areas.
 2. Pedestrian connections from parking areas to common buildings and the front doors of dwelling units shall traverse a common green.
 3. If housing clusters share a common building, *see* Subsection G., below, the pedestrian network shall connect the housing clusters.
- G. **Common Building.** A common building with amenities is allowed within clustered housing developments. Amenities may include a kitchen, meeting area, common dining area, indoor recreation facilities, storage (provided that other amenities are also provided in the building), and up to two guest bedrooms. Up to two housing clusters that are connected with pedestrian pathways may share a common building, unless the size of the common building and provided amenities are designed to accommodate additional clusters, the common building is centrally located and within 600 feet of all dwelling units, and the common building is connected to the clusters by pedestrian pathways.
- H. **Individual Storage Buildings.** One individual storage building is allowed for each dwelling unit, provided that:
1. The storage building is not more than 10 feet in height, measured from grade to the peak of the roof;
 2. The storage building is not more than 80 sf. in floor area;
 3. The storage building is located behind the dwelling unit, and set back:
 - a. 20 feet from any street; and
 - b. five feet from any boundary of the housing cluster and
 4. The storage building is screened from the street and a common green.

I. Parking Design.

1. Generally.

- Required parking shall be provided in shared surface parking lots, covered parking spaces in shared parking lots, shared detached garage buildings, or directly accessed from an alley.
- No parking space or drive aisle shall be located between a front building elevation and a common green.
- For alley accessed parking, parking spaces shall be located between the alley and rear building planes, and shall not extend into side or front yards of individual buildings.

2. Surface Parking and Covered Parking Spaces.

- Surface parking and covered parking spaces shall be set back from streets as provided in Section 2-1-8-9, Clustered Housing Types.
- Surface parking and covered parking spaces shall be screened from the street and the common green(s) and from individual units with a parking lot bufferyard as provided in Section 4-6-6-3 Parking Area Landscape.
- Surface parking spaces shall be distributed on the site to minimize visual impacts and optimize access to individual units.

3. Shared Detached Garage Buildings.

- Shared detached garage buildings may not exceed four overhead doors per building, and a total floor area of 1,200 square feet.
- Shared detached garage buildings shall be reserved for the parking of vehicles owned by the residents of the development.

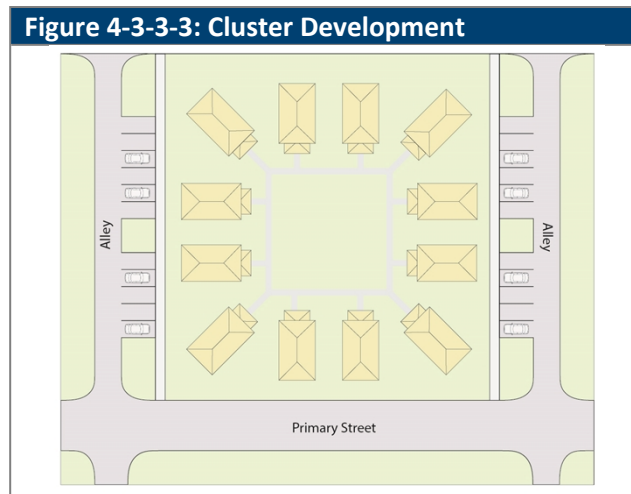


Table 4-5-2-2A: Residential Land Use Parking Standards	
Land Use	Minimum Required Parking
Standard Housing Types	
Single-Family Detached <u>or</u> Duplex	2 sp. / du ¹
Duplex or Townhome	<u>2.2</u> sp. / du ¹
Multifamily and Multiplex	efficiency units: 1.4 sp. / du

Table 4-5-2-2A: Residential Land Use Parking Standards	
Land Use	Minimum Required Parking
	1 BR units: 1.6 sp. / du 2 BR units: 2.1 sp. / du ¹ 3+ BR units: 2.5 sp. / du ¹
Multifamily, Affordable²	efficiency units / 1 BR units: 1.4 sp. / du 2 + BR units: 2.0 sp. / du ¹
Multifamily, Senior³	1 sp. / du
Clustered Housing Types	
Micro Home	1.25 sp. / du
Cottage	2.25 sp. / du
TABLE NOTES: ¹ Tandem spaces may be counted towards this requirement. ² Projects that receive Low Income Housing Tax Credits. ³ Age restricted projects for residents 62 years and older.	

4-5-3-4 Off-Site Parking

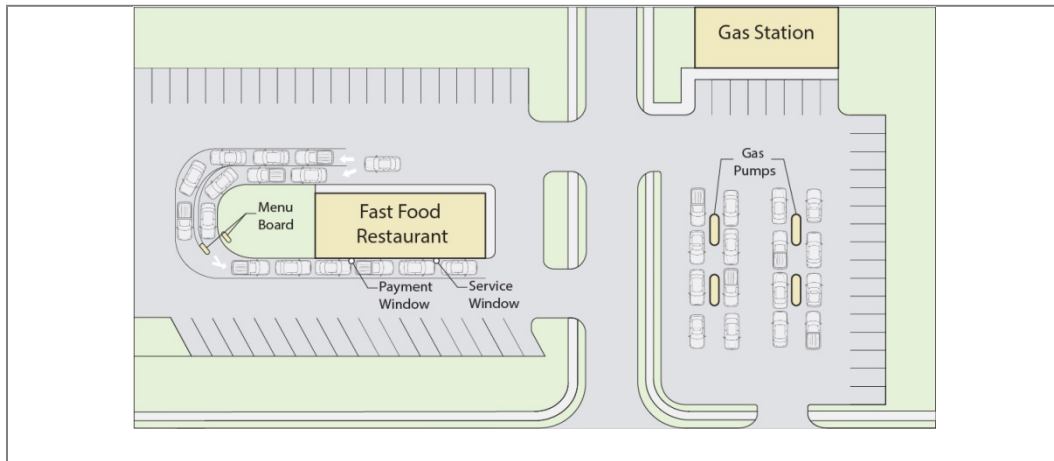
- A. **Generally.** In lieu of locating parking spaces required by Division 4-5-2, Parking and Loading Calculations, on the lot that generates the demand for the required parking, parking spaces may be provided on any lot or premises controlled, *i.e.*, by fee-simple ownership, easement interests, lease interests, or participation in a parking district or other joint venture to provide centralized off-street parking, by the owner of the use that generates the parking demand, provided that:
1. The parking spaces are within 3200 feet of the boundaries of the property generating such parking requirements and no required off-street parking space within said parking lot is more than 500 feet from the property it is serving; and
 2. The parking spaces are not already counted towards the parking requirements of another use after application of Section 4-5-2-4, Shared Parking, Section 4-5-2-5, Parking Credits and Reductions, or Section 4-5-2-6, Parking Studies, as may be applicable.
- B. **Exceptions.** Off-site parking is not allowed in:
1. Residential zoning districts, except that manufactured home parks and clustered housing types may utilize centralized parking; and
 2. Locations in which a street with more than two lanes separates the off-site parking area from the subject property.

4-5-3-6 Vehicle Stacking

- A. **Generally.** Vehicle stacking spaces are used to measure the capacity of a drive-through lane to hold cars while transactions are taking place at drive-through stations. Adequate space must be provided for on-site stacking, storage and queuing of vehicles.
1. The required stacking distance for the site may be distributed between access points serving the site, provided a minimum stacking of 20 feet is provided at all access points.
 2. Stacking spaces must be a minimum of 8.5 feet in width and 20 feet in length.

3. Electronic devices such as loudspeakers, automobile service order devices, and similar instruments shall not be audible beyond the property line adjacent to a residential zone district.
 4. Stacking spaces for internal drive-through services shall be measured from the point of service and within a designated drive aisle.
 5. Required vehicle stacking spaces shall not interfere with access to parking spaces.
- B. **Drive-Through.** Uses that include drive-through service shall provide the following minimum number of stacking spaces:
1. **Financial institutions, drive-through convenience retail, fueling stations, and pharmacies.** Three stacking spaces.
 2. **Drive-through restaurants.**
 - a. If two service windows are provided (one for payments and one for pick-up):
 - i. Four stacking spaces to each menu board;
 - ii. Three stacking spaces between the menu board and the first window, including the position at the first window; and
 - iii. Two spaces between the first window and the second window, including the position at the second window (See Figure 4-5-3-6, Illustrative Stacking Requirements).
 - b. If one service window is provided, for both payments and pick up:
 - i. Six stacking spaces to the menu board; and
 - ii. Three stacking spaces between the menu board and the service window.
 3. **Drive-through only uses in buildings with less than 300 square feet of gross floor area and no separate menu board.** Three stacking spaces per service window.
 4. **Dry cleaners.** Two stacking spaces per service window.
 5. **Vehicle wash.**
 - a. Two stacking spaces for each bay in a self-service vehicle wash facility;
 - b. Five stacking spaces for each in-bay or conveyor vehicle wash facility; and
 - c. If the facility provides detailing, manual drying or polishing, and / or vacuuming, sufficient area to provide those services without creating additional demand for stacking at the vehicle wash entrance.
 6. **Other Uses.** The determination by the Director of stacking spaces necessary for other uses may require a queuing study conducted by a qualified transportation planner or traffic engineer at the Applicant's expense.
- C. **Design.**
1. Stacking lanes shall be clearly marked, and shall not interfere with on-site or off-site traffic circulation, or access to parking spaces.
 2. ~~Stacking areas shall not be located in the front setback or side street setback unless there is a grade change of at least five feet between the centerline of the street and the stacking area or alternatively, a Bufferyard Option in Division 4-6-5-3 is installed between the stacking lane and the street.~~

Figure 4-5-3-6: Illustrative Stacking Requirements



4-5-3-7 Design and Use of Off-Street Loading Areas

- A. **Generally.** All required off-street loading spaces shall be designed, constructed, and maintained in accordance with the standards and requirements of this Section.
- B. **Location.**
 1. Loading spaces shall be located on the same lot as the building or structure to which they relate.
 2. No loading space shall be located in any front setback area.
 3. Except where alley loading or over-the-curb loading is allowed, loading areas shall be located and designed to ensure adequate on-site maneuvering area for delivery vehicles.
 4. No loading area shall be designed in a manner that would allow any vehicle to extend into any front setback area or adjacent to any residential zone district while being loaded or unloaded.
 5. Trucks parked in loading areas shall not encroach into required parking spaces or building setbacks.
 6. Parked trucks loading or unloading materials shall not block travel lanes in parking lot or fire lanes.
- C. **Buffering.** Drive-through stacking areas and loading areas, including overhead doors, oriented so to face a residential zone district or a public right-of-way shall be screened from view from all property lines and adjacent streets to the greatest extent possible, as determined by the Director, by the following:
 1. By an opaque fence or wall between 6six feet and 8eight feet in height that incorporates at least one of the predominant materials and one of the predominant colors used in the principal building. The fence or wall may exceed 8eight feet in height when there is a difference in grade between the street and loading area to effectively screen the area. (For a drive-through stacking area, a fence or wall shall only be used when the area is adjacent to a residential zone district).
 2. A landscape berm may be used instead or combined with the required fence or wall.
 3. If such areas are covered, then the covering shall include at least one of the predominant exposed roofing colors on the principal building.

- D. **Surfacing.** All required off-street loading spaces and access drives shall be improved with an asphaltic, concrete, or equivalent surface and shall be graded and drained in order to dispose of all surface water accumulation within such areas, as well as any associated parking area.
- E. **Alleys.** All alleys that are used for loading shall meet the City of Arvada Engineering Code of Standards and Specifications.

4-5-3-8 Bicycle Parking Design

- A. **Generally.** The bicycle parking spaces that are required by Section 4-5-2-8, Bicycle Parking, shall be designed according to the standards of this Section. The purpose of these design standards is to ensure that bicycle parking is convenient to bicyclists and provides security from theft and damage.

- B. **Standards.**

- 1. **Generally.** Bicycle parking shall be designed to ensure that it is convenient to bicyclists and secured from theft and damage. so that bicycles maybe securely locked and safeguarded from accidental or intentional damage. Bicycle parking shall be provided using bicycle racks that meet the following standards:
 - a. Bicycle parking shall be securely locked and safeguarded from accidental or intentional damage.
 - b. Each required bicycle parking space shall be accessible without moving another bicycle.
 - c. There shall be an aisle at least five feet around the perimeter of all bicycle parking areas to allow room for bicycle maneuvering.
 - a. ~~A U-shaped bike rack or variation thereof that allows for the bike to be locked to the rack by the frame and at least one wheel;~~
 - b. ~~A bicycle that is six feet long can be securely held with its frame supported so that the bicycle cannot be pushed or fall in a manner that will damage the wheel components; and~~
 - e. ~~The racks are securely anchored to a hard surface.~~
- 2. ~~Each required bicycle parking spaces shall be accessible without moving another bicycle.~~
- C. ~~There shall be an aisle at least five feet around the perimeter of all bicycle parking areas to allow room for bicycle maneuvering.~~

~~D.C.~~ **Short-term Bicycle Parking.** Short-term bicycle parking facilities or racks shall accommodate securing a bicycle using an industry-standard bike lock.

- 1. Short-term bicycle parking spaces shall be located within 50 feet of the main entrance to the building. Where there is more than one main entrance to a building, short-term spaces should be split between building entrances.
- 2. Bicycle racks shall meet the following standards:
 - a. A U-shaped bike rack or variation thereof that allows for the bike to be locked to the rack by the frame and at least one wheel;
 - b. A bicycle that is six feet long can be securely held with its frame supported so that the bicycle cannot be pushed or fall in a manner that will damage the wheel components; and
 - c. The racks are securely anchored to a hard surface.

~~2.3.~~ **MX Zoning Districts.** Multifamily ~~R~~residential, mixed-use, and office uses in the MX-N, MX-S, MX-U and MX-T zoning districts shall provide bicycle parking in locations that are covered, secure, and illuminated. Such bicycle parking areas shall be maintained by the property owner, a property owners' association, or a metropolitan district.

~~3.4.~~ **OT and CG Zoning Districts.** Multifamily, schools, retail, and office uses in the OT and CG zoning districts shall provide bicycle parking locations that are secure, illuminated and along traveled ways.

~~E.D.~~ **Long-term Bicycle Parking.** Long-term bicycle parking shall be in a secure and weather-protected place ~~to park bicycles~~. Long-term parking does not have to be provided on site; however long-term bicycle parking must be within a reasonable distance of a site in order to encourage bicycle use.

1. Long-term bicycle parking is not required on a site when:
 - a. Non-residential gross building area is less than 5,000 square feet; or
 - b. There are ten or fewer residential units in a development or redevelopment.
2. Long-term bicycle parking, when required, shall be located within 50 feet of a building entrance and be visible from the building entrance. If the location of the bicycle parking is not obvious from the building entrance, signs shall be posted that indicate the location of bicycle parking.
- 2.3. Long-term bicycle parking is require to be covered and shall be at least one of the following: on the site, either in the building or parking garage.
 - a. In a locked room;
 - b. In a bicycle locker;
 - c. UCovered bicycle parking may be provided inside buildings, under roof overhangs or awnings;
 - a.d. In an area that is enclosed by a fence with a locked gate;
 - e. A free standing building;
 - f. Within view of an attendant or security guard; or
 - g. In an area that is monitored by a security camera.
 - b.h. , in bicycle lockers, or within or under other structures. When covered bicycle parking is not located within a building or locker, the cover shall be:
 - i. Designed to protect bicycles from precipitation;
 - i. High enough to provide at least ten feet of clearance above the floor or ground;
 - and
 - ii. Posted with a sign indicating the location of the bicycle parking when not directly visible at a transit facility or main building entrance.
3. To provide security, a long-term facility bicycle parking shall be in at least one of the following locations:
 - a. In a locked room;
 - b.i. In an area that is enclosed by a fence with a locked gate;

~~F.E.~~ **Surfacing and Clear Area.**

1. The surface of bicycle parking spaces shall be of hardscape material such as asphalt, concrete, or other materials approved by the Director.
2. Racks shall be bordered by physical barriers or located a sufficient distance from motor vehicles to prevent damage to parked bicycles.
3. ~~Racks shall be installed with sufficient clearance from obstructions so that they can be used according to their design.~~

~~4.—A clear area of three feet minimum shall be maintained on the parking side of the bicycle rack (both sides if the rack is designed and installed to be accessed from both sides). The clear area is measured away from the rack, from the furthest point of the back wheel of a six-foot long bicycle parked in the fashion for which the rack is designed.~~

~~G.—Location of Bicycle Parking Spaces. Bicycle parking facilities should be located within 50 feet of a building entrance and be visible from the building entrance. If the location of the bicycle parking is not obvious from the building entrance, signs shall be posted that indicate the location of bicycle parking.~~

4-6-3-1 Applicability

- A. **Generally.** All new construction, including building expansions that increase the footprint of a building by 25 percent or more, and modification to an existing landscape area shall comply with the standards in this Article.
- B. **Exceptions.** Exceptions to this Article are allowed under the following circumstances:
 - 1. **Interior Tenant Improvement.** The landscaping requirements of this Article shall not apply to existing structures where interior tenant improvements occur and where there is no addition to the number of parking spaces provided.
 - 2. **Existing Structures.** Where existing structures are situated so as to preclude the installation of required landscaping, the Director may authorize reductions for the required landscaping.
 - 3. **Physical Limitations of the Site.** The Director may authorize modifications to landscaping requirements for structure additions or tenant improvements where landscaping requirements are not feasible due to physical limitations of the site. Where the landscaping requirements have been modified, the landscaping shall be relocated in the following manner:
 - a. To another portion of the lot;
 - b. Along a property line; or
 - c. To an area, including a nearby public park or other City-owned property, as determined by the Director upon review with the owner or developer.
 - 4. **Single-Family Detached and Duplex.** Single-family detached and duplex dwelling unit lotss, are exempt from landscaping requirements, provided the initial development of the subdivision contains nine or fewer lots of single-family and/or duplex. Common open spaceCommon landscape areas, bufferyards, water quality/detention basins, or streetscape areas, shall meet the applicable requirementss of this Chapter.
- C. **Site Changes.** Townhome, multiplex, multifamily, mixed-use, commercial, and industrial uses that are part of larger project shall be required to submit a site plan for the area that is disturbed that meets the requirements of this Article. The Director may require that a site plan covering the entire project area be submitted.
- D. **Parking lot Reconfiguration.** Modifications to any existing parking lot in an amount greater than 20 percent, or expansions of an existing parking lot by 25 spaces or more shall meet the landscaping requirements of this Article for the area being modified or expanded.

4-6-3-2 General Landscaping Standards

A. **Landscape Plan Required.** A landscape plan with designated landscaped areas shall be submitted as a part of all development applications where landscaping, buffering, or screening is required, unless the applicable Decision-Making Body determines that compliance with the provisions of this Article can be demonstrated without the use of a landscape plan. Final landscape plans shall be stamped, signed and dated by a State of Colorado Registered Landscape Architect for all projects except residential minor subdivisions as defined in Subsection B.4 above or where the Director determines the scope of the project does not warrant such plans.

~~B.—Landscape and Open Space Requirements. Landscaped areas may count toward satisfying usable open space requirements specified for the MX-N, MX-S, MX-U, MX-T, CG, IL, and IG zoning districts (See Division 2-1-4, Mixed-Use Districts, and Division 2-1-6, Commercial and Industrial Districts).~~

~~C.B.~~ **Minimum Landscape AreaVegetative Coverage.** Landscaped areas shall be covered with shrubs in combination with lower water consuming ground-level plants, ornamental grasses, or turf for at least 75 percent of the landscape area, at maturity.

~~D.C.~~ **Detention and Retention Ponds.** Detention and retention ponds shall be physically, functionally and visually integrated into adjacent landscape uses through the use of topography, building and parking lot placement, plantings, permanent water features, recreational or open space amenities, or other methods. Slopes shall not exceed a 4:1 ratio or be flatter than 2 percent.

~~E.D.~~ **Steep Slopes.** Grading in landscaped areas shall not exceed slopes greater than 6:1 in the amenitized areaportions of Small Urban Parks and 4:1 for all other areas, except that public maintained shrub beds and native grass areas shall not exceed 3:1 slope.

~~F.E.~~ **Alternative Requirements for Hardscape Features.**

1. In mixed-use and nonresidential districts, pedestrian walks and other hardscape landscape features and amenities, such as Small Urban Parks, outdoor seating areas, and plazas with recreation and entertainment areas, water features, and public art, may comprise up to 50 percent of the landscape area.
2. The Director may approve a greater percentage of hardscape features based on the consideration of the proposed development, mix of uses, and the quality of the proposed landscape design.

4-6-5-2 Bufferyard Purpose and Applicability

A. **Purposes of Bufferyards.** A bufferyard is a landscaped area between two differing land uses and is designed to provide a transition between the uses, mitigate or minimize potential nuisances such as noise, light, and glare, protect the character of an area, and protect natural resources from impacts of nearby development.

B. **Applicability.**

- ~~1.—Uses Requiring a Bufferyard. The following uses require a bufferyard per 4-6-5-3, Bufferyard Options:~~
- ~~2.—Where directly adjacent to single-family detached dwelling or duplex dwelling, or a RN zoning district:~~
 - ~~a.—Multifamily and other attached residential buildings;~~
 - ~~b.—Mixed-use buildings;~~
 - ~~c.—Nonresidential buildings;~~
 - ~~d.—Drive-through facilities; and~~

- e. ~~Industrial manufacturing, processing uses, and storage uses in the IL and IG zoning districts.~~
 - f. ~~Where directly adjacent to a multifamily or other attached residential building or a mixed-use building with residential component:~~
 - i. ~~Drive-through facilities; and~~
 - ii. ~~Industrial manufacturing, processing uses, and storage uses in the IL and IG zoning districts.~~
1. **Uses Requiring a Bufferyard.** The following uses require a bufferyard per Section 4-6-5-3, Bufferyard Options, where directly adjacent to a single-family detached dwelling, duplex dwelling or multiplex, or a RN zoning district:
 - a. Multifamily and townhomes;
 - b. Mixed-use buildings;
 - c. Non-residential buildings;
 - d. Drive-through facilities;
 - e. Industrial manufacturing and processing uses, and storage uses in the IL and IG zoning districts; and
 - f. Dead-end drives and turnarounds.
 2. **Additional Uses Requiring a Bufferyard.** The following uses require a bufferyard per Section 4-6-5-3, Bufferyard Options, where directly adjacent to a multifamily, townhomes, -or other attached residential buildings or a mixed-use building with a residential component;:
 - a. Drive-through facilities; and
 - b. Industrial manufacturing, processing uses, and storage uses in the IL and IG zoning districts.

4-6-6-2 Street Bufferyards

A. Street Bufferyards in Setbacks.

1. In the CG, IL and IG zoning districts, and multifamily in the R13 and R24 zoning districts, the front setback shall be landscaped in accordance with Sections 4-6-6-4, Foundation Plantings and 4-6-6-5, General Landscape Areas .
2. In the MX and OT zoning districts, if the principal building is set back more than five feet from the property line, then that area shall be landscaped in accordance with Sections 4-6-6-4, Foundation Plantings and 4-6-6-5, General Landscape Areas. If the building is set back less than five feet, the area shall be hardscaped with paving materials such as concrete, pavers or other quality paving materials, or landscaped with shrubs and ground-level plants. [The remainder of all setbacks shall be landscaped in accordance with Sections 4-6-6-4, Foundation Plantings and 4-6-6-5, General Landscape Areas.](#)

4-6-6-3 Parking Area Landscaping

- A. **Generally.** Surface parking lots shall be landscaped to reduce the apparent size of the parking area; prevent views of long rows of parked cars; create an impression of smaller, connected parking lots; provide shade for parked cars; reduce the heat island effect of an urbanized area; and define pedestrian access ways, according to the standards of this Section.

B. Exceptions.

1. The surface parking lot landscape requirements of this Section do not apply to:
 - a. Parking lots in the IL and IG zoning districts if the subject property is located south of West 60th Avenue and east of or adjacent to Lamar Street; or
 - b. Surface parking lots with 24 or fewer parking spaces and with 12 or fewer parking spaces in a row.
2. The access point landscape requirements of this Section do not apply to driveways that provide access to individual single-family detached, duplex, multiplex, or townhome lots.

C. Perimeter Landscape Buffer.

1. **Required Perimeter Landscape Buffer.**
 - a. Parking lots adjacent to single-family detached, duplex, multiplex, or townhome uses shall meet the Option C or D bufferyard in Division 4-6-5-3, Bufferyard Options.
2. **Exceptions.**
 - a. The requirements for perimeter landscaping do not apply at points of ingress or egress to the surface parking lot, or to points of cross-access among properties that share a parking lot.

D. Required Surface Parking Lot Landscape Areas.

1. Landscaping shall be installed in the following required landscape areas:
 - a. Landscape islands are required at the end of each row of parking spaces in each parking module;
 - b. Landscape islands are required and must be distributed throughout the parking lot, at a rate of at least one landscaped island for each 12 consecutive parking spaces;
 - c. Vegetated entry medians are required with a minimum of at least 300 square feet in surface area and a minimum five feet in width (not including curbs), if the surface parking lot contains 180 or more parking spaces;
 - d. Landscape strips are required at least 12-14 feet in width (not including curbs) that separate groups of parking modules (along their long edges) into “cells” as provided in Table 4-6-6-3, Parking Module Separation Requirements.

Figure 4-6-6-3: Parking Module Separation Diagram

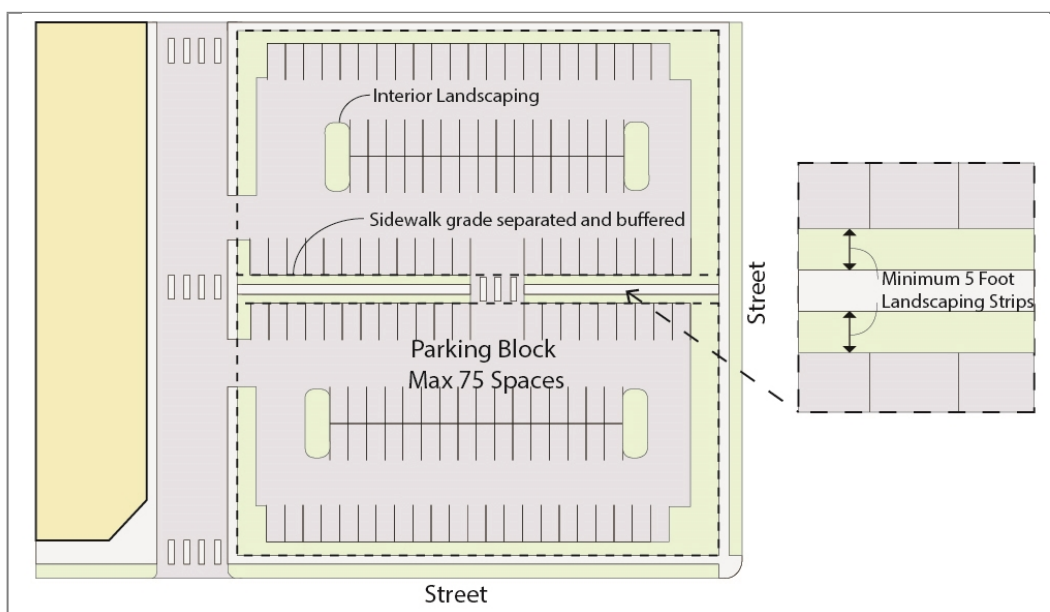


Table 4-6-6-3: Parking Module Separation Requirements

Predominant Type of Land Use	Maximum Number of Parking Spaces in Cell
Residential	50
Nonresidential (except Industrial)	75
Industrial	100 if the parking area is located within 300 feet of a public street; otherwise, no maximum

2. Landscape islands that are used to meet the requirements of Subsection D.1.a. and D.1.b., above, shall be at least eight feet in width (not including curbs) and 16 feet in length, and may be combined (eight feet in width by 32 feet in length) at the ends of adjacent parking modules.
 3. Landscape strips may include sidewalks (and landscape islands may be crossed by sidewalks), but the sidewalks shall be counted as required landscape areas for the purposes of the calculation of planting requirements (see Subsection E., below).
 4. A raised sidewalk to connect the parking area with major building entries should be provided between the cells with a five foot planting strip on both sides of the sidewalk. An alternative layout is a sidewalk connection with a central five foot wide landscaped area, flanked with sidewalks on both sides.
- E. **Minimum Planting Requirements.** Required surface parking lot landscape areas shall be planted with one shade tree or two ornamental trees, plus eight shrubs per 300 square feet of required landscape area.

4-6-6-5 General Landscape Areas

- A. **Generally.** Except as provided in Subsection B., below, the landscaping requirements of this Section apply to all permeable areas of the subject property that are not otherwise a designated required planting area pursuant to Division 4-6-5, Landscape Areas and Bufferyards or Section 4-6-6-1, Street Trees, through Section 4-6-6-4, Foundation Plantings, inclusive.
- B. **Exceptions.** The requirements of this Section do not apply to:

1. Preserved open space; and
 2. Irrigation canals, irrigation ditches, reservoirs, and appurtenant maintenance areas (whether owned in fee simple or as easements).
- C. **Planting Requirements.** General landscape areas shall be planted with at least:
1. One ~~large-canopy or evergreen~~ tree, or two ornamental trees per ~~23,000~~ square feet of permeable-landscape surface area;
 2. A minimum of ~~One small tree or one evergreen per 1,500 square feet of permeable area~~ 10 percent of all trees shall be evergreen; and
 3. 75 percent vegetative ground coverage at maturity, excluding tree canopy.
- D. **Shrub Requirements.** Shrubs shall be planted at a maximum spacing of five feet on center.
- E. **Planting on Steeper Slopes.** On slopes greater than 3:1, the following can be planted:
1. Trees and shrubs; and
 2. Groundcovers.

4-7-2-1 Fences and Divisional Walls

- A. **Generally.** All fences and divisional walls shall comply with the requirements of this Division.
1. If a proposed fence or divisional wall is located directly adjacent to a zoning district boundary or on a shared property line, the less restrictive standards shall apply.
- B. **Permits Required.** All fences and divisional walls require fence permits, except for the following:
1. Repair of a fence section not greater than eight linear feet in length.
- C. **Height.** All fences and divisional walls shall comply with the maximum heights shown in the following Table 4-7-2-1, Maximum Height of Fences and Divisional Walls Within Required Setback Areas, unless a different maximum height is explicitly permitted:
1. By this Code or approved through the Minor or Major Modification, or PUD approval process;
 2. For an activity field (*i.e.*, tennis court, baseball, football, soccer fields) at the discretion of the Director; or
 3. For fences associated with a Utility, Major for security purposes, at the discretion of the Director.
- D. **Location.** All fences and divisional walls may encroach into required yards and setbacks. Fences and wall shall not:
1. Be constructed within a public right-of-way or areas to be dedicated for public right-of-way unless a revocable permit is approved;
 2. Conflict with sight distance visibility of intersections or points of ingress/egress;
 3. Block or divert a natural drainage flow onto or off of any other property;
 4. Block access within an access easement; and
 5. Encroach into a utility easement, unless the easement holder has provided written consent. (This specific requirement shall only apply to masonry walls.)

Figure 4-7-2-1A: Fence and Division Wall Location Diagram

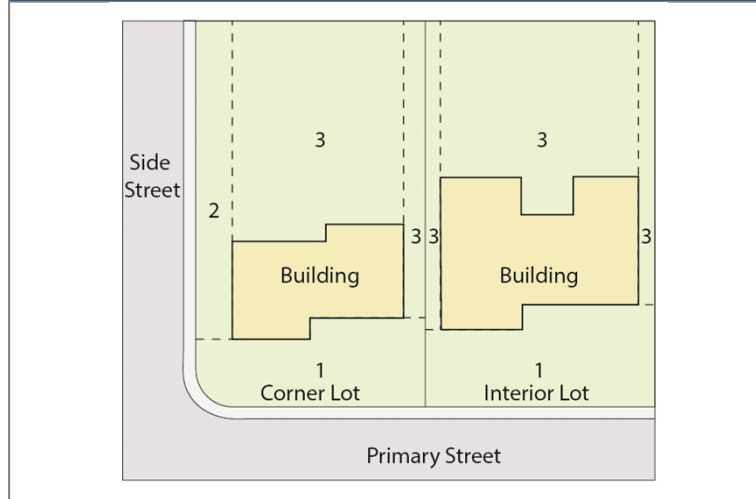


Table 4-7-2-1 : Maximum Height of Fences and Divisional Walls Within Required Setback Areas

Zoning District	Setback		
	Area 1 Front	Area 2 Street Side	Area 3 Rear & Interior Side
OS, RA, RN, R6, R13, R24, MX-N	3 ft. ²	3 ft. ^{2,3,4}	6 ft. ^{4,9}
MX-S, CG	3 ft. ²	3 ft. ^{2,5}	6 ft.
MX-U, MX-T	3 ft. ²	3 ft. ^{2,5}	6 ft.
OT Zoning Districts	3 ft. ^{5,6,7,8}	3 ft. ^{5,6,7,8}	3 ft. ⁸
IL	6 ft.	6 ft.	6 ft.
IG	6 ft.	8 ft.	8 ft.
PUD	Per the approved PUD. If no standards were identified as part of the approved PUD, then the fence standards for the closest zoning district shall be utilized.		

TABLE NOTES:

¹ See Figure 4-7-2-1A, Fence and Divisional Wall Location Diagram.

² Height may be increased to 4 ft. if the fence is at least 50 percent transparent when viewed at a perpendicular angle.

³ Height may be increased to 6 ft. (regardless of opacity) if the fence is set back at least 6 ft. from the property line or 6 ft. from the back of adjacent sidewalk, whichever is greater.

⁴ Height may be increased to 8 ft. for divisional walls that face arterial streets.

⁵ Height may be increased to 6 ft. if a minimum of 50% open for school yards.

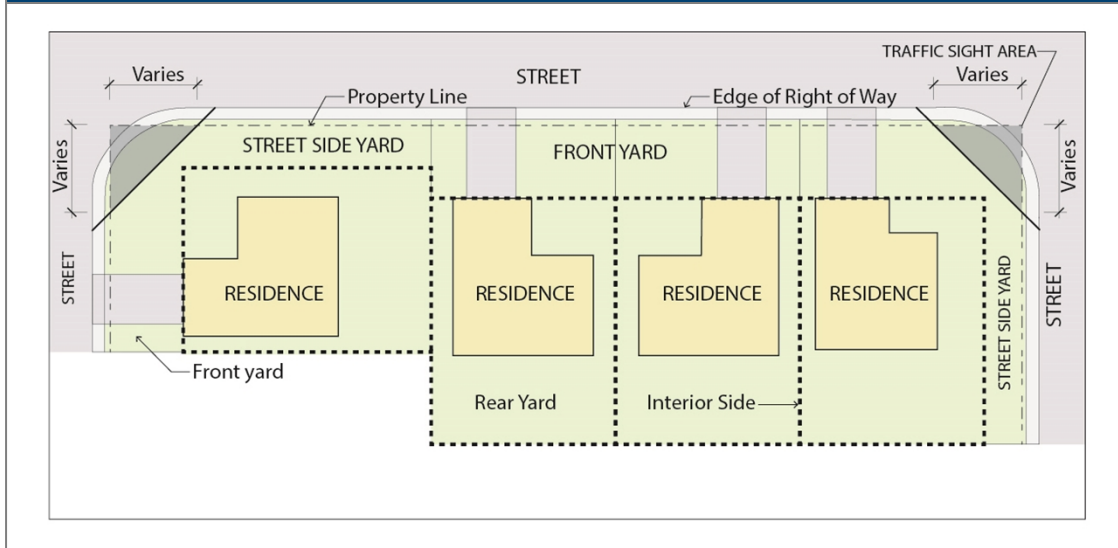
⁶ Height may be increased to 4 ft. if a minimum of 50% open for single-family, duplex or multiplex building types.

⁷ Height may be increased to 4 ft. if a minimum of 50% open for mixed-use building type outdoor dining areas.

⁸ Height may be increased to 6 ft. except within any McIlvoy Park Frontage zone or any side or rear setback adjacent to McIlvoy Park or Olde Town Plaza, or where it would extend in front of a building within any frontage zone.

⁹ Maximum height is 6 ft. for rear yards on double frontage lots.

Figure 4-7-2-1B: General Fence Location



E. Setbacks from Streets, Sidewalks, Open Space, Trails, and Multi-Use Pathways.

1. No solid fence or divisional wall that is between four and eight feet in height shall be installed closer than:
 - a. Eight feet from the flowline of a street; and
 - b. Five feet to the nearest edge of a sidewalk, open space corridor less than 15 feet wide, trail, or multi-use pathway.
2. No solid fence or divisional wall that is more than eight feet in height shall be installed closer than:
 - a. Ten feet from the flowline of a street; and
 - b. Eight feet to the nearest edge of a sidewalk, open space corridor less than 15 feet wide, trail, or multi-use pathway.
3. Fences that exist in the condition identified in Subsection E1 and E2 above prior to the adoption of this Code shall be considered conforming.
4. The area between the fence or divisional wall and the street, sidewalk, trail, or multi-use pathway shall be landscaped with shrubs, groundcover, perennials, ornamental grasses, or turf materials that provide contrast with the sidewalk. Inorganic ground cover such as river rock, cobble rock, or gravel may be used as part of the landscape provided that the ground cover, ornamental grasses or turf which are planted achieve 50 percent coverage at maturity. Hardscape materials are allowed only at points of access through the fence or divisional wall.
5. Fences shall comply with the sight triangle requirements of Section 4-4-3-3, Intersection Visibility.

F. Design of Street-Facing Fences or Divisional Walls.

1. All fences or divisional walls adjacent to a street, open space, trails, and multi-use pathways, the finished surface of the fence shall face towards the street frontage. Non-decorative elements such as fence posts and supporting structures, when visible on one side and not the other, shall face inward.

2. No portion of any front yard setback may be fenced for use as an animal pen or dog run.
- G. **Perimeter Fence and Walls.** Perimeter fences and walls along arterial streets or railroad tracks may be constructed up to eight feet in height. Perimeter fencing shall be constructed of Western Red Cedar wood or other material approved by the Director, or masonry. Masonry fence posts two foot by two foot in size, shall be located at property corners but no further than 100 feet apart on-center, and with sloped column caps to drain water to the sides of the posts.
- H. **Security Fencing.**
 1. No barbed wire or other sharp-pointed fences or similar security devices on divisional walls shall be installed on any property, except:
 - a. In the IL or IG zoning districts that is used for industrial purposes, upon demonstration to the Director or the Decision Making Body that a substantial security need justifies the installation; or
 - b. In the RA or OS zoning districts on property that is used for agricultural purposes.
 2. Electrically charged fences are not allowed unless necessary for livestock control in an RA zoning district.
- I. **Relationship to State Statutes or Regulations.**
 1. Where the Colorado statutes or implementing administrative regulations require fencing or divisional walls that are taller than those that are allowed by Table [2-3-6-24-7-2-1](#), Maximum Height of Fences and [Garden Divisional Walls](#) ~~w~~Within Required Setback Areas, the Director may approve the increased fence or divisional wall height in accordance with the statutes or implementing administrative regulations.
 2. If the fence or divisional wall is located within Area 1 or Area 2 as shown in Figure [2-3-6-24-7-2-1A](#), Fence and Divisional Wall Location Diagram, then where feasible and consistent with the statute or regulation, the Director shall require landscaping or design treatments to mitigate the visual impacts of the increased height of the fence or garden wall when viewed from the public streets. Mitigation measures may include, but are not limited to, tree, shrub, or hedge plantings; material and color selections that de-emphasize the fence or garden wall; transparency; and additional setbacks for the fence or divisional wall.
- J. **Fence and Wall Materials.**
 1. Fences and divisional walls shall be made of high quality, durable materials that require low maintenance and are complementary with the overall design of the principal building and site landscape. The following materials are allowed:
 - a. Wood and composite wood;
 - b. Non-reflective plastic and vinyl fencing;
 - c. Natural stone, stacked stone, brick, stucco, decorative concrete masonry blocks that replicate the appearance of brick, stone, stucco and CMUs;
 - d. Metal iron, metal picket and other metals simulating the appearance of wrought iron, chain-link fencing or aluminum or wrought iron decorative fencing;
 2. The Director may approve other materials that are equal to or surpass the materials listed in this Subsection J. in terms of durability, maintenance, and aesthetics.
 3. Prohibited Material. Sheet plastic, sheet metal, chicken wire, fabric materials, fiberboard, garage door panels, snow fencing, rope, plywood fences, PVC pipes, and miscellaneous materials not commonly used with residential fences are not allowed.
- K. **Maintenance.** All fences and divisional walls shall be maintained in good condition at all times.

4-8-2-2 General Design Standards

- A. **Shielding of Lights.** Luminaires shall be shielded and directed to avoid glare and overspill onto adjacent property.
1. All exterior light fixtures shall be full cutoff fixtures that are directed downward (90 degrees from true vertical) and shall have flat lenses, emitting no more than 10 percent of the total lumens between 80 and 90 degrees from true vertical. Fixtures shall be configured so that lights do not cause glare.
 2. All light fixtures on structures, poles, bollards, stands, or mounted on a building shall have a shield, adjustable reflector, and/or non-protruding diffuser to shield the light source from sight from adjacent residential zoning districts.

Figure 4-8-2-2: Light Fixtures Examples



- B. **Maximum Spill Light Illumination Levels.** Except for public street lighting, all exterior lighting and indoor lighting visible from outside shall be designed to minimize adverse impacts on adjacent properties by minimizing glare and limiting light at the property line and located so that the maximum illumination measured in foot_candles at ground level and for mixed-use development without property lines shall be measured a line half-way between buildings of differing uses and shall not exceed the standards in Table 4-8-2-2A, Maximum Illumination Levels.

Table 4-8-2-2A: Maximum Spill Light Illumination Levels	
Type of Use Abutting a Lot Line	Maximum Illumination level at Lot Line (Foot Candles)
Single-family dwelling and duplex residential property line in RA, RN, R6, R13, R24, OT districts (-single-family, duplex, multiplex building types), and OS	0.5
Attached dwelling and multifamily residential property line (except mixed-use <u>buildingsdwelling</u>)	1.0

Table 4-8-2-2A: Maximum Spill Light Illumination Levels

Type of Use Abutting a Lot Line	Maximum Illumination level at Lot Line (Foot Candles)
Mixed-use buildings and non-residential property lines	2.0
Industrial	3.0

A.3. Maximum Illumination and Lighting Uniformity.

~~1.a.~~ Lighting ~~of pedestrian and vehicular use areas (e.g., parking lots, plazas, and sidewalks)~~ shall have a uniformity ratio of ~~three-ten~~ to one (maximum to minimum).

~~b.~~ No single lamp shall exceed:

~~i.~~ All zone districts except ILG and IGL – 16,000 lumens

~~ii.~~ IL and IG zone districts - 20,000 lumens.

2. Maximum Light Levels.

~~2. a.~~ The maximum allowed light levels at any point on the property (as measured in foot candles) shall not exceed the following limits:

Pedestrian areas (when not adjacent to parking lots) 3 Foot Candles

Multiplex, Townhome, and Multifamily Building Entries 8 Foot Candles

Parking lots, and all other non-residential use areas 8 Foot Candles

Service Canopies (fuel stations, ATMs, Drive-Thru's, etc.) 20 Foot Candles

C. **Maximum Height.** The height of exterior light fixtures, whether mounted on poles, walls, or by other means, shall comply with the standards in Table 4-8-2-2B, Maximum Height for Exterior Lighting.

Table 4-8-2-2B: Maximum Height for Exterior Lighting

Base Zoning District	Maximum Height ¹
OS, RA, RN, R6, R13, R24, OT, MX-N, MX-S	22 feet
CG, MX –U, MX-T, IL, IG	35 feet
TABLE NOTES: ¹ Porch and balcony lights on residential buildings are exempt from the maximum height. Lighting	

D. Motion-Activated Security Lighting.

1. Motion-activated security lighting may emit up to 3,000 lumens per fixture.
2. Not more than one motion-activated security light fixture is allowed per 60 linear feet of building elevation.
3. Security lighting shall be timed to turn off after not more than five minutes after motion activation.

E. **Outdoor Sports or Performance Venue.** Lighting fixtures for outdoor sports areas, athletic fields, and performance areas shall be equipped with a glare control package (e.g., louvers, shields, or similar devices) and aimed so that their beams are directed and fall within the primary playing or performance area.

1. Lighting fixtures may not be more than 40 feet in height.

~~F.~~ Parking Lot Lighting.

- ~~1. Maintained average horizontal illuminance values in parking lots during times when the parking lot is in use shall not exceed four foot candles.~~
- ~~2. The average horizontal illuminance within the parking area shall not exceed 3.5 foot candles when the associated business(es) is closed.~~

~~G.F.~~ Pedestrian Area Lighting.

1. Pole ~~light~~ fixtures for plazas, small urban parks, sidewalks, walkways, trails, and bicycle paths outside of vehicular surface areas (i.e., parking lots) shall:
 - a. Provide at least ~~1.5~~ foot candles of illumination, but not exceed three foot candles; and
 - ~~b.~~ Have a maximum height of 15 feet.
 - ~~b.c.~~ No single lamp shall exceed 10,000 lumens.
2. Pedestrian bollard lamps shall be mounted no higher than four feet above grade and shall not exceed 3 foot candles.

a. No single lamp shall exceed 900 lumens. for any single lamp.

~~1.~~

~~H.G.~~ Wall Pack Lights. Wall packs on the exterior of the building shall be fully shielded (e.g., true cut-off type bulb or light source not visible from off-site) to direct the light vertically downward and have a maximum of 1600 lumens.

~~H.H.~~ Awnings. Awnings used for building accents over doors and windows shall not be internally illuminated (i.e., from underneath or behind the awning) unless the awning material is entirely opaque.

~~B.~~ Service Canopy Lighting. Canopy lighting for uses that shelter outside work, full-service areas or porte-cocheres shall have all light fixtures flushed mounted or recessed into the canopy and equipped with flat lenses.

1. All light fixtures flushed mounted or recessed into the canopy and equipped with flat lenses; and
 - ~~1. A light distribution that does not exceed a 10:1 ratio between the average light levels under the canopy and the average light levels of the area outside the canopy.~~

~~J.I.~~ Decorative Lighting.

1. Decorative lighting shall be permitted to enhance the appearance of a building and / or landscape feature provided that:
 - a. All light is cast against the building surface or downward onto a landscape feature;
 - b. All decorative lighting is directed away from residential uses located within 50 feet of the building façade on which the decorative lighting is mounted and is shielded to reduce light trespass on adjacent uses;
 - c. The lamp is not visible from adjacent properties, pedestrian or vehicular traffic; and
 - d. The decorative lighting does not exceed 1600 lumens.
2. Unshielded Tivoli and patio string lighting with no more than 200 lumens per foot provided that the lighting is turned off between 11:00 PM and 6:00 AM.

~~J.L.~~ Pole and Fixture Color.

- ~~2.~~ 1. All poles and fixtures (luminaires) shall be of dark colors including, but not limited to, black, dark gray, dark green or brown. Reflective or light colored poles and fixtures are not allowed.

5-1-2-2 Evaluation of Aesthetic Consistency

- A. **Generally.** Where the standards of ~~this Division~~, Division 5-1-5, Supplemental Standards for Residential Land Uses (Except Multifamily), or Division 5-1-6, Supplemental Standards for Nonresidential and Multifamily Land Uses, require aesthetic consistency, aesthetic consistency shall be evaluated in accordance with the standards of this Section.
- B. **Roof Pitch and Form.** As to roof pitch, “consistency” means a roof pitch within 1:12 of the slope of the primary roof structure of the principal building.
- C. **Roofing or Cladding Materials.** As to roofing and cladding materials, “consistency” means a material that is not obviously different in terms of texture or color from a material used for the same purpose on the principal building.
- D. **Window Styles, Window Orientation, and Doors.** As to window styles, window orientation, and doors, “consistency” means windows or doors with a design and aspect ratio that is not materially different from windows or doors on the principal building.
- E. **Color Palette.** As to color palette, “consistency” means colors that are:
 - 1. The same as the principal building;
 - 2. Complimentary to the predominate color(s) of the principal building;
 - 3. Monochromatic variants of the primary color(s) of the principal building;

5-1-2-3 General Building Design Standards

- A. **Building Orientation.** ~~All~~Primary buildings shall emphasize the location and importance of the entryways.
 - 1. The main entrance or a courtyard leading to the main entrance of each principal building shall be located on the front facade.
 - 2. On corner lots, the main entrance shall face one of the streets or be oriented to the corner.
- B. **Massing.** Primary B buildings shall be designed to avoid a monolithic appearance when viewed from the street.
- C. **Facade Materials and Design.**
 - 1. **General Requirements.**
 - a. All building exterior finish materials shall be durable and consistent with the architectural style for that building.
 - b. Where lap siding is used, it shall have a maximum nine-inch exposed board face.
 - c. Siding material shall be continued down to within nine inches of finished grade on any elevation, except that siding shall be allowed to step to follow grade:
 - i. Between six to 24 inches; or
 - ii. Within 24 inches maximum from finished grade.
 - ii.d. Vinyl Siding shall be a VSI (Vinyl Siding Institute) certified product.
 - 2. **Prohibited Materials.** The following materials are prohibited:
 - a. Highly reflective opaque materials;

- b. Natural cinder block, unfinished or smooth concrete block / masonry units or concrete wall;
 - c. Metal panels with a corrugated appearance with exposed fasteners; and
 - ~~d. Vinyl siding.~~
 - e.d. Unlisted materials that are unsuitable for exterior building applications as determined by the Director.
- 3. **Other Materials.** The Director may permit materials that are not listed in this Section as either allowed or limited, provided that the Director finds that they have comparable aesthetic qualities, durability, and maintenance characteristics. The Director may prohibit materials that are not listed in this Section if the Director finds that they do not have aesthetic qualities, durability, and maintenance characteristics that are comparable to the materials that are allowed or limited under this Section.
- 4. **Side and Rear Facade Design.** Where a side or rear facade of a residential building abuts streets, parks, or open spaces, the facade shall be designed to provide human scale by the use of all of the following:
 - a. At least one change in the vertical or horizontal wall plane within 20 feet above grade;
 - b. At least one change in the color or material of the wall;
 - c. Provision of windows, a porch, or a balcony; and
 - d. Detailing the wall with reveals, belt courses, cornices, projections, or other devices.
- 5. **Rear Facade Design for Double-Frontage Lots.**
 - a. Double-frontage lots shall be required to meet the standards in Section 2-1-10-5, Double-Frontage Lots, for building setbacks or stepped setbacks for taller buildings.
 - b. Structures of two stories or more shall incorporate at least one of the following rear elevation treatments:
 - i. The building façade on the rear elevation shall have brick, stone, or stucco cladding in a minimum amount equivalent to 50 percent of the façade, (excluding windows, doors, trim and vents) from the average grade to the highest eave or 9'-6" above the average grade, whichever is lowest; or
 - ii. At least 50 percent of the area of the building facade shall have a minimum four-foot horizontal difference (plan view) in the rear wall plane at the height of one of the floors.
- 6. **360-Degree Architecture.** All buildings shall incorporate the following design standards to create architectural interest.
 - a. **Materials.**
 - i. Where brick, stone, or stucco cladding is used, they must be applied to the building facade in a manner which begins and ends at edges related to the structure of the building (such as a window sill level, floor plane lines, or interior corners of projection or similar elements). All brick, stone or stucco cladding shall wrap around all outside building corners a minimum of two feet, and must wrap all sides of a column on which it is used. An architectural treatment shall be used to transition from brick, stone, or stucco to other materials.
 - b. **Windows and Doors.**
 - i. Windows are required encouraged on all elevations, except as provided in Division 2-1-8-5, Zero Lot Line, and unless restricted by the Building Code. On facades facing

streets, parks, or open space, a minimum of 20 percent of the façade shall be windows. A greater percentage of windows may be required by other sections of this Code.

- ii. Window and door openings shall be articulated on all elevations of the building through the use of:
 - a. Shutters, awnings or canopies;
 - b. Decorative lintels and/or sills (such as projecting, recessed, those constructed of materials other than the principal building material or ornamentation);
 - c. Overhangs; or
 - d. Surrounds and trims.
7. **Façade and Roof Color.** Colors used on building exteriors should integrate a building's various design elements or features.
 - a. Walls should be subdued in color and not reflective. Bright colors should be used sparingly and limited to accenting a building, and should not be used to act as signs or create "sign buildings". Monotonous color palettes are strongly discouraged.
 - b. All building projections, including, but not limited to, gutters, downspouts, chimneys, flues and vents, shall match in color the permanent color of the surface from which they project or match the building's trim color.
8. **Rooflines.**
 - a. Building rooflines visible from a public street, park, or open space shall incorporate features to create a varied and visually distinctive roof form through features, such as prominent cornice or fascia, stepped roofs, emphasized dormers, chimneys, gables, or an articulated roofline.
 - b. Roof slopes, excluding covered porches and patios, shall have a minimum pitch of 2:12 unless screened with a parapet wall. Subordinate roofs can be of a lesser pitch. A building of a style that is traditionally associated with flatter roofs, such as Prairie or Modern style, may be allowed as determined by the Director.
 - c. The maximum length of a continuous roof ridgeline is 35 feet. Roofs with dormers and other architectural details are exempt from this requirement.
 - d. Pitched roofs shall have a minimum eave overhang of at least one-foot.
9. **Canopies and Port-Cochères.** Canopies and port-cochères that cover vehicular use areas, service areas, or outdoor storage areas shall meet the following standards:
 - a. The same architectural treatments utilized on the principal building in terms of cladding materials, roof pitch, roofing materials, and color scheme shall be used on canopies and port-cochères.
 - b. A maximum of 25 percent of each canopy fascia area visible from a public street may be internally illuminated, and no portion of any fascia may be externally illuminated. Each side of a canopy shall be considered a separate fascia area.
10. **Rooftop, Wall Mounted and Ground Mounted Mechanical Equipment, Flues and Exterior Building Elements.**
 - a. **Screening.**
 - i. Rooftop mechanical equipment and appurtenances should all be screened from a public street through the use of parapets or enclosures that are equal to, or greater than, the height of the equipment to be screened. The parapet or

enclosure shall use one of the predominate materials or colors used on the primary façade of the building.

- ii. The Director may reduce or waive these screening requirements for building elevations that face substantial changes in grade that make screening impracticable if relocation of the mechanical equipment to a less conspicuous location is also impracticable.
 - iii. All air conditioning compressors shall be completely screened. Screening enclosures shall use at least one of the predominant materials used in the facades of the primary structure where feasible, and one of the predominant colors used in the primary structure.
 - iv. All rooftop and wall vents and flues on a pitched roof or extending above the top of the nearest parapet shall be painted with one of the predominant colors used in the primary structure.
 - v. Wall-mounted utility equipment and meters shall be screened from view from a public street and shall be painted a color to blend with the building façade.
- b. **Noise attenuation.** Equipment that generates noise perceptible at the adjacent street or property line shall be baffled or otherwise attenuated to direct unavoidable noise upward.

5-1-2-4 Building Design Standards Applicable to Single-Family Detached, Duplex, and Multiplex

- A. **Generally.** In addition to Section 5-1-2-3, General Building Design Standards, the following standards shall apply to new development or redevelopment of single-family detached, duplex, and multiplex units in all zoning districts.
- B. **Front Façade Design.** In new development of single-family detached and duplex buildings, the front façade shall have significant variation as defined below:
- 1. No identical home elevation shall be repeated directly across the street or adjacent to the other home.
 - 2. No identical model elevation shall be repeated more than once every three lots.
 - 3. Distinct elevations shall be provided by incorporating at least three of the following:
 - a. The use of different materials and color on the front facade;
 - b. Variations in the front wall plane;
 - c. Vary the size and location of the front porch;
 - d. A variation of building types;
 - e. The overall width of the front façade elevation differs by more than four feet;
 - f. The overall height of the front façade elevation differs by more than four feet; and
 - g. Windows size and shapes are substantially different.
- C. **Garages.** All garages for single-family detached and duplex buildings shall comply with Section 5-1-2-2, Evaluation of Aesthetic Consistency, and are subject to the following:

1. For each new development containing ten or more single-family or duplex dwelling units in all zoning districts, 50 percent of the total number of lots in the subdivision that have a street-accessed garage shall use at least one of the following garage variations:
 - a. Recessed garage doors facing the street shall be recessed a minimum of four feet behind the front wall plane of the house.
 - b. Side-loaded garages shall be located at a right angle to the street. The design of the garage wall facing the street shall have the same predominate materials used on the front façade.
 - c. Rear garages shall be located to the rear of the property either as a detached structure or part of the house. If constructed as part of the house, the part of the house, the front wall of the garage shall be setback at least 15 feet behind the front façade of the house.
2. Front loading, front-facing garages doors shall not constitute more than 50 percent of the total width of the building.
3. No more than three garage bays shall face the street, except when the bays are located behind the principal buildings.
4. When more than two garage bays exist, all garages doors that face a street shall include at least one two-foot-wide column or a two-foot façade setback separating each garage door.

5-1-2-6 Nonresidential and Mixed-Use Design Standards

- A. **Generally.** This Section shall apply to any new nonresidential development, mixed-use development, redevelopment, or building expansion in all zoning districts. In addition to Section 5-1-2-5, Building Design Standards Applicable to Townhomes and Multifamily, the following standards shall apply to new development or redevelopment of multifamily and townhome units in the MX zoning districts. In the OT Zoning District, these standards may be modified through the design review process based on the standards in the Olde Town Building Form Standards and Design Guidelines for Olde Town.
- B. **Building Orientation and Configuration.**
 1. Structures shall be arranged so that the primary facade, or each facade with a main pedestrian entry, orients onto a public or private street, a public park, open space or common green, plaza, courtyard, private street-like drive, or a pedestrian passage, in the following order of priority:
 - a. A public or private street;
 - b. A public park, open space or common green;
 - c. A plaza or courtyard; or
 - d. A pedestrian walkway.
- C. **Single-Story Commercial and Mixed-Use Developments.**
 1. Commercial and mixed-use developments shall break up supporting commercial buildings into a cluster of individual pad and liner buildings at intersections and street edges.
 2. Pad and liner buildings located within the frontage zone shall be designed to be “double-fronted”, where at least one entrance shall face the street or public space, following the order of priority in B.1 above. Secondary entries can be oriented to the parking lot.
 3. Large commercial or large format buildings with a minimum of 50,000 square feet of gross area, such as a grocery store or big box retail building, may be placed internal to the site.

D. Multi-Building Developments.

1. Multi-building developments that have three or more buildings shall be organized to create pedestrian-friendly spaces and streetscapes. This should be accomplished by placing buildings to:
 - a. Frame and emphasize the corners of street intersections, development entry, or a primary pedestrian street within the development;
 - b. Frame and enclose parking areas on at least two sides;
 - c. Frame and emphasize a plaza, pocket park, square, or other outdoor gathering spaces for pedestrians; and / or
 - d. Frame and emphasize other site improvements as approved by the Director.
2. Developments composed of multiple buildings totaling 100,000 square feet or more of gross floor area shall be configured to break up the site into a series of smaller blocks.

E. Building Design. The following building design standards are intended to provide architectural interest.

1. Design of Facades.

- a. The first floor façade of all buildings, including structured parking facilities, shall be designed to encourage and complement pedestrian-scale interest and activity through the use of elements such as windows, awnings, and other similar features.
- b. Architectural features and treatments shall not be limited to a single façade. All visible sides of a building, whether viewed from public or private property, shall display a similar level of quality and architectural interest, with elements such as windows, awnings, a variety of exterior materials, reveals, and other similar features.

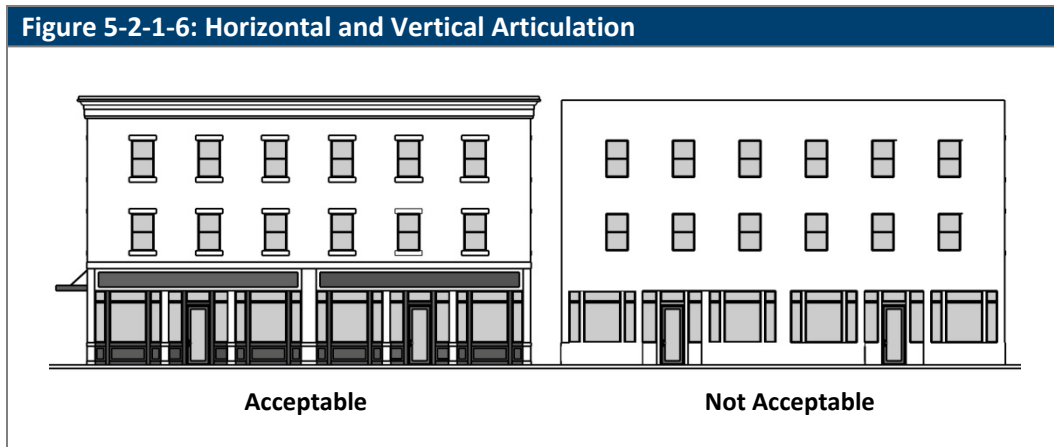
2. Horizontal and Vertical Articulation.

- a. **General Standards.** All buildings shall be designed to include horizontal and vertical articulation by incorporating the following elements ~~such as~~:
 - i. Single story commercial buildings shall use at least three of the horizontal articulation methods listed below at an interval of 50 feet or less on each façade.
 - ii. Single story industrial buildings shall use at least two of the horizontal articulation methods listed below at an interval of 100 feet or less on each.
 - iii. All multi-story commercial, mixed-use, ~~and multifamily buildings~~, and industrial buildings in the I-L zoning district, shall use at least two of the ~~horizontal~~ articulation methods listed below at an interval of 50 feet or less on each street-facing building façade.
- b. **Articulation Methods.**
 - i. Visual breaks in the façade by incorporating a horizontal wall plane offset or projection of at least three feet extending for at least 20 percent of the average width of the primary façade.
 - ii. A change in materials, colors, textures, or pattern.
 - iii. A change in window sizes, styles, or placement across the façade.
 - iv. A change in roof or parapet height of at least three feet, or a change in roof form.
 - v. Incorporation of a wall notch in combination with at least one option from (i.-iv.) above. Wall notches shall be a minimum of three feet deep and eight feet wide and shall total at least 20 percent of the façade length.

- vi. Use of masonry such as brick or stone, or other durable material to delineate the ground floor.
- vii. Use of an arcade, gallery or colonnade to accentuate the ground floor.
- viii. Use of enhanced architectural detailing or fenestration.

ix. Use of cornices or projecting roof lines.

~~ix-x.~~ For multi-story buildings, the horizontal interval may exceed 50 feet if building material changes and/or articulation occur above the first floor.



- F. **Building Transparency.** The entire ground floor of all buildings located within thea required building frontage zone that faces a public or private street shall provide transparency to increase pedestrian interest by incorporating window and door openings so that the uses are visible from and to the street. The following shall apply:
1. At least 40 percent of the façade between two feet and 10 feet above grade, must be transparent.
 2. Up to 20 percent of the building transparency requirement may be satisfied with permanent art displays.
- G. **Roofs Materials and Roof Form.**
1. **Roof Materials.** Visible roofs may be constructed of conventional asphalt (3-tab) roofs, architectural metal, or other acceptable material, but roofs constructed of clay or concrete tiles, slate, Masonite, or heavy duty/hail resistant dimensional composition are preferred. All composition shingle roofing shall be constructed using high profile, textured shingles.
 2. **Roof Form.**
 - a. Where sloped roofs are used, at least one of the following elements shall be incorporated into the design for each 100 linear feet of roof to avoid long, flat roof surfaces:
 - i. Projecting gables,
 - ii. Dormers,
 - iii. Hips,
 - iv. Vertical elevation change in roof height of at least two feet, or
 - v. Other similar techniques as approved by the Director.

- b. Where flat roofs are used, the design or height of the parapet shall include at least one change in setback or height of at least two feet along each 100 linear feet of façade.
- c. On all structures exceeding three stories in height, all pitched roofs shall be internally drained, and external scuppers and wall drains shall be prohibited.
- d. All sloped roofs shall have overhanging eaves of at least one foot in depth, and roofs with a pitch of less than 2:12 shall be screened by a parapet wall.

Table 5-1-4-3: Mini-Structure Standards		
Attribute	Standard	Exception
<u>Size (max)</u>	<u>200 sf.</u>	
Height (max)	12 ft.	Tree Houses
Number of Mini-Structures	Maximum 2	Not limited for the following land uses: Amusement, Outdoor; Recreation, Outdoor; Stables and Riding Academies; Cemetery; Day Care Center; Public Lands, Parks, or Buildings; Schools (all); Storage Yard; Community Agriculture
Location of Mini-Structures	Not allowed in front yard; Not attached to principal building	Allowed in the front yard for Recreation, Outdoor; Cemetery; Public Lands, Parks, or Buildings; Schools (all); Storage Yard; Community Agriculture
Design	Roofed structures shall be compatible with principal building in terms of materials and colors	-
Use	Cannot be used for vehicle storage	-

5-1-5-2 Accessory Dwelling Units

- A. **Generally.** Accessory Dwelling Units (“ADUs”) are allowed in conjunction with all single-family detached dwellings in residential, OT and MX zoning districts, subject to the standards in this Section.
- B. **Conformance to Development Standards.** ADUs must meet the same development standards that are required for the principal dwelling unit, except as provided in this Section.
- C. **Classification of ADUs.** For the purposes of this LDC, ADUs are classified as follows:
 1. **Type A.** A Type A ADU is detached from the principal dwelling unit. It is considered a separate dwelling unit for the purposes of the Building Code.
 2. **Type B.** A Type B ADU is located inside in basements, the upper story, or attached to the principal single-family detached building, but the occupants of the ADU and principal dwelling unit do not live together as a single household unit. A Type B ADU is typically rented. Type B ADUs typically have a separate access from the principal dwelling unit. A Type B ADU and the principal dwelling unit into which it is integrated are considered separate dwelling units for the purposes of the Building Code.
- D. **Parking.**
 1. One on-site parking space shall be required for an ADU, in addition to any required parking for the principal dwelling unit.
 2. The required parking space may be in tandem with other required spaces.

3. Garage space that is constructed for use by the occupant(s) of the ADU shall not exceed 250 square feet.

E. Unit Size and Configuration.

1. Except as provided in Subsection E.2., below, ADUs shall be:
 - a. No larger than 40 percent of the living space of the principal building; and
 - b. Within the lot size and floor area ranges set out in Table 5-1-5-2, Maximum Floor Area of Accessory Dwelling Unit.

Table 5-1-5-2: Maximum Floor Area of Accessory Dwelling Unit	
Lot Size	Maximum Floor Area
6,000 sf. or less	600 sf.
Greater than 6,000 sf. and up to 12,499 sf.	850 sf.
12,500 sf. to 1 acre	1,000 sf.
Greater than 1 acre	1,200 sf.

2. The limitations of Subsection E.1., above, shall not apply to ADUs that are located within the footprint of an existing home as long as the ADU is not larger than 50 percent of the floor area of the principal dwelling unit, including the basement. For example, if a home has a 1,000 square foot basement, an ADU could be established in the basement if the rest of the principal dwelling is at least 1,000 square feet.
3. ADUs shall be designed and configured as studio, one bedroom, or two bedroom units.

F. Location. Type A ADUs shall be located as follows:

1. For interior lots, at or behind the front plane of the primary building.
- ~~A.2.~~ On corner lots, ~~Type A ADUs shall be set back~~ ten feet behind the facade of the principal building along both street frontages.

~~F.G.~~ Number of Accessory Dwelling Units per Lot. Only one ADU is allowed for each residential lot.

~~G.H.~~ Design. The appearance of ADUs built as additions to the existing principal building or as separate structure should continue the residential character and appearance of the principal building.

1. **Type A ADUs.**
 - a. Type A ADUs shall be clearly subordinate to the principal building in terms of floor area..
 - b. Windows that face an adjoining residential property should be designed and configured to protect the privacy of neighbors, unless fencing or landscaping is provided that adequately accomplishes the same purpose.
 - c. Type A ADUs should be designed in a manner that is aesthetically consistent with the principal building in at least four of the following:
 - i. roof pitch;
 - ii. roof form;
 - iii. roofing materials;
 - iv. cladding materials;
 - v. window styles and window orientation;
 - vi. doors; and
 - vii. color palette.

2. **Type B ADUs.** Type B ADUs are integrated into the principal building. If the ADU involves a modification to the exterior of the building, the modification shall be subject to the same design standards as Type A ADUs (Subsection H.1., above). If the entrance to the ADU is visible from an adjacent street, it shall be designed in a manner as to be clearly subordinate to the entrance of the principal dwelling.

H.I. Outdoor Areas. The subject property shall provide accessible outdoor space and landscaping for both the principal dwelling unit and the ADU.

I.J. Utility Service Requirements. ADUs must be connected to the utilities (except telephone, television, electrical, and internet) of the principal dwelling unit and may not have separate services.

J.K. Owner Occupancy.

1. The property owner, as reflected in title records and evidenced by voter registration, vehicle registration or other similar means, must occupy either the principal dwelling unit or ADU.
2. The Director may waive this requirement for temporary absences of less than one year provided that the owner has maintained the permitted use for a minimum of two years and submits proof of the temporary absence.

K.L. Deed Restriction. Before obtaining a building permit for an ADU, the property owner shall file with the County Clerk and Recorder, in a form acceptable to the Director, a declaration of restrictions in reference to the deed under which the property was acquired by the present owner stating that:

1. The ADU shall not be sold separately from the principal dwelling unit, nor shall the lot on which it is situated be subdivided unless such subdivision can be accomplished in accordance with all provisions of this Code;
2. The ADU shall be restricted to the approved size;
3. The certificate of occupancy for the ADU shall be in effect only so long as either the main residence, or the ADU, is occupied by the owner of record as their principal dwelling unit, subject to any temporary waiver granted pursuant Subsection L., above;
4. Lack of compliance with deed restrictions may subject the owner of the property to any and all penalties provided for in this Code;
5. The above restrictions are binding upon any successor in ownership of the property;
6. The deed restrictions shall lapse upon removal of the ADU. To effect this intent, and upon verification of such removal, the Director shall record appropriate documentation releasing such encumbrance. The property owner shall pay all required recording fees, and it shall be the Applicant's responsibility to ensure that such recording was successfully completed.

L.M. Existing Development on Lot. A single-family detached dwelling unit must exist as a principal dwelling unit on the lot or be constructed simultaneously with the ADU. A certificate of occupancy will only be issued for an ADU after it has been issued for the principal dwelling unit.

5-1-5-3 Accessory Buildings

A. Generally.

1. Storage sheds, studios, cabanas, stables, loafing sheds, barns, and detached garages requiring a building permit shall comply with the standards of this Section. Accessory dwelling units are subject to Section 5-1-5-2, Accessory Dwelling Units, and not this Section.

2. Stables, loafing sheds, and barns are allowed only in RA and RN-32.5 zoning districts.
 3. Except for barns and stables, each Accessory Building shall have a square footage area that is less than the footprint of the living area, excluding attached garage square footage, of the principal dwelling unit.
- B. **Number.** The maximum number of Accessory Buildings that may be constructed or installed upon a residential lot is based on the zoning district and lot size, and shall be as set forth in Table 5-1-5-3A, Maximum Number of Accessory Buildings.

Table 5-1-5-3A: Maximum Number of Accessory Buildings	
Zoning District	Maximum Number of Accessory Buildings
RN-4	2
RN-6, RN-7.5, RN-D	3
RN-12.5	4
RN-32.5	6
RA: lot less than 5 acres	6
RA: lot 5 acres or larger	7
PUD	<u>Per the approved PUD. If no standards were identified as part of the approved PUD, then the maximum number for the closest zoning district shall be utilized.</u>
R6, R13, R24, OT Form, and MX Zoning Districts and Lot Type	
Small Urban, Urban	-
Small General	2
General, Small Suburban, Suburban,	3
Cluster	1

- C. **Building Coverage.** Accessory Buildings are counted towards the combined square footage of the principal building footprint and accessory structure(s) and shall not exceed the zoning district maximum lot coverage limitations.
- D. **Height.** Accessory Buildings shall not exceed the maximum height for accessory buildings identified in the zoning districts in Chapter 2, Zoning Districts.
- E. **Location.**
1. **All Zoning Districts except RA.** Accessory Buildings shall be:
 - a. Located outside-ofwithin the setbacks identified in the zoning districts. (See Chapter 2, Zoning Districts); and
 - b. Set back on-the-sameat or behind the front plane as the nearest front façade of the principal building.
 2. **RA Zoning District.** Accessory Buildings may be located in any yard, and must meet the required setbacks.
 3. **Accessory Buildings.** With the exception of non-residential gas station canopies, gas station or car wash facilities where allowed, and security/entry booths, accessory buildings shall not be in the front or side yards.
- F. **Design.** The design of detached-garagesaccessory buildings shall be aesthetically consistent with the design of the principal building. See Section 5-1-2-2, Evaluation of Aesthetic Consistency, for applicable standards.

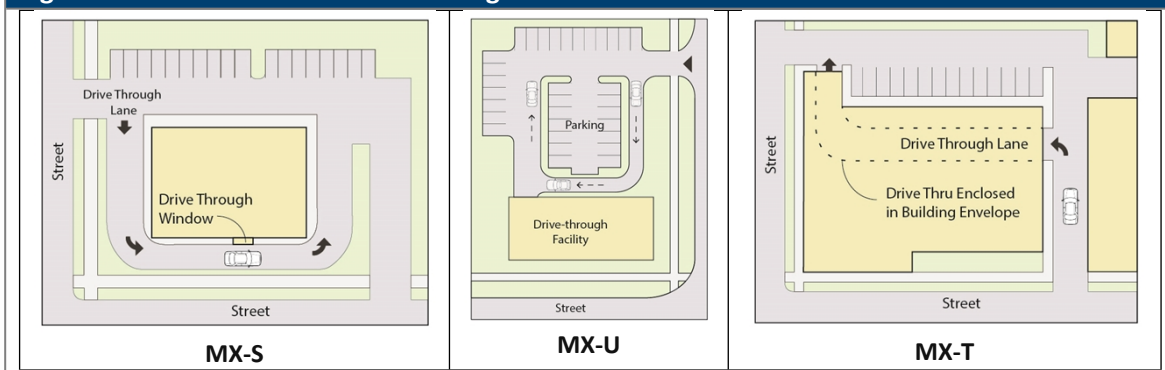
5-1-6-2 Drive-Through Facilities

A. **Generally.** Drive-through facilities are subject to the standards of this Section.

B. **Design Standards.**

1. **Location.** Uses with drive-through facilities shall be located on properties with frontage on an arterial or collector street. Drive-through facilities are prohibited in the OT zoning district.
2. **Speakers.**
 - a. Speakers shall not be oriented towards an adjacent residential zone district unless an intervening building exists. Where an intervening building does not exist, the following shall also apply to minimize the speaker noise impact on an adjacent property:
 - i. If the speaker is located within 15 feet or more of the property line, a solid wall with a minimum height of 6 feet shall be installed on the property line.
3. **CG and MX Zoning Districts.** In CG and MX zoning districts, a drive-through facility shall be subject to the following:
 - a. In CG and MX-S zoning district, a drive-through lane may be located in the area between a building and a public street. The drive-through lane shall be screened from the public street by landscaping an Option B bufferyard, per Division 4-6-5-3, Bufferyard Options, or a low decorative wall to a minimum height of 48 inches. If a low screen wall is installed, the construction material shall be aesthetically consistent with the first floor exterior color and materials used on the principal building or provide a comparable level of quality.
 - b. In the MX-U zoning district, a drive-through lane shall not be located in the area between a building and a public street. The drive-through windows shall not face a public street.
 - c. In the MX-T zoning district, a drive-through lane shall be designed so that it is enclosed within the envelope of the building, the drive through windows are not visible from adjacent public streets and the drive-through lane shall not be located in the area between a building and a public street.

Figure 5-1-6-2: Illustrative Drive-Through Facilities in the MX



C. **Stacking.** Drive-through lanes shall meet the applicable requirements of Section 4-5-3-6, Vehicle Stacking. Additional stacking may be required if the Director finds that, based on pertinent data,

the drive-through configuration would likely otherwise create congestion on adjacent streets due to queuing at the drive-in or drive-through stations.

5-1-6-5 Trash Collection and Compaction

- A. **Generally.** Nonresidential, mixed-use, multifamily, and clustered small housing development shall include a designated trash collection and / or compaction area, which shall be located and designed to ensure adequate on-site maneuvering area for trash collection vehicles. Residential subdivisions may include designated trash collection and / or compaction areas, which, if provided, must also comply with the standards of this Section. Trash collection dumpsters shall not be allowed on individual single-family or duplex lots, unless on a temporary basis associated with construction projects for which a building permit has been issued.
- B. **Location.**
 - 1. Each trash collection, including recycling bins, or compaction area shall be located not less than 20 feet away from lots used for single-family detached, duplex, multiplex, or townhome uses, and at least 20 feet away from streets, sidewalks, and internal pedestrian circulation systems. Such areas shall be located on the site in the following order of priority (highest priority listed first, and higher order priorities are eliminated only if infeasible):
 - a. In a screened enclosure that is connected to or adjacent to the rear of the principal building;
 - b. In the rear yard; or
 - c. In the interior side yard;
 - 2. Trash collection, recycling bins, or compaction areas shall not be located more than 200 feet from the entrances of uses that they are intended to serve.
- C. **Enclosures.** Each such trash collection area shall be screened from view from all property lines by a non-combustible screen or wall between six feet and eight feet in height. The access to this enclosure shall be screened with an opaque gate. Screening fences and walls (not including gates) shall be aesthetically consistent with one of the predominant materials and one of the predominant colors used in the principal building. Chain-link gates with metal cladding are prohibited.

5-1-6-7 Custodial Unit

- A. **Generally.** The standards of this section apply to self-storage and kennel facilities with a dwelling unit for an on-site resident manager.
- B. **Design Standards.** Self-storage and kennel facilities with one on-site resident manager/caretaker dwelling shall be meet the following standards:
 - 1. The resident manager / caretaker dwelling unit shall be incorporated into and occupy space on the premises of the self-storage or kennel facility;
 - 2. One off-street, covered parking space shall be required for the exclusive use of the resident manager / caretaker.
 - 3. A landscaped private recreation area, with a minimum area of 750 square feet, shall be provided within the self-storage or kennel facility for the exclusive use of the resident manager / caretaker. The landscaped recreation area shall include:
 - a. A minimum of one 2.5 inch caliper shade tree, turf shrubs, and recreation equipment.

- b. Recreation equipment shall consist of picnic table and barbeque facilities, or other comparable equipment for use by the resident manager/caretaker.

5-1-6-98 Electric Vehicle (EV) Charging Stations

- A. **Generally.** The standards of this section shall apply to new developments containing parking stalls or other spaces on-site dedicated to the use of such spaces for the charging of electric vehicles. ~~T~~Additionally these standards shall also apply to existing sites that make modifications to build or plan for EV charging stations.
- B. **Location**
 - 1. For ~~any~~ single-family, duplex, or multiplex use, EV charging stations shall be located inside a garage.
 - 2. For ~~in any~~ townhome, multifamily, or cottage-home use, EV charging stations and equipment shall be located either in a garage or in a location internal to the site.
 - 3. For ~~all~~ non-residential and mixed-use development containing ten or less EV charging stations, all charging stations and equipment may be allowed anywhere on site provided:
 - a. All equipment adheres to the required minimum parking front setback from all public and private streets.
 - 4. For ~~all~~ non-residential and mixed-use development containing more than ten EV charging stations, all charging stations and equipment shall be located internal to the site and set back at least 40-feet from all public streets.
 - 5. In ~~the any~~ MX zone districts, EV charging stations and equipment shall be located:
 - a. Behind the wall of a front building façade.
 - b. Outside of a required front parking setback.
 - 6. In ~~the any~~ OT zone district, EV charging stations and equipment shall be located either in a garage or internal to the site, behind a building or buildings, and not visible from a public street.
 - 7. EV charging stations and equipment may not be located in any portion of a required small urban park or buffer yard.
- C. **Sitting, Site Design, and Screening**
 - 1. If located along a public or private street, a ~~Option Type B per Division 4-6-5-3 B~~ buffer-yard Options between all equipment and the front property line shall be provided.
 - 2. The installation of an EV charging station shall not reduce the size of the parking stall in which it is being installed ~~for~~ below the minimum size required in Subsection 4-5-3-2, Parking Space and Aisle Standards.
 - 3. Concrete wheel stops shall be used between the parking space and the equipment if the parking is not parallel.
 - 4. If a canopy will be used, the canopy shall comply with the requirements of Subsection 5-1-2-3-C9, Canopies and Porte-Cochers.
 - a. In any MX zone district if a canopy is used, the canopy shall comply with the requirements of Subsection 4-3-3-4-F, Fueling/Service Station Site Design.
 - 5. Parking spaces used for EV charging shall be signed for EV vehicles only.

8-1-1-1 Director of Community and Economic Development

- C. **Generally.** The Director of Community and Economic Development ("Director") is the member of the City Staff who carries out the planning and zoning functions of the City. The Director shall designate staff members to manage applications through the review process and be points of contact for Applicants. The Director may also delegate review responsibilities to managers or other professional-level staff, or, as appropriate, to consultants selected by the City.
- D. **Duties and Responsibilities.** The Director shall be responsible for the administration of this LDC and the regulations contained herein.
 - 4. The Director shall have the authority to:
 - a. Interpret and apply the provisions set forth in the LDC, other regulations adopted by the City and planning and engineering best practice. The Director shall have the authority to prepare and update Development Procedures, which may include a checklist for each type of development application, setting forth the information that Applicants must submit in order for the City to review development applications, permits and other developmental approvals under this Code, an application review schedule, fees and other relevant and appropriate materials related to the administration of this Code.
 - b. Make district boundary interpretations when uncertainty as to the district boundaries exists.
 - c. Make each of those decisions shown as a decision of the Director in 8-2-2-2, Decision-Making Tracks by Application Type.
 - d. Review and make recommendations on development applications reviewed and acted upon by the Planning Commission, City Council or other Decision Makers, as applicable, as shown in 8-2-2-2, Decision-Making Tracks by Application Type.
 - e. Review all land-use activities, plans involving land-use activity, or applications for land-use activity that are subject to either the Design Guidelines for Olde Town Arvada or the guidelines designated as "mandatory" within the Design Guidelines for the Reno Park Addition Historic District, and take final action to approve, approve with conditions, or deny the issuance of a (CCDG), as appropriate.
 - e.f. Accept land dedications and easements associated with development applications concerning which final approval has been granted by the Director.
 - 5. The Director shall:
 - a. Review applications for Sign Permits and taking final action to approve, approve with conditions, or deny on such applications.
 - b. Maintain the Official Zoning Map, including updates to reflect rezonings.
 - c. Administer the provisions of this LDC and approvals granted hereunder, and coordinate with the Code Enforcement, Neighborhood Services and the City Attorney with regard to enforcement of this LDC.
 - d. Make recommendations regarding amendments to this LDC and to the Comprehensive Plan and other land use or strategic plans approved or adopted by the City.
 - e. Develop or supervise the development of master plans, special area plans, or strategic plans, however titled, as directed by the Planning Commission.
 - f. Provide expertise and technical assistance to the advisory and decision making bodies under this Code, upon request, and as appropriate.
 - 6. The Director shall also determine:

- a. Whether the proposed development creates a need for off-site public improvements;
- b. Whether required development-related agreements (*see* Division 8-4-5, Development-Related Agreements and Covenants) comply with the requirements of this LDC and the Arvada Municipal Code with respect to the identification of required public improvements and the security provided for said public improvements; and
- c. Whether proposed public improvements and drainage plans comply with applicable engineering standards.
- d. Review applications for revocable right-of-way permits and determine as to whether and to what extent the requested encroachment will or could interfere with municipal or public use of the right-of-way.

8-1-2-2 Planning Commission

D. Powers and Duties; Generally.

1. *Decisions.* The Planning Commission shall hear and find facts as to whether the following types of applications comply with the requirements of this LDC:
 - a. Alternative Sign Programs
2. *Recommendations.* The Planning Commission shall consider and recommend to the City Council approval, approval with conditions, or disapproval of the following types of applications or petitions:
 - a. Annexations;
 - b. Height Exceptions;
 - c. Major Subdivision Preliminary Plats;
 - d. Major Modifications;
 - e. Zoning and Rezoning;
 - f. Conditional Uses;
 - f.g. PUD Development Plans (Planned Unit Developments);
 - g.h. Combined PUD Development Plans / Final Development Plans (Planned Unit Developments); and
 - h.i. Vacation of Right-of-Way and Access Easements.

- E. **Powers and Duties; Initiated Land Development Code Amendments and Other Duties.** The Planning Commission may also initiate proposed changes to the LDC and advise the City Council on such proposed changes, and shall perform such other duties as the City Council may be ordinance, resolution or motion prescribe.

F. Powers and Duties; Comprehensive Plan.

1. *Comprehensive Planning.* Upon request by the City Council, the Planning Commission shall have the power to prepare a Comprehensive Plan as a guide for future zoning and rezoning and shall have lawful and comprehensive studies made in conjunction therewith. Any plan so prepared shall be made with the general purpose of carrying out the objective of providing for the considered planning and orderly physical development of the City and applicable surrounding areas. The Planning Commission shall also actively promote implementation of any such Comprehensive Plan and other adopted plans, through its powers and duties as set out in this Section.

2. *Other Plans.* Upon request by the City Council or the Director, the Planning Commission shall be responsible for adopting other land use plans, open space/parks/trails plans, special area plans, corridor plans, and similar plans, and any updates or amendments to such plans. The Planning Commission shall also actively promote implementation of the Comprehensive Plan and other adopted plans, through its powers and duties as set out in this Section.

8-2-2-1 Development Approval Required

- A. **Generally.** Unless specifically exempt from the application of this LDC, development approval is required for all:
 1. Development;
 2. Redevelopment;
 3. Qualifying "land use activity" within areas that are subject to Design Guidelines (see Section 8-3-4-55-4, Certificate of Compliance with or Waiver from Design Guidelines); or
 4. Re-grading of:
 - a. Nonresidential property; or
 - b. Property within the Special Flood Hazard Area.
- B. **Temporary Uses and Special Events.** Certain temporary uses and special events require Temporary Use Permits. See Division 3-1-4, Temporary Uses.
- C. **Encroachments into Public Rights-of-Way.** Certain encroachments may be allowed in or over public rights-of-way pursuant to an approved revocable right-of-way license.

Table 8-2-2-2A: Decision-Making Tracks

Track	Decision-Maker	Public Hearing	Public Outreach		Administrative Appeal To
			Neighborhood Meeting	Notice	
Track 1	Director ¹	No	No ³	Yes ⁴	Planning Commission or City Council (See Section 8-2-5-2, Appellate Body)
Track 2	Director ²	Planning Commission	Yes	Yes	City Council
Track 3	Planning Commission	Planning Commission	Yes	Yes	City Council
Track 4	City Council	City Council ⁵	No	Yes	-
Track 5	City Council	Planning Commission; City Council	Yes	Yes	-
Track 6	Floodplain Administrator	Floodplain Administrator	No	Yes	Floodplain Hearing Officer
Track 7	Floodplain Hearing Officer	Floodplain Hearing Officer	No	Yes	-
Track 8	Board of Adjustment	Board of Adjustment	No	Yes	-
Track 9	Informational only to Planning Commission and	No	No	No	-

	City Council				
TABLE NOTES: ¹ For Public Improvements Construction Drawings for private development, and is not appealable to the Planning Commission; for Floodplain Development Permits, the decision is by the Floodplain Administrator, and is appealable to the Floodplain Hearing Officer. ² Planning Commission fact-finding is not advisory. Director must issue decision on facts found by Planning Commission as to application's compliance with the applicable standards of this LDC. ³ At the discretion of the Director, a neighborhood meeting may be required to inform residents of the proposed development in their neighborhood. ⁴ Notice required for Track 1 reviews only as required by Section 8-2-3-8, Notice of Administrative Application. <u>The Director shall have the discretion to waive the notice requirement for applications determined to have minimal impact on the notice area.</u> ⁵ <u>Public hearing not required for Revocable Right-of-Way License Agreements.</u>					

Table 8-2-2B: Decision-Making Tracks by Application Type					
Application Type	Required For	Exceptions	Reference	Decision-Making Track	Submittal Type
1. Annexation, Zoning, and Rezoning					
Annexation	Annexing property into the City	-	Division 8-3-3, Annexation and Disconnection	Track 5 ¹	Project
Disconnection	Removing property from the City limits	-	Division 8-3-3, Annexation and Disconnection	Track 5 ¹	Project
Zoning or Rezoning	Changing the zoning designation of land within the City or establishing initial zoning for land being annexed into the City	-	Division 8-3-4, Zoning and Rezoning	Track 5	Project
2. Land Use					
Limited Use	Establishing a limited use	-	Division 3-1-3, Use-Specific Standards for Primary Land Uses, as applicable to the use	Track 1	Project
Conditional Use	Establishing a conditional use	-	Division 3-1-3, Use-Specific Standards for Primary Land Uses, as applicable to the use; and Section 8-3-5-1, Conditional Use	Track 5	Project
Temporary Use / Special Event	Commencing / conducting certain temporary uses on a subject property	-	Division 3-1-4, Temporary Uses, as applicable to the temporary use or special event; and Section 8-3-5-5, Temporary Use Permit	Track 1	Permit
3. Certificate of Compliance, Site Plans and Site Development					
Certification of Compliance with Design Guidelines	Verifying compliance with or waiver from applicable Design Guidelines, if the subject property is	As provided in the applicable design guidelines document; <i>see</i> Appendix A: Design	Applicable design guidelines document; <i>see</i> Appendix A: Design Guidelines for Olde Town Arvada; and Appendix B:	Track 1, if not processed with another application type; otherwise same track as related	Project

Table 8-2-2-2B: Decision-Making Tracks by Application Type

Application Type	Required For	Exceptions	Reference	Decision-Making Track	Submittal Type
	located in an area that is subject to Design Guidelines (e.g., Olde Town or Reno Park)	Guidelines for Olde Town Arvada; and Appendix B: Design Guidelines for the Reno Park Addition Historic District	Design Guidelines for the Reno Park Addition Historic District; and Section 8-3-5-4, Certificate of Compliance with Design Guidelines	application. <i>See</i> Sec. 8-3-5-4, Certificate of Compliance with Design Guidelines	
Master Development Plan	Establishing or modifying a plan for a phased project to ensure compliance with the LDC	-	Section 8-3-5-2, Master Development Plan	Track 1	Project
Site Plan or Site Plan Amendment	Establishing or modifying the physical layout of a subject property, including infrastructure, development and architectural standards, parking and loading, landscaping, lighting, grading, drainage, , major structure footprints, and building footprints	Single-family detached and duplex housing types on individual lots in a subdivision of nine or fewer lots. Accessory dwelling units and accessory buildings	Applicable provisions of Chapter 2, Zoning Districts; Chapter 3, Use Regulations;; Chapter 4, Environmental and Site Design; and Chapter 5 Building Design	Track 1	Project
Floodplain Map Amendment	Changing the boundaries of a special flood hazard area	-	As provided by federal regulation	Track 6, as provided by federal regulation	Project
Floodplain Development Permit	Authorizing development within the floodplain or floodway	-	Applicable provisions of Division 4-1-2, Floodplain Regulations; and Section 8-3-5-6, Floodplain Development Permit	Track 6 (<i>see</i> footnote 1 of Table 8-2-2-2.A., above)	Permit
Miscellaneous Structure Permit	Authorizing the construction or installation of fences, walls, decks, retaining walls, garden walls, accessory buildings, accessory structures or sheds	Mini-structures less than 200 square feet	Section 8-3-5-7, Miscellaneous Structure Permit-	Track 1	Permit
Revocable Right-of-Way License Agreement	Authorizing encroachments within public rights-of-way (e.g., signs, outdoor dining areas, etc.)	Temporary structures that are approved by Temporary Use or Special Event Permits	Section 8-3-5-7, Revocable Right-of-Way License Agreements	Track 4	Project

4. Wireless Communications Facilities

Table 8-2-2-2B: Decision-Making Tracks by Application Type

Application Type	Required For	Exceptions	Reference	Decision-Making Track	Submittal Type
Small Cell Facilities Permit	Authorizing the co-location of wireless communications facilities; authorizing small-cell facilities in the right-of-way	-	Chapter 7, Wireless Communications Facilities; and Division 8-3-6, Wireless Communications Facilities	Track 1, as modified by Division 8-3-6, Wireless Communications Facilities	Permit
Base Stations and Alternative Tower Structures	Authorizing the installation of a new wireless communications facility on private property	-	Chapter 7, Wireless Communications Facilities; and Division 8-3-6, Wireless Communications Facilities	Track 1, as modified by Division 8-3-6, Wireless Communications Facilities	Project
Free-standing Towers	Authorizing the new installation of a freestanding wireless communications tower	-	Chapter 7, Wireless Communications Facilities; and Division 8-3-6, Wireless Communications Facilities	Track 5, as modified by Division 8-3-6, Wireless Communications Facilities	Project
5. Signs					
Sign Permit	Installing or displaying a sign (may also require Certification of Compliance with Design Guidelines)	Exceptions and exemptions listed in Sec. 6-1-2-2, Exemptions and Partial Exemptions; and Sec. 6-1-2-3, Permit Exceptions	Chapter 6, Signs, or an approved Alternative Sign Program; and Section 8-3-7, Sign Permits	Track 1	Permit
Alternative Sign Program	Establishing a specific signage program for a particular subject property or development, which may modify some of the standards of Chapter 6, Signs	-	Chapter 6, Signs; and Section 8-3-7-2, Alternative Sign Programs	Track 2	Project
6. Subdivisions, Plats, and Vacations					
Major Subdivision Concept Plan	Providing the City with a generalized land use plan and layout for the area proposed to be included within a subdivision	This review process is available at the Applicant's option	Applicable standards of Chapter 2, Zoning Districts; Chapter 4, Environmental and Site Design; and Chapter 9, Nonconformities	Track 9	Project
Major Subdivision Preliminary Plat	Establishing the preliminary layout of lots, streets, utilities, and open spaces within a subdivision, prior to approval of a major subdivision	-	Applicable standards of Chapter 2, Zoning Districts; Chapter 4, Environmental and Site Design; and Chapter 9, Nonconformities	Track 5	Project

Table 8-2-2-2B: Decision-Making Tracks by Application Type					
Application Type	Required For	Exceptions	Reference	Decision-Making Track	Submittal Type
	final plat for 10 or more lots.				
Major Subdivision Final Plat	Establishing the final layout of the lots, tracts, streets, alleys, and easements within a subdivision for 10 or more lots	-	Applicable standards of Chapter 2, Zoning Districts; Chapter 4, Environmental and Site Design; and Chapter 9, Nonconformities	Track 1	Project
Minor Subdivision Plat	Establishing the specific layout of the lots, tracts, streets, alleys, and easements within a subdivision that including nine or fewer new lots or tracts	-	Applicable standards of Chapter 2, Zoning Districts; Chapter 4, Environmental and Site Design; and Chapter 9, Nonconformities	Track 1	Project
Vacation of Right-of-Way	Extinguishing Right-of-Way that is held by the City	-	Division 8-3-9, Vacation of Rights-of-Way; Termination of Easements	Track 4	Project
Vacation of Easement	Extinguishing an easement that is held by the City	-	Division 8-3-9, Vacation of Rights-of-Way; Termination of Easements	Track 1	Project
7. Infrastructure Development and Public Improvements					
Public Improvement Construction Drawings	Approving construction drawings for wastewater, water, stormwater, street, and landscaping improvements	Landscaping on individual lots used for single-family detached and duplex housing types	Engineering Code of Standards and Specifications; Division 8-4-4, Public Improvements, Warranties and Utilities	Track 1 (<i>see footnote 1 of Table 4-3-2-2A., above</i>)	Project
Development Agreement	Setting out the timing and terms for the installation of public and private improvements, and providing for security to ensure that the improvements are constructed and warranted	-	Division 8-4-5, Development-Related Agreements and Covenants-	Track 1	Project
Formation of Reimbursement Assessment District and Metropolitan District	Creating reimbursement assessment districts for financing public improvements	Development that does not require a reimbursement assessment district, as determined by the Applicant	-	Track 4	Project

Table 8-2-2-2B: Decision-Making Tracks by Application Type					
Application Type	Required For	Exceptions	Reference	Decision-Making Track	Submittal Type
Out-of-City Utility Request	Any request for City provision of utility service to property outside City limits	-	Section 8-3-5-8	Track 5	Project
8. Planned Unit Developments					
PUD Sketch Plan	Providing the City with an early, informal, and generalized land use/site plan for the area proposed to be included within a PUD	This review process is available at the Applicant's option	Section 8-3-10-5, PUD Sketch Plan	Track 9	Project
PUD Development Plan	Establishing the types and total amount of development proposed within a PUD (dwelling units, land uses, and nonresidential floor area), as well as the proposed general plan for pedestrian and vehicular circulation within and connecting to the PUD; may run concurrently with preliminary plat application	-	Section 8-3-10-6, PUD Development Plan	Track 5	Project
PUD Final Development Plan	Establishing or modifying the physical layout of a subject property, including infrastructure, development and architectural standards, parking and loading, landscaping, lighting, grading, drainage, , major structure footprints, and building footprints in accordance with an approved PUD Development Plan		Section 8-3-10-6, PUD Unit Development Plan	Track 1	Project
9. Interpretations, Variances, Modifications, Exceptions, and Interpretations					
Administrative Minor Modifications	Authorizing a minor variation to the standards of the LDC	-	Section 8-3-11-3, Administrative Minor Modifications	Track 1	Project
Major Modification	Authorizing a major variation to	-	Section 8-3-11-4, Major Modifications	Track 5	Project

Table 8-2-2-2B: Decision-Making Tracks by Application Type					
Application Type	Required For	Exceptions	Reference	Decision-Making Track	Submittal Type
	the standards of the LDC				
Reasonable Accommodations	Authorizing a minor variation to the standards of this LDC	-	Section 8-3-11-5, Reasonable Accommodations	Track 1	Project
Official Interpretations	Providing an official written interpretation of the provisions of this LDC	-	Section 8-3-11-7, Official Interpretations	Track 1	Project
Height Exception	To exceed building or structure height standards in the LDC	-	Section 8-3-11-1, Height Exceptions	Track 5	Project
Variance or Exception to Standards	Authorizing a departure from the strict application of the standards in the LDC	Where other methods exist for authorizing the modification, such as an administrative minor modification, floodplain variance; or where standards are statutory requirements (e.g., state-mandated subdivision monumentation standards)	Section 8-3-11-2, Variances	Track 8	Project
Floodplain Variance	Authorizing a departure from the strict application of Division 4-1-2, Floodplain Regulations	-	Section 8-3-11-6, Floodplain Variances	Track 7	Project
10. Vested Rights					
Early Vested Rights	Obtaining vested rights prior to the approval of a site-specific development plan	-	Section 8-3-12-1, Early Vested Rights	Track 4	Project
Vested Rights (and Extension)	Obtaining vested rights in accordance with Article 68 of Title 24, C.R.S., as amended	-	Section 8-3-12-2, Vested Rights	Track 4	Project
11. Amendments and Terminations					
Annexation Agreement	Amending an annexation	-		Track 4	Project

Table 8-2-2-2B: Decision-Making Tracks by Application Type

Application Type	Required For	Exceptions	Reference	Decision-Making Track	Submittal Type
Amendment	agreement				
Major Comprehensive Plan Amendment	Amending text or Future Land Use Map, where amendment does not fall within the category of "minor"	-	-	Track 3	Project
Minor Comprehensive Plan Amendment	Correcting obvious errors (either text or mapping), and updating outdated data without changing policy	-	-	Track 1	Project
Major LDC Amendment	Changing procedures or standards in the LDC, where amendment does not fall within the category of "minor"	-	-	Track 5	Project
Minor LDC Amendment	Correcting non-substantive clerical or formatting errors in the LDC text or maps, or adding or correcting illustrations	-	Section 8-3-2-2, Text Amendment Requirements	Track 1	Project
Abandonment of Development Approval	Terminating a development approval without a replacement development approval	-	-	Track 1 if development never commenced and there is no development agreement	Project

TABLE NOTES:

¹ As modified by Colorado law pertaining to annexation and disconnection.**Table 8-2-3-134: Time Limitations**

Approval Type	Time Limitation
Conditional Use	5 years
Temporary Use Permit / Special Event Permit	as specified in the permit
Certificate of Compliance with Design Guidelines	3 years, 1 year for signs
Site Plan and Master Development Plan	3 years
Floodplain Development Permit	24 months
Free-Standing Tower	24 months; or as specified in the permit
Miscellaneous Structure Permit	6 months
Sign Permit	1 year

Alternative Sign Program	3 years
Major Subdivision Preliminary Plat	3 years
Public Improvement Construction Documents	2 years
Development Agreement	as specified in development agreement
Reimbursement Assessment District	as specified in documents establishing Reimbursement Assessment District
PUD Development Plan/Final Development Plan	5 years or as specified by development agreement
Height Exception	3 years
Variance	2 years ¹
Minor Modifications from Zoning District and General Development Standards	as specified in approval documents
Minor Modification	as specified in the approval documents
Major Modification	as specified in the approval documents
Floodplain Variance	24 months
Vested Rights (and Extension)	36 months ²
Base Station, Alternative Tower Structure and Freestanding Tower	1 year if site not constructed
Small Cell Facility	Specified as defined in the MLA for each carrier-
TABLE NOTES: ¹ Or at such alternative time specified in the approval. In addition, a variance that has been not been utilized shall automatically lapse and have no further effect if the rights granted by it are discontinued for 180 consecutive days. ² Unless specified otherwise in the approval or by development agreement.	

8-2-4-1 General Notice Requirements

- A. **Computation of Time.** In computing any period of time prescribed for the purpose of giving notice under this Division, the day of the publication, mailing, or posting shall be included. The day of the meeting or hearing shall not be counted. Saturdays, Sundays, and legal holidays shall be counted as any other day.
- B. **Notice Cost.**
 1. All costs for providing mail and posted notice as required by this Division shall be the direct responsibility of the Applicant.
 2. The City shall provide published notice. The cost of such notice shall be included in the development review fee.
- C. **Applicant's Certification.** Prior to the event that is the subject of a public notice, the Applicant shall provide the Director with an executed affidavit certifying that the requirements as to the Applicant's responsibility for the applicable forms of notice under this Division have been met. The Director shall make available sample certifications that address all applicable forms of public notice required by this LDC.
- D. **Failure to Provide Notice; Defective Notice.**
 1. Failure to timely provide the required affidavit, or evidence that a mailing list or notice letter was defective, may be cause to suspend the review process until proper notice is provided. Such suspension may be ordered by the Director or body that is responsible for the meeting,

hearing, or decision (e.g., neighborhood meeting, public hearing, or staff decision) that is the subject of the notice.

2. ~~Minor defects in any notice shall not impair the notice or invalidate proceedings pursuant to the notice if a *bona fide* attempt has been made to comply with applicable notice requirements. Minor defects in notice shall be limited to errors in a legal description or typographical or grammatical errors that do not impede communication or the notice to affected parties. However, in all cases, the requirements for the timing of the notice and for specifying the time, date, and location of a hearing shall be correctively conveyed. In any case in which a question arises at the public hearing regarding the adequacy of notice, consideration shall be given to the nature and extent of the deficiency, the probability of confusion resulting from the deficiency, and the type and variety of notice successfully accomplished in determining whether substantial compliance with the notice requirements of this Code has been met~~

- E. **Continuation of Hearings and Neighborhood Meetings.** A hearing or neighborhood meeting for which proper notice was given may be continued to a later date without again complying with the public notice requirements of this Division (unless required by Director), provided that the date, time, and location of the continued hearing or meeting is announced to the public at the time of continuance.

8-2-4-2 Required Notice by Application Type

Public notice of administrative applications, neighborhood meetings, or scheduled public meetings or public hearings shall be provided as set out in Table 8-2-4-2, Notice Requirements by Application Type. If an application type is not listed, then no notice is required, unless it is determined to be necessary by the Director.

Table 8-2-4-2: Notice Requirements by Application Type				
Table Key: — Not Required or Not Applicable ✓ Required				
Application Type	Notice Type			
	Published	Posted	Mailed ²	Internet ³
1. Annexation, Zoning and Rezoning				
Annexation or Disconnection ¹	✓	✓	✓	✓
Zoning or Rezoning	✓	✓	✓	✓
City Initiated Remapping	✓	—	—	—
2. Land Use				
Conditional Use	✓	✓	✓	✓
3. Site Plans and Site Development				
Master Development Plan	—	—	✓	✓
Site Plan	—	—	✓	✓
4. Wireless Communications Facilities				
Major Wireless Communications Facility Permit	—	✓	✓	✓
5. Signs				
Alternative Sign Program	✓	✓	✓	✓
6. Subdivisions, Plats, and Vacations				
Major Subdivision Preliminary Plat	✓	✓	✓	✓
Vacation of Right-of-Way and Public Easements	✓	✓	✓	✓
7. Infrastructure Development and Public Improvements				
Formation of Reimbursement Assessment District	✓	—	✓	✓
8. Planned Unit Developments				
PUD Preliminary Development Plan	✓	✓	✓	✓
9. Variances, Modifications, Exceptions, and Conversions				
Height Exception	✓	✓	✓	✓
Variance	✓	✓	✓	✓
Major Modification	✓	✓	✓	✓
Floodplain Variance	—	—	✓	✓
10. Vested Rights				
Vested Rights (and Extension)	✓	✓	✓	✓
11. Amendments				
Land Development Code Text Amendment	✓	—	—	✓
Major Comprehensive Plan Amendment	✓	—	—	✓
Major PUD Amendment	✓	✓	✓	✓
TABLE NOTES:				
¹ As required by applicable provisions of C.R.S § 31-12-101, et seq.				
² See Subsection 8-2-4-4, Statutory Mineral Estate Notices				
³ See Subsection 8-2-4-3D, Internet Requirements				

- A. **Generally.** Contents of the public notice will be determined by the Director.
- B. **Public Notice Contents.** All notices required by this Section shall:
1. Indicate the time and place of the public hearing or meeting, if necessary, except for a Notice of Administrative Application;

2. Sufficiently describe the property involved; for example, by legal description, general vicinity, street address, size, and/or nearest cross street;
 3. Describe the nature, scope, and purpose of the application or proposal being advertised;
 4. Indicate that interested parties may appear and the manner, extent and timing of public participation permitted (*e.g.*, filing written comments with the Director, speaking at the scheduled hearing or meeting, etc.), except for Notice of Administrative Application; and
 5. Indicate where additional information can be obtained.
- C. **Appeal Notices.** Notices of a pending appeal must include a copy of the petition for appeal and a date, time, and location for the appeal hearing, and either a copy of the rules of procedure for the Appellate Body or instructions regarding how to obtain a copy. Such notices shall be mailed to the Applicant (if different from the appellant), the appellant, and any person or entity that has applied for party status.
- D. **Vested Rights Notices.** Notice of a decision to grant vested rights shall be published in accordance with the requirements of C.R.S. § 24-68-101, as it may be amended from time to time.

8-3-5-3 Site Plan

- A. **Generally.** The purpose of the Site Plan is to ensure compliance with the development and design standards and provisions of this Code, while encouraging quality development in the City reflective of the goals, policies, and objectives found in the Comprehensive Plan.
- B. **Site Plans.** All applicable provisions of this Division apply unless specifically listed. A Site Plan is required before a building permit may be issued for all development in the City except those listed below:
1. Single family detached homes or duplex units in a subdivision of nine or fewer lots within a residential zoning district and that are not part of land for which a Master Development Plan has been approved;
 2. Permitted additions to existing single-family detached dwellings or duplex units; and
 3. Interior improvements and tenant finish.
- C. **Approval Criteria.** A Site Plan shall be reviewed for compliance with the following criteria:
1. The application complies with the applicable standards of this LDC, other adopted City regulations, any approved Master Plan that includes the property, and any conditions specifically applied to development of the property by the Planning Commission or City Council in a prior decision affecting the property;
 2. The application is consistent with the Comprehensive Plan;
 3. The City's existing infrastructure and public improvements, including but not limited to its water, wastewater, street, trail, and sidewalks systems, have adequate capacity to serve the proposed development, and any burdens on those systems have been mitigated to the degree practicable;
 4. The application will preserve and protect natural areas, ridgelines, swales, natural landforms, water quality and wildlife habitat of riparian corridors, wetlands and floodplains affected by the proposed development and integrates those areas into site design where practicable;

5. The application will improve or expand multi-modal connections with adjacent sites, neighborhoods, and urban centers;
6. The application is similar to surrounding uses in terms of size, scale and building façade materials;
7. The application mitigates any adverse impacts on the surrounding area to the degree practicable; and
8. Within the MX, R6, R13 and R24 zoning districts, townhome and multifamily residential uses shall provide appropriate amenities, including recreational facilities, pedestrian facilities, unique aesthetic features and quality design.

8-3-8-7 Acceptance of Dedications

A. Generally.

1. Major Subdivision Final Plats. All major subdivision final plats ~~and minor subdivision plats~~ shall be executed by all owners of property within the boundaries of such plat, the surveyor, the attorney or title company who examined the title, and any and all lienholders. Following the approval of a major subdivision final plat ~~or a minor subdivision plat, or conditional approval of such plat after all conditions are met~~, the plat, which shall have all permitted exceptions, waivers, or variances expressly noted thereon, shall be signed by the Director, the City Engineer, and the City Attorney. Dedication, approval, certification, and signature blocks shall be in a form approved by the City Attorney.

~~F.2.~~ Minor Subdivision Plats. All minor subdivision plats shall be executed by all owners of property within the boundaries of such plat, the surveyor, the attorney or title company who examined the title, and any lienholders. Following the approval of the minor subdivision plat, the plat, which shall have all permitted exceptions, waivers, or variances expressly noted thereon, shall be signed by the Director. Dedication, approval, certification, and signature blocks shall be in a form approved by the City Attorney.

~~A.B.~~ Method of Acceptance of Dedications; Limitations. Full execution of the approved major subdivision final plat or minor subdivision plat shall constitute the City's acceptance of any fee-simple dedication or grant of easement to the City as is referenced on the plat. Acceptance of dedications does not constitute final acceptance of public improvements constructed thereon.

Division 11-3-3 Definitions

Clustered Subdivision

A cluster lot subdivision is a residential development in which lots are allowed to be smaller or narrow. Cluster lot subdivision is a design technique that concentrates buildings in specific areas on a site to allow the remaining land to be used for recreation or other common use, common open space, or preservation of environmentally sensitive areas or agricultural uses.

Electric Vehicle (EV) Charging Station

A public or private parking space and all associated equipment, including electrical transformers, that is served by battery charging station equipment that has its primary purpose to transfer electric energy (by conductive or inductive means) to a battery or other energy storage device in an electric vehicle.

Food and Retail Truck Vending

Food and retail vending from a readily movable wheeled, motorized vehicle designed and equipped to serve food or sell retail goods or a wheeled, non-motorized trailer designed and equipped to serve food or sell retail goods, and towed by a motorized vehicle.

Fueling/-Service Station

Any building, land area, or other premises used for the retail dispensing or sales of vehicular fuels; Level 3 DC fast-charging or Level 2 charging of electric vehicles; towing of automobiles and light trucks; and including as an accessory use the sale and installation of lubricants, tires, batteries, brakes, mufflers, and similar vehicle repairs and accessory installations. The phrase “fueling/service station” does not include collision centers, or facilities that provide transmission repair, engine overhauls, or repair of heavy trucks or heavy motorized equipment. If a use that fits this definition also includes the sale of ready-to-eat food products (not intended for on-premises consumption), groceries and sundries, or 3.2 beer, such use shall be classified as a “convenience store.”

Heavy Logistics Center

A wholesaling, warehousing, and / or distribution use that provides a central location for receiving, storing and distributing raw materials, semi-finished goods, or finished goods. Heavy logistics centers may be warehouses in which goods are stored (a.k.a. “product warehouses”), or truck terminals in which goods are transferred between trucks or between trucks and trains or other transportation modes (a.k.a. “truck terminals” or “logistics centers”), or moving warehouses (including indoor storage of portable on-demand storage containers), or wholesaling operations (but not wholesale membership clubs in which memberships are available to the general public). Heavy logistics centers are expected to generate at least 50 semi-trailer truck trips per day. Warehousing and distribution uses that involve fewer than 50 semi-trailer truck trips per day are classified as Light Industry.

Landscape Surface Area

Area that is vegetated per the requirements of Article 4-6, Landscape and Buffering, or reserved for the use of outdoor pedestrian and / or non-vehicular recreation activity areas including sidewalks, trails, patios, and decks. Detention areas, buffers, and landscaping within a parking lot may be included. Includes areas dedicated as amenitized landscape surface area and small urban parks.
~~Detention areas, buffers, and landscaping within a parking lot may be included.~~

Open Space, Landscape Surface Area, Amenitized Common

Landscape surface area that is Open-space within or related to a development, not individually owned or dedicated for public use but generally owned and maintained by a homeowners association, that is designed for and intended for the common use or enjoyment of the residents, employees, or guests of the development. of the development and their guests, and may include such complementary structures and improvements as are necessary and appropriate. Common open space may include trail areas, gardens, small parks, scenic areas, buffer areas, or similar common areas. Common open space may also include active recreational facilities such as pools, tennis courts, playgrounds, and clubhouses. Common open space shall not include driveways, sidewalks, and parking areas.

Light Industry

Uses that involve research and development, assembly, remanufacturing, compounding, packaging, testing, or treatment of products, generally from previously prepared materials or components, with limited outside storage and limited external impacts or risks such that the use is not defined as heavy industry or heavy logistics center. Light industry also includes wholesaling, warehousing, and distribution

uses that involve fewer than 50 semi-trailer truck trips per day. For illustrative purposes, light industrial uses include:

1. Assembly, testing, repair, or refurbishing of products, instruments, electronics, office and computing machines, and fixtures using pre-manufactured components;
2. Offices of general contractors; specialty subcontractors; tradesmen; or telecommunications providers which include:
 - a. Overhead door access to indoor storage of tools, parts, and materials;
 - b. Parking of commercial vehicles or a fleet of cars, vans, or light trucks that are used in the business; or
 - c. Limited outdoor storage areas;
3. Food production (*e.g.*, commercial kitchen or bakery) and packaging, but not:
 - a. Meat processing involving butchering of large animal carcasses;
 - b. Medical marijuana-infused products manufacture; and
 - c. Restaurants;
4. Beverage production (non-alcoholic) and bottling;
5. Furniture making or refinishing;
6. Manufacture of textiles or apparel;
7. Screen printing of apparel (except low volume screen printing at a retail store);
8. Printing and publishing, except copy centers, and except printing presses that require a Stationary Source permit or Title V of the Clean Air Act permit for air emissions;
9. Research, development, and testing laboratories (*e.g.*, for development of products, equipment, or materials), if not classified as office, general or professional, or heavy industry;
10. Disassembly of consumer electronics and / or appliances into component parts, where all operations and storage are within an enclosed building;
11. Manufacture of glass products (*e.g.*, window panes, bottles and jars), including hand-blown products;
12. Fabrication of building materials such as countertops, drywall, and cut stone (if not classified as heavy industry);
13. Manufacture or compounding of pharmaceutical products, dietary supplements, health and beauty products, and herbal products;
14. Packaging of products; or
15. Storing, selling, and/or distributing merchandise for or to retailers; industrial, commercial, institutional, or professional business users; or wholesalers, except that wholesale membership clubs that offer memberships to the general public are not light industrial uses.

Open Space, Common

~~Open space within or related to a development, not individually owned or dedicated for public use but generally owned and maintained by a homeowners association, that is designed and intended for the common use or enjoyment of the residents of the development and their guests, and may include such complementary structures and improvements as are necessary and appropriate. Common open space may include trail areas, gardens, small parks, scenic areas, buffer areas, or similar common areas. Common open space may also include active recreational facilities such as pools, tennis courts, playgrounds, and clubhouses. Common open space shall not include driveways, sidewalks, and parking areas.~~

Produce Stand

A temporary or permanent structure used for sale of produce and incidentally use for sale of related items which is located on property used for agriculture or community agriculture.

Retail Sales and Services, Type 1

A use involving the sale, lease, or rental of consumer, home, and business goods to consumers. Such uses include but are not limited to department stores, furniture stores, clothing stores, and establishments providing the following products or services: antiques, appliances, art, art supplies, beauty supplies, bicycles, books, magazines and newspapers, craft supplies, copies, costumes, dry goods, electronics, fabric, framing, garden supplies, gifts, groceries, hardware, home improvement goods, household products, jewelry, music, musical instruments, office supplies, party supplies, pet grooming, pet supplies, pharmaceuticals, phones, photography equipment, produce, signs, sporting goods, stationary, toys, and videos; and new automotive parts and accessories. The phrase also includes services such as banking, picture framing, installation of electronics (*e.g.*, audio systems and navigation systems) into motor vehicles, real estate offices that are open for walk-in traffic; repairs of products sold by the establishment (*e.g.*, a computer store may also repair computers), repairs of consumer electronics, tattoo parlors, and comparable services that are not included in the definition of the phrase "Retail Sales and Services, Type 2." The phrase "Retail Sales and Services, Type 1" does not include uses that are classified or defined more specifically in this Code, including but not limited to "Retail Sales and Services, Type 2," "Restaurant," "Restaurant, Fast Food," "Adult Entertainment," "Adult Retail Sales," "Marijuana Uses," and "Vehicle / Equipment Sales or Rentals."

Retail sales and services, type 1 uses are generally conducted indoors. However, the phrase also includes uses in which not more than 25 percent of the area used for storage and display of products is located outside or in partially enclosed structures.

Semi-Trailer Truck Trip

A semi-trailer truck trip involves the inbound and outbound movement of the truck on a site, with both movements being considered a single trip.

Sign, Canopy

A sign with one face affixed to a canopy. For purposes of this definition, a canopy is an attached or detached structure, open on at least one side, which is designed to provide overhead shelter from the sun or weather. Canopies include, but are not limited to, service station canopies, carports, porte-cocheres, arcades and pergolas.



REPORT TO PLANNING COMMISSION

AGENDA ITEM
9.A.

TO: PLANNING COMMISSION

DATE: September 7, 2021

SUBJECT: Annexing certain land into the City of Arvada for Whitewing at Ralston Summit, a 25.5 acre parcel of land approximately located at the Northeast corner of Indiana Street and W 82nd Avenue also known as 8200 Indiana Street.

Report in Brief

MOTION:

MOVED BY: _____

That Annexing certain land into the City of Arvada for Whitewing at Ralston Summit, a 25.5 acre parcel of land approximately located at the Northeast corner of Indiana Street and W 82nd Avenue also known as 8200 Indiana Street, be recommended to City Council for (approval) (denial).

This motion is based on the findings of fact and approval criteria on Page 10 of the Staff Report.

This motion is based on the following findings of fact for denial: (Recite approval criteria you believe the evidence fails to satisfy and your reasons).

YES _____ NO _____ ABSENT _____

Prepared by:

Abigail Ogg, Administrative Specialist

Reviewed by:

Approved by:

Jonathan Moore, Planner I

8/30/2021

Josie Suk, Development Systems and Administrative Manager

8/31/2021

Robert Smetana, Manager of City Planning and Development

8/31/2021

Ryan Stachelski, Director of Community and Economic Development

8/31/2021

Emily Grogg, Senior Assistant City Attorney

8/31/2021

Enclosure, exhibits & attachments required to support the report

SUBJECT: Annexing certain land into the City of Arvada for Whitewing at Ralston Summit, a 25.5 acre parcel of land approximately located at the Northeast corner of Indiana Street and W 82nd Avenue also known as 8200 Indiana Street.

PAGE: 2
ITEM: 9.A.

City of Arvada Community and Economic Development Department **PUBLIC HEARING STAFF REPORT**

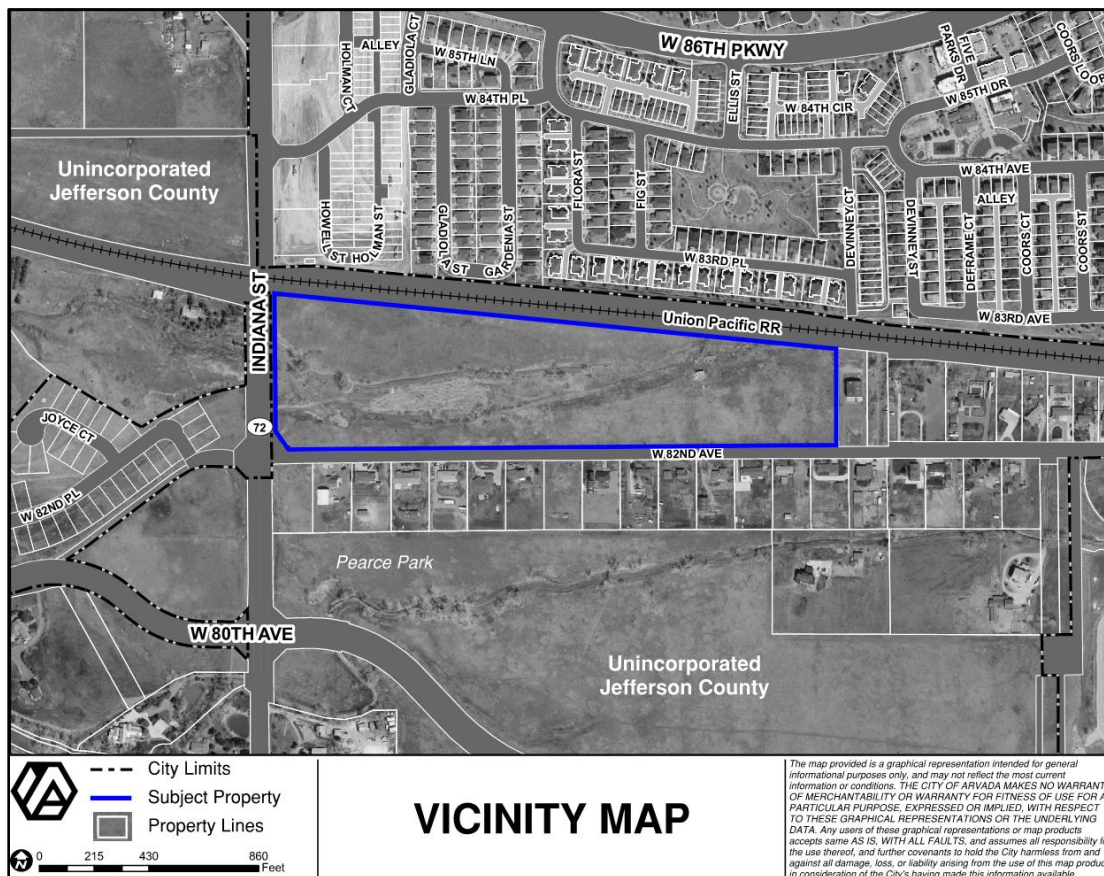
Whitewing at Ralston Summit Annexation, Zoning, PUD Development Plan, Major Subdivision Preliminary Plat DA2021-0006

NATURE OF REQUEST

Ralston Valley Land Partners, LLC is requesting approval of applications for Annexation, Zoning, PUD Development Plan (PDP), and Major Subdivision Preliminary Plat of a 25.5 acre vacant parcel currently located in Unincorporated Jefferson County zoned as Jefferson County Agricultural-Two (A-2). The Annexation and Zoning applications also include the right-of-way (ROW) of W 82nd Ave. between Indiana St. and Alkire St. containing 5.9 acres of land.

The proposed development consists of 37 residential lots on 25.5 acres with a density of 1.5 dwelling units per acre (du/ac). The requested zoning is Planned Unit Development (PUD). The homes will be custom construction on large lots with the goal of providing a rural feel while meeting City requirements for infrastructure and services. In order to provide service to the site, the developer will be extending a sanitary sewer main from W 80th Ave via existing ROW adjacent to the west property line of Ralston Valley High School.

If the City Council approves the applications for Annexation, Zoning, PDP, and Major Subdivision Preliminary Plat, applications will then be required for a Final Development Plan (FDP) and Final Plat, which will be reviewed administratively.



LOCATION AND HISTORY

The subject property is located in Unincorporated Jefferson County at the northeast corner of Indiana Street and W 82nd Avenue and is currently vacant. The property abuts the Union Pacific Railroad (UPRR) to the north, Indiana Street to the west, and W 82nd Avenue to the south. The property has significant grade change throughout with the railroad being the highpoint and the remaining property sloping generally south. The Tucker Irrigation Ditch runs generally west to east across the site. The section of Indiana Street adjacent to the site is part of State Highway 72 under the Colorado Department of Transportation's (CDOT's) jurisdiction.

The subject property does not have any development history. The prior owners of the property have previously contacted City staff for pre-application meetings regarding annexation, but the current annexation application is the first formal application that has been submitted to the City.

NEIGHBORHOOD MEETING

Division 8-2-2 of the Land Development Code (LDC) requires that at least one neighborhood meeting be held for projects that require public hearings before the Planning Commission and City Council.

The required neighborhood meeting for this project took place virtually on October 7, 2020. The applicant, staff, and 34 neighbors were in attendance. The primary concerns of neighbors were about whether anyone located in Unincorporated Jefferson County would be required to annex into the City and whether the new development would negatively impact the soil or water in the area since all of the property owners along this section of W 82nd Ave. have septic systems. City staff informed the neighbors that the City does not have a policy of unilateral or forced annexation. The developer addressed concerns about the potential environmental impact and stated that any impacts would be required to be mitigated. The applicant has prepared a summary of the meeting, which is attached.

PUBLIC NOTIFICATION

Division 8-2-4 of the Land Development Code requires public notification for all public hearings as follows:

Written Notice: At least 15 days prior to all public hearings, written notice must be mailed to all property owners within 500 feet of the subject property and to all homeowners associations and neighborhood associations with a known interest in the subject property. The applicant will provide an affidavit of mailing verifying this requirement has been met prior to the public hearing.

Posted Notice: At least 15 days prior to all public hearings, signs notifying the public of the hearing must be posted on the subject property. The applicant will provide a posting log verifying that this requirement has been met prior to the public hearing.

Published Notice: At least 15 days prior to all public hearings, notice of the hearing must be published in a newspaper of general circulation in the City. The required notice has been published.

SEVERED MINERAL RIGHTS

At least 30 days prior to the public hearing, written notice of the application must be mailed to any owner of mineral rights associated with the subject property. The applicant has provided the required Certification of Notice pursuant to Colorado Revised Statute 24-65.5-103.

DEVELOPMENT REVIEW TIMELINE

The application was accepted by the City for review on January 24, 2021. The standard review timeline allows for three reviews within a 20 week timeframe to hold a Planning Commission public hearing. This application required three reviews. The first and second City reviews were completed in six and seven weeks respectively when the typical review period is four weeks. These reviews took longer than typical due to the development caseload at the time and the complexity of the project. City staff also held several meetings with the applicant's development team between submittals. The applicant submitted the project for the third review after seven weeks, when the typical resubmittal period is three weeks. The third staff review was completed in four weeks. In total, the case will be heard 32 weeks after the application was submitted.

ALIGNMENT WITH CITY COUNCIL STRATEGIC PLAN

The project is consistent with the City Council Strategic Plan principles for the Community and Economic Development work system.

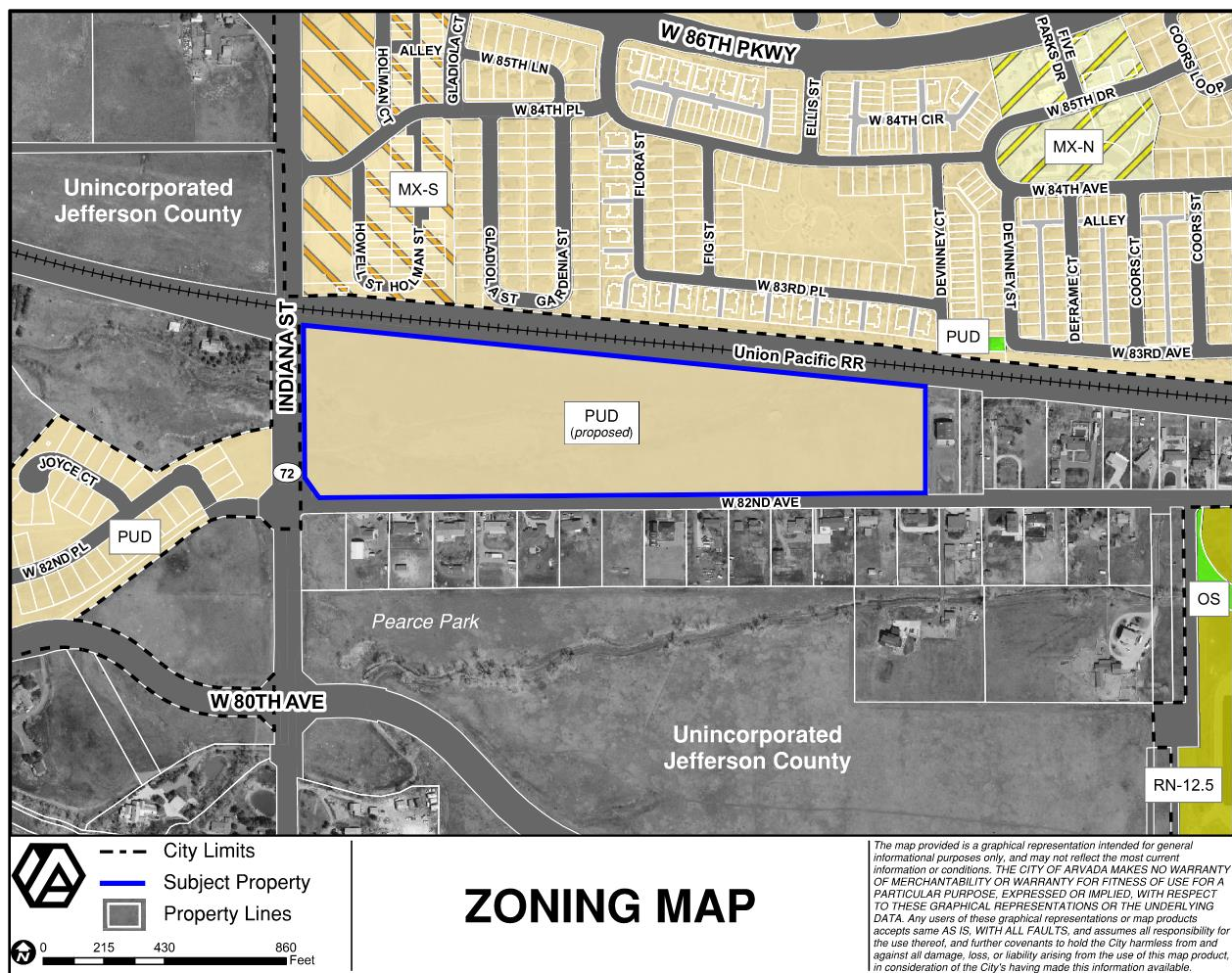
ZONING AND LAND USE

The subject property is currently zoned Jefferson County Agricultural-Two and contains approximately 25.5 acres of land. The applicant is proposing to zone the property as Planned Unit Development (PUD). Surrounding properties are zoned and utilized as follows:

Direction	Zoning	Actual Use
North (across railroad)	MX-S and PUD (Mixed Use – Suburban) and (Planned Unit Development – Residential 3.75 du/ac)	Commercial, Duplex homes, and Single-Family homes
South (across W 82nd Ave)	Jefferson County A-2 (Agricultural - Two)	Single-Family homes
East	Jefferson County A-2 (Agricultural - Two)	Church Ditch Water Authority Utility Building
West (across Indiana St)	Jefferson County A-2 and Arvada PUD (Agricultural - Two) and (Planned Unit Development – Residential 3.2 du/ac)	Single-Family homes

The Comprehensive Plan Future Land Use Designation for the subject property is Low Density Residential, which allows for a zoning of Residential Agricultural (RA) or PUD with a gross density up to 1.5 du/ac.

The overall intention of the proposal is to develop a high-end large-lot single-family residential product with a rural feel. While the concept could apply to the RA zone district, it would be practically infeasible for an RA zoned development to meet all of the standard requirements due to the challenging grade change on the site, existing gas and fiber utility locations, and the Tucker Irrigation Ditch located on site. Given that reality, the applicant is proposing PUD zoning while using the development standards of the RN-32.5 and RN-12.5 Residential Neighborhood zone districts as guidance.



The purpose of the PUD zoning district is to accommodate innovative site planning for a development that includes significant public benefits. In order that the public health, safety, integrity, and general welfare may be furthered in an era where innovation and responsiveness in real estate development is often needed to meet shifting market demands, the PUD zone is established to provide project variety and diversity through the establishment of project-specific standards in the alternative to those otherwise set out in this LDC, so that maximum long-range neighborhood and community benefits can be gained.

The proposed development standards for the site are generally consistent with either the RN-32.5 or RN-12.5 Residential Neighborhood zone district standards. The standards of those districts are generally appropriate as a metrics due to their similarity in lot sizes. The minimum lot size of the proposed Whitewing PUD is 19,500 square feet while the minimum lot size of the RN-12.5 zone district is 12,500 square feet and the minimum lot size of the RN-32.5 zone district is 32,500 square feet. Specific development standards will be discussed in greater detail below. The proposal meets the intention and purpose of the PUD zone district.

PROJECT ANALYSIS

Annexation

The applicant is petitioning to annex 31.4 acres of land into the City in order to access City water and sanitary sewer service. Annexation into the City requires conformance with section 30 of article II of the state constitution and Colorado Revised Statutes §31-12-101, et seq.

The land proposed to be annexed includes the 25.5 acre subject property and 5.9 acres of W 82nd Ave. ROW between Indiana St. and Alkire St. W 82nd Ave. is currently under the jurisdiction of Jefferson County. Since the City has existing water mains within that ROW and a new sanitary sewer main will be constructed in the ROW, the City requested that W 82nd Ave. be annexed into Arvada in conjunction with the subject property. Jefferson County does not have any objections to the request, but did provide several comments related to W 82nd Ave. The County noted that W 82nd Ave. had recently been downgraded to a local street with a speed limit of 25 mph and the adjacent residents had partially funded the installation of speed humps along W 82nd Ave. City staff supports these measures previously taken by Jefferson County and will continue to work with residents of the area to ensure traffic speeds remain safe.

Staff has reviewed the annexation application and finds it to be in accordance with the constitution and laws of the State of Colorado currently in effect. The annexation application has also been processed in accordance with LDC Division 8-3-3. Staff has provided a bulleted summary of relevant Colorado Revised Statutes:

- §31-12-104(1)(a) – at least one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City of Arvada
- §31-12-105 – the annexation application does not present any conflicts with the limitations imposed by this section
- §31-12-107(1) – a petition has been submitted to the City in accordance with section 30(1)(b) of article II of the state constitution

Compliance with the Comprehensive Plan

The Comprehensive Plan Future Land Use Designation for the subject property is Low Density Residential. The intention of the Low Density Residential designation is to allow for residential densities lower than typically found in suburban residential areas and encourage more rural characteristics. It is generally found in the western part of Arvada where topography is more varied. The proposed development is consistent with the Low Density Residential designation as well as the following Comprehensive Plan Goals & Policies:

Goal L-2: Plan for a balanced mix of commercial and residential land uses in Arvada.

Policy L-2.2: Allow Appropriate Expansion of City Boundaries

The City will consider the annexation of land that includes land uses that are consistent with the Comprehensive Plan goals, the long-term needs of the community and the City's service capacity.

Goal CC-1: Plan Arvada as a City of different development character districts.

Policy CC-1.1: Variety of Development Types

The City will include a variety of development types including rural areas, suburban residential neighborhoods, historic districts, redevelopment areas, and mixed-use communities that contain services, employment, and higher density housing.

Goal CC-2: Establish and maintain Arvada's distinct qualities and small-town identity.

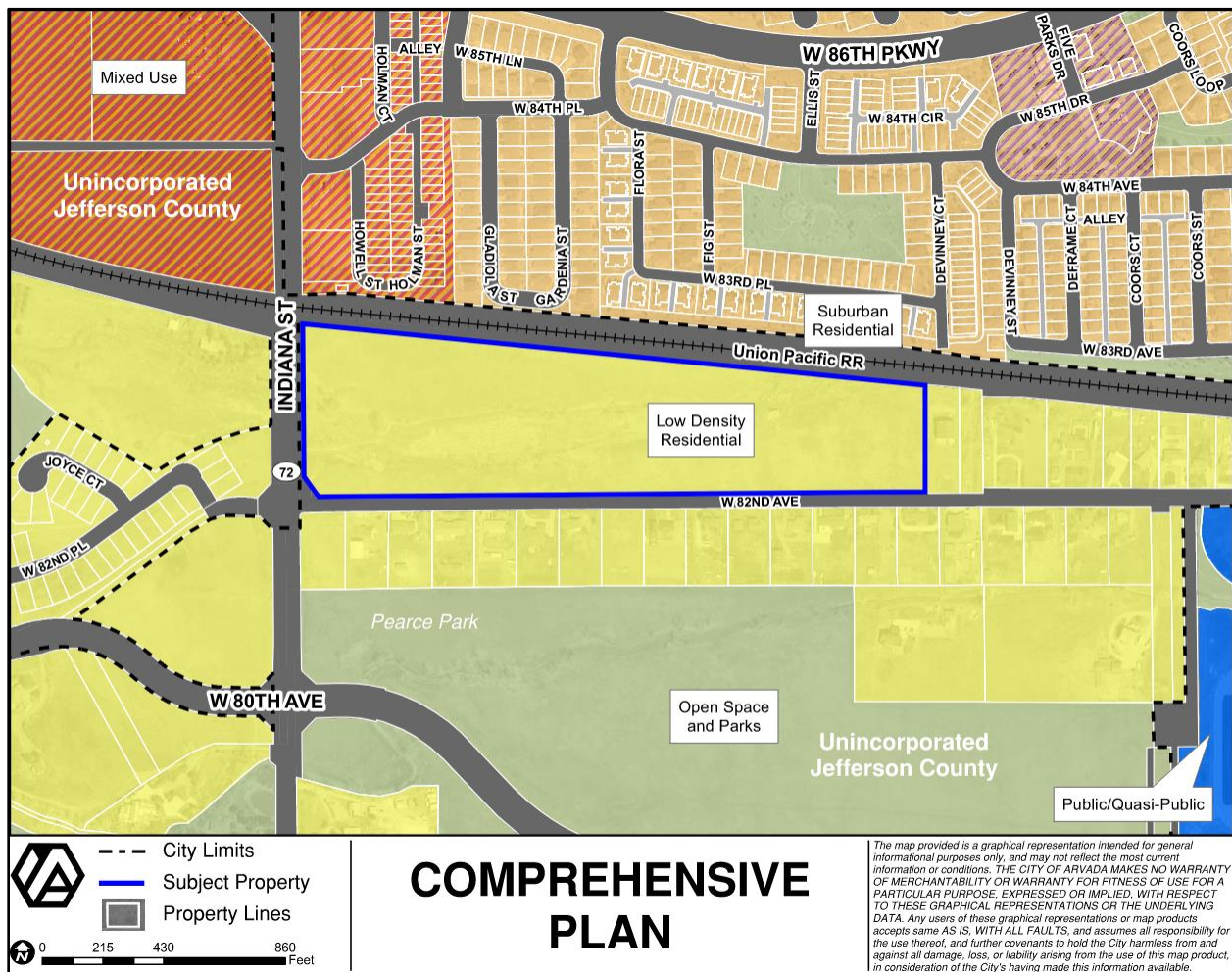
Policy CC-2.2: High Quality Private Development

The City will promote high quality architecture, site planning, landscaping, signage, and lighting for new residential and commercial developments.

GOAL CC-3: Identify places and assets that are unique and important to the community and work to preserve them.

Policy CC-3.4: Low Density Areas

Development within designated Low Density areas should have an open feel and incorporate characteristics found in rural areas such as significant open space, existing vegetation, more natural landscaping, open fencing, view corridors from public places, and non-suburban road design



Infrastructure Improvements to Indiana Street

The ROW of Indiana St. adjacent to the subject property does not currently meet City standards and is not constructed to the ultimate build out of State Highway 72 as designated by CDOT. Typically, all new development in the City is required to dedicate and construct ROW meeting City standards or improve existing ROW to meet City standards at the time of development in accordance with Arvada City Code Sec. 74-93. - Development of streets.

However, in this instance, the proximate location of the Union Pacific Railroad (UPRR) overpass prevents the full design of improvements to Indiana St. as the bridge would need to be replaced in order to accommodate the ultimate design to widen Indiana St. The City is actively working with CDOT and UPRR to secure funding for design and construction of a new railroad bridge.

Due to this circumstance, the applicant will provide designs for the necessary improvements to Indiana St. along the property frontage except for the northernmost 150 feet. The northernmost 150 feet along the property frontage would be the likely location of a temporary shoofly rail bridge to allow continuous UPRR operations while the existing bridge is replaced. As such, the future condition of that area is unknown until the bridge replacement is designed. The applicant will pay fees-in-lieu of construction to the City for all of the improvements that would typically be required. When the railroad bridge is replaced and Indiana St. is widened, the City would install the required improvements using the fees-in-lieu. The associated construction costs will be determined prior to approval of the FDP and final plat.

Setbacks

The proposed setbacks mostly align with the setbacks of the RN-12.5 zone district.

Setback Standards	Proposed	RN-12.5
Min. Front	30 ft	30 ft
Min. Street Side	25 ft	25 ft
Min. Interior Side	10 ft / 20 ft	10 ft
Min. Rear	15 ft	15 ft
Min. Arterial Setback	100 ft	100 ft

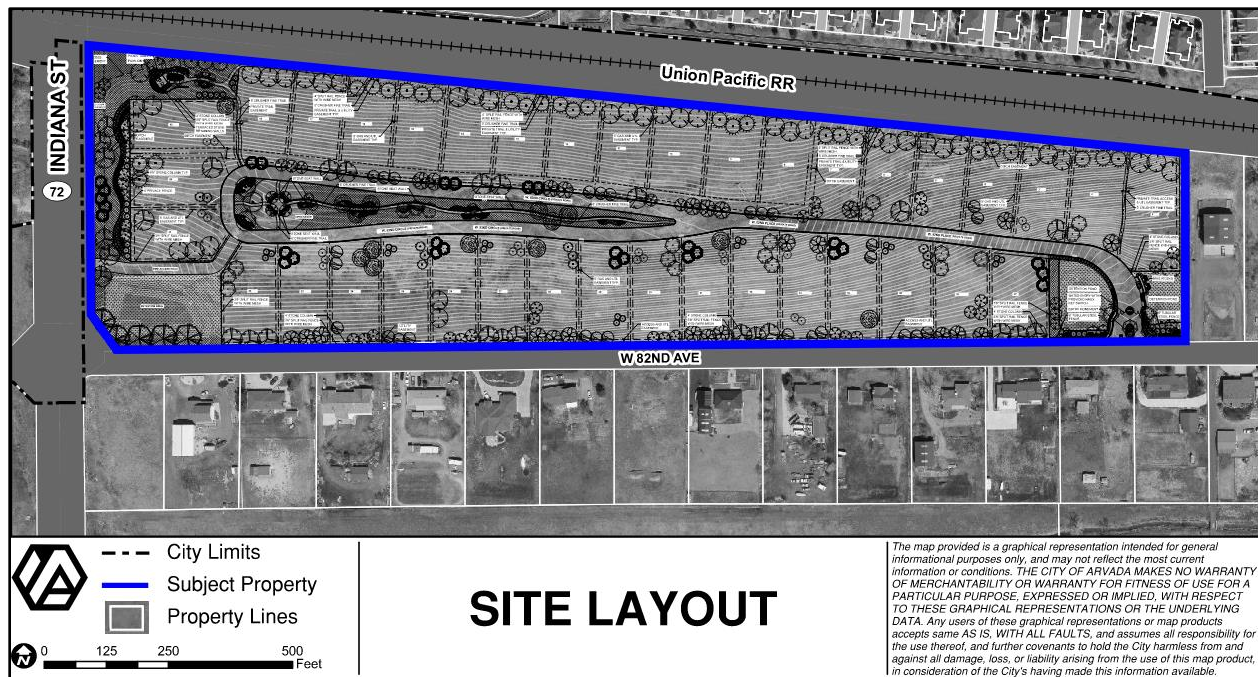
There is one deviation from the Min. Interior Side Setback standard. The proposed interior side setback is intended to be larger on one side of each lot to preserve the open character of the neighborhood while allowing room for side-loaded garages on the opposite side of the lot.

Building Height

The maximum proposed principal building height is 35 feet. The maximum proposed accessory building height is 20 feet. These standards are consistent with the RN-32.5 zone district.

Open Space

The proposal contains approximately six acres of open space accounting for 24% of the site. The focal point of the open space is the 51,000 square foot neighborhood park in the center of the site with seating areas and paths connecting the area. There is also a large HOA tract along the west and south perimeter that offers landscaped amenities and there is a shared trail that runs along the northern property boundary.



Landscaping, Buffering, and Fencing

The PDP is meeting landscaping, buffering, and fencing standards of the LDC. However, it should be noted that the landscaping directly adjacent to Indiana St. would likely not be installed until the final street section of Indiana St. is constructed. Additionally, a modification will be necessary to the typical tree lawn of the W 82nd Ave. street section. Due to the location of an existing gas line and fiber optic line combined with the grade of the site and drainage requirements, the typical eight-foot tree lawn cannot be provided. A four-foot lawn is provided as a buffer between the sidewalk and the street instead. The street trees that would typically be planted in the tree lawn will be located within an adjacent HOA tract to be irrigated and maintained by the HOA.

Parks

The development will be required to pay the standard Park Development Fees as well as fees-in-lieu of park land dedication, which will be determined prior to approval of the Final Plat.

Building Design

The applicant is proposing to construct high-end custom homes and to establish strong architectural guidelines. As the building design will be customized to future homeowners preferences, there are not any 'typical' architectural drawings associated with the project. All buildings will be required to meet the standard LDC residential building design standards.

Site Access

The applicant is requesting a modification to LDC §4-4-3-4(J) – *Private Streets* as part of the PDP to allow gated access to the site. LDC §4-4-3-4(J) states: "The use of private streets is discouraged. Where allowed by the Director, private streets shall comply with all standards for the design of public streets of the same function adopted by the City."

Gated access would not comply with a stated purpose and intent of the LDC to “promote the creation of safe, unique, interesting, inclusive, and economically vibrant places throughout the City.” A gated access is exclusive by nature and function, which is why the City has historically not approved any requests for gated access to residential communities. In addition to being exclusive, gated access creates logistical issues for first responders and can increase response time. For these reasons, staff has included a provision in the conditions of approval stating that gated access to the development would not be permitted.

Circulation and Connectivity

The proposed development is located at the corner of Indiana St. and W 82nd Ave. Access to the development will be from W 82nd Ave. and there will not be any direct access to Indiana St. The development will be served by a private road to be owned and maintained by the HOA. The applicant will improve W 82nd Ave. along the subject property frontage to Arvada standards for local streets including constructing a sidewalk. A modification to the tree lawn width for the Arvada local street section will be necessary, which was discussed above.

Current access to Indiana St. from W 82nd Ave. is limited to a right-in-right-out movement. A median is anticipated to be constructed on Indiana St. in this area when Indiana St. is widened and final improvements are made. In order for residents of the development to head south, they would need to take W 82nd Ave. to Alkire St. Due to this traffic pattern, the applicant will be required to contribute funding to upgrade the traffic signal at Alkire St. and W 80th Ave. based on their proportionate share of traffic.

Grading and Drainage

There is an approximate 85-foot existing grade change between the highest point on the site in the northwest corner to the lowest point on the site in the southeast corner. The preliminary grading plan has been reviewed and it appears to comply with all applicable standards. The development is required to control drainage on-site and release collected stormwater at historic flow rates. This will be achieved through swales and stormwater detention infrastructure located along the perimeter of the development in HOA tracts. The infrastructure will be owned and maintained by the HOA. The final grading and drainage plans will be reviewed with the FDP.

Parking and Loading

The proposed development is required to provide two-off street parking spaces for each single-family home. This will be achieved through two-car garages. If a property owner constructs an accessory dwelling unit (ADU), and additional off-street parking space would be required. This could be achieved by using a driveway space or constructing a garage as part of the ADU. On-street parking on the private road serving the development will not be permitted due to the International Fire Code (IFC) access requirements.

Utility Services

Water and sanitary sewer service will both be provided by the City of Arvada, which will be able to adequately serve the proposed development. There is an existing water main east of the subject property within the W 82nd Ave. ROW that will be extended through the site and looped into the existing water main in Indiana St. The closest sanitary sewer main to the site is a quarter mile south in the W 80th Ave. ROW. The applicant is proposing to extend the sanitary sewer main along the west property line of Ralston Valley High School where there is existing ROW dedicated to Arvada. The main will then be extended west along W 82nd Ave. to serve the

proposed development. The extension of the sewer main may also be a future benefit to the current residents along that section of W 82nd Ave.

Police and Fire Protection

The proposed development is currently served by the Arvada Police Department and the Arvada Fire Protection District (AFPD), who have reviewed the proposed development. Due to the number of units proposed and grade challenges for a potential secondary access road, the fire code requires that all homes within the development have automatic sprinkler systems installed that meet the adopted IFC standards. The AFPD has confirmed that the proposed secondary emergency vehicle access is too steep for their equipment to use.

School District

The residential development will be required to pay the standard school fee-in-lieu of land dedication, which will be determined prior to approval of the Final Plat. Children living in this development would attend Van Arsdale Elementary School, Oberon Middle School, and Ralston Valley High School. The Jefferson County School District has reviewed the proposal and has indicated that capacity for Van Arsdale Elementary & Oberon Middle is sufficient to house students from this development; however, Ralston Valley High will be overenrolled. Ralston Valley HS is receiving an addition to increase capacity in the current bond that will accommodate these students. This development will be further evaluated as a part of the Jefferson County School's overall review of the north area development picture.

LAND DEVELOPMENT CODE APPROVAL CRITERIA

It is the responsibility of the applicant to justify the requested land use application. The Planning Commission should make a recommendation to the City Council based on its findings regarding the approval criteria shown in the tables below and upon testimony heard during the public hearing as it applied to the criteria. Staff performed an analysis of the proposal, based on the approval criteria listed in Chapter 8 of the Land Development Code, and presents the following findings:

Div. 8-3-3 Annexation and Disconnection Approval Criteria	Finding	Rationale
1. The annexation is in accord with the Comprehensive Plan and the best interests of the City would be served by annexation of such property.	Complies	The annexation complies with the Low Density Residential designation and will improve surrounding infrastructure.
2. The property is capable of being integrated into the City and developed in compliance with all applicable provisions of this Code and the Arvada City Code.	Complies	The proposed development complies with all applicable provisions of this Code and the Arvada City Code.
3. At the time any development of the area proposed to be annexed is completed, there will be capacity to adequately serve residents of such area with all necessary utilities, facilities and public services.	Complies	With the extension of water and sanitary sewer mains as part of this proposal, there will be capacity and infrastructure to adequately serve residents.

Div. 8-3-4 Zoning and Rezoning Approval Criteria	Finding	Rationale
1. The rezoning is consistent with the Arvada Comprehensive Plan, or an adopted sub-area plan, corridor plan, or urban renewal plan, or reflects conditions that have changed since the adoption of the Comprehensive Plan.	Complies	The PUD zoning and PDP to develop single-family homes with a max. density of 1.5 du/ac complies with the Comprehensive Plan Low Density Residential designation.
2. The intended land use is consistent with the stated intent of the proposed zoning district.	Complies	Single-family residential units are allowed in the PUD zone district.
3. Facilities and services (including sewage and waste disposal, water, gas, electricity, police and fire protection, and roads and transportation, as applicable) will, prior to development, be available to serve the subject property while maintaining adequate levels of service to existing development.	Complies	With the extension of water and sanitary sewer mains as part of this proposal, there will be capacity and infrastructure to adequately serve residents while maintaining adequate levels of service to existing development. As noted in the analysis above, AFPD will require all homes within the development to install automatic sprinkler systems meeting the adopted IFC standards.
4. The intended land use for which the rezoning is sought will not result in significant adverse impacts upon the natural environment, including air, water, noise, stormwater management, wildlife, and vegetation, or such impacts will be substantially mitigated.	Complies	The development will not have a significant impact on the natural environment. The development will comply with all required stormwater management standards and mitigate off-site impacts.
5. The rezoning is consistent with the character of existing or planned development on adjacent properties and in the surrounding area or neighborhood, or measures will be taken to substantially buffer or otherwise substantially mitigate any negative impacts.	Complies	The immediately adjacent properties located in Unincorporated Jefferson County are large lot rural/agricultural properties. The nearby residential properties at the Village of Five Parks are a mix of housing types and lot sizes with high-quality construction. The proposed development is compatible with and fills a niche in between the two nearby neighborhoods with large lot high quality housing.

Div. 8-3-8 Major Subdivision Preliminary Plat Approval Criteria	Finding	Rationale
1. The proposed subdivision is consistent with the Comprehensive Plan.	Complies	The proposal to create large single-family home lots with a max. density of 1.5 du/ac complies with the Comprehensive Plan Low Density Residential designation.
2. The proposed subdivision is consistent with, and implements, the intent of the zoning district in which it is located. If the subject property is in a PUD zoning district, the subdivision is consistent with any previously approved PUD Outline Development Plan, PUD Development Plan, and/or PUD Final Development Plan.	Complies	There is not a previously approved PUD Outline Development Plan, PUD Development Plan, and/or PUD Final Development Plan. The proposed subdivision is consistent with the PUD Development Plan that is being analyzed concurrently.

3. Adequate and sufficient public safety, transportation, utility facilities and services, recreation facilities, parks, and schools will, prior to development, be available to serve the subject property, while maintaining sufficient levels of service to existing development.	Complies	With the extension of water and sanitary sewer mains as part of this proposal, there will be capacity and infrastructure to adequately serve residents while maintaining adequate levels of service to existing development.
4. The proposed subdivision will not result in significant adverse impacts on the natural environment or the use and enjoyment of adjoining property, including changes in air quality, water quality, noise levels, stormwater runoff, wildlife habitat, and/or natural vegetation, in that such impacts will be substantially avoided or mitigated by design.	Complies	The development will not have a significant impact on the natural environment. The development will comply with all required stormwater management standards and mitigate off-site impacts.
5. The proposed subdivision complies with all applicable regulations, standards, requirements, or plans of the federal or state governments and other general or special-purpose governmental entities with jurisdiction, involving (but not limited to) such matters as wetlands, water quality, erosion control, potable water, fire safety, or wastewater regulations.	Complies	The proposed subdivision is anticipated to meet all applicable regulations, standards, requirements, or plans. As noted in the analysis above, AFPD will require all homes within the development to install automatic sprinkler systems meeting the adopted IFC standards.
6. The proposed subdivision complies with all applicable use, development, and design standards set forth in Chapter 2, Zoning Districts Chapter 4, Environmental and Site Design, and other applicable provisions of this Code, except to the extent the same are modified as may be provided in this LDC. Applicants shall avoid creating lots or patterns of lots in the subdivision that will make future compliance with such development and design standards difficult or infeasible.	Complies	The proposed subdivision is meeting all applicable use, development, and design standards.
7. The general layout of lots, roads, driveways, utilities, drainage facilities, and other services within the proposed subdivision is designed in a way that minimizes the amount of land disturbance, maximizes the amount of open space in the development, preserves existing trees/vegetation and riparian areas, protects critical wildlife habitat, and otherwise accomplishes the purposes and intent of this LDC.	Complies	The general layout of lots, roads, driveways, utilities, drainage facilities, and other services within the proposed subdivision comply with all applicable requirements in the City's Engineering Code of Standards and Specifications along with all applicable standards in the LDC that are not otherwise modified.

Div. 8-3-10 PUD Development Plan Approval Criteria	Finding	Rationale
1. The plan is consistent with the Comprehensive Plan or reflects conditions that have changed since the adoption of the Comprehensive Plan	Complies	The PDP to develop single-family homes with a max. density of 1.5 du/ac complies with the Comprehensive Plan Low Density Residential designation.
2. The plan is consistent with and implements and previously approved Outline Development Plan in	N/A	There is not a previously approved

effect for the subject property, per Section 8-3-10-7, PUDs Approved Prior to Effective Date.		Outline Development Plan.
3. The plan represents a development that will address a unique situation, confer a substantial benefit to the City, or incorporate creative site design such that it achieves the purposes set out in Section 8-3-10-1, Purpose of Planned Development Zone, and represents an improvement in quality over what could have been accomplished through application of the otherwise applicable zoning district or development standards.	Complies	The plan will confer a substantial benefit to the City through extension of water and sewer main lines, infrastructure improvements, and fees-in-lieu of improvements. The plan addresses the unique situation presented by the significant grades on the site by creating large lot standards not found in established zone districts.
4. The plan generally complies with the intent of the use, development and design standards set forth in the LDC.	Mostly Complies	The PDP complies with almost all applicable development and design standards set forth in the LDC with the exception of the requested modification to allow gated access to the private road serving the development. Staff does not support the requested modification.
5. To the extent reasonably feasible, the plan provides for integration and connection with adjoining development through street connections, sidewalks, trails, and similar features; unless due to the nature of the uses that are allowable in the plan such connections are not desirable.	Mostly Complies	The development will improve W 82 nd Ave. to Arvada local street standards including constructing a sidewalk along the property frontage. The applicant will also pay fees-in-lieu of constructing improvements to Indiana St., which include a sidewalk/trail that will ultimately connect to existing sidewalk/train to the north. The requested modification to allow gated access to the private road serving the development does not provide for integration and connection and staff does not support the request.
6. Sufficient public safety, transportation, and utility facilities and services will, prior to development, be available to serve the subject property, while maintaining sufficient levels of service to existing development.	Complies	With the extension of water and sanitary sewer mains as well as roadway improvements to W 82 nd Ave and fees-in-lieu for improvements to Indiana St. as part of this proposal, there will be capacity and infrastructure to adequately serve residents while maintaining adequate levels of service to existing development. As noted in the analysis above, AFD will require all homes within the development to install automatic sprinkler systems meeting the adopted IFC standards.
7. The proposed uses (or group of uses) are appropriately located and designed, both within the boundaries of the plan and in relation to adjacent uses, such that the foreseeable, material adverse impacts that may be created by the scale, design, and operating characteristics (e.g., hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts) of the uses are avoided or mitigated.	Complies	The proposed use will not have a significant impact to adjacent uses. The development will provide landscaping along W 82 nd Ave. offering a larger than typical buffer from existing homes and the proposed setbacks are in line with the existing neighborhood.

8. If the application for plan approval is accompanied by an application for rezoning to the PUD zoning district, the rezoning application is concurrently approved.	Complies	The zoning application and PDP are being considered concurrently.
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STAFF RECOMMENDATION

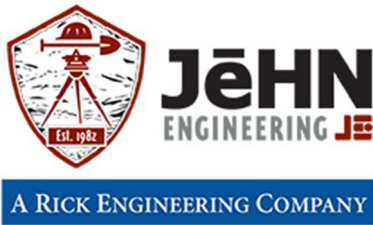
Based upon project analysis and review of the Land Development Code approval criteria, staff recommends approval of the following applications:

1. Annexation
2. Zoning
3. Major Subdivision Preliminary Plat
4. PUD Development Plan (PDP)

If the Planning Commission finds that a recommendation to approve the PUD Development Plan (PDP) application is supported by the approval criteria, then staff recommends that the following conditions be made part of the approval:

1. The applicant shall address all of the remaining technical issues identified by staff on the PDP as part of the first FDP submittal.
2. A Development Agreement for this site must be signed by the applicant prior to approval of the FDP and final plat to ensure completion of all public improvements and any other necessary requirements. The agreement shall contain the total amount of fees-in-lieu required to construct improvements for the ultimate buildout of Indiana St. along the subject property frontage.
3. As part of the first FDP submittal for this development, the applicant shall submit roadway design plans for the portion of Indiana St. along the subject property frontage, excepting that 150 foot portion of the northernmost roadway. The design shall be approved concurrently with the FDP.
4. As part of FDP approval, the applicant shall submit funds for the necessary capacity improvements associated with the development to the traffic signal at the intersection of W 80th Ave. and Alkire St. The exact amount of this cost shall be determined through the FDP process.
5. Gated access to the private road serving the development shall not be permitted.

The Planning Commission may recommend denial of the request(s) if it cannot make affirmative findings of the approval criteria stated above.



October 8, 2020

Jonathan Moore, Planning Department
City of Arvada
8101 Ralston Road
Arvada, Colorado 80002

RE: Whitewing at Ralston Summit Neighborhood Meeting

Meeting was held on October 7, 2020 at 6pm via zoom format

Attendance was by: Debbie Klisis, Jehn Engineering
Joseph A. Jehn, Jehn Engineering
Jerome Magsino, Jehn Engineering
Sandra Moore, Jehn Engineering
Greg Bamford, Bamford Company
David Bamford, Bamford Company
Jonathan Moore, Planner City of Arvada
Jake Sawaya, City of Arvada Planning
Rob Smetana, City of Arvada Planning

24 people RSVP to attend the meeting
34 people were generally present at the meeting
1 person RSVP but was unable to attend

Debbie Klisis opened the meeting by introducing the Jehn Engineering representatives, City of Arvada representatives in attendance, and Bamford Company representatives to showcase their conceptual community development plan for this project.

After the presentation was shown, Greg Bamford talked about his lengthy history as a developer and how he would like to bring his knowledge and product to the Arvada area. He also reassured everyone that his company would be present until the last home was built and someone from his company would be on the HOA to insure that a quality product would be shown.

The adjacent property owner's concerns were as follows:

- With this development would this ruin the residents wells and septic systems.
RESPONSE: There will be no adverse effect to the wells and the septic system because of development of this project.
- Would the residents be forced into being annexed into the city of Arvada?
RESPONSE: No one will be asked to be annexed into the city. That is done only by a request to be annexed.
- They were afraid they would have to rely on city water and sewer and to have to pay the tap fees.
RESPONSE: The property owners will not be subjected to using city water and the sewer system.
- They asked where the water and sewer line come from. Would it come from 80th or farther up Indiana.
RESPONSE: Still working out the location but probably be connected to the utilities in 82nd Sewer extends east on 82nd and south to 80th; water connects in 82nd on east and west side. ..
- Was a soils study to be done because of the expansive soils in the area? It was also mentioned that numerous homes in the area were showing stress due to the bentonite in the soil, and sliding which some of the residents were worried about their homes below this project.
RESPONSE: A Geotechnical Engineer has been hired to do a soil analysis and they will provide their recommendations and findings.
- Was there going to be a height limit to the houses so the people in Five Parks would not lose their views?
RESPONSE: The City of Arvada already has height limitations in place which is 35 feet.
- Would there be parks and open spaces in the community?
RESPONSE: Yes there will be.
- What would happen to the ditch water, would it be piped?
RESPONSE: We are working with the ditch companies and discussing piping the ditch water.
- Would there be trails through the community for adjacent property owners?
RESPONSE: The trails would be for the residences of the community.
- Would this community be gated?
RESPONSE: There is a discuss with the City concerning this concept.

- What type of illumination would be used so you would not have light pollution?
RESPONSE: This is still being discussed with the City to avoid any light pollution. A photometric plan will be prepared, and will meet city standards, which does not allow light spilling beyond the property.
- Could the entrance be at an angle so the car light would not shine into surrounding residences homes?
RESPONSE: This is still being discussed with the city to avoid any light pollution. Entrance relocated to align with adjacent lot line o avoid lights in houses.
- Will the soils be tested for plutonium, when the soils are done. What will happen once the soils are disturbed?
RESPONSE: A Geotechnical Engineer has been hired to do a soil analysis and they will provide their recommendations and finding.
- When construction starts what will be done to keep the dust down?
RESPONSE: When construction starts the contractors will be following the City of Arvada protocol of dust mitigation.
- How would the construction traffic get to the site?
RESPONSE: City of Arvada wants to minimize the construction traffic issues but it is still very early in this process. Traffic will access off 82nd.
- Traffic issues was a major problem because of the right in and out only on Indiana Street. Where would the access to the community be? Would there be an access onto Indiana Street?
RESPONSE: A traffic study will be prepared, nothing has been finalized this early.
- Would there be an environmental study done to protect the wet lands in the area?
RESPONSE: Yes and will be completed.
- Would they pave the road by the railway for a trail? That would not be done because the railroad owns that property.
RESPONSE: Nothing has been determined to date.
- A lot of discussion about Indiana Street possibly widening and the intersection at Alkire and Indiana Street. What the future would hold for these roads for easier access.
RESPONSE: Indiana will eventually be widened but there is no final development plans at this time. There will be interim widening with this development.

- What type of custom homes would be built and was there a minimum size to the house? Some of the lots were set for accessory building such as a casita, outer office, rv storage, larger storage units.

RESPONSE: The buyer will bring in their own custom architectural plans to be approved by the HOA. The developer has standards and guides to the type of home allowed in this community. Nothing has been determined at this time.

- Would the developer be pushed away from this project? Other developers walked away from this site and they liked this concept.

RESPONSE: Bamford Company will stay its course and push forward to develop this site. Mr. Bamford assured people that someone would be available from the HOA on site until the last home has been built.

- People did like the idea presented to them as there would be quality design and a constant presence of the owner/developer.

Summary:

We have addressed the neighbors' concerns. Any concerns not addressed will be worked through during the design process.

NAME OF ANNEXATION: **Whitewing at Ralston Summit**

APPROXIMATE LOCATION: **W 82nd Avenue and Indiana Street**

**PETITION FOR ANNEXATION OF UNINCORPORATED TERRITORY
IN THE COUNTY OF JEFFERSON, STATE OF COLORADO,
TO THE CITY OF ARVADA, STATE OF COLORADO**

TO THE MAYOR AND THE CITY COUNCIL OF THE CITY OF ARVADA, COLORADO:

The undersigned in accordance with the Municipal Annexation Act of 1965, Chapter 31, Article 12, C.R.S. 1973, as amended, hereby petitions the City Council of the City of Arvada for annexation to the City of Arvada of the following described unincorporated territory located in the County of Jefferson, State of Colorado, to wit:

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF JEFFERSON, STATE OF COLORADO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS:

BEARINGS ARE BASED ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 30 BEING ASSUMED TO BEAR NORTH 88°26'57" EAST, A DISTANCE OF 2524.92 FEET BETWEEN THE FOLLOWING DESCRIBED MONUMENTS:

-THE 60' WITNESS CORNER TO THE CENTER QUARTER CORNER OF SECTION 30 BEING A FOUND #6 REBAR & 2.5" ALUMINUM CAP PLS 28286 IN RANGE BOX MATCHING MONUMENT RECORD FILED 3/29/04.

-THE WEST QUARTER CORNER OF SECTION 30 BEING A FOUND #6 REBAR & 2.5" ALUMINUM CAP PLS 28286 MATCHING MONUMENT RECORD FILED 4/28/07

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 30 FROM WHENCE THE WEST QUARTER CORNER OF SECTION 30 BEARS NORTH 00°28'43" WEST, A DISTANCE OF 2644.86 FEET;

THENCE ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER OF SECTION 30 NORTH 00°28'43" WEST, A DISTANCE OF 1,344.41 FEET;

THENCE NORTH 89°23'08" EAST, A DISTANCE OF 50.00 FEET TO THE EASTERLY RIGHT-OF-WAY OF INDIANA STREET AND THE EASTERLY LINE OF ORDINANCE #4325 BEING ALSO THE POINT OF BEGINNING;

THENCE ALONG SAID EASTERLY LINES AND ALSO THE EAST LINE OF ORDINANCE #4324 NORTH 00°28'43" WEST, A DISTANCE OF 678.69 FEET TO THE SOUTHERLY RIGHT-OF-WAY, BOOK 727, PAGE 474;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY SOUTH 84°45'14" EAST, A DISTANCE OF 2,238.36 FEET TO THE NORTHWEST CORNER OF THAT PARCEL DESCRIBED AT RECEPTION NO. 2010042014;

THENCE ALONG THE WEST LINE OF SAID PARCEL SOUTH 00°29'57" EAST, A DISTANCE OF 385.15 FEET TO THE SOUTHWEST CORNER THEREOF BEING ALSO A POINT ON THE NORTHERLY RIGHT-OF-WAY OF WEST 82ND AVENUE;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY THE FOLLOWING EIGHT (8) COURSES AND DISTANCES;

1. THENCE NORTH 89°05'34" EAST, A DISTANCE OF 190.31 FEET;
2. THENCE NORTH 89°34'35" EAST, A DISTANCE OF 224.19 FEET;
3. THENCE NORTH 89°34'09" EAST, A DISTANCE OF 199.19 FEET;
4. THENCE NORTH 89°33'28" EAST, A DISTANCE OF 300.47 FEET;
5. THENCE NORTH 89°23'13" EAST, A DISTANCE OF 399.57 FEET;
6. THENCE NORTH 89°33'20" EAST, A DISTANCE OF 500.03 FEET;
7. THENCE NORTH 89°20'31" EAST, A DISTANCE OF 577.43 FEET;
8. THENCE NORTH 89°20'54" EAST, A DISTANCE OF 300.91 FEET TO THE EASTERLY LINE OF SAID SOUTHWEST QUARTER OF SECTION 30;

THENCE ALONG SAID EASTERLY LINE SOUTH 00°58'07" EAST, A DISTANCE OF 49.43 FEET TO THE NORTHERLY LINE OF ORDINANCE #3582 AND THE SOUTHERLY RIGHT-OF-WAY OF SAID 82ND/ AVENUE;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY AND THE NORTHERLY LINES OF ORDINANCE #3582, #3583 AND 3584 SOUTH 88°58'40" WEST, A DISTANCE OF 1,799.00 FEET TO THE EASTERLY LINE OF THAT PARCEL DESCRIBED AT RECEPTION NO. 85074569;

THENCE ALONG SAID EASTERLY LINE, BEING ALSO THE RIGHT-OF-WAY OF SAID 82ND/ AVENUE NORTH 00°57'54" WEST, A DISTANCE OF 13.15 FEET;

THENCE CONTINUING ALONG SAID SOUTHERLY RIGHT-OF-WAY THE FOLLOWING NINE (9) COURSES AND DISTANCES;

1. THENCE SOUTH 89°33'00" WEST, A DISTANCE OF 106.38 FEET;
2. THENCE SOUTH 89°34'12" WEST, A DISTANCE OF 596.64 FEET;
3. THENCE SOUTH 89°09'08" WEST, A DISTANCE OF 607.45 FEET;
4. THENCE SOUTH 89°52'03" WEST, A DISTANCE OF 299.55 FEET;
5. THENCE SOUTH 89°17'42" WEST, A DISTANCE OF 599.53 FEET;
6. THENCE SOUTH 89°21'13" WEST, A DISTANCE OF 149.73 FEET;
7. THENCE SOUTH 89°19'33" WEST, A DISTANCE OF 149.99 FEET;
8. THENCE SOUTH 89°23'59" WEST, A DISTANCE OF 596.61 FEET;
9. THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 15.00 FEET, A CENTRAL ANGLE OF 89°51'01", WHOSE CHORD BEARS SOUTH 44°26'47" WEST A DISTANCE OF 21.19 FEET, FOR AN ARC DISTANCE OF 23.52 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,369,062 SQUARE FEET OR 31.429 ACRES, MORE OR LESS.

In support of the said Petition, your Petitioner alleges that:

1. It is desirable and necessary that the above-described territory be annexed to the City of Arvada.
2. No less than one-sixth of the perimeter of the area proposed to be annexed is contiguous with the City of Arvada.
3. A community of interest exists between the territory proposed to be annexed and the City of Arvada.
4. The territory proposed to be annexed is urban or will be urbanized in the future.
5. The territory proposed to be annexed is integrated or is capable of being integrated with the City of Arvada.
6. 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:
 - a. is divided into separate parts or parcels without the written consent of the landowner or landowners thereof.
 - b. comprising twenty acres or more which, together with the buildings and improvements situated thereon, has an assessed value in excess of two-hundred thousand dollars for an ad valorem tax purpose for the year preceding the annexation is included within the territory proposed to be annexed, without the written consent of the landowner or landowners thereof.
7. No annexation proceedings have been commenced by another municipality for the annexation of part or all of the area proposed herein to be annexed to Arvada.
8. Annexation of the territory proposed to be annexed will not result in detachment of area from any school district and the attachment of the same to another school district.
9. Annexation of the area proposed to be annexed will not have the effect of extending the City of Arvada's municipal boundary more than three miles in any direction from any point of such municipal boundary in any one year.
10. No portion of a platted street or alley lies within the boundaries of the area proposed to be annexed, unless the entire width of said street or alley has been included within the boundaries of the area to be annexed.
11. The Signer(s) of the Petition comprise(s) the landowner(s) of one hundred percent of the territory included in the area proposed to be annexed, exclusive of streets and alleys and any land owned by the annexing municipality.
12. All other requirements of Section 31-12-104 and 31-12-105, C.R.S., exist or have been met.
13. The mailing address of the Signer, the legal description of the land owned by such signer, and the date of signing of such signature are all shown on this Petition.
14. Attached to this Petition is the Affidavit of Circulator of this Petition that the signature hereon is the signature of the person whose name it purports to be.

Your Petitioner(s) further request(s) that the City of Arvada approve the annexation of the area proposed to be annexed.

Legal Owner's Printed Name

Christian Dinsdale

Legal Owner's Signature

[Signature]

Title

Manager (of Ralston Valley Land Partners, LLC)

Address Street Number/Name

1660 17th St.

City/State/Zip Code

Denver, CO, 80202

Date Signed

8/24/2021

AFFIDAVIT OF CIRCULATOR

STATE OF COLORADO)

COUNTY OF Jefferson) ss.

Joseph A. John

, being duly sworn, upon oath, deposes and states:

1. That the affiant circulated the Petition for Annexation for the purpose of obtaining the signature(s) of the above Petitioner(s).
2. That each signature thereon is the signature of the person whose name it purports to be.

[Signature]
Circulator

NOTARY CERTIFICATE

STATE OF COLORADO)

COUNTY OF Jefferson) ss.

Subscribed and sworn to before me this 24th day of August, 2021.

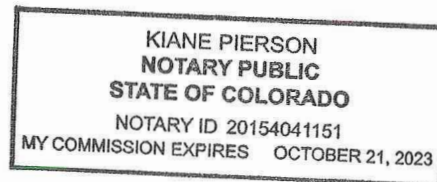
(SEAL)

Witness my hand and seal:

Kiane Pierson

My commission expires:

10/21/2023



WHITEWING ANNEXATION MAP
A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 30,
TOWNSHIP 2 SOUTH, RANGE 69 WEST, 6TH P.M.,
COUNTY OF JEFFERSON, STATE OF COLORADO
SHEET 1 OF 2

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF JEFFERSON, STATE OF COLORADO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS:

BEARINGS ARE BASED ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 30 BEING ASSUMED TO BEAR NORTH 88°26'57" EAST, A DISTANCE OF 2524.92 FEET BETWEEN THE FOLLOWING DESCRIBED MONUMENTS:

–THE 60’ WITNESS CORNER TO THE CENTER QUARTER CORNER OF SECTION 30 BEING A FOUND #6 REBAR & 2.5" ALUMINUM CAP PLS 28286 IN RANGE BOX MATCHING MONUMENT RECORD FILED 3/29/04.

–THE WEST QUARTER CORNER OF SECTION 30 BEING A FOUND #6 REBAR & 2.5" ALUMINUM CAP PLS 28286 MATCHING MONUMENT RECORD FILED 4/28/07

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 30 FROM WHENCE THE WEST QUARTER CORNER OF SECTION 30 BEARS NORTH 00°28'43" WEST, A DISTANCE OF 2644.86 FEET;

THENCE ALONG THE WEST LINE OF SAID SOUTHWEST QUARTER OF SECTION 30 NORTH 00°28'43" WEST, A DISTANCE OF 1,344.41 FEET;

THENCE NORTH 89°23'08" EAST, A DISTANCE OF 50.00 FEET TO THE EASTERLY RIGHT–OF–WAY OF INDIANA STREET AND THE EASTERLY LINE OF ORDINANCE #4325 BEING ALSO THE POINT OF BEGINNING;

THENCE ALONG SAID EASTERLY LINES AND ALSO THE EAST LINE OF ORDINANCE #4324 NORTH 00°28'43" WEST, A DISTANCE OF 678.69 FEET TO THE SOUTHERLY RIGHT–OF–WAY, BOOK 727, PAGE 474 ;

THENCE ALONG SAID SOUTHERLY RIGHT–OF–WAY SOUTH 84°45'14" EAST, A DISTANCE OF 2,238.36 FEET TO THE NORTHWEST CORNER OF THAT PARCEL DESCRIBED AT RECEPTION NO. 2010042014;

THENCE ALONG THE WEST LINE OF SAID PARCEL SOUTH 00°29'57" EAST, A DISTANCE OF 385.15 FEET TO THE SOUTHWEST CORNER THEREOF BEING ALSO A POINT ON THE NORTHERLY RIGHT–OF–WAY OF WEST 82ND AVENUE;

THENCE ALONG SAID NORTHERLY RIGHT–OF–WAY THE FOLLOWING EIGHT (8) COURSES AND DISTANCES;

1. THENCE NORTH 89°05'34" EAST, A DISTANCE OF 190.31 FEET;
2. THENCE NORTH 89°34'35" EAST, A DISTANCE OF 224.19 FEET;
3. THENCE NORTH 89°34'09" EAST, A DISTANCE OF 199.19 FEET;
4. THENCE NORTH 89°33'28" EAST, A DISTANCE OF 300.47 FEET;
5. THENCE NORTH 89°23'13" EAST, A DISTANCE OF 399.57 FEET;
6. THENCE NORTH 89°33'20" EAST, A DISTANCE OF 500.03 FEET;
7. THENCE NORTH 89°20'31" EAST, A DISTANCE OF 577.43 FEET;
8. THENCE NORTH 89°20'54" EAST, A DISTANCE OF 300.91 FEET TO THE EASTERLY LINE OF SAID SOUTHWEST QUARTER OF SECTION 30;

THENCE ALONG SAID EASTERLY LINE SOUTH 00°58'07" EAST, A DISTANCE OF 49.43 FEET TO THE NORTHERLY LINE OF ORDINANCE #3582 AND THE SOUTHERLY RIGHT–OF–WAY OF SAID 82ND AVENUE;

THENCE ALONG SAID SOUTHERLY RIGHT–OF–WAY AND THE NORTHERLY LINES OF ORDINANCE #3582, #3583 AND 3584 SOUTH 88°58'40" WEST, A DISTANCE OF 1,799.00 FEET TO THE EASTERLY LINE OF THAT PARCEL DESCRIBED AT RECEPTION NO. 85074569;

THENCE ALONG SAID EASTERLY LINE, BEING ALSO THE RIGHT–OF–WAY OF SAID 82ND AVENUE NORTH 00°57'54" WEST, A DISTANCE OF 13.15 FEET;

THENCE CONTINUING ALONG SAID SOUTHERLY RIGHT–OF–WAY THE FOLLOWING NINE (9) COURSES AND DISTANCES;

1. THENCE SOUTH 89°33'00" WEST, A DISTANCE OF 106.38 FEET;
2. THENCE SOUTH 89°34'12" WEST, A DISTANCE OF 596.64 FEET;
3. THENCE SOUTH 89°09'08" WEST, A DISTANCE OF 607.45 FEET;
4. THENCE SOUTH 89°52'03" WEST, A DISTANCE OF 299.55 FEET;
5. THENCE SOUTH 89°17'42" WEST, A DISTANCE OF 599.53 FEET;
6. THENCE SOUTH 89°21'13" WEST, A DISTANCE OF 149.73 FEET;
7. THENCE SOUTH 89°19'33" WEST, A DISTANCE OF 149.99 FEET;
8. THENCE SOUTH 89°23'59" WEST, A DISTANCE OF 596.61 FEET;
9. THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 15.00 FEET, A CENTRAL ANGLE OF 89°51'01", WHOSE CHORD BEARS SOUTH 44°26'47" WEST A DISTANCE OF 21.19 FEET, FOR AN ARC DISTANCE OF 23.52 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,369,062 SQUARE FEET OR 31.429 ACRES, MORE OR LESS.

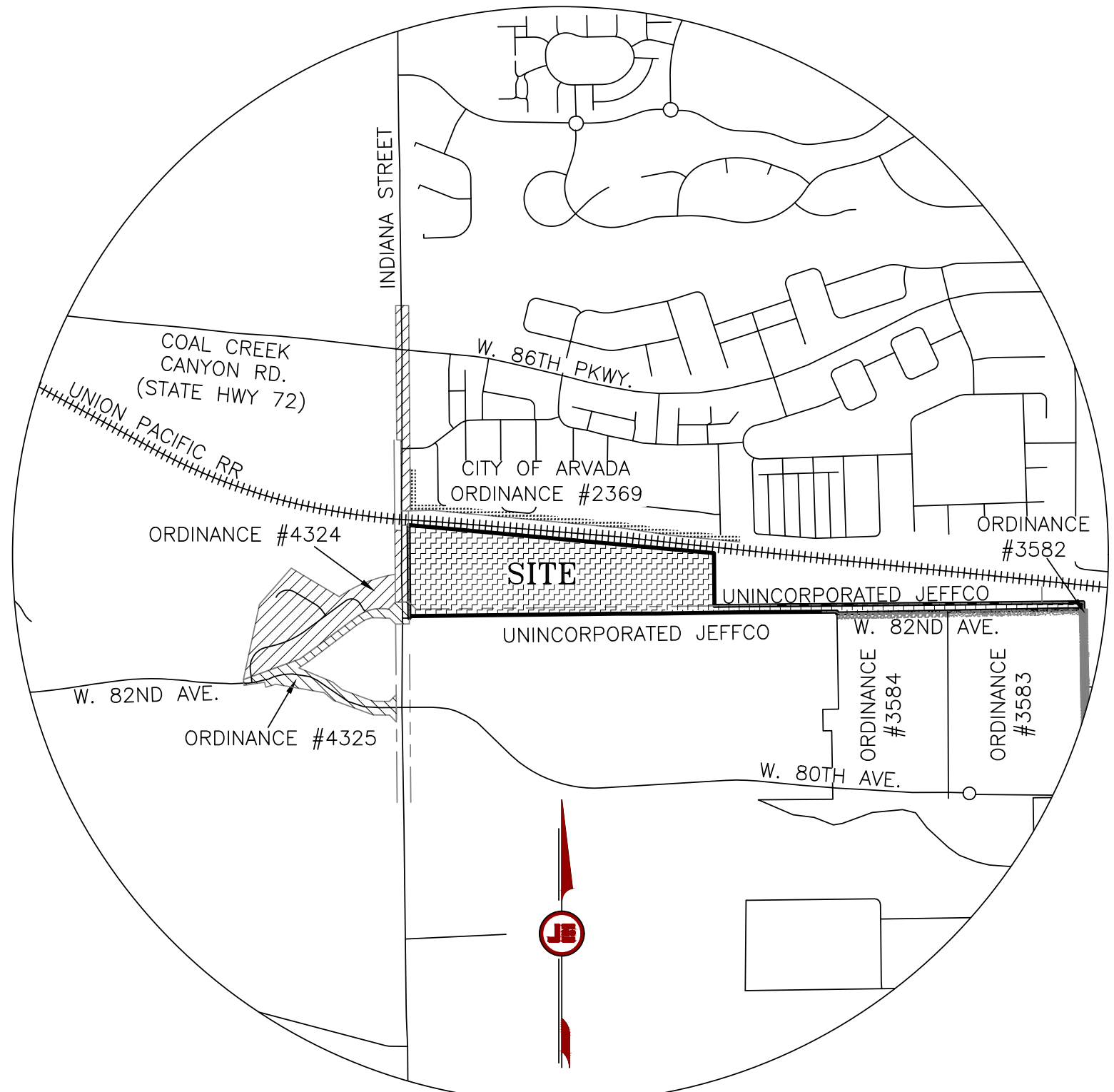
NOTES

1. BASIS OF BEARINGS: BEARINGS ARE BASED ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF SECTION 30 BEING ASSUMED TO BEAR NORTH 88°26'57" EAST BETWEEN MONUMENTS AS SHOWN WITHIN THIS MAP.

2. ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

3. THIS MAP IS NOT A MONUMENTED LAND SURVEY PLAT OR IMPROVEMENT SURVEY PLAT AS DEFINED IN C.R.S. 38–51–106. THE PURPOSE OF THIS MAP IS TO SHOW THE AREA TO BE ANNEXED INTO THE CITY OF ARVADA.

4. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY JEHN ENGINEERING TO DETERMINE OWNERSHIP OF EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHTS–OF–WAY AND TITLE OF RECORD, JEHN ENGINEERING RELIED UPON COMMITMENT FOR TITLE INSURANCE, POLICY NO. CO–FWCO–IMP–72306–1–21–C2054638, ISSUED BY CHICAGO TITLE OF COLORADO AND HAVING AN EFFECTIVE DATE OF AUGUST 17, 2021 AT 11:29 A.M.



VICINITY MAP
1"=1000'

CONTIGUITY STATEMENT

TOTAL PERIMETER OF AREA CONSIDERED FOR ANNEXATION=10,985.27 LF

ONE–SIXTH OF TOTAL PERIMETER=1,830.87 LF (16.67%)

PERIMETER OF THE AREA CONTIGUOUS WITH EXISTING CITY LIMITS=4,716.05 LF (42.93%)

ANNEXATION EXCEEDS THE ONE–SIXTH PERIMETER REQUIREMENT.

SURVEYOR’S CERTIFICATE

I ROBERT J. HENNESSY, A PROFESSIONAL LAND SURVEYOR LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS WHITEWING ANNEXATION MAP WAS MADE BY ME OR DIRECTLY UNDER MY SUPERVISION, AND THAT IT IS A TRUE AND CORRECT REPRESENTATION OF THE AREA TO BE ANNEXED TO THE CITY OF ARVADA, COLORADO. THE ABOVE DESCRIBED LAND IS CONTIGUOUS TO THE CITY OF ARVADA AND MEETS THE REQUIREMENTS SET FORTH IN COLORADO REVISED STATUTES 1973, 31–12–104–(1) (A) THAT ONE–SIXTH OR MORE OF THE PERIMETER TO BE ANNEXED IS CONTIGUOUS WITH THE ANNEXING MUNICIPALITY. THE SURVEY IS NOT A GUARANTY OR WARRANTY, EITHER EXPRESSED OR IMPLIED.

ROBERT J. HENNESSY, P.L.S. 34580, LICENSED COLORADO LAND SURVEYOR
FOR AND ON BEHALF OF JEHN ENGINEERING, INC.

APPROVAL CERTIFICATE

APPROVED FOR FILING BY THE CITY OF ARVADA THIS _____ DAY OF _____, 20____.

MAYOR _____ ATTEST: _____
CITY CLERK

ORDINANCE NUMBER _____

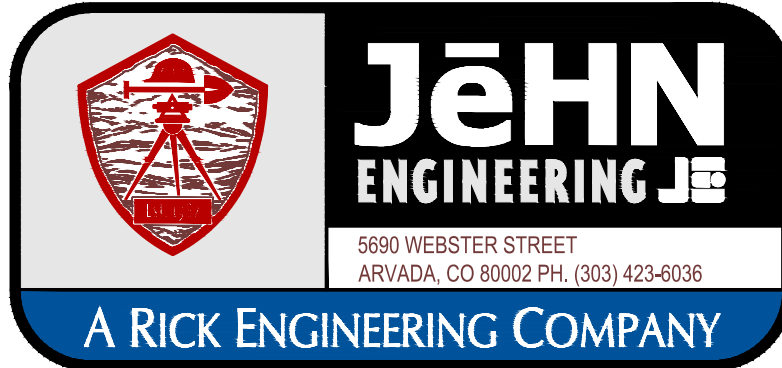
CLERK AND RECORDER’S CERTIFICATE

RECEPTION NUMBER _____

ACCEPTED FOR FILING IN THE OFFICE OF THE CLERK AND RECORDER OF JEFFERSON COUNTY, AT GOLDEN COLORADO ON THIS _____ DAY OF _____, 20____ AT _____ O’CLOCK.

JEFFERSON COUNTY CLERK AND RECORDER

BY: DEPUTY CLERK



WHITEWING ANNEXATION MAP

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 30,
TOWNSHIP 2 SOUTH, RANGE 69 WEST, 6TH P.M.,
COUNTY OF JEFFERSON, STATE OF COLORADO
SHEET 2 OF 2

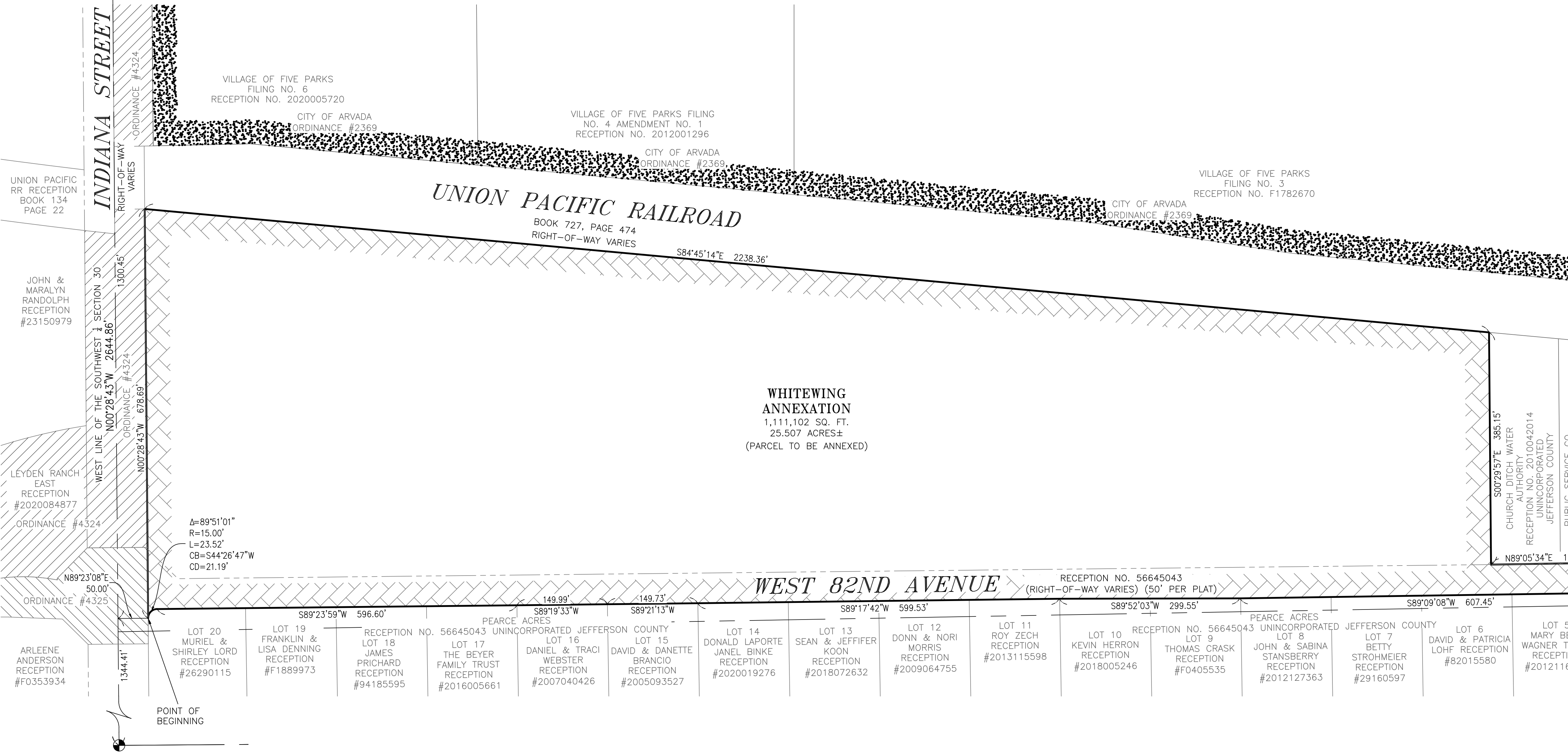
WEST 1/4 CORNER OF SECTION
30 FOUND #6 REBAR & 2.5"
ALUMINUM CAP PLS 28286 IN
RANGE BOX MATCHING
MONUMENT RECORD FILED
4/28/07

N88°26'57"E 2524.92'

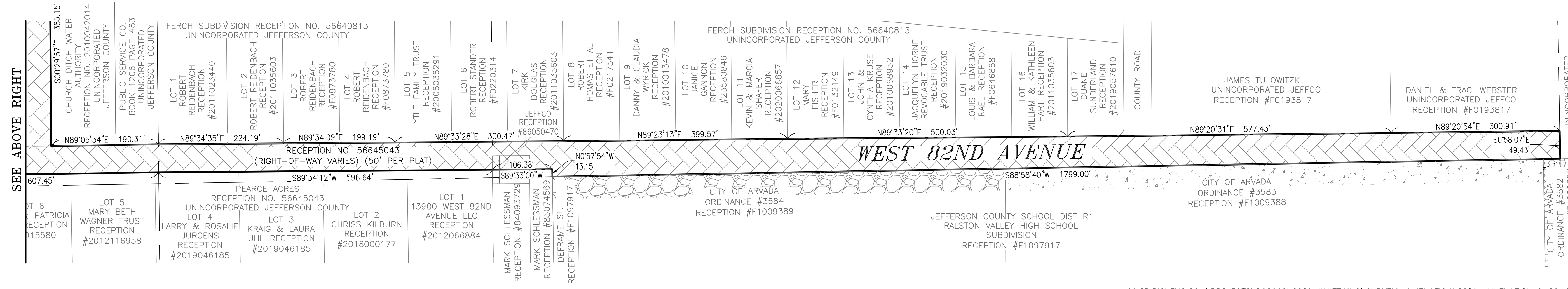
N. LINE OF THE SW 1/4 SECTION 30
BASIS OF BEARINGS

60' WITNESS CORNER TO THE
CENTER 1/4 CORNER OF
SECTION 30 FOUND #6 REBAR
& 2.5" ALUMINUM CAP PLS
28286 IN RANGE BOX
MATCHING MONUMENT RECORD
FILED 3/29/04

CENTER 1/4 CORNER SECTION 30



SW CORNER OF SECTION 30
AS REFERENCED BY 3 FOUND
2.5" ALUMINUM CAP PLS
11434 REFERENCE MONUMENTS
AS DESCRIBED ON MONUMENT
RECORD FILED 11/30/11 IN
GOOD CONDITION. POINT OF
COMMENCEMENT



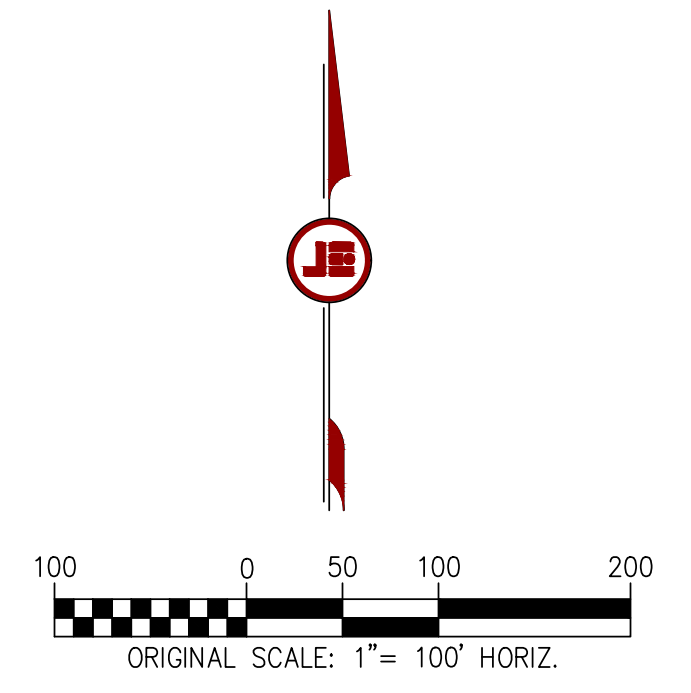
LEGEND

- ALIQUOT CORNER
- SECTION LINE
- ADJACENT LOT LINE
- RIGHT-OF-WAY
- ANNEX BOUNDARY

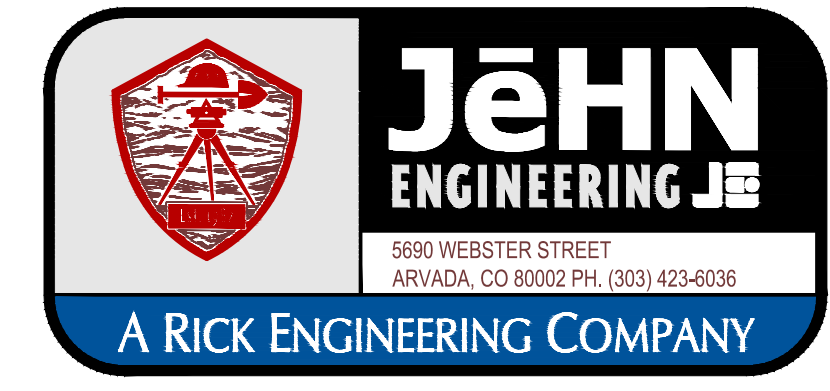
ARVADA CITY LIMITS

- ANNEXATION ORDINANCE NO. 4324
- ANNEXATION ORDINANCE NO. 4325
- ANNEXATION ORDINANCE NO. 2369
- ANNEXATION ORDINANCE NO. 3582
- ANNEXATION ORDINANCE NO. 3583
- ANNEXATION ORDINANCE NO. 3584
- WHITEWING ANNEXATION

SEE BELOW LEFT



ALKIRE
STEET





REPORT TO PLANNING COMMISSION

AGENDA ITEM
9.B.

TO: PLANNING COMMISSION

DATE: September 7, 2021

SUBJECT: Zoning certain land in the City of Arvada for Whitewing at Ralston Summit, a 25.5 acre parcel of land from Jefferson County A-2 (Agricultural) to City of Arvada PUD (Planned Unit Development) and Amending the Official Zoning Maps of the City of Arvada, Colorado, approximately located at the Northeast corner of Indiana Street and W 82nd Avenue also known as 8200 Indiana Street.

Report in Brief

MOTION:

MOVED BY: _____

Zoning certain land into the City of Arvada for Whitewing at Ralston Summit, a 25.5 acre parcel of land from Jefferson County A-2 (Agricultural) to City of Arvada PUD (Planned Unit Development) and Amending the Official Zoning Maps of the City of Arvada, Colorado, approximately located at the Northeast corner of Indiana Street and W 82nd Avenue also known as 8200 Indiana Street, be recommended to City Council for (approval) (denial).

This motion is based on the findings of fact and approval criteria on Page 11 of the Staff Report.

This motion is based on the following findings of fact for denial: (Recite approval criteria you believe the evidence fails to satisfy and your reasons).

YES _____ NO _____ ABSENT _____

Prepared by:

Abigail Ogg, Administrative Specialist

Reviewed by:

Approved by:

Jonathan Moore, Planner I

8/30/2021

Josie Suk, Development Systems and Administrative Manager

8/31/2021

Robert Smetana, Manager of City Planning and Development

8/31/2021

Ryan Stachelski, Director of Community and Economic Development

8/31/2021

Emily Grogg, Senior Assistant City Attorney

8/31/2021

SUBJECT: Zoning certain land in the City of Arvada for Whitewing at Ralston Summit, a 25.5 acre parcel of land from Jefferson County A-2 (Agricultural) to City of Arvada PUD (Planned Unit Development) and Amending the Official Zoning Maps of the City of Arvada, Colorado, approximately located at the Northeast corner of Indiana Street and W 82nd Avenue also known as 8200 Indiana Street.

PAGE: 2
ITEM: 9.B.

Enclosure, exhibits & attachments required to support the report

ZONING LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF JEFFERSON, STATE OF COLORADO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS:

BEARINGS ARE BASED ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 30 BEING ASSUMED TO BEAR NORTH 88°26'57" EAST, A DISTANCE OF 2524.92 FEET BETWEEN THE FOLLOWING DESCRIBED MONUMENTS:

-THE 60' WITNESS CORNER TO THE CENTER QUARTER CORNER OF SECTION 30 BEING A FOUND #6 REBAR & 2.5" ALUMINUM CAP PLS 28286 IN RANGE BOX MATCHING MONUMENT RECORD FILED 3/29/04.

-THE WEST QUARTER CORNER OF SECTION 30 BEING A FOUND #6 REBAR & 2.5" ALUMINUM CAP PLS 28286 MATCHING MONUMENT RECORD FILED 4/28/07

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THENCE NORTH 89°23'08" EAST, A DISTANCE OF 50.00 FEET TO THE EASTERLY RIGHT-OF-WAY OF INDIANA STREET AND THE EASTERLY LINE OF ORDINANCE #4325 BEING ALSO THE POINT OF BEGINNING;

THENCE ALONG SAID EASTERLY LINES AND ALSO THE EAST LINE OF ORDINANCE #4324 NORTH 00°28'43" WEST, A DISTANCE OF 678.69 FEET TO THE SOUTHERLY RIGHT-OF-WAY, BOOK 727, PAGE 474;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY SOUTH 84°45'14" EAST, A DISTANCE OF 2,238.36 FEET TO THE NORTHWEST CORNER OF THAT PARCEL DESCRIBED AT RECEPTION NO. 2010042014;

THENCE ALONG THE WEST LINE OF SAID PARCEL SOUTH 00°29'57" EAST, A DISTANCE OF 385.15 FEET TO THE SOUTHWEST CORNER THEREOF BEING ALSO A POINT ON THE NORTHERLY RIGHT-OF-WAY OF WEST 82ND AVENUE;

THENCE ALONG SAID NORTHERLY RIGHT—OF—WAY THE FOLLOWING EIGHT (8) COURSES AND DISTANCES;

1. THENCE NORTH 89°05'34" EAST, A DISTANCE OF 190.31 FEET;

2. THENCE NORTH 89°34'35" EAST, A DISTANCE OF 224.19 FEET;
3. THENCE NORTH 89°34'09" EAST, A DISTANCE OF 199.19 FEET;
4. THENCE NORTH 89°33'28" EAST, A DISTANCE OF 300.47 FEET;
5. THENCE NORTH 89°23'13" EAST, A DISTANCE OF 399.57 FEET;
6. THENCE NORTH 89°33'20" EAST, A DISTANCE OF 500.03 FEET;
7. THENCE NORTH 89°20'31" EAST, A DISTANCE OF 577.43 FEET;
8. THENCE NORTH 89°20'54" EAST, A DISTANCE OF 300.91 FEET TO THE
EASTERLY LINE OF SAID SOUTHWEST QUARTER OF SECTION 30;

THENCE ALONG SAID EASTERLY LINE SOUTH 00°58'07" EAST, A DISTANCE OF 49.43 FEET TO
THE NORTHERLY LINE OF ORDINANCE #3582 AND THE SOUTHERLY RIGHT-OF-WAY OF SAID
82ND/ AVENUE;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY AND THE NORTHERLY LINES OF
ORDINANCE #3582, #3583 AND 3584 SOUTH 88°58'40" WEST, A DISTANCE OF 1,799.00 FEET TO
THE EASTERLY LINE OF THAT PARCEL DESCRIBED AT RECEPTION NO. 85074569;

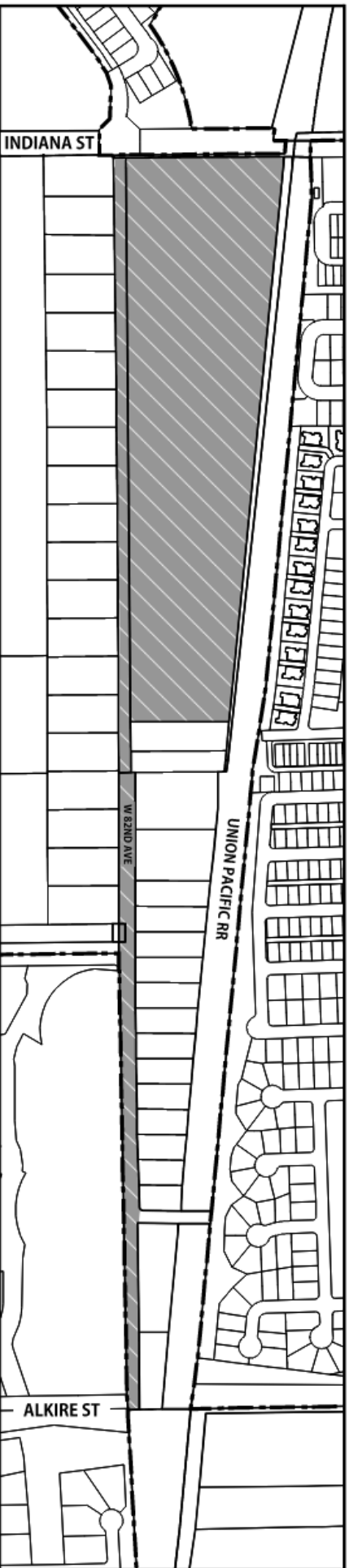
THENCE ALONG SAID EASTERLY LINE, BEING ALSO THE RIGHT-OF-WAY OF SAID 82ND/ AVENUE
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THENCE CONTINUING ALONG SAID SOUTHERLY RIGHT-OF-WAY THE FOLLOWING NINE
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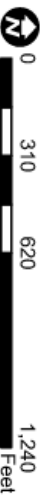
CONTAINING 1,369,062 SQUARE FEET OR 31.429 ACRES, MORE OR LESS.



--- City Limits



Zoning Area



ZONING REFERENCE MAP

The map provided is a graphical representation intended for general informational purposes only, and may not reflect the most current information or conditions. THE CITY OF ARVADA MAKES NO WARRANTY OF MERCHANTABILITY OR WARRANTY FOR FITNESS OF USE FOR A PARTICULAR PURPOSE, EXPRESSED OR IMPLIED, WITH RESPECT TO THESE GRAPHICAL REPRESENTATIONS OR THE UNDERLYING DATA. Any users of these graphical representations or map products accept same AS IS, WITH ALL FAULTS, and assumes all responsibility for the use thereof, and further covenants to hold the City harmless from and against all damage, loss, or liability arising from the use of this map product, in consideration of the City's having made this information available.



REPORT TO PLANNING COMMISSION

AGENDA ITEM
9.C.

TO: PLANNING COMMISSION

DATE: September 7, 2021

SUBJECT: Major Subdivision Preliminary Plat for Whitewing at Ralston Summit, a 25.5 acre parcel of land approximately located at the Northeast corner of Indiana Street and W 82nd Avenue also known as 8200 Indiana Street.

Report in Brief

MOTION:

MOVED BY: _____

A Major Subdivision Preliminary Plat for Whitewing at Ralston Summit, a 25.5 acre parcel of land approximately located at the Northeast corner of Indiana Street and W 82nd Avenue also known as 8200 Indiana Street, be recommended to City Council for (approval) (denial).

This motion is based on the findings of fact and approval criteria on Page(s) 11-12 of the Staff Report.

This motion is based on the following findings of fact for denial: (Recite approval criteria you believe the evidence fails to satisfy and your reasons).

YES _____ NO _____ ABSENT _____

Prepared by:

Abigail Ogg, Administrative Specialist

Reviewed by:

Approved by:

Jonathan Moore, Planner I

8/30/2021

Josie Suk, Development Systems and Administrative Manager

8/31/2021

Robert Smetana, Manager of City Planning and Development

8/31/2021

Ryan Stachelski, Director of Community and Economic Development

8/31/2021

Emily Grogg, Senior Assistant City Attorney

8/31/2021

Enclosure, exhibits & attachments required to support the report

SUBJECT: Major Subdivision Preliminary Plat for Whitewing at Ralston Summit, a 25.5 acre parcel of land approximately located at the Northeast corner of Indiana Street and W 82nd Avenue also known as 8200 Indiana Street.

PAGE: 2
ITEM: 9.C.

PRELIMINARY PLAT
WHITEWING AT RALSTON SUMMIT
A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 30,
TOWNSHIP 2 SOUTH, RANGE 69 WEST 6TH P.M.
CITY OF ARVADA, COUNTY OF JEFFERSON, STATE OF COLORADO

SHEET 1 OF 3

TRACT SUMMARY TABLE

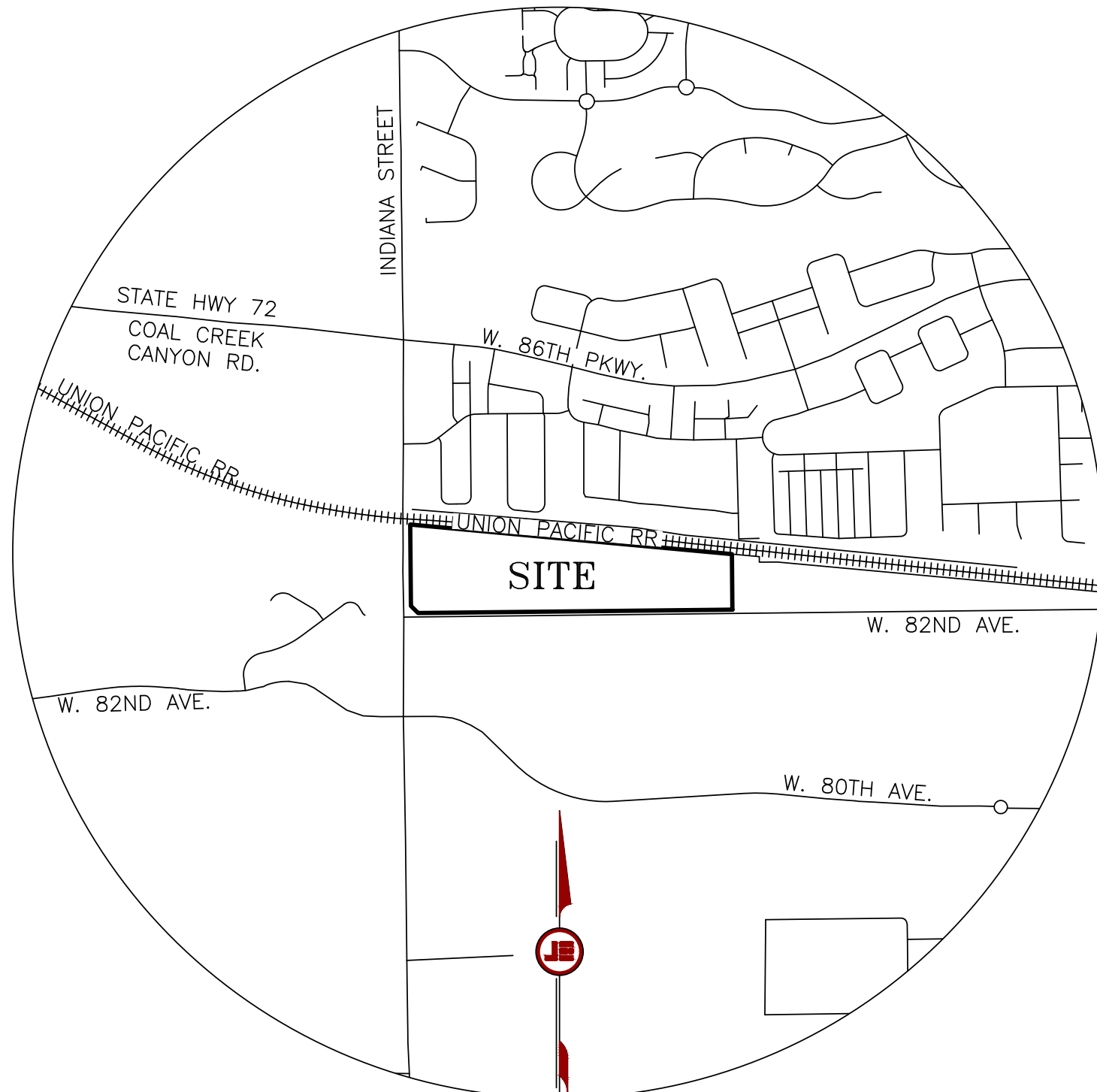
TRACT	PURPOSE	OWNERSHIP/MAINTAINANCE	ACREAGE
A	ACCESS, OPEN SPACE, UTILITY	H.O.A	3.245±
B	OPEN SPACE, DRAINAGE, UTILITY, SIGHT TRIANGLE	H.O.A.	3.411±
C	DRAINAGE, UTILITY, MAIL KIOSK	H.O.A.	0.260±

GENERAL NOTES

- 1.) THE LINEAL UNITS USED ON THIS PLAT ARE IN U.S. SURVEY FEET. A U.S. SURVEY FOOT IS DEFINED AS EXACTLY 1200/3937 METERS. ALL BEARINGS SHOWN HEREON ARE IN DEGREES-MINUTES-SECONDS.
- 2.) ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT, LAND SURVEY BOUNDARY MONUMENT OR ACCESSORY COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE 18-4-508, C.R.S.
- 3.) NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.
- 4.) CHICAGO TITLE OF COLORADO. POLICY NUMBER CO-FWCO-IMP-72306-1-21-C2054638, EFFECTIVE DATED AUGUST 17, 2021 AT 11:29 A.M. WAS ENTIRELY RELIED UPON FOR RECORDED RIGHTS-OF-WAY, EASEMENTS AND ENCUMBRANCES IN THE PREPARATION OF THIS SURVEY.
- 5.) JEHN ENGINEERING, INC. HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR RECORDED/UNRECORDED EASEMENTS, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
- 6.) ALL LOT CORNER MONUMENTS SHALL BE SET PER COLORADO STATE STATUTE 38-51-105.
- 7.) BASIS OF BEARINGS: BEARINGS ARE BASED ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF SECTION 30 BEING ASSUMED TO BEAR NORTH 88°26'57" EAST BETWEEN MONUMENTS AS SHOWN WITHIN THIS PLAT.
- 8.) NO BUILDING OR STRUCTURE SHALL BE CONSTRUCTED WITHIN THE STORM WATER DETENTION AREA AND NO CHANGES OR ALTERATIONS AFFECTING THE HYDRAULIC CHARACTERISTICS OF THE DETENTION AREA WILL BE MADE WITHOUT THE APPROVAL OF THE CITY OF ARVADA.
- 9.) FENCES ON THIS PLAT ARE SHOWN FOR INFORMATIONAL PURPOSES ONLY. THEY ARE NOT PRECISELY LOCATED AND WERE NOT RELIED UPON FOR THE DETERMINATION OF ANY BOUNDARY BY THIS SURVEYOR.

EASEMENT NOTES

UTILITY EASEMENTS ARE HEREBY GRANTED AS FIVE (5) FEET WIDE ALONG THE SIDE OF LOTS, AND EIGHT (8) FEET WIDE AS SHOWN HEREON. UTILITY MEANS SEWER, WATER, ELECTRICITY, TELEPHONE, CABLE AND OTHER TELECOMMUNICATIONS FACILITIES. ALL SIDE AND REAR LOT LINE EASEMENTS ARE FOR UTILITY AND DRAINAGE PURPOSES. NO TREES SHRUBS OR OTHER PLANTS MAY BE PLANTED, NOR SHALL ANY BUILDING, FENCE, STRUCTURE OR IMPROVEMENTS BE CONSTRUCTED OR INSTALLED WITHIN OR OVER ANY EASEMENT OR RIGHT-OF-WAY SO AS TO PREVENT OR UNREASONABLY INTERFERE WITH ANY PURPOSE FOR WHICH THE EASEMENT OR RIGHT-OF-WAY IS GRANTED, PROVIDED THAT WINDOW WELLS NOT EXCEEDING FIFTEEN (15) SQUARE FEET AND NOT ENCROACHING MORE THAN TWO (2) FEET INTO A SIDE LOT EASEMENT AND EAVES ARE ALLOWED UNLESS OTHERWISE PROHIBITED BY CODE PROVISION, BUILDING REGULATION, OR OTHER LAW. CONSTRUCTION EASEMENT IS HEREBY GRANTED FOR USE BY THE CITY OF ARVADA IN ASSOCIATION WITH CONSTRUCTION RELATED TO THE UNION PACIFIC RAILROAD OVERPASS. NO STRUCTURES NOR LANDSCAPING SHALL BE INSTALLED WITHIN THE EASEMENT. AT SUCH A TIME AS THE EASEMENT IS NOT NECESSARY FOR CONSTRUCTION ACTIVITIES, IT MAY BE VACATED.



VICINITY MAP

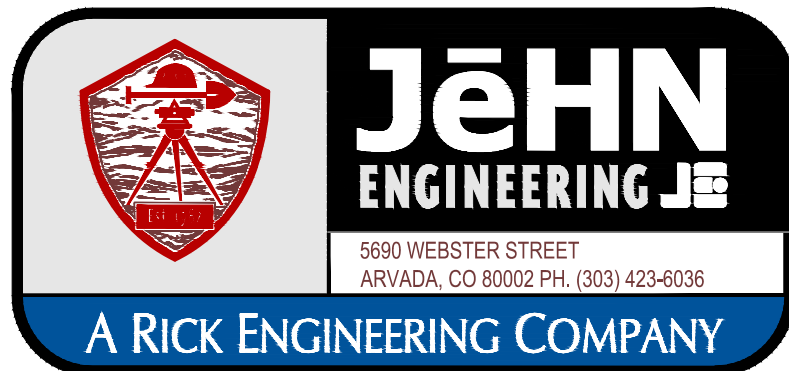
1"=1000'

SHEET 1-COVER
SHEET 2-WEST PORTION OF SUBDIVISION
SHEET 3-EAST PORTION OF SUBDIVISION
AND LINE/CURVE TABLES

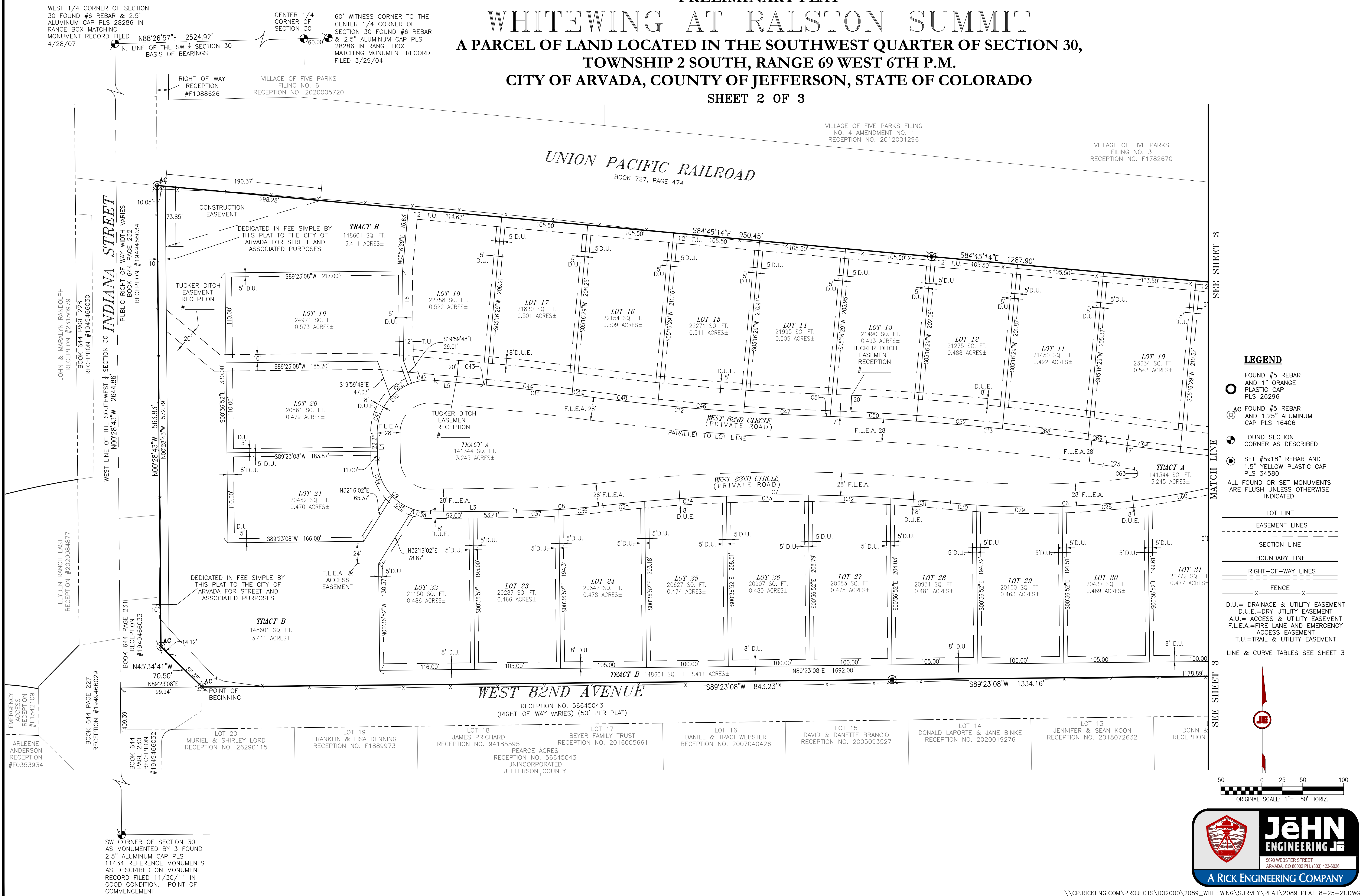
SURVEYOR'S CERTIFICATE

I ROBERT J. HENNESSY, A PROFESSIONAL LAND SURVEYOR LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE SURVEY OF WHITEWING AT RALSTON SUMMIT WAS MADE BY ME OR DIRECTLY UNDER MY SUPERVISION ON OR ABOUT THE 22ND DAY OF OCTOBER, 2020, AND THAT THE SURVEY IS BASED UPON MY KNOWLEDGE, INFORMATION AND BELIEF, IT HAS BEEN PREPARED IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE, THE SURVEY IS NOT A GUARANTY OR WARRANTY, EITHER EXPRESSED OR IMPLIED, AND THE ACCOMPANYING PLAT ACCURATELY AND PROPERLY SHOWS SAID SUBDIVISION AND THE SURVEY THEREOF.

ROBERT J. HENNESSY, P.L.S. 34580, LICENSED COLORADO LAND SURVEYOR
FOR AND ON BEHALF OF JEHN ENGINEERING, INC.



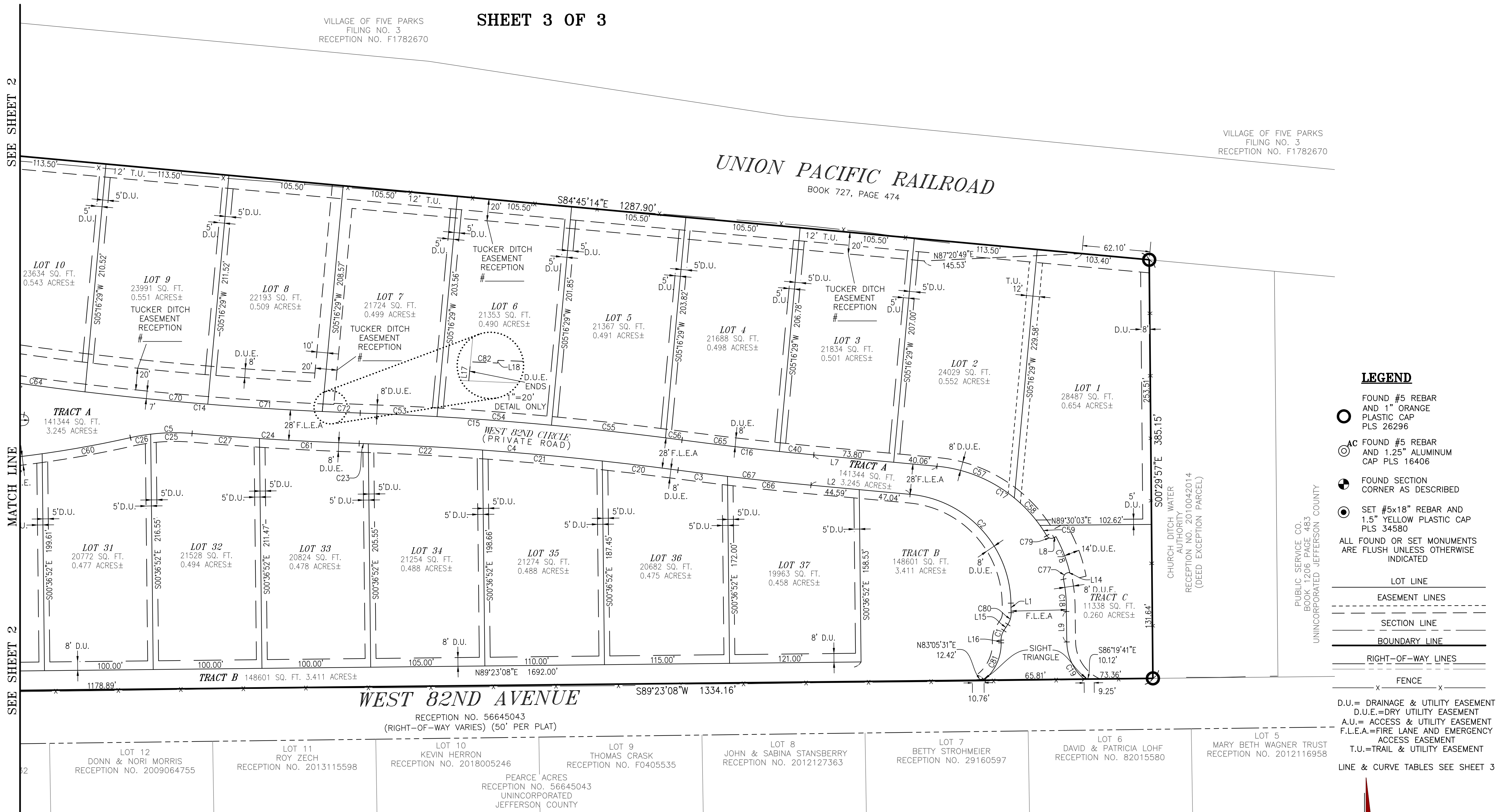
PRELIMINARY PLAT
WHITEWING AT RALSTON SUMMIT
A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 30,
TOWNSHIP 2 SOUTH, RANGE 69 WEST 6TH P.M.
CITY OF ARVADA, COUNTY OF JEFFERSON, STATE OF COLORADO
SHEET 2 OF 3



CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	9.41'	16.00'	033°41'24"	S16°01'07"W	9.27'
C2	149.36'	102.00'	083°53'56"	N42°46'33"W	136.37'
C3	45.88'	3014.00'	000°52'20"	S82°49'20"E	45.88'
C4	294.33'	2986.00'	005°38'52"	N85°12'36"W	294.21'
C5	57.01'	186.00'	017°33'44"	S86°06'42"W	56.79'
C6	324.78'	1014.00'	018°21'05"	N86°30'23"E	323.39'
C7	425.29'	1986.00'	012°16'10"	S89°32'50"W	424.48'
C8	105.71'	1014.00'	005°58'23"	N86°23'56"E	105.66'
C9	100.53'	64.00'	090°00'00"	S45°36'52"E	90.51'
C10	107.11'	64.00'	095°53'21"	S47°19'48"W	95.04'
C11	123.05'	3014.00'	002°20'21"	N83°33'21"W	123.05'
C12	294.33'	2986.00'	005°38'52"	S85°12'36"E	294.21'
C13	348.08'	3014.00'	006°37'01"	N84°43'31"W	347.88'
C14	344.84'	2986.00'	006°37'01"	S84°43'31"E	344.65'
C15	297.09'	3014.00'	005°38'52"	N85°12'36"W	296.97'
C16	121.90'	2986.00'	002°20'21"	S83°33'21"E	121.90'
C17	123.91'	131.00'	054°11'44"	N57°37'39"W	119.34'
C18	29.80'	131.91'	012°56'35"	N5°10'45"W	29.74'
C19	38.83'	46.08'	048°16'19"	S24°57'45"E	37.69'
C20	70.15'	2986.00'	001°20'46"	N83°03'33"W	70.15'
C21	110.58'	2986.00'	002°07'18"	N84°47'35"W	110.57'
C22	105.23'	2986.00'	002°01'09"	N86°51'49"W	105.23'
C23	8.37'	2986.00'	000°09'38"	N87°57'13"W	8.37'
C24	153.95'	3014.00'	002°55'36"	S86°34'14"E	153.94'
C25	38.15'	186.00'	011°45'08"	S89°01'00"W	38.08'
C26	18.86'	186.00'	005°48'36"	S80°14'08"W	18.85'
C27	62.15'	3014.00'	001°10'53"	S85°41'52"E	62.15'
C28	105.36'	1014.00'	005°57'12"	N84°58'27"E	105.31'
C29	105.08'	1014.00'	005°56'16"	S89°04'49"E	105.04'
C30	31.74'	1014.00'	001°47'36"	S85°12'53"E	31.74'
C31	73.72'	1986.00'	002°07'36"	N85°22'53"W	73.71'
C32	100.12'	1986.00'	002°53'19"	N87°53'20"W	100.11'
C33	100.01'	1986.00'	002°53'07"	S89°13'27"W	100.00'
C34	100.15'	1986.00'	002°53'22"	S86°20'13"W	100.14'
C35	51.29'	1986.00'	001°28'47"	S84°09'08"W	51.29'
C36	54.10'	1014.00'	003°03'24"	N84°56'27"E	54.09'
C37	51.61'	1014.00'	002°54'58"	N87°55'38"E	51.60'
C38	21.59'	64.00'	019°19'38"	S80°57'04"E	21.49'
C39	48.66'	64.00'	043°33'48"	S22°23'46"E	47.50'
C40	31.70'	2986.00'	000°36'30"	S84°25'16"E	31.70'
C41	47.66'	64.00'	042°39'53"	S20°43'04"W	46.56'
C42	28.23'	64.00'	025°16'17"	S82°38'20"W	28.00'
C43	3.89'	3014.00'	000°04'26"	N84°41'18"W	3.89'
C44	105.52'	3014.00'	002°00'22"	N83°38'55"W	105.52'
C45	30.28'	64.00'	027°06'34"	S57°43'58"E	30.00'
C46	105.51'	2986.00'	002°01'28"	S85°09'43"E	105.50'
C47	96.92'	2986.00'	001°51'35"	S87°06'14"E	96.92'
C48	91.90'	2986.00'	001°45'48"	S83°16'04"E	91.90'
C49	13.64'	3014.00'	000°15'34"	N82°30'57"W	13.64'
C50	105.58'	3014.00'	002°00'25"	N86°51'55"W	105.57'
C51	8.68'	3014.00'	000°09'54"	N87°57'05"W	8.68'
C52	105.51'	3014.00'	002°00'20"	N84°51'32"W	105.50'
C53	70.71'	3014.00'	001°20'39"	N87°21'42"W	70.71'
C54	105.52'	3014.00'	002°00'21"	N85°41'12"W	105.51'
C55	105.52'	3014.00'	002°00'22"	N83°40'51"W	105.52'
C56	15.34'	3014.00'	000°17'30"	N82°31'55"W	15.34'
C57	77.96'	131.00'	034°05'51"	N67°40'36"W	76.81'
C58	34.65'	131.00'	015°09'11"	N43°03'05"W	34.54'
C59	11.31'	131.00'	004°56'42"	N33°00'08"W	11.30'
C60	82.60'	1014.00'	004°40'01"	N79°39'51"E	82.57'
C61	91.81'	3014.00'	001°44'43"	S87°09'40"E	91.80'
C62	31.22'	64.00'	027°57'11"	S56°01'36"W	30.92'
C63	14.39'	5.00'	164°53'59"	N01°17'58"E	9.91'
C64	90.87'	2986.00'	001°44'37"	S82°17'20"E	90.87'
C65	90.21'	2986.00'	001°43'51"	S83°15'06"E	90.20'
C66	77.16'	3014.00'	001°28'01"	S83°59'31"E	77.16'

PRELIMINARY PLAT
WHITEWING AT RALSTON SUMMIT
A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 30,
TOWNSHIP 2 SOUTH, RANGE 69 WEST 6TH P.M.
CITY OF ARVADA, COUNTY OF JEFFERSON, STATE OF COLORADO

SHEET 3 OF 3





REPORT TO PLANNING COMMISSION

AGENDA ITEM
9.D.

TO: PLANNING COMMISSION

DATE: September 7, 2021

SUBJECT: PUD Development Plan for Whitewing at Ralston Summit, a 25.5 acre parcel of land approximately located at the Northeast corner of Indiana Street and W 82nd Avenue also known as 8200 Indiana Street.

Report in Brief

MOTION:

MOVED BY: _____

PUD Development Plan for Whitewing at Ralston Summit, a 25.5 acre parcel of land approximately located at the Northeast corner of Indiana Street and W 82nd Avenue also known as 8200 Indiana Street, be recommended to City Council for (approval subject to the conditions stated in the Staff Report, Items 1-5, Page 14) (denial).

This motion is based on the findings of fact and approval criteria on Pages 12-14 of the Staff Report.

This motion is based on the following findings of fact for denial: (Recite approval criteria you believe the evidence fails to satisfy and your reasons).

YES _____ NO _____ ABSENT _____

Prepared by:

Abigail Ogg, Administrative Specialist

Reviewed by:

Approved by:

Jonathan Moore, Planner I

8/30/2021

Josie Suk, Development Systems and Administrative Manager

8/31/2021

Robert Smetana, Manager of City Planning and Development

8/31/2021

Ryan Stachelski, Director of Community and Economic Development

8/31/2021

Emily Grogg, Senior Assistant City Attorney

8/31/2021

Enclosure, exhibits & attachments required to support the report

SUBJECT: PUD Development Plan for Whitewing at Ralston Summit, a 25.5 acre parcel of land approximately located at the Northeast corner of Indiana Street and W 82nd Avenue also known as 8200 Indiana Street.

PAGE: 2
ITEM: 9.D.

WHITEWING AT RALSTON SUMMIT

PRELIMINARY DEVELOPMENT PLAN A PARCEL OF LAND BEING A PORTION OF WHITEWING AT RALTON SUMMIT LOCATED IN THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 69 WEST, 6TH P.M., CITY OF ARVADA, COUNTY OF JEFFERSON, STATE OF COLORADO COVER SHEET

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF ARVADA, COUNTY OF JEFFERSON, STATE OF COLORADO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS:

BEARINGS ARE BASED ON THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 30 BEING ASSUMED TO BEAR NORTH 00°28'43" WEST, A DISTANCE OF 2644.86 FEET BETWEEN THE FOLLOWING DESCRIBED MONUMENTS:

– THE SOUTHWEST CORNER OF SECTION 30 BEING A FOUND 3 2.5" ALUMINUM CAP PLS 11434 REFERENCE MONUMENTS AS DESCRIBED ON MONUMENT RECORD FILED 11/30/11 IN GOOD CONDITION.

– THE WEST QUARTER CORNER OF SECTION 30 BEING A FOUND #6 REBAR & 2.5" ALUMINUM CAP PLS 28286 MATCHING MONUMENT RECORD FILED 4/28/07.

COMMENCING AT SAID SOUTHWEST CORNER OF SECTION 30 FROM WHENCE THE WEST QUARTER CORNER OF SECTION 30 BEARS NORTH 00°28'43" WEST, A DISTANCE OF 2644.86 FEET;

THENCE ALONG SAID WEST LINE OF SAID SOUTHWEST QUARTER NORTH 00°28'43" WEST, A DISTANCE OF 1,409.39 FEET;

THENCE NORTH 89°23'08" EAST, A DISTANCE OF 99.94 FEET TO A FOUND #5 REBAR AND 1.5" ALUMINUM CAP, PLS 16406, BEING A POINT ON THE NORTHERLY RIGHT-OF-WAY OF WEST 82ND AVENUE AND THE POINT OF BEGINNING;

THENCE NORTH 45°34'41" WEST, A DISTANCE OF 70.50 FEET TO A FOUND #5 REBAR AND 1.5" ALUMINUM CAP, PLS 16406 BEING ALSO A POINT ON THE EASTERLY RIGHT-OF-WAY OF INDIANA STREET;

THENCE ALONG SAID EASTERLY RIGHT-OF-WAY NORTH 00°28'43" WEST, A DISTANCE OF 563.83 FEET TO A FOUND #5 REBAR AND 1.5" ALUMINUM CAP, PLS 16406;

THENCE SOUTH 84°45'14" EAST, A DISTANCE OF 2,238.36 FEET TO A FOUND #5 REBAR AND 1" ORANGE PLASTIC CAP, PLS 26296;

THENCE SOUTH 00°29'57" EAST, A DISTANCE OF 385.15 FEET TO A FOUND #5 REBAR AND 1" ORANGE PLASTIC CAP, PLS 26296 BEING ALSO A POINT ON THE NORTHERLY RIGHT-OF-WAY OF SAID WEST 82ND AVENUE;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY SOUTH 89°23'08" WEST, A DISTANCE OF 2,177.40 FEET TO THE POINT OF BEGINNING.

CONTAINING 1,111,102 SQUARE FEET OR 25.507 ACRES, MORE OR LESS.

BENCHMARK

CITY OF ARVADA BENCHMARK #920, BEING A CHISELED SQUARE NORTHEAST CORNER OF HEADWALL

AT CHURCH DITCH, SOUTH SIDE OF 80TH AVE APPROXIMATELY 150' EAST OF INDIANA ST. CITY OF ARVADA DATUM ELEVATION 5,624.31.

CONTACTS:

OWNER / DEVELOPER

RALSTON VALLEY LAND PARTNERS LLC
1660 17TH STREET, SUITE 300
DENVER, COLORADO 80202
CONTACT: GREGORY BAMFORD
PHONE: (480) 941-1584

CIVIL ENGINEER / SURVEYOR

JEHN ENGINEERING, INC.
5690 WEBSTER STREET
ARVADA, CO 80002
CONTACT: DEBBIE KLISIS, P.E.
PHONE: (303) 423-6036
FAX: (303) 467-9438

LANDSCAPE ARCHITECT

JEHN ENGINEERING, INC.
5690 WEBSTER STREET
ARVADA, CO 80002
CONTACT: KIM NELSON
PHONE: (303) 483-3500

FIRE PROTECTION

ARVADA FIRE PROTECTION DISTRICT
STEVEN PARKER
7903 ALLISON WAY
ARVADA, CO 80005
PHONE: (303) 424-3012

TRAFFIC ENGINEER

RICK ENGINEERING COMPANY
SANJAY PAUL, PE
5690 WEBSTER STREET
ARVADA, CO 80002
PHONE: (303) 423-6036

UTILITIES

STREET/STORM/WATER
CITY OF ARVADA
8101 RALSTON ROAD
ARVADA, CO 80002
PHONE: (720) 898-7640

PHONE:
CENTURYLINK
DEVELOPER CONTACT GROUP
P.O. BOX 1720
DENVER, CO 80201
PHONE: (800) 526-3557

CABLE TV:
COMCAST/ XFINITY
7400 W ALASKA DR.
LAKEWOOD, CO 80226
PHONE: (800) 934-6489

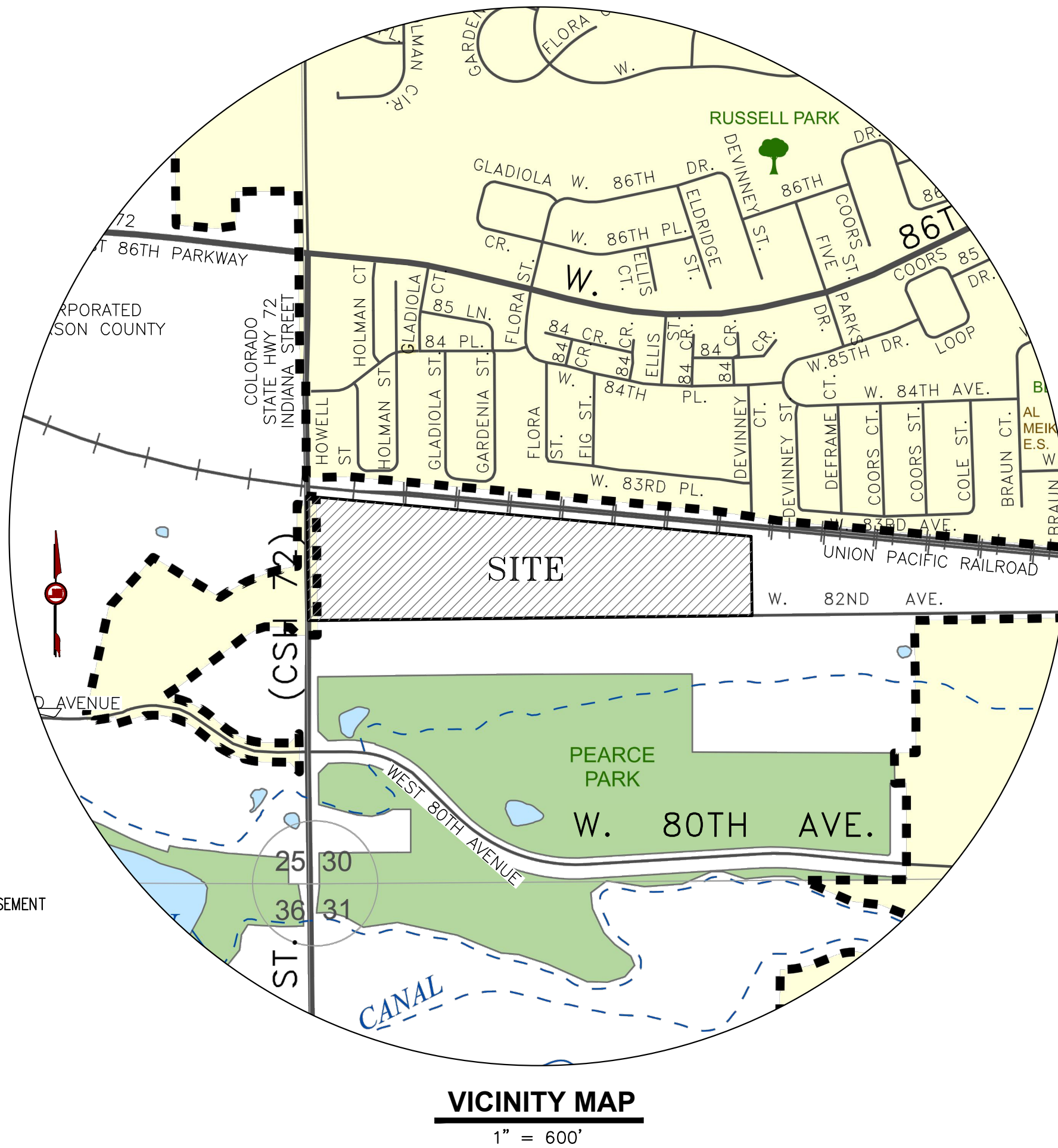
GAS AND ELECTRIC:
XCEL ENERGY OF COLORADO
BUILDERS CALL LINE
5460 W. 60TH AVE
ARVADA, CO 80003
PHONE: (800) 628-2121

LEGEND

	EXISTING	PROPOSED
RIGHT-OF-WAY/ BOUNDARY	---	---
LOT LINE	---	---
SANITARY SEWER	---	---
STORM SEWER	---	---
WATER LINE	---	---
WATER SERVICE		W/S
SANITARY SERVICE		S/S
EASEMENT LINE	---	---
CONTOUR LINE	---5300---	---5315---
CURB & GUTTER	===	===
SECTION LINE	---	---
FENCE	x-x-x-x	x-x-x-x
SANITARY SEWER MH	⊙	●
STORM SEWER MH	⊙	●
WATER MH	⊙	●
TELEPHONE MH	⊙	●
WATER VALVE	⊗	⊗
FIRE HYDRANT	⊙	●
PROPOSED REDUCER		▶
PROPOSED BLOWOFF		▶
PROPOSED BEND WITH THRUST BLOCK		▶
PROPOSED TYPE "R" INLET		▶
PROPOSED WATER METER		▶
PROPOSED BIKE RACK		▶
PROPOSED LIGHT POLE		▶

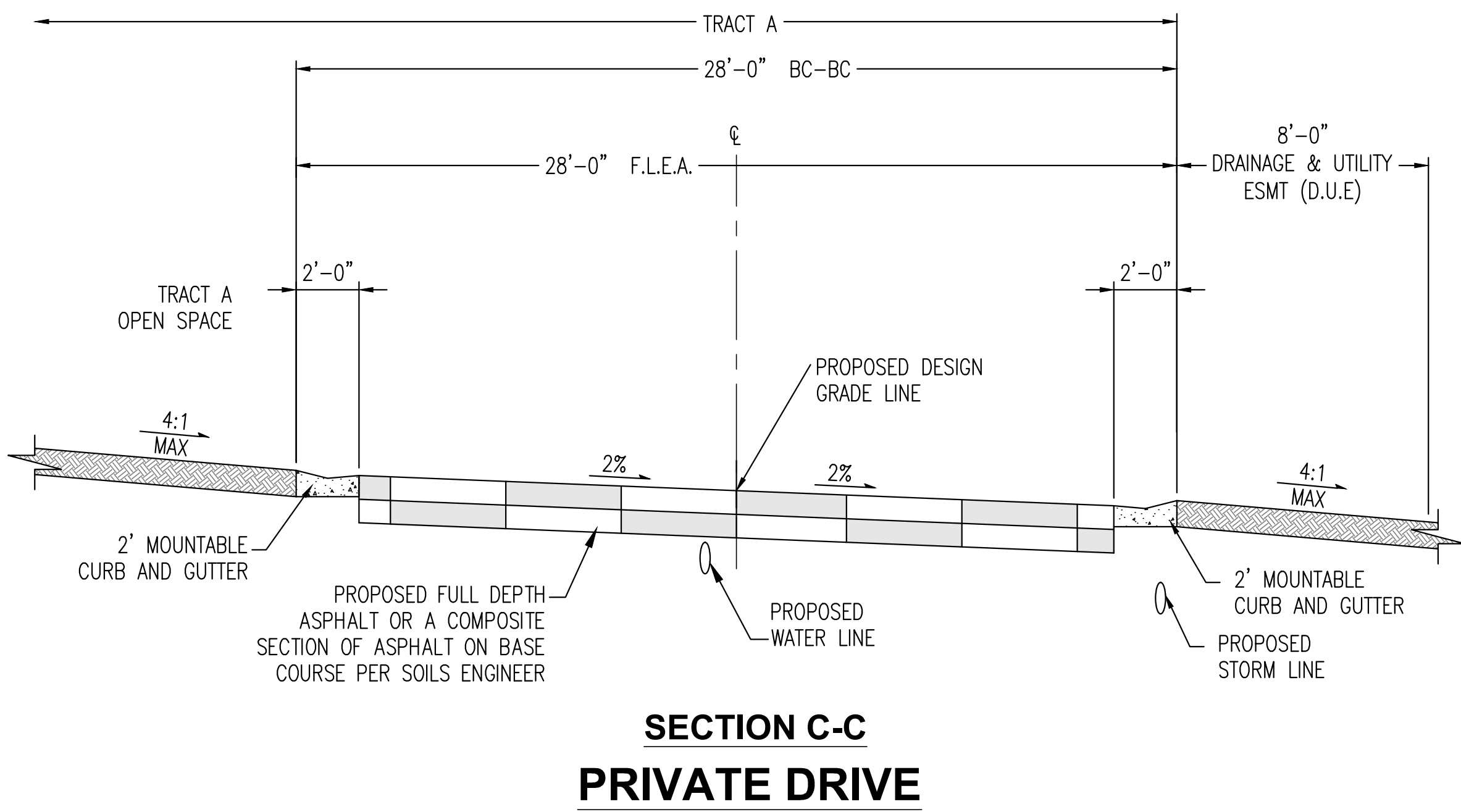
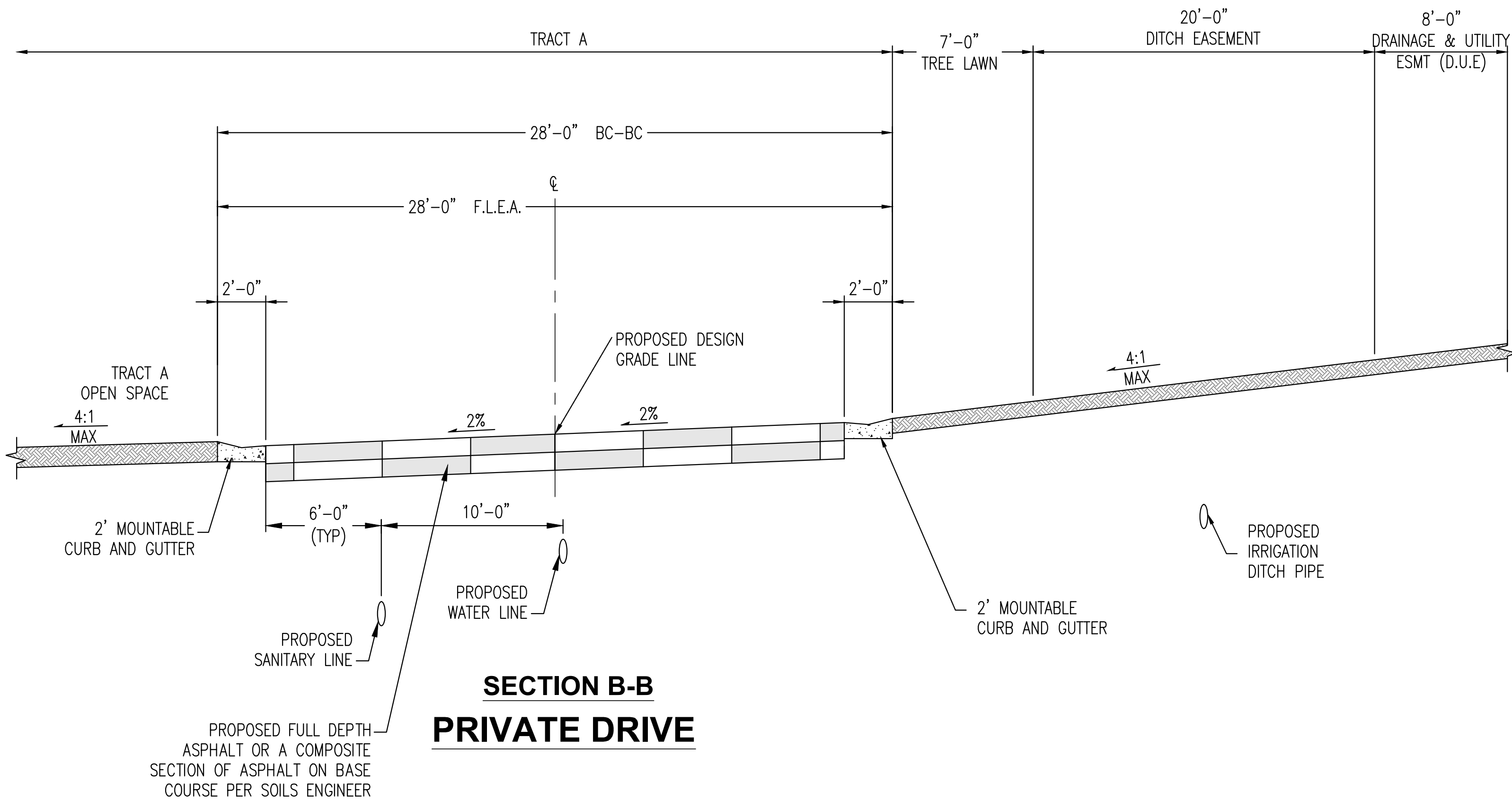
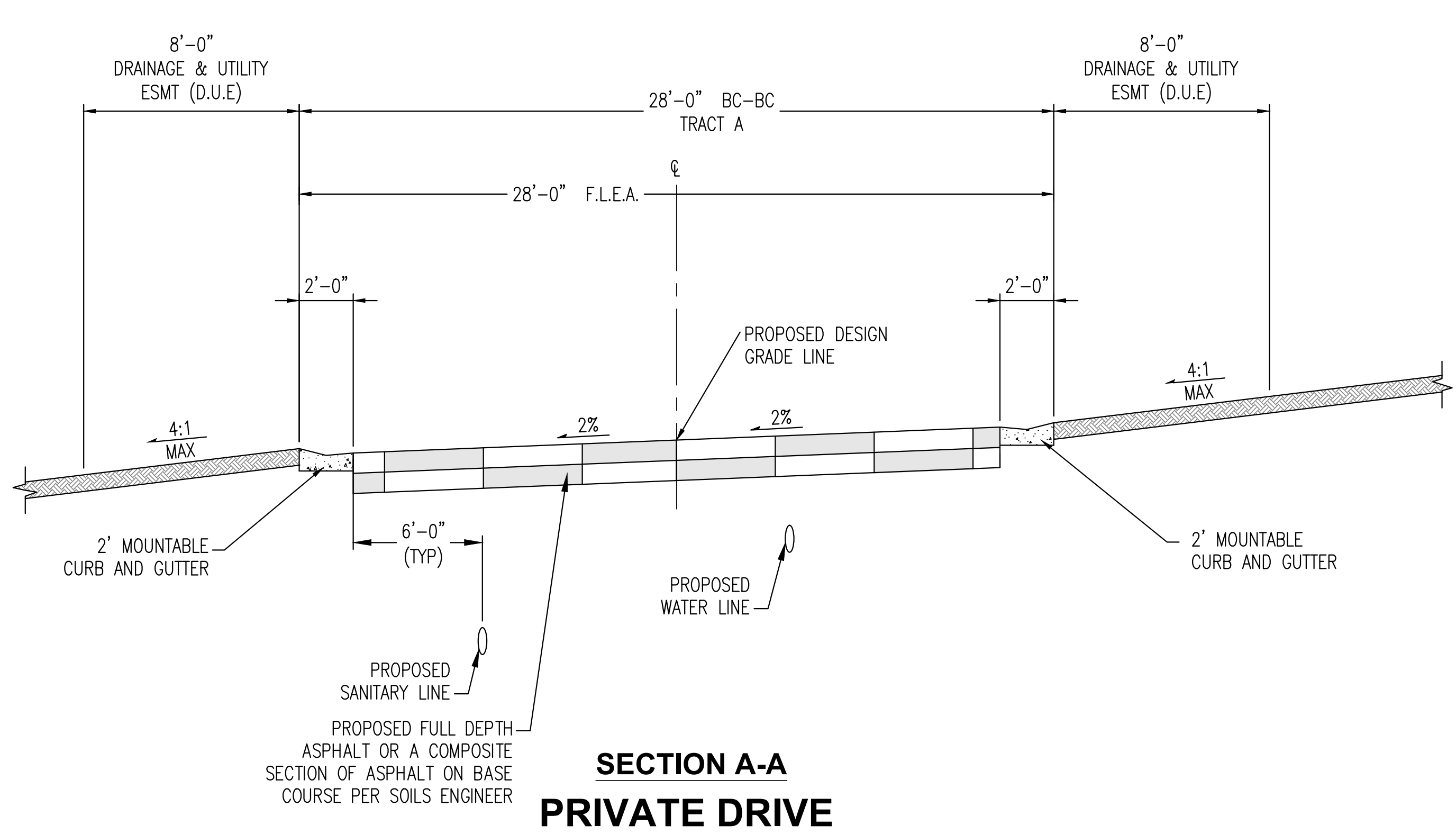
ABBREVIATIONS

A.U.	-ACCESS & UTILITY EASEMENT
COA	-CITY OF ARVADA
CONC	-CONCRETE
CL	-CENTER LINE
D.E.	-DRAINAGE EASEMENT
DIA	-DIAMETER
D.U.	-DRAINAGE & UTILITY EASEMENT
D.U.E.	-DRY UTILITY EASEMENT
E.G.M.E.	-EXCLUSIVE GAS MAIN EASEMENT
ELEC	-ELECTRIC
EL	-ELEVATION
EOA	-EDGE OF ASPHALT
EQ	-EQUAL
ESMT	-EASEMENT
EX	-EXISTING
EXIST	-EXISTING
FF	-FINISHED FLOOR
FG	-FINISHED GRADE
FH	-FIRE HYDRANT
FL	-FLOW LINE
F.L.E.A.	-FIRE LANE, EMERGENCY ACCESS EASEMENT
F.L.E.&P.A.E.	-FIRE LANE, EMERGENCY AND PUBLIC ACCESS EASEMENT
G	-GAS
GB	-GRADE BREAK
HP	-HIGH POINT
LF	-LINEAL FEET
LS	-LANDSCAPE
MH	-MANHOLE
NP	-NO PARKING
PAE	-PUBLIC ACCESS EASEMENT
PC	-POINT OF CURVATURE
PT	-POINT OF TANGENCY
PVC	-POLYVINYL CHLORIDE PIPE
RCP	-REINFORCED CONCRETE PIPE
S	-SANITARY SEWER SERVICE
SAN	-SANITARY
SQ. FT.	-SQUARE FOOTAGE
STM	-STORM
TC	-TOP OF CURB
TC	-TOP OF GRATE
T.U.	-TRAIL & UTILITY EASEMENT
TW	-TOP OF WALL
TYP.	-TYPICAL
UTIL	-UTILITY
W	-WATER SERVICE
WAT	-WATER

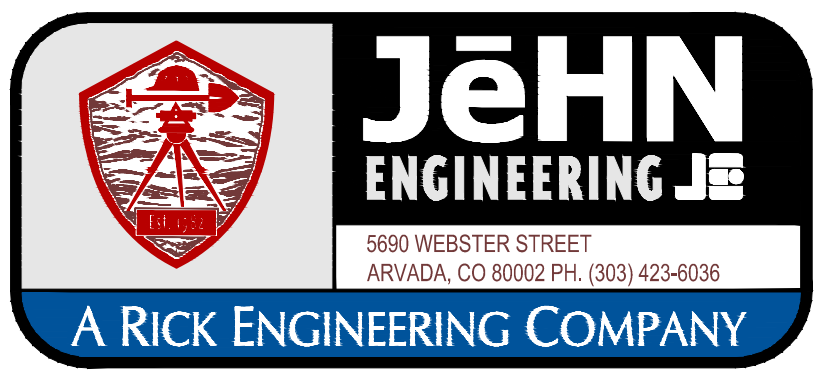


WHITEWING AT RALSTON SUMMIT

PRELIMINARY DEVELOPMENT PLAN
A PARCEL OF LAND BEING A PORTION OF WHITEWING AT RALSTON SUMMIT
LOCATED IN THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 69 WEST, 6TH P.M.,
CITY OF ARVADA, COUNTY OF JEFFERSON, STATE OF COLORADO
PRIVATE DRIVE STREET SECTIONS

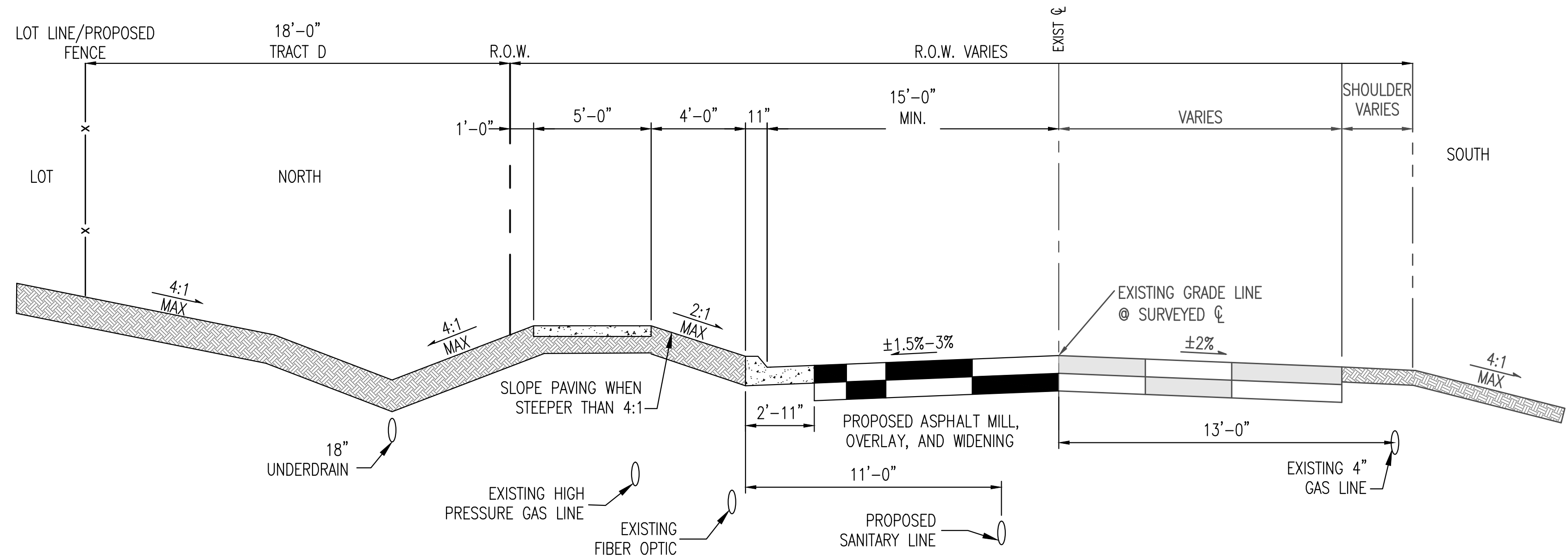


DATE: 08/01/2021
SHEET 02 OF 20

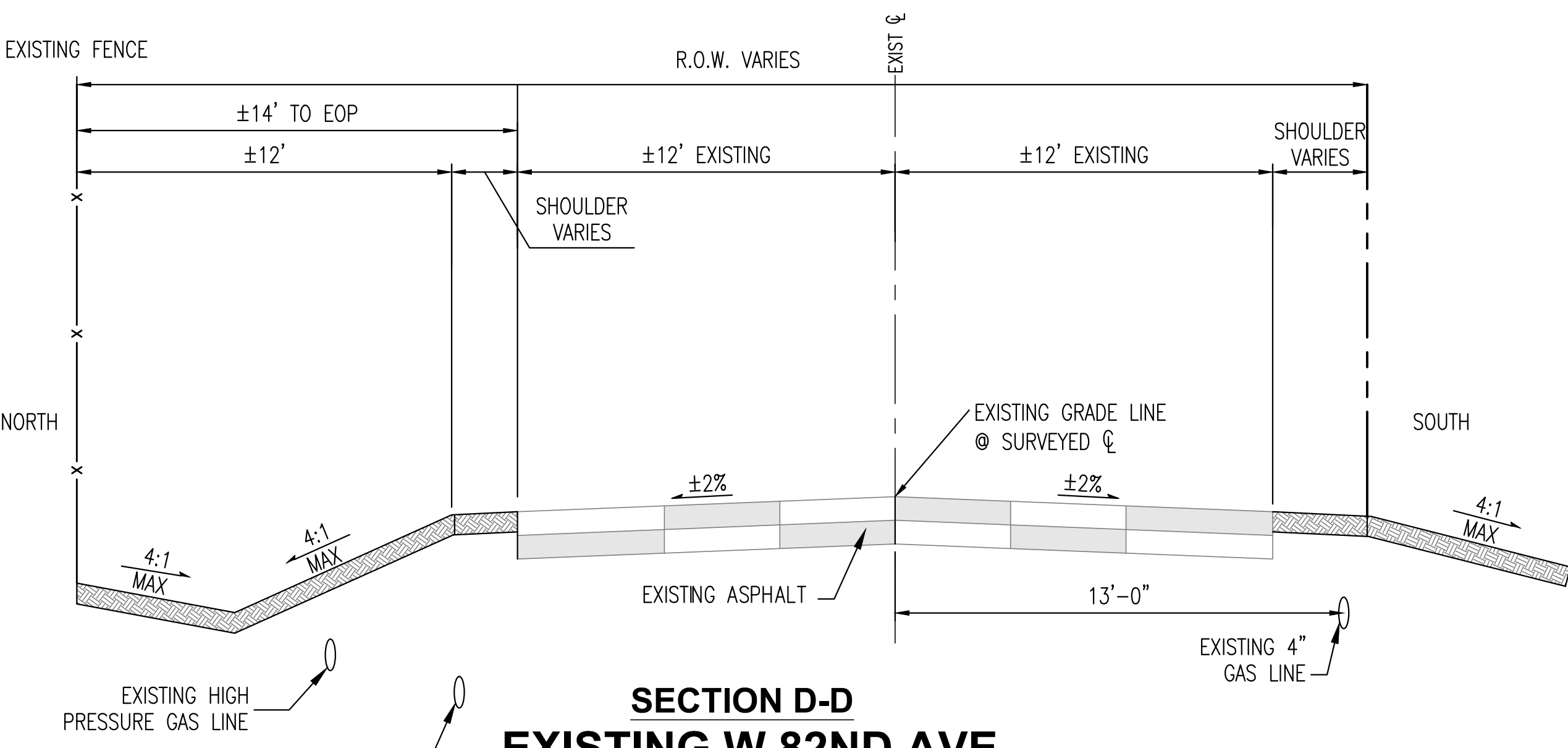


WHITEWING AT RALSTON SUMMIT

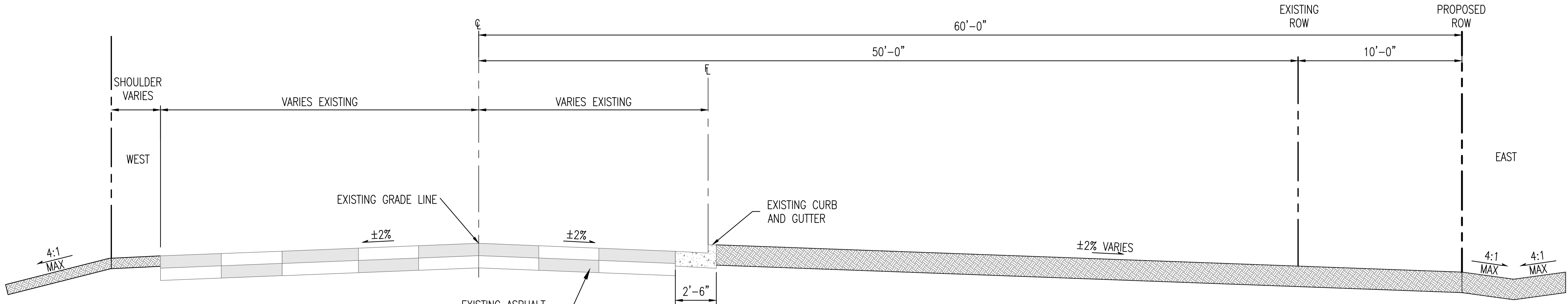
PRELIMINARY DEVELOPMENT PLAN
A PARCEL OF LAND BEING A PORTION OF WHITEWING AT RALSTON SUMMIT
LOCATED IN THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 69 WEST, 6TH P.M.,
CITY OF ARVADA, COUNTY OF JEFFERSON, STATE OF COLORADO
W 82ND AVE & SH 72 STREET SECTIONS



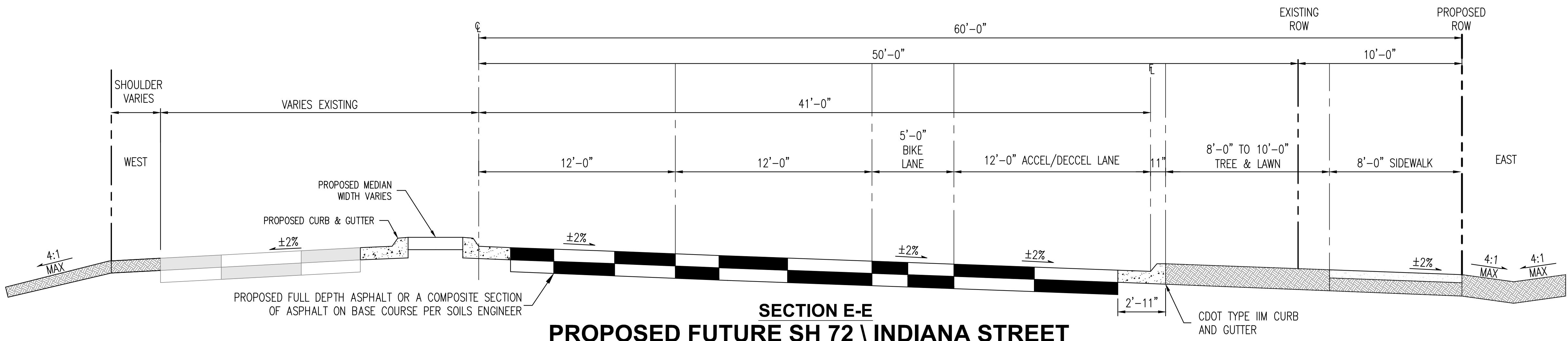
SECTION D-D
PROPOSED W 82ND AVE



SECTION D-D
EXISTING W 82ND AVE

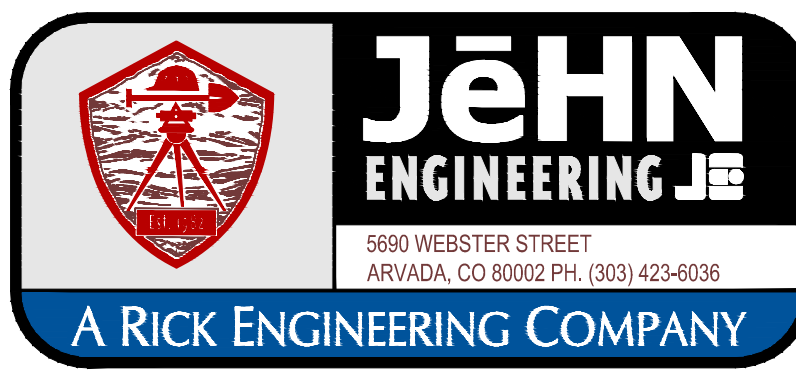


SECTION E-E
PROPOSED SH 72 \ INDIANA STREET



SECTION E-E
PROPOSED FUTURE SH 72 \ INDIANA STREET

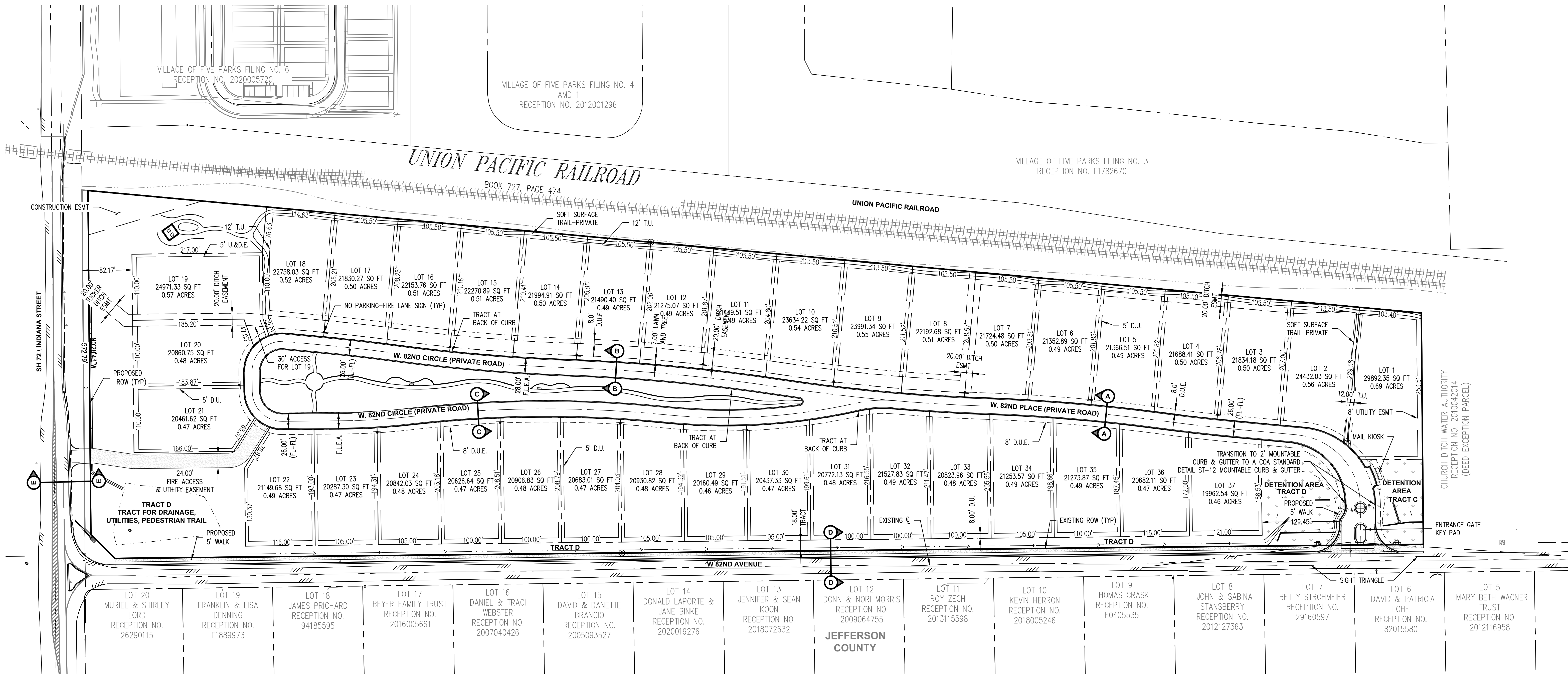
DATE: 08/01/2021
SHEET 03 OF 20



\\arvada\eng\projects\2020\2021\WhiteWing\Civil\Task\WIP\2021\TY-SEC.dwg, 8/2/2021, 10:38:37 AM, PJP,jcd

WHITEWING AT RALSTON SUMMIT

PRELIMINARY DEVELOPMENT PLAN A PARCEL OF LAND BEING A PORTION OF WHITEWING AT RALSTON SUMMIT LOCATED IN THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 69 WEST, 6TH P.M., CITY OF ARVADA, COUNTY OF JEFFERSON, STATE OF COLORADO OVERALL SITE PLAN

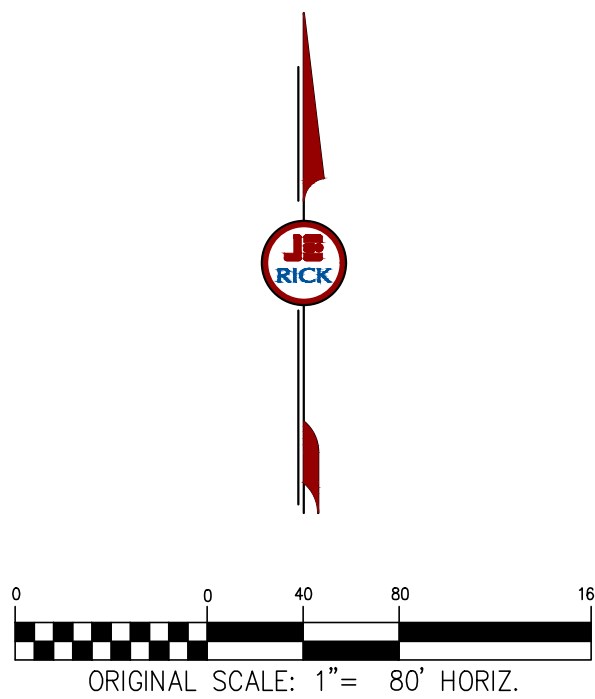


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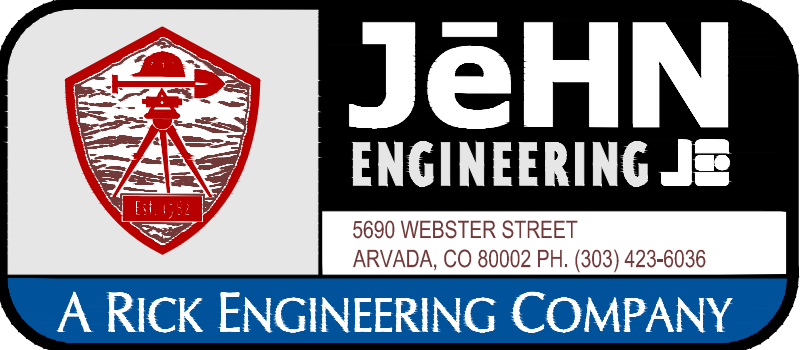
- PROVIDE "NO PARKING - FIRE LANE" SIGNS AT EACH LOCATION SHOWN BY THIS SYMBOL.
- PROPERTY LINE
- LOT LINE
- ESMT ACCESS LINE
- MOUNTABLE CURB AND GUTTER
- PROPOSED RETAINING WALL
- OPEN SPACE AREA
- D.U. DRAINAGE & UTILITY EASEMENT
- D.U.E. DRY UTILITY EASEMENT
- F.L.E.A. FIRE LANE, EMERGENCY ACCESS EASEMENT
- T.U. TRAIL & UTILITY EASEMENT

GENERAL NOTES:

- MINIMUM LOT SIZE = 19,963 SF
- TOTAL SITE AREA = 25.5 AC
- TOTAL LOTS = 37
- DENSITY = 1.5 DU/AC
- APPROVED FIRE LANE AND EMERGENCY ACCESS SHALL BE PROVIDED DURING VERTICAL CONSTRUCTION. UNLESS OTHERWISE APPROVED, THE EVA SHALL CONSIST OF THE FIRST LIFT OF ASPHALT OR CONCRETE AND BE PROVIDED PRIOR TO COMMENCING VERTICAL CONSTRUCTION.
- PROPOSED FENCES, WALLS, SIGNS AND ACCESSORY STRUCTURES SHOWN ON THIS PLAN ARE ILLUSTRATIVE ONLY AND SUBJECT TO SEPARATE REVIEWS AND PERMITS.



DATE: 08/01/2021
SHEET 04 OF 20



PRELIMINARY DEVELOPMENT PLAN
A PARCEL OF LAND BEING A PORTION OF WHITEWING AT RALTON SUMMIT
LOCATED IN THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 69 WEST, 6TH P.M.,
CITY OF ARVADA, COUNTY OF JEFFERSON, STATE OF COLORADO
OVERALL UTILITY PLAN



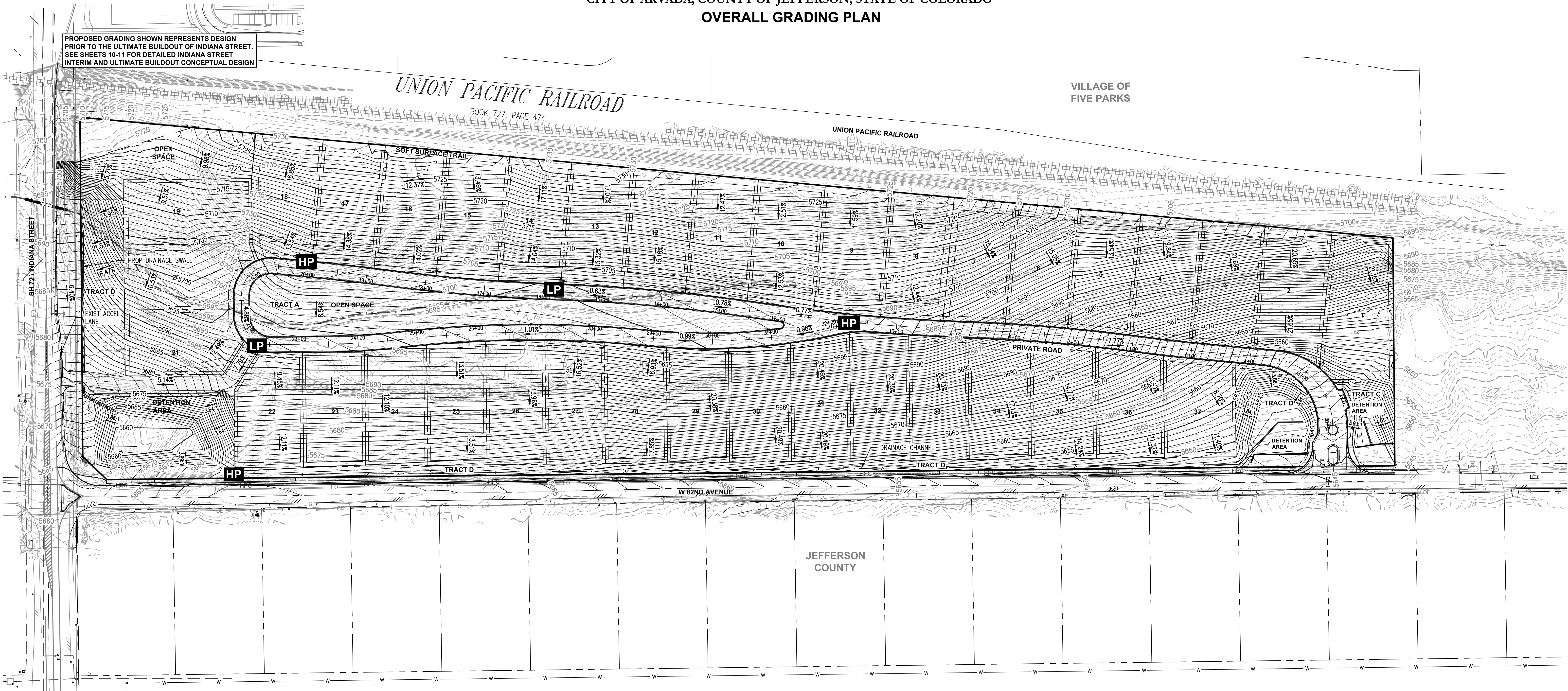
JēHN
ENGINEERING

5690 WEBSTER STREET
ARVADA, CO 80002 PH. (303) 423-6036

A RICK ENGINEERING COMPANY

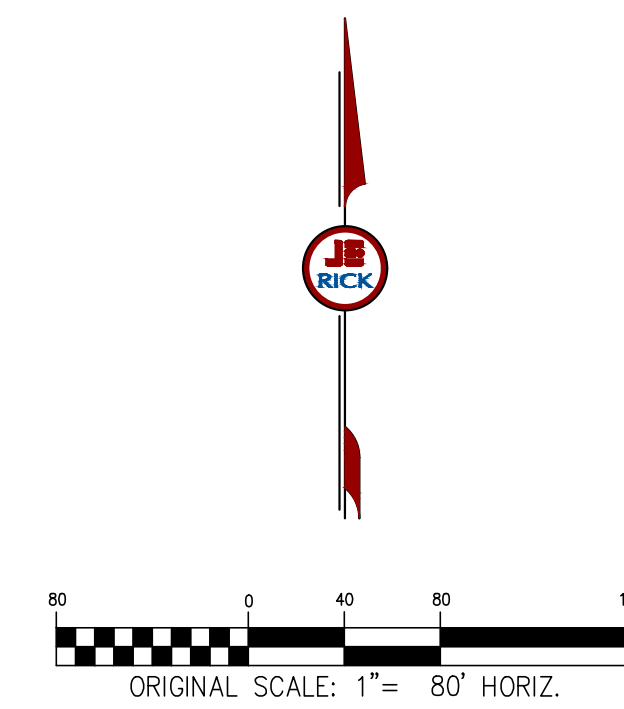
WHITEWING AT RALSTON SUMMIT

PRELIMINARY DEVELOPMENT PLAN
A PARCEL OF LAND BEING A PORTION OF WHITEWING AT RALSTON SUMMIT
LOCATED IN THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 69 WEST, 6TH P.M.,
CITY OF ARVADA, COUNTY OF JEFFERSON, STATE OF COLORADO
OVERALL GRADING PLAN

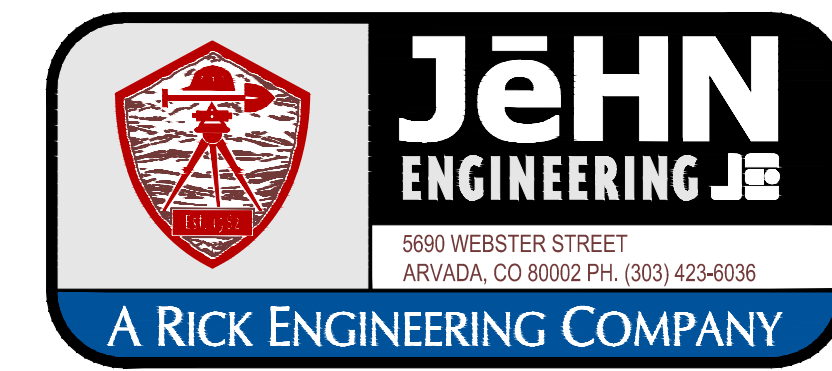


LEGEND:

	PROPOSED GRADE AND FLOW DIRECTION		PROPOSED ELEVATION
	EXIST. MAJOR CONTOUR		PROP. MINOR CONTOUR
	EXIST. MINOR CONTOUR		PROP. HIGH POINT
	FINISHED PAD ELEVATION		PROP. LOW POINT



DATE: 08/01/2021
SHEET 06 OF 20



PRELIMINARY DEVELOPMENT PLAN
A PARCEL OF LAND BEING A PORTION OF WHITEWING AT RALTON SUMMIT
LOCATED IN THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 69 WEST, 6TH P.M.,
CITY OF ARVADA, COUNTY OF JEFFERSON, STATE OF COLORADO
TURNING MOVEMENT ANALYSIS

ORIGINAL SCALE: 1" = 80' HORIZ.

FIRE TRUCK FRONT BUMPER
 FIRE TRUCK TIRE PATH
 CITY OF ARVADA FIRE TRUCK
 56 (95' AERIAL MIDMOUNT)



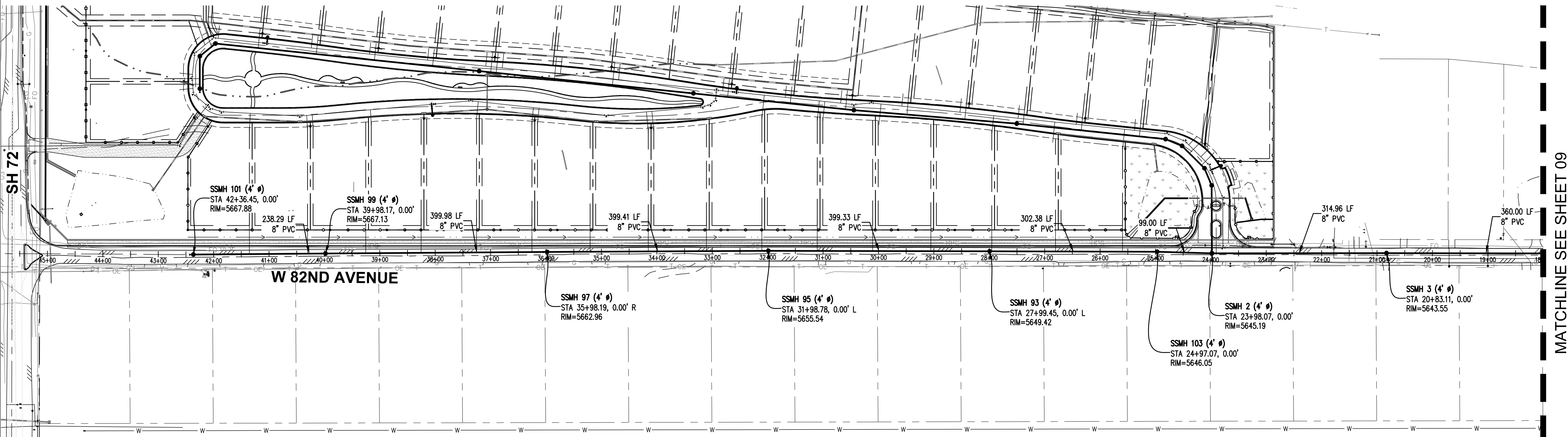
JēHN
ENGINEERING

5690 WEBSTER STREET
ARVADA, CO 80002 PH. (303) 423-6036

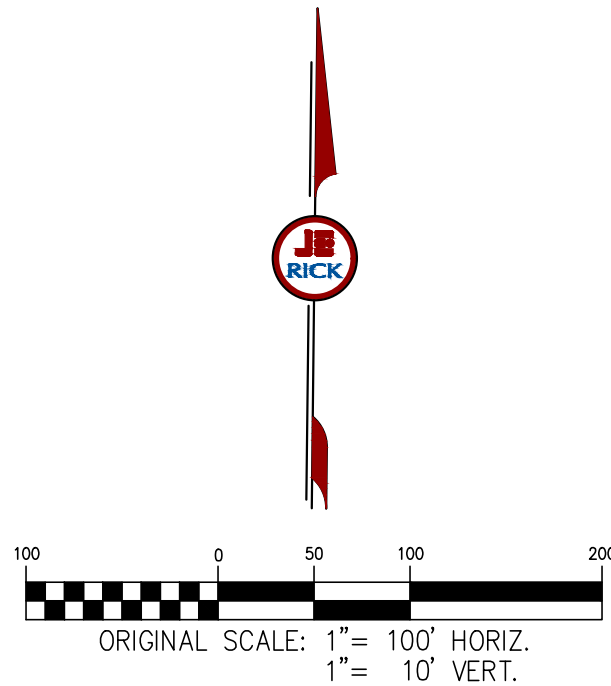
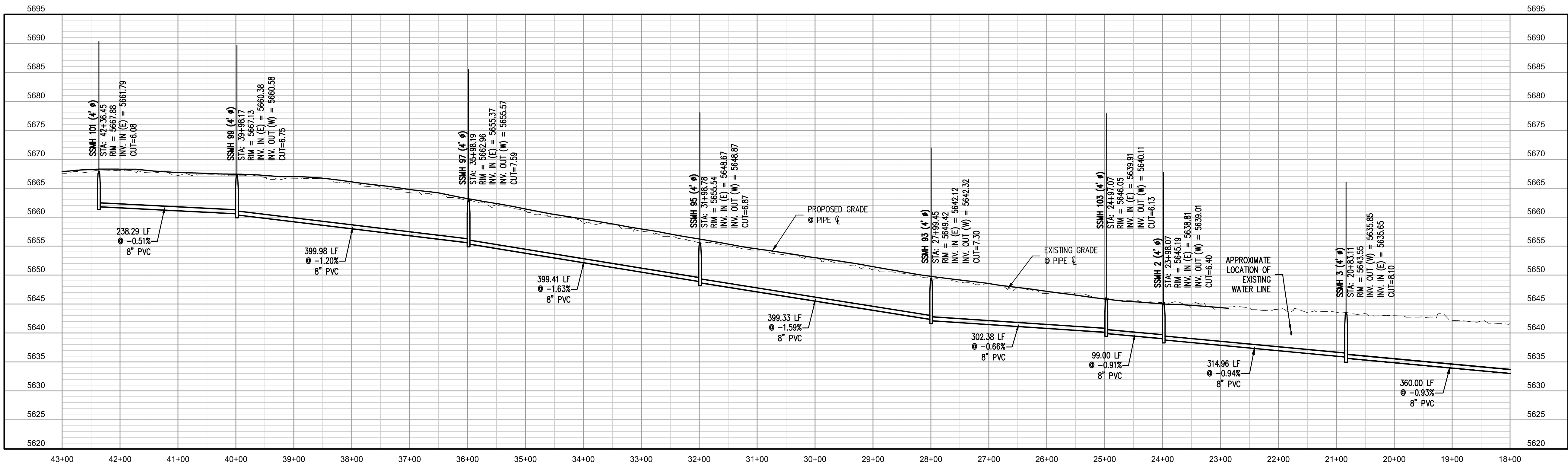
A RICK ENGINEERING COMPANY

WHITEWING AT RALSTON SUMMIT

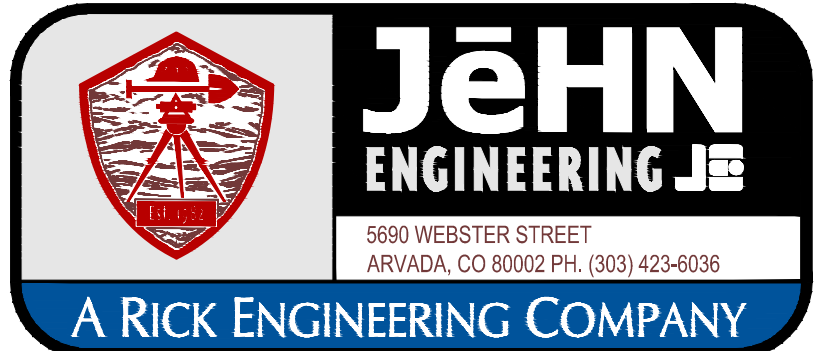
PRELIMINARY DEVELOPMENT PLAN
A PARCEL OF LAND BEING A PORTION OF WHITEWING AT RALSTON SUMMIT
LOCATED IN THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 69 WEST, 6TH P.M.,
CITY OF ARVADA, COUNTY OF JEFFERSON, STATE OF COLORADO
OFFSITE SANITARY CONNECTION



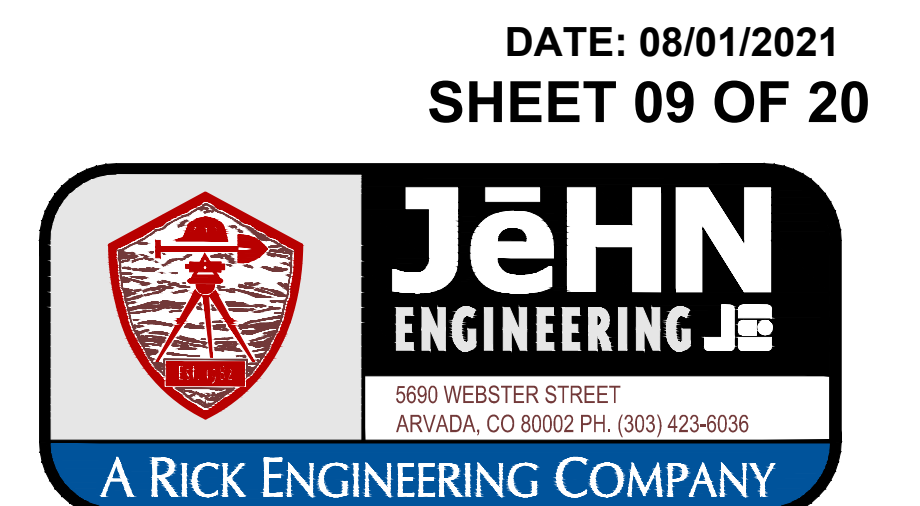
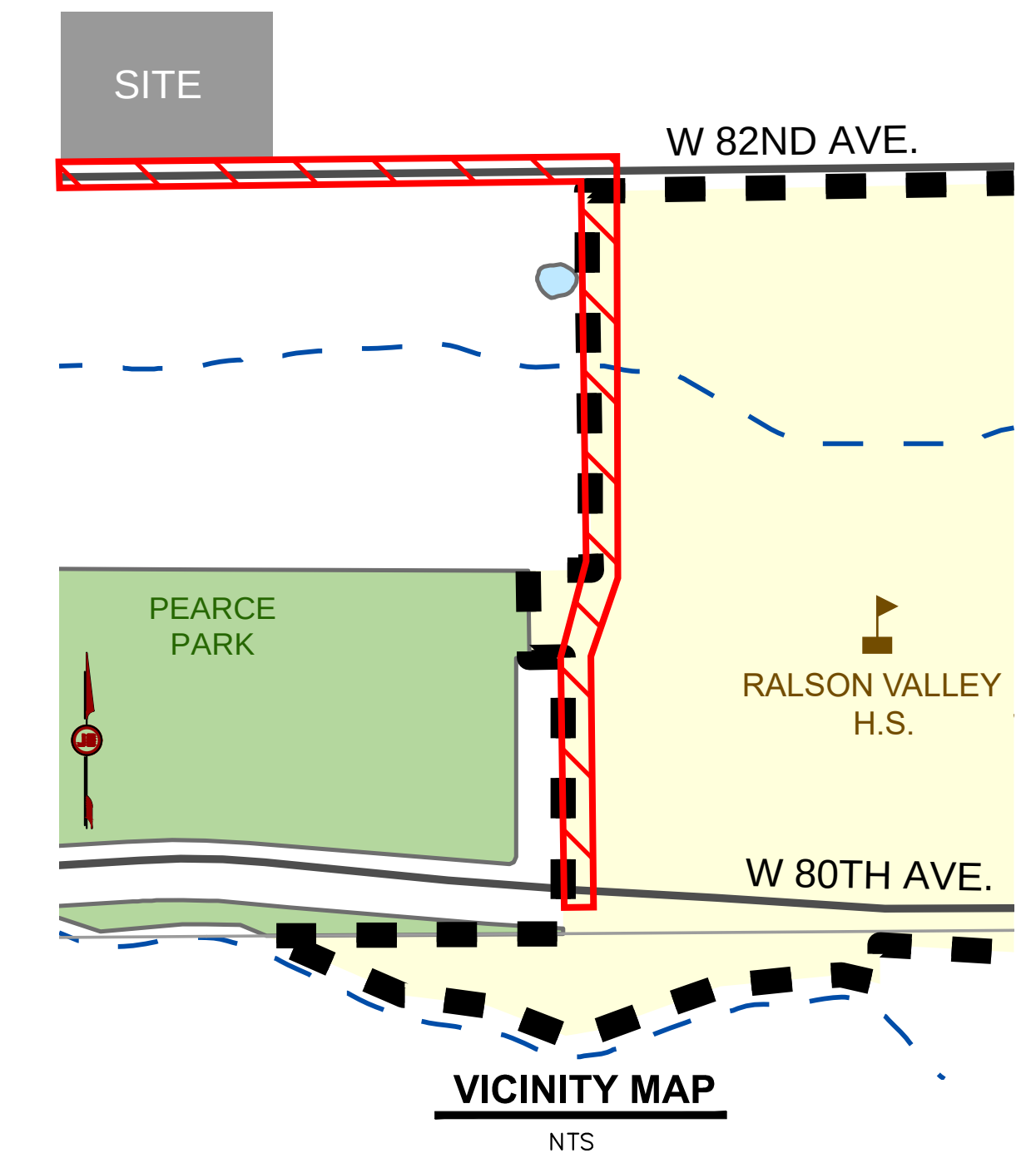
MATCHLINE SEE SHEET 09



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SHEET 08 OF 20



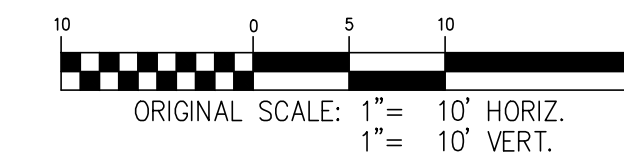
PRELIMINARY DEVELOPMENT PLAN
A PARCEL OF LAND BEING A PORTION OF WHITEWING AT RALTON SUMMIT
LOCATED IN THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 69 WEST, 6TH P.M.,
CITY OF ARVADA, COUNTY OF JEFFERSON, STATE OF COLORADO
OFFSITE SANITARY CONNECTION



PRELIMINARY DEVELOPMENT PLAN
A PARCEL OF LAND BEING A PORTION OF WHITEWING AT RALTON SUMMIT
LOCATED IN THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 69 WEST, 6TH P.M.,
CITY OF ARVADA, COUNTY OF JEFFERSON, STATE OF COLORADO

60' PROPOSED ROW

INDIANA INTERIM BUILDOUT EXHIBIT



	DESCRIPTION
	EXISTING RIGHT-OF-WAY
	PROPOSED PROPERTY BOUNDARY
	PROPOSED SLOPE EASEMENT
	PROPOSED BACK OF CURB
	PROPOSED FLOWLINE
	PROPOSED GUTTER LINE
	PROPOSED SIDEWALK
	PROPOSED STORM LINE
	PROPOSED ASPHALT
	EXISTING ASPHALT
	PROPOSED SIDEWALK
	LANDSCAPE

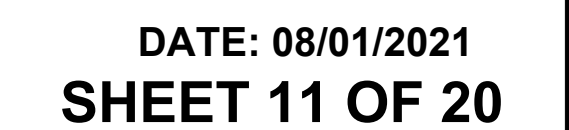
FULLY GRADED AND PREPARED FOR THE INSTALLATION OF ULTIMATE INDIANA STREET SECTION.

CASH-IN-LIEU:
ASPHALT
CURB AND GUTTER
TREE LAWN LANDSCAPING
SIDEWALK

PARTIALLY GRADED

CASH-IN-LIEU:
ULTIMATE GRADING
ASPHALT
CURB AND GUTTER
TREE LAWN LANDSCAPING
SIDEWALK

B-B

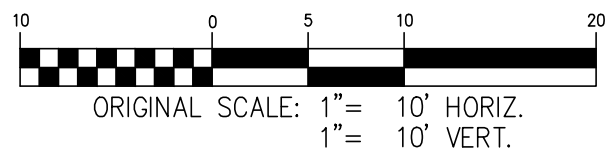
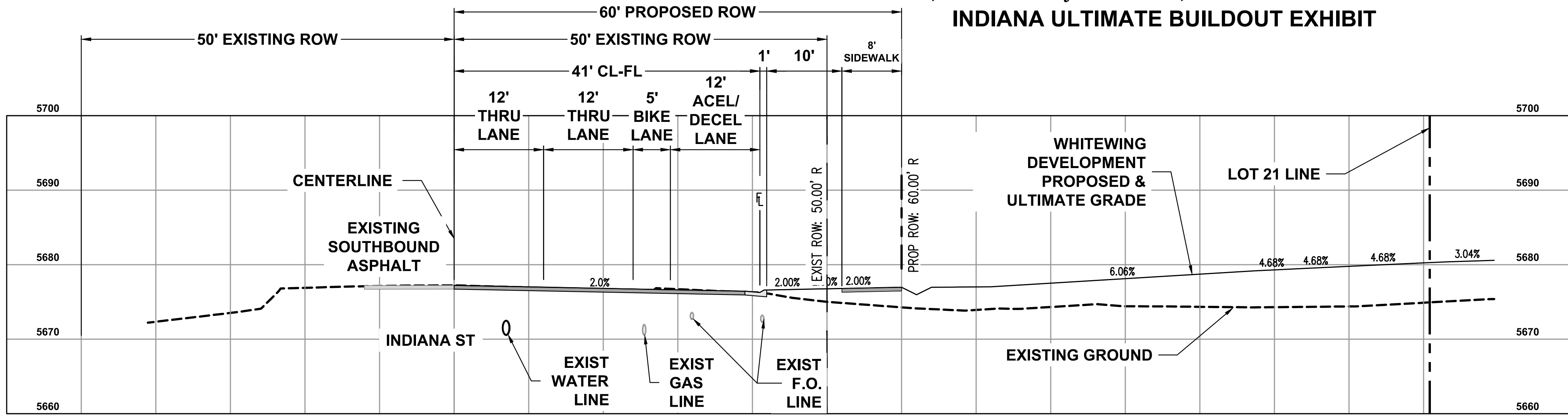


WHITEWING AT RALSTON SUMMIT

PRELIMINARY DEVELOPMENT PLAN

A PARCEL OF LAND BEING A PORTION OF WHITEWING AT RALSTON SUMMIT
LOCATED IN THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 69 WEST, 6TH P.M.,
CITY OF ARVADA, COUNTY OF JEFFERSON, STATE OF COLORADO

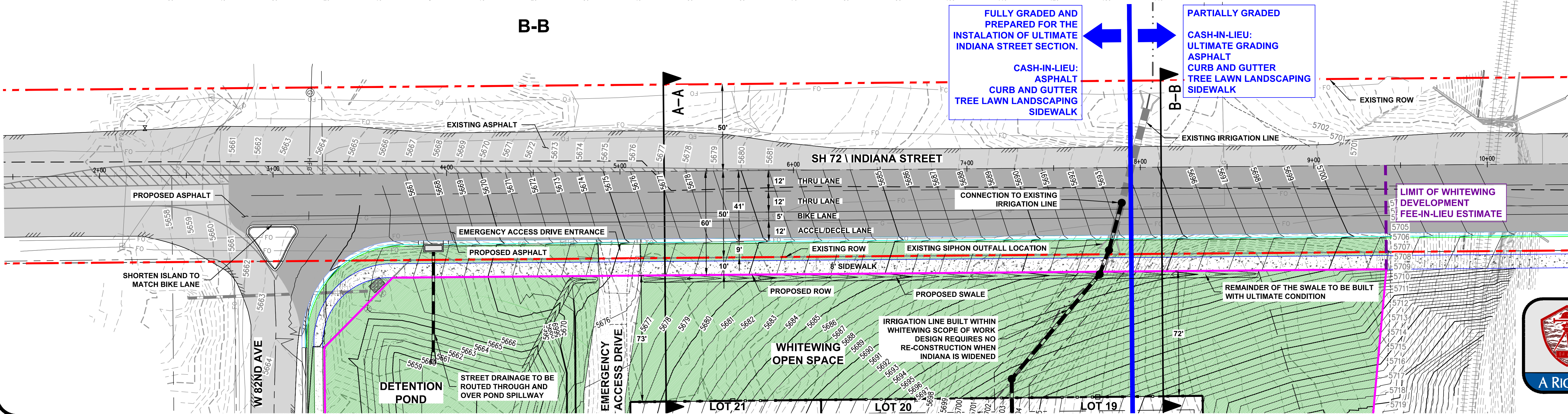
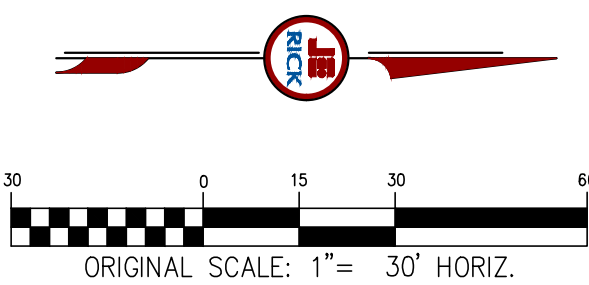
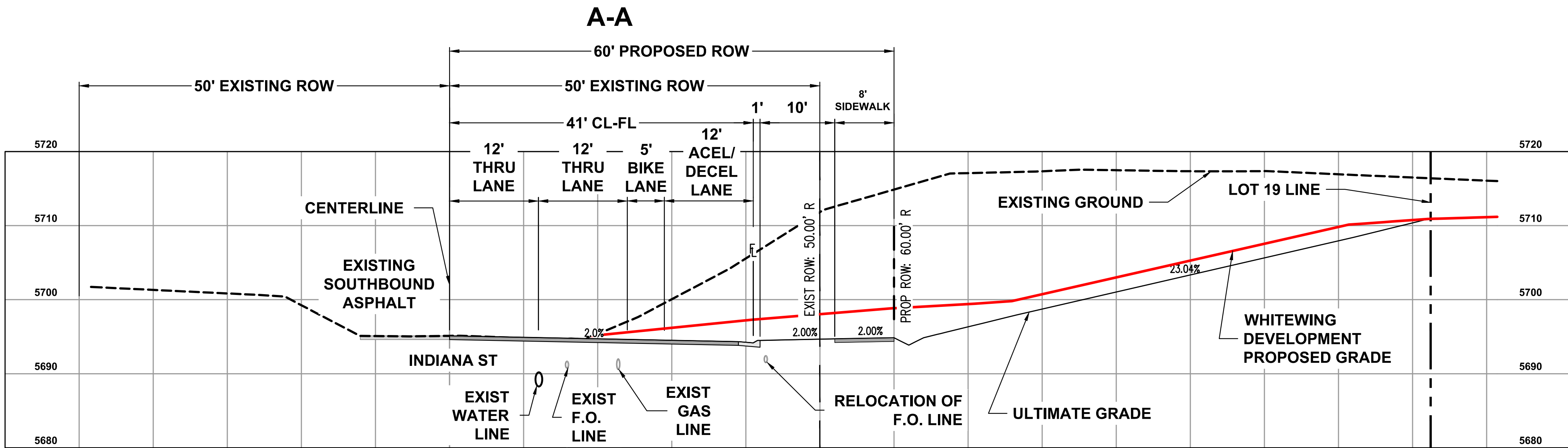
INDIANA ULTIMATE BUILDOUT EXHIBIT



GENERAL LEGEND

DESCRIPTION	
	EXISTING RIGHT-OF-WAY
	PROPOSED PROPERTY BOUNDARY
	PROPOSED SLOPE EASEMENT
	PROPOSED BACK OF CURB
	PROPOSED FLOWLINE
	PROPOSED GUTTER LINE
	PROPOSED SIDEWALK
	PROPOSED STORM LINE
	PROPOSED ASPHALT
	EXISTING ASPHALT
	PROPOSED SIDEWALK
	LANDSCAPE

*ULTIMATE CONDITION REFERS TO THE FULL WIDENING OF INDIANA ST



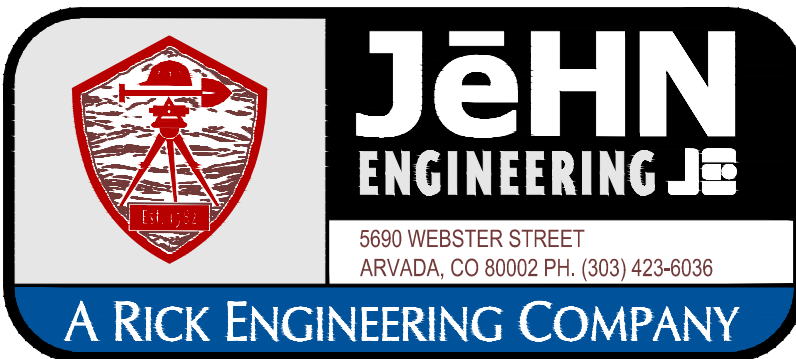
FULLY GRADED AND PREPARED FOR THE INSTALLATION OF ULTIMATE INDIANA STREET SECTION.

PARTIALLY GRADED CASH-IN-LIEU: ULTIMATE GRADING ASPHALT CURB AND GUTTER TREE LAWN LANDSCAPING SIDEWALK

CASH-IN-LIEU: ASPHALT CURB AND GUTTER TREE LAWN LANDSCAPING SIDEWALK

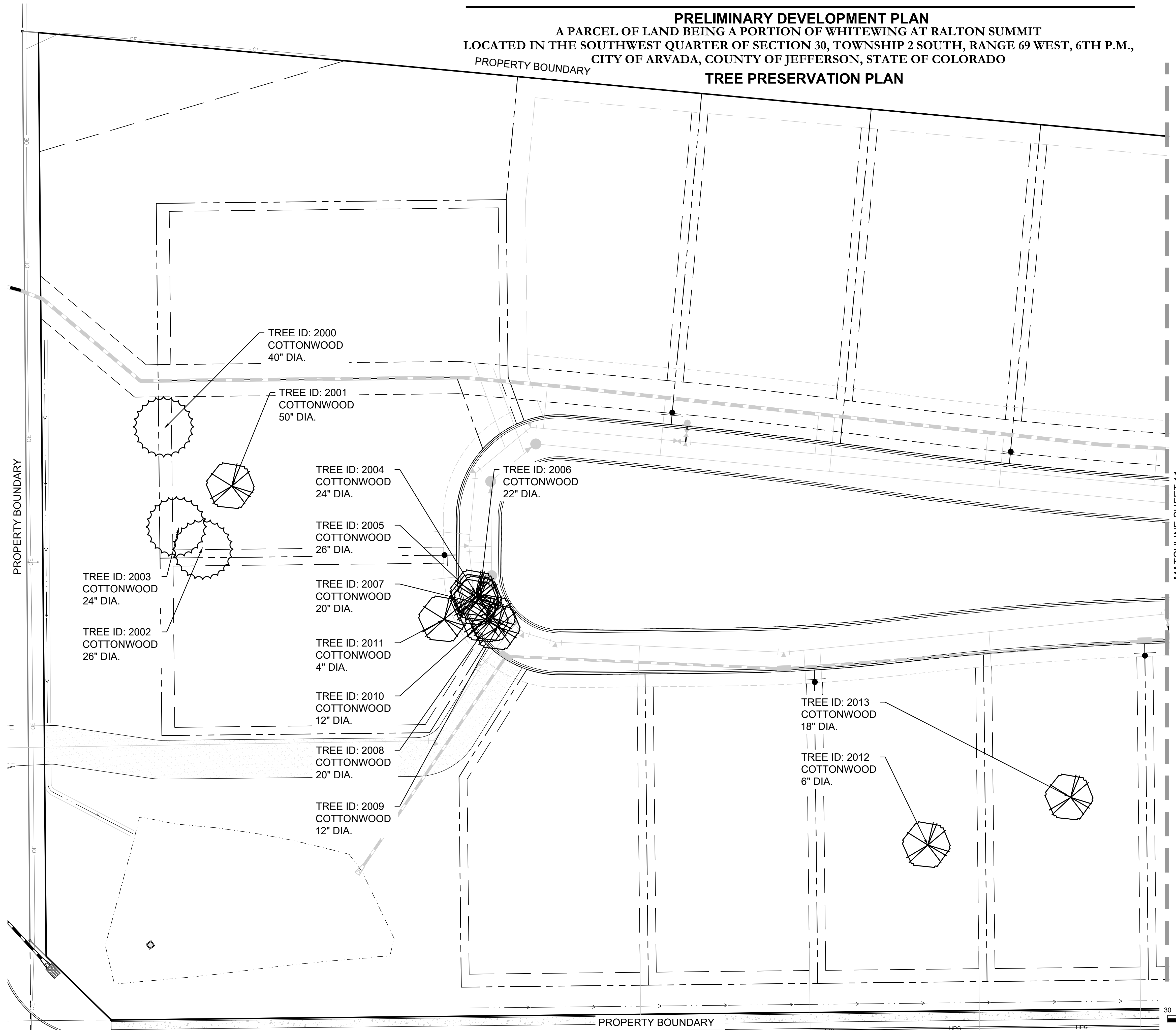
LIMIT OF WHITEWING DEVELOPMENT FEE-IN-LIEU ESTIMATE

DATE: 08/01/2021
SHEET 10 OF 20

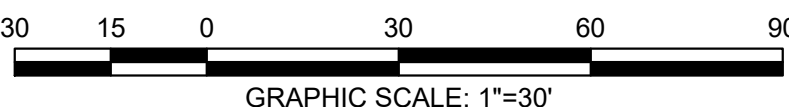
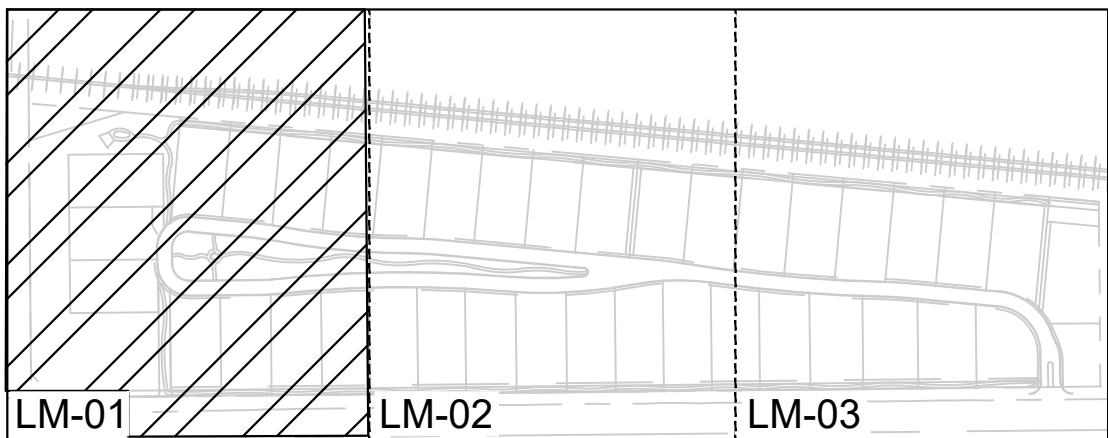


WHITEWING AT RALSTON SUMMIT

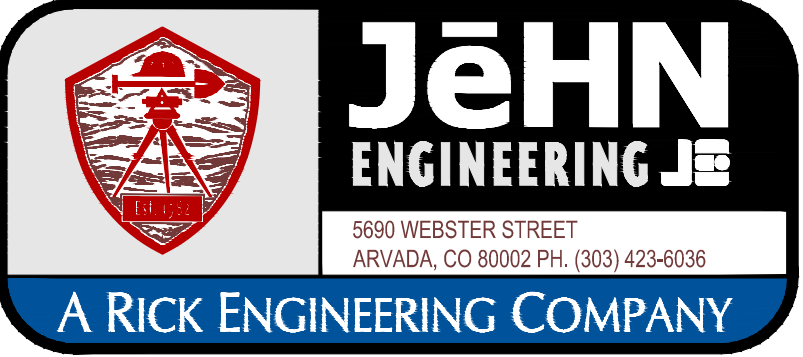
PRELIMINARY DEVELOPMENT PLAN
A PARCEL OF LAND BEING A PORTION OF WHITEWING AT RALSTON SUMMIT
LOCATED IN THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 69 WEST, 6TH P.M.,
CITY OF ARVADA, COUNTY OF JEFFERSON, STATE OF COLORADO
TREE PRESERVATION PLAN



EXISTING TREE LEGEND	
	TO BE REMOVED
	TO PROTECT IN PLACE



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SHEET 12 OF 20

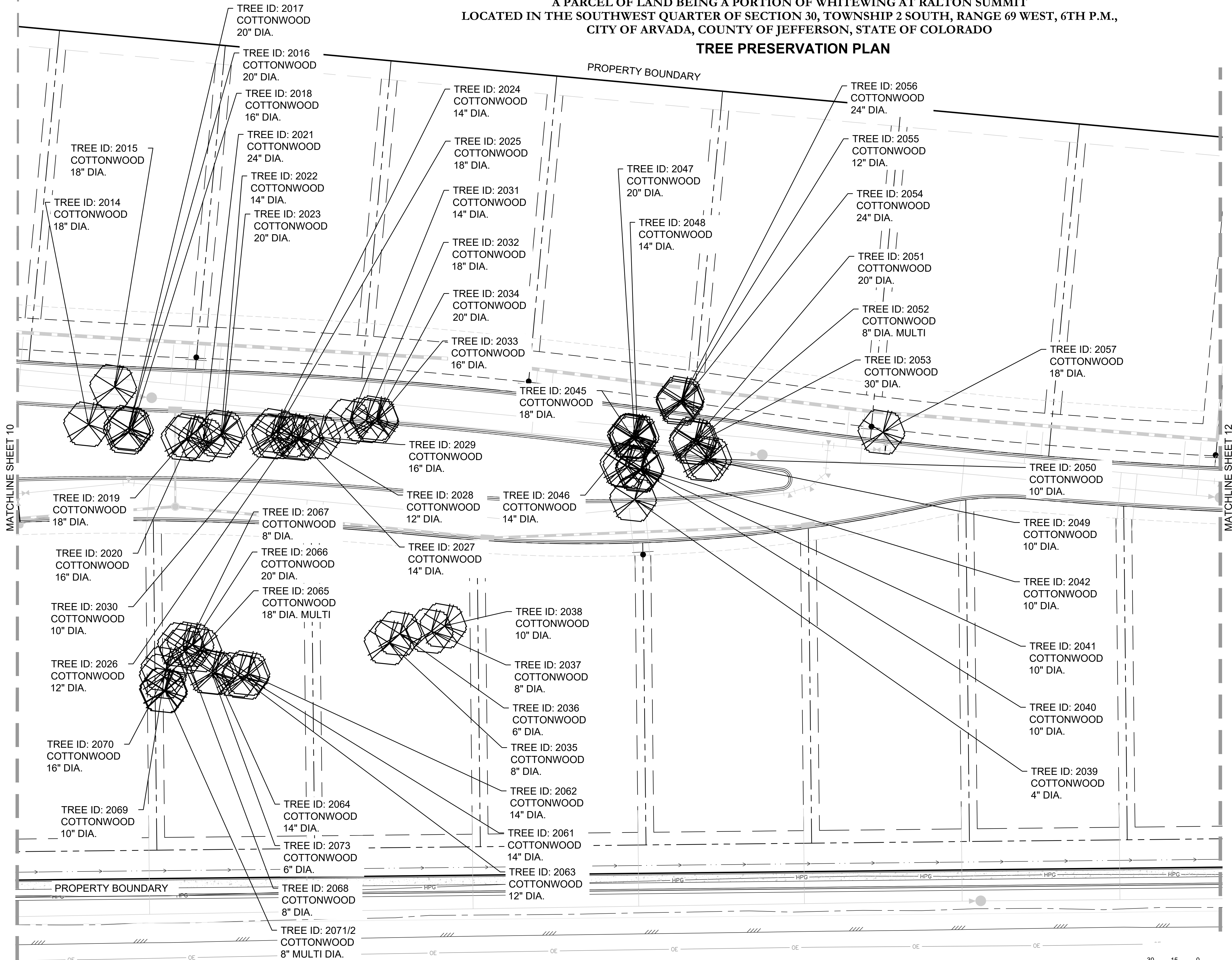


WHITEWING AT RALSTON SUMMIT

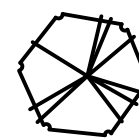
PRELIMINARY DEVELOPMENT PLAN

A PARCEL OF LAND BEING A PORTION OF WHITEWING AT RALSTON SUMMIT
LOCATED IN THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 69 WEST, 6TH P.M.,
CITY OF ARVADA, COUNTY OF JEFFERSON, STATE OF COLORADO

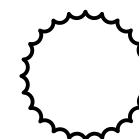
TREE PRESERVATION PLAN



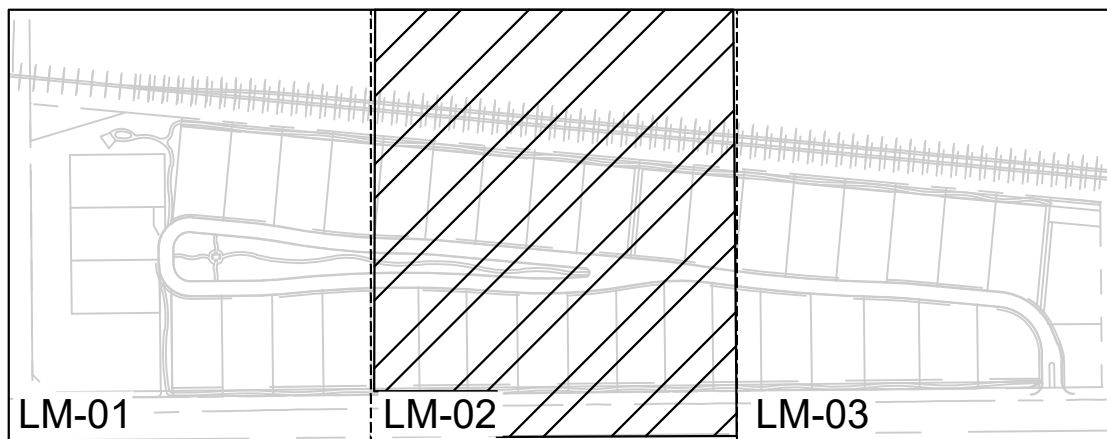
EXISTING TREE LEGEND



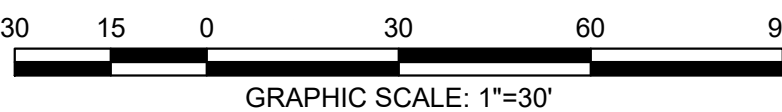
TO BE REMOVED



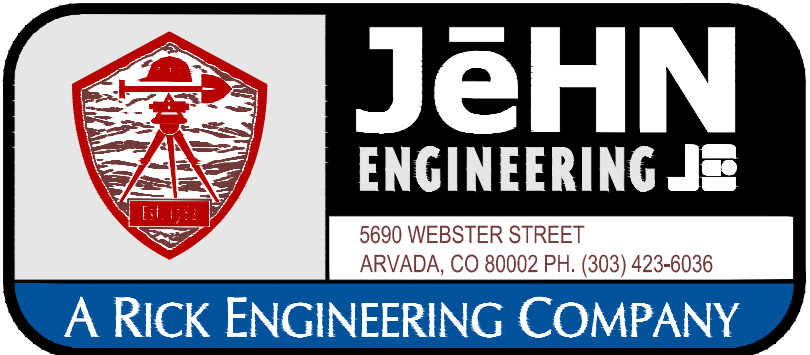
TO PROTECT IN PLACE



KEYMAP

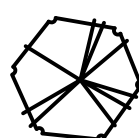
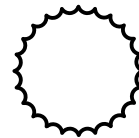


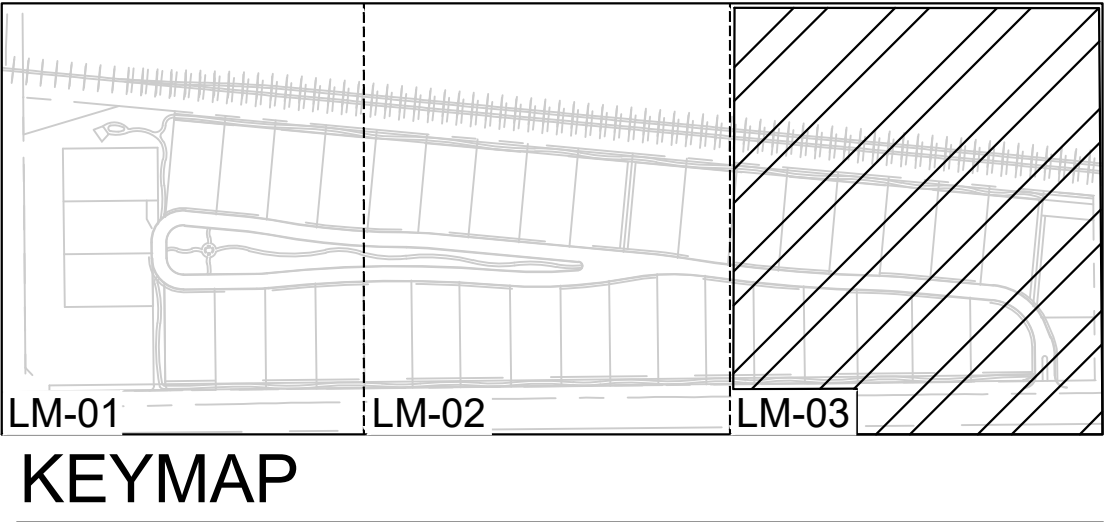
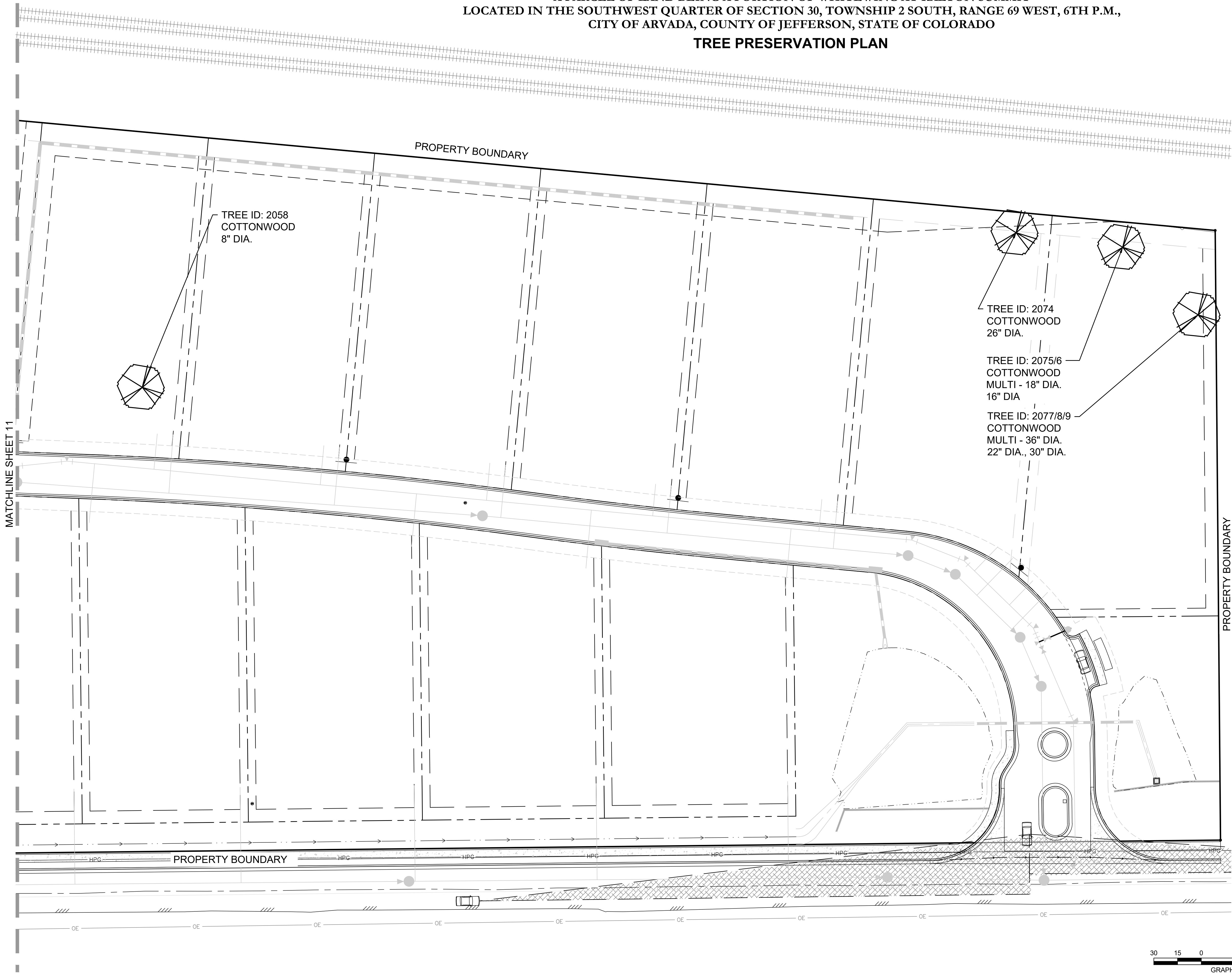
DATE: 08/01/2021
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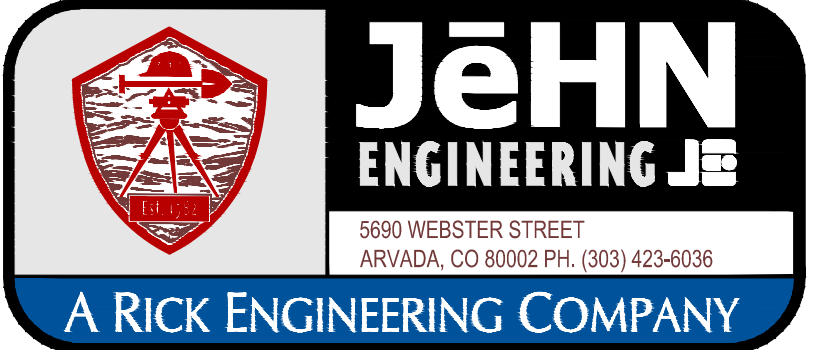
WHITEWING AT RALSTON SUMMIT

PRELIMINARY DEVELOPMENT PLAN
A PARCEL OF LAND BEING A PORTION OF WHITEWING AT RALSTON SUMMIT
LOCATED IN THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 69 WEST, 6TH P.M.,
CITY OF ARVADA, COUNTY OF JEFFERSON, STATE OF COLORADO
TREE PRESERVATION PLAN

EXISTING TREE LEGEND	
	TO BE REMOVED
	TO PROTECT IN PLACE



DATE: 08/01/2021
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WHITEWING AT RALSTON SUMMIT

PRELIMINARY DEVELOPMENT PLAN A PARCEL OF LAND BEING A PORTION OF WHITEWING AT RALTON SUMMIT LOCATED IN THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 69 WEST, 6TH P.M., CITY OF ARVADA, COUNTY OF JEFFERSON, STATE OF COLORADO

TREE PRESERVATION DETAILS

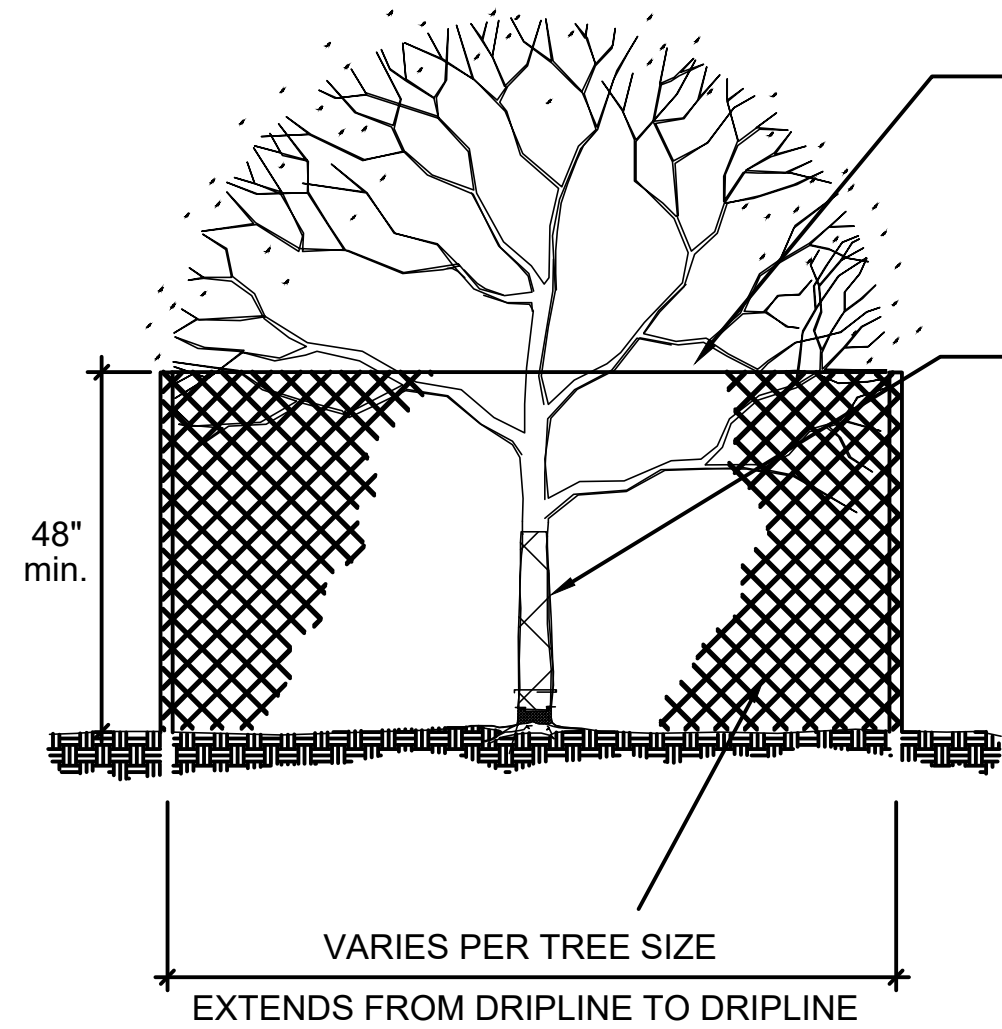
Tree ID #	Name	Total DBH (Inches)	Condition	Species Value	Condition Rating	Calculated Mitigation Inches
2000	Populus sargentii - Plains Cottonwood	40	Good	45%	40%	7
2001	Populus sargentii - Plains Cottonwood	50	Good	45%	40%	9
2002	Populus sargentii - Plains Cottonwood	26	Good	45%	40%	5
2003	Populus sargentii - Plains Cottonwood	24	Good	45%	40%	4
2004	Populus sargentii - Plains Cottonwood	24	Good	45%	40%	4
2005	Populus sargentii - Plains Cottonwood	26	Good	45%	40%	5
2006	Populus sargentii - Plains Cottonwood	22	Good	45%	40%	4
2007	Populus sargentii - Plains Cottonwood	20	Good	45%	40%	4
2008	Populus sargentii - Plains Cottonwood	20	Good	45%	40%	4
2009	Populus sargentii - Plains Cottonwood	12	Good	45%	40%	2
2010	Populus sargentii - Plains Cottonwood	12	Good	45%	40%	2
2011	Populus sargentii - Plains Cottonwood	4	Good	45%	40%	1
2012	Populus sargentii - Plains Cottonwood	6	Good	45%	40%	1
2013	Populus sargentii - Plains Cottonwood	18	Good	45%	40%	3
2014	Populus sargentii - Plains Cottonwood	18	Good	45%	40%	3
2015	Populus sargentii - Plains Cottonwood	18	Good	45%	40%	3
2016	Populus sargentii - Plains Cottonwood	20	Good	45%	40%	4
2017	Populus sargentii - Plains Cottonwood	20	Good	45%	40%	4
2018	Populus sargentii - Plains Cottonwood	16	Good	45%	40%	3
2019	Populus sargentii - Plains Cottonwood	18	Good	45%	40%	3
2020	Populus sargentii - Plains Cottonwood	16	Good	45%	40%	3
2021	Populus sargentii - Plains Cottonwood	24	Good	45%	40%	4
2022	Populus sargentii - Plains Cottonwood	14	Good	45%	40%	3
2023	Populus sargentii - Plains Cottonwood	20	Good	45%	40%	4
2024	Populus sargentii - Plains Cottonwood	14	Good	45%	40%	3
2025	Populus sargentii - Plains Cottonwood	18	Good	45%	40%	3
2026	Populus sargentii - Plains Cottonwood	12	Good	45%	40%	2
2027	Populus sargentii - Plains Cottonwood	14	Good	45%	40%	3
2028	Populus sargentii - Plains Cottonwood	12	Good	45%	40%	2
2029	Populus sargentii - Plains Cottonwood	16	Good	45%	40%	3
2030	Populus sargentii - Plains Cottonwood	10	Good	45%	40%	2
2031	Populus sargentii - Plains Cottonwood	14	Good	45%	40%	3
2032	Populus sargentii - Plains Cottonwood	18	Good	45%	40%	3
2033	Populus sargentii - Plains Cottonwood	16	Good	45%	40%	3
2034	Populus sargentii - Plains Cottonwood	20	Good	45%	40%	4
2035	Populus sargentii - Plains Cottonwood (Multi)	8	Good	45%	40%	1
2036	Populus sargentii - Plains Cottonwood	6	Good	45%	40%	1
2037	Populus sargentii - Plains Cottonwood	8	Good	45%	40%	1
2038	Populus sargentii - Plains Cottonwood	10	Good	45%	40%	2
2039	Populus sargentii - Plains Cottonwood	4	Good	45%	40%	1
2040	Populus sargentii - Plains Cottonwood	10	Good	45%	40%	2
2041	Populus sargentii - Plains Cottonwood	10	Good	45%	40%	2
2042	Populus sargentii - Plains Cottonwood	10	Good	45%	40%	2
2045	Populus sargentii - Plains Cottonwood	18	Good	45%	40%	3
2046	Populus sargentii - Plains Cottonwood	14	Good	45%	40%	3
2047	Populus sargentii - Plains Cottonwood	20	Good	45%	40%	4
2048	Populus sargentii - Plains Cottonwood	14	Good	45%	40%	3
2049	Populus sargentii - Plains Cottonwood	10	Good	45%	40%	2
2050	Populus sargentii - Plains Cottonwood	10	Good	45%	40%	2
2051	Populus sargentii - Plains Cottonwood	20	Good	45%	40%	4
2052	Populus sargentii - Plains Cottonwood	8	Good	45%	40%	1
2053	Populus sargentii - Plains Cottonwood	30	Good	45%	40%	6
2054	Populus sargentii - Plains Cottonwood	24	Good	45%	40%	4
2055	Populus sargentii - Plains Cottonwood	12	Good	45%	40%	2
2056	Populus sargentii - Plains Cottonwood	24	Good	45%	40%	4
2057	Populus sargentii - Plains Cottonwood	18	Good	45%	40%	3
2058	Populus sargentii - Plains Cottonwood	8	Good	45%	40%	1
2061	Populus sargentii - Plains Cottonwood	14	Good	45%	40%	3
2062	Populus sargentii - Plains Cottonwood	14	Good	45%	40%	3
2063	Populus sargentii - Plains Cottonwood	12	Good	45%	40%	2
2064	Populus sargentii - Plains Cottonwood	14	Good	45%	40%	3
2065	Populus sargentii - Plains Cottonwood	18	Good	45%	40%	3
2066	Populus sargentii - Plains Cottonwood	20	Good	45%	40%	4
2067	Populus sargentii - Plains Cottonwood	8	Good	45%	40%	1
2068	Populus sargentii - Plains Cottonwood	8	Good	45%	40%	1
2069	Populus sargentii - Plains Cottonwood	10	Good	45%	40%	2
2070	Populus sargentii - Plains Cottonwood	16	Good	45%	40%	3

2071	Populus sargentii - Plains Cottonwood	8	Good	45%	40%	1
2072	Populus sargentii - Plains Cottonwood	8	Good	45%	40%	1
2073	Populus sargentii - Plains Cottonwood	6	Good	45%	40%	1
2074	Populus sargentii - Plains Cottonwood	26	Poor	45%	20%	2
2075	Populus sargentii - Plains Cottonwood	18	Poor	45%	20%	2
2076	Populus sargentii - Plains Cottonwood	16	Poor	45%	20%	3
2077	Populus sargentii - Plains Cottonwood	36	Poor	45%	20%	3
2078	Populus sargentii - Plains Cottonwood	22	Poor	45%	20%	2
2079	Populus sargentii - Plains Cottonwood	30	Poor	45%	20%	3
TOTAL		1252"				217"

EXISTING TREE MITIGATION				
TOTAL DBH (INCHES)	TOTAL CALCULATED MITIGATION INCHES	TOTAL CALCULATED MITIGATION INCHES PROTECTED IN PLACE	TOTAL CALCULATED MITIGATION INCHES TO BE REMOVED	TOTAL NUMBER OF REPLACEMENT TREES @ 2" CAL.
1252"	217"	16"	201"	101

TREE MITIGATION NOTES:

- PRIOR TO THE PRECONSTRUCTION MEETING, LAYOUT THE LIMITS OF THE TREE PROTECTION AREA AND THEN ALIGNMENTS OF REQUIRED TREE PROTECTION FENCING AND ROOT PRUNING. OBTAIN OWNER'S REPRESENTATIVE'S APPROVAL OF THE LIMITS OF THE PROTECTION AREA AND ALIGNMENT OF ALL FENCING AND ROOT PRUNING.
- PRIOR TO ANY CONSTRUCTION ACTIVITY AT THE SITE INCLUDING UTILITY WORK, GRADING, STORAGE OF MATERIALS OR INSTALLATION OF TEMPORARY CONSTRUCTION FACILITIES, INSTALL ALL TREE PROTECTION FENCING.
- PROTECT THE TREE PROTECTION AREA AT ALL TIMES FROM COMPACTION OF THE SOIL; DAMAGE OF ANY KIND TO TRUNKS, BARK, BRANCHES, LEAVES WITH CONSTRUCTION MATERIAL, DEBRIS, SILT, FUELS, OILS AND ANY CHEMICAL SUBSTANCE.
- PROVIDE A SIGNIFICANT WATER SUPPLY DELIVERABLE TO EXISTING TREES FROM THE FIRST DAY OF CONSTRUCTION TO THE COMPLETION THAT INCLUDES A NEW IRRIGATION SYSTEM. (ACTUAL WATERING SCHEDULE AND AMOUNT WILL COMPLY WITH FORESTER/ARBORIST RECOMMENDATIONS.)
- FENCE AROUND DRIP LINE OF DECIDUOUS TREES AND FENCE AROUND ONE AND ONE-HALF (1.5) TIMES THE SQUARE FOOTAGE OF DRIP LINES FOR EVERGREENS.
- SPRAY TREES WITH PESTICIDES BEFORE CONSTRUCTION STARTS AND BEFORE EACH GROWING SEASON DURING CONSTRUCTION.
- AVOID TRENCHING THROUGH ROOT ZONES WITHIN DRIP LINES BY BORING OR PUSHING UTILITIES UNDER ROOTS.
- ROOT PRUNE DAMAGED ROOTS WITHIN ONE (1) HOUR AFTER DAMAGE OCCURS.
- THE MAXIMUM AREA OF CUTS AND FILLS WITHIN THE FENCED ROOT ZONE SHALL NOT EXCEED 25% OF SUCH ZONE.
- AVOID PLACING FILL AGAINST TREE TRUNKS (USING RETAINING WALLS, ETC.)
- AVOID CONSTRUCTION ACTIVITY (MATERIALS, STORAGE, VEHICULAR TRAFFIC, CHEMICAL DISPOSAL, FIRES, CUT, FILL, ETC.) WITHIN THE FENCED ROOT ZONE.
- NOTIFY THE OWNER'S REPRESENTATIVE OF ANY SPILLS, COMPACTION OR DAMAGE AND TAKE CORRECTIVE ACTION IMMEDIATELY USING METHODS APPROVED BY OWNER'S REPRESENTATIVE.
- THE CONTRACTOR SHALL NOT ENGAGE IN ANY CONSTRUCTION ACTIVITY WITHIN THE TREE PROTECTION AREA WITHOUT APPROVAL OF THE OWNER'S REPRESENTATIVE INCLUDING: OPERATING, MOVING OR STORING EQUIPMENT, STORING SUPPLIES OR MATERIALS; LOCATING TEMPORARY FACILITIES INCLUDING TRAILERS OR PORTABLE TOILETS AND SHALL NOT PERMIT EMPLOYEES TO TRAVERSE THE AREA TO ACCESS ADJACENT AREAS OF THE PROJECT OR USE THE AREA FOR LUNCH OR ANY OTHER WORK BREAKS.
- IN THE EVENT THAT CONSTRUCTION ACTIVITY IS UNAVOIDABLE WITHIN THE TREE PROTECTION AREA, NOTIFY THE OWNER'S REPRESENTATIVE AND SUBMIT A DETAILED WRITTEN PLAN OF ACTION FOR APPROVAL.
- TREE REMOVALS SHALL BE PERFORMED BY A CERTIFIED ARBORIST AND COMPANIES SHALL HAVE APPROPRIATE LICENSES AND INSURANCE FOR TREE REMOVAL OPERATIONS.
- REMOVE ALL TREES INDICATED BY THE DRAWINGS AND SPECIFICATIONS, AS REQUIRING REMOVAL, IN A MANNER THAT WILL NOT DAMAGE ADJACENT TREES OR STRUCTURES OR COMPACT THE SOIL.
- REMOVE TREES THAT ARE ADJACENT TO TREES OR STRUCTURES TO REMAIN, IN SECTIONS, TO LIMIT THE OPPORTUNITY OF DAMAGE TO ADJACENT CROWNS, TRUNKS, GROUND PLANE AND STRUCTURES.
- DO NOT DROP TREES WITH A SINGLE CUT UNLESS THE TREE WILL FALL IN AN AREA NOT INCLUDED IN THE TREE PROTECTION AREA AND THERE ARE NO UNDERGROUND UTILITIES THAT MAY BE DAMAGED. NO TREE TO BE REMOVED WITHIN 50 FEET OF THE TREE PROTECTION AREA SHALL BE PUSHED OVER OR UP-ROOTED USING A PIECE OF GRADING EQUIPMENT.
- PROTECT ADJACENT PAVING, SOIL, TREE, SHRUBS, GROUND COVER PLANTINGS AND UNDERSTORY PLANTINGS TO REMAIN FROM DAMAGE DURING ALL TREE REMOVAL OPERATIONS, AND FROM CONSTRUCTION OPERATIONS. PROTECTION SHALL INCLUDE ROOT SYSTEM, TRUNK, LIMBS, AND CROWN FROM BREAKAGE OR SCARRING, AND FROM THE SOIL COMPACTION.



ZONE 1 ROOT PROTECTION

Any digging, excavating, trenching, changing of grade, or other actions that may potentially impact the rooting environment must be authorized by the City Forester prior to work commencement. Work within the CRZ must take place in accordance with the conditions established by the City Forester.

TREE PROTECTION AREA

The area inside a perimeter established at the Critical Root Zone (CRZ). The (CRZ) is equal to the dripline (furthest extent of the tree canopy) or is equal to one foot radially from the tree for every one inch of trunk diameter at breast height (DBH), whichever is greater.

ZONE 2 LOWER CANOPY PROTECTION.

Contact the City Forester if any pruning is needed prior to work if potential for damage exist.

ZONE 3 TRUNK PROTECTION

Required if construction equipment involved within ten feet or less (permitted inside the CRZ only if equipment is operated exclusively on existing hardscape and no soil compaction takes place).

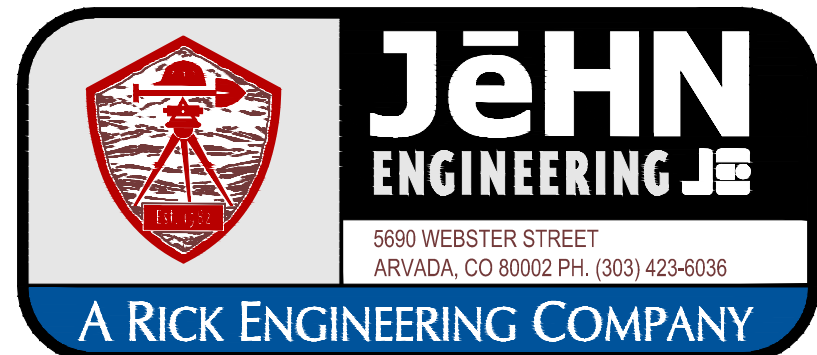
NOTES:

- Fencing Height must be at least 48" high.
- Attach "Tree Protection Area" Signs to Fencing every 50 feet.
- The Tree Protection Area shall NOT be modified or removed prior to consent of the City Forester.
- Materials, debris, equipment, and site amenities shall NOT be stored within the Tree Protection Area.
- Entrance to the Tree Protection Area is NOT permitted without consent of the owner's representative.

TREE PROTECTION DETAIL

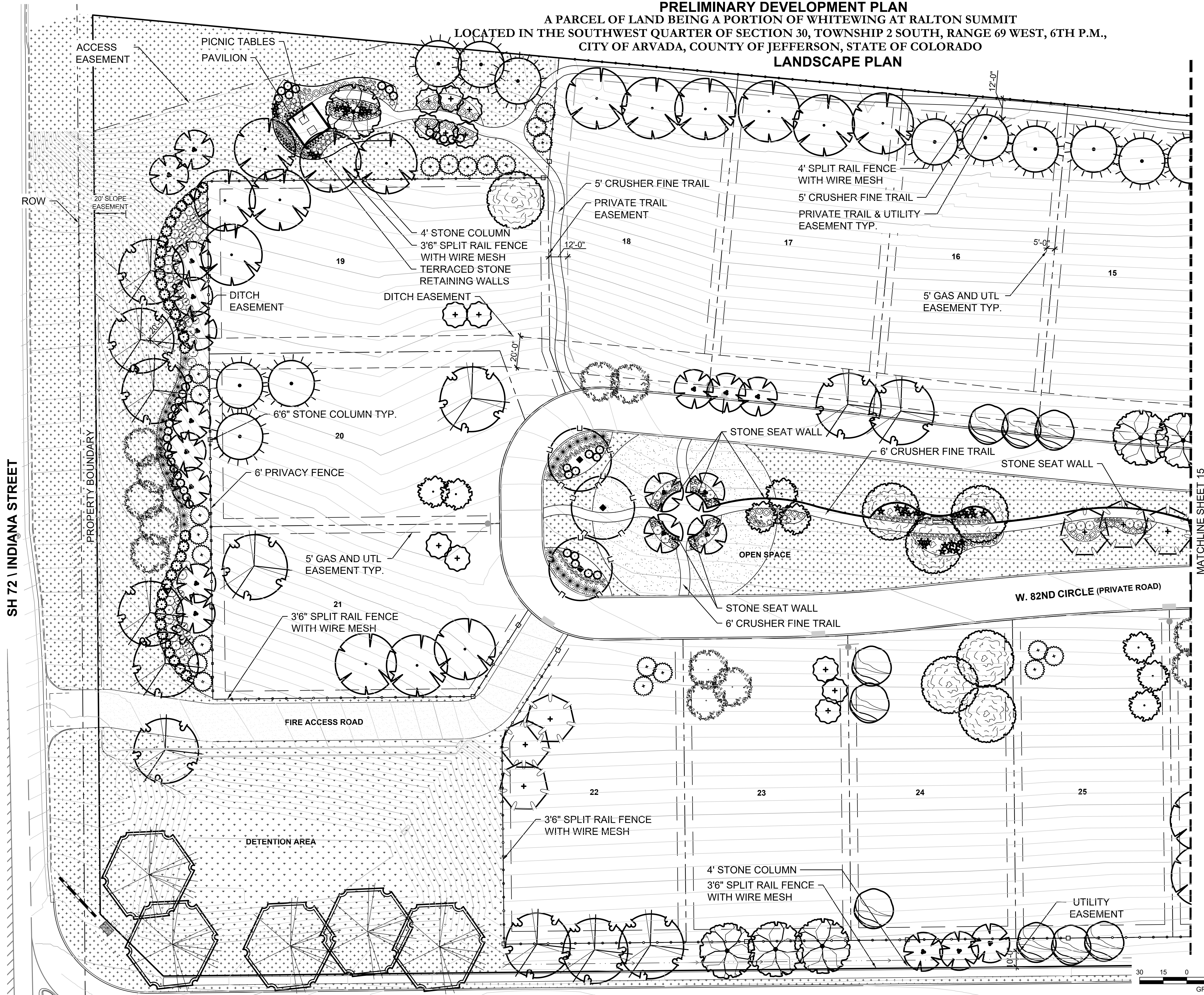
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DATE: 08/01/2021
SHEET 15 OF 20

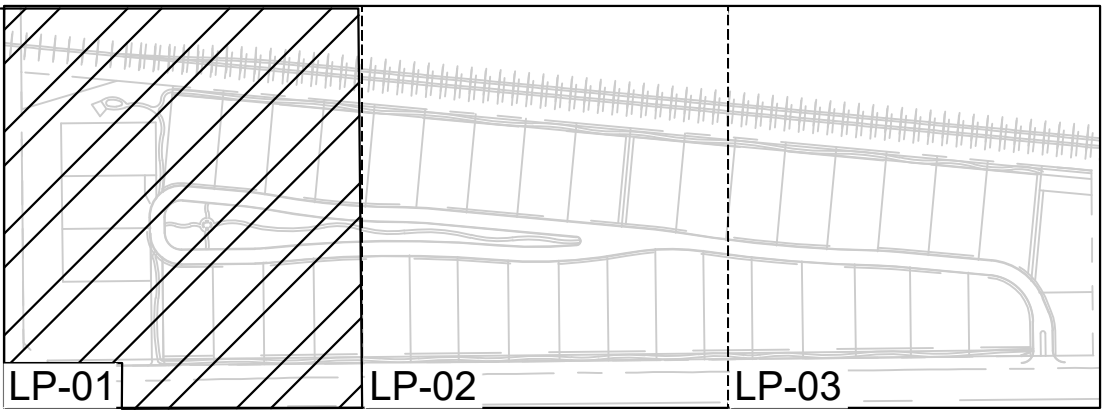


WHITEWING AT RALSTON SUMMIT

PRELIMINARY DEVELOPMENT PLAN
A PARCEL OF LAND BEING A PORTION OF WHITEWING AT RALSTON SUMMIT
LOCATED IN THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 69 WEST, 6TH P.M.,
CITY OF ARVADA, COUNTY OF JEFFERSON, STATE OF COLORADO
LANDSCAPE PLAN



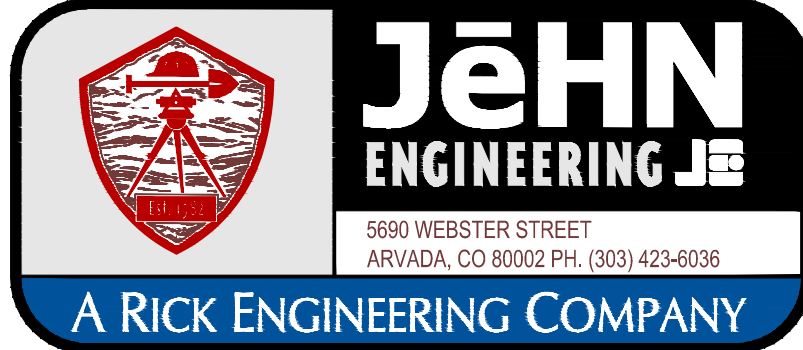
PLANT LEGEND			
SYM	ABBV	BOTANICAL NAME	COMMON NAME
DECIDUOUS TREES			
	ACFR	ACER X FREMANII 'AUTUMN BLAZE'	AUTUMN BLAZE MAPLE
	GLSH	GLEDITSIA TRIACANTHOS INERMIS 'SHADEMASTER'	SHADEMASTER HONEY LOCUST
	GLTR	GLEDITSIA TRIACANTHOS INERMIS 'SUNBURST'	SUNBURST HONEYLOCUST
	KOPA	KOELREUTERIA PANICULATA	GOLDENRAIN TREE
	TICO	TILIA CORTADA 'GREENSPIRE'	GREENSPIRE LINDEN
	QUMA	QUERCUS MACROCARPA	BUR OAK
ORNAMENTAL TREES			
	ACAM	ACER GINNALA 'FLAME'	AMUR MAPLE
	CRCR	CRATAEGUS CRUS-GALLI INERMUS	THORNLESS COCKSPUR HAWTHORN
	PRPA	PRUNUS PADUS	MAYDAY TREE
	PYCA	PYRUS CALLERYANA 'ARISTOCRAT'	ARISTOCRAT PEAR
	PYUS	PYRUS USSURIENSIS	USSURIAN PEAR
EVERGREEN TREES			
	JUSC	JUNIPERUS SCOPULORUM	ROCKY MOUNTAIN JUNIPER
	PIPU	PICEA PUNGENS	COLORADO SPRUCE
	PINI	PINUS PONDEROSA	PONDEROSA PINE
DECIDUOUS SHRUBS			
	AMCA	AMORPHA CANESCENS	LEADPLANT
	COSF	CORNUS SERICEA FLAVIRAMEA	YELLOW TWIG DOGWOOD
	DABU	DAPHNE X BURKWOODII 'CAROL MACKIE'	CAROL MACKIE DAPHNE
	GETI	GENISTA TINCTORIA 'ROYAL GOLD'	ROYAL GOLD WOADWAXEN
	PRBE	PRUNUS BESSEYI 'PAWNEE BUTTES'	WESTERN SAND CHERRY
	RIAL	RIBES ALPINUM	ALPINE CURRANT
	SYPA	SYRINGA PATULA 'MISS KIM'	MISS KIM LILAC
	WEFR	WEIGELA FLORIDA 'RED PRINCE'	RED PRINCE WEIGELA
EVERGREEN SHRUBS			
	ARCO	ARCTOSTAPHYLOS X COLORADENSIS	COLORADO MANZANITA
	JUPR	JUNIPERUS PROCUMBENS 'GREEN MOUND'	GREEN MOUND JUNIPER
	PIGL	PICEA PUNGENS 'GLAUCA GLOBOSA'	BLUE GLOBE SPRUCE
	PIMU	PINUS MUGO PUMILIO	DWARF MUGO PINE
ORNAMENTAL GRASSES			
	HESE	HELICTOTRICHON SEMPERVIRENS	BLUE AVENA GRASS
	PEAL	PENNISETUM ALOPECUROIDES 'LITTLE BUNNY'	LITTLE BUNNY GRASS
	RHNE	RHYNCHELYTRUM NERVIGLUME	RUBY GRASS
PERENNIALS			
	SOSP	SOLIDAGO SPHACELATA 'GOLDEN FLEECE'	GOLDENROD
GROUND COVERS			
		TURF	
		LOW GROW NATIVE SEED MIX	ARKANSAS VALLEY SEED CO.
		DETENTION POND MIX	ARKANSAS VALLEY SEED CO.
		ROCK MULCH (SHRUB BEDS)	1 1/2" WESTERN RIVER ROCK



KEYMAP

*LANDSCAPING SHOWN ON LOTS IS ILLUSTRATIVE ONLY. SEE SHEET 17 FOR MORE INFORMATION.

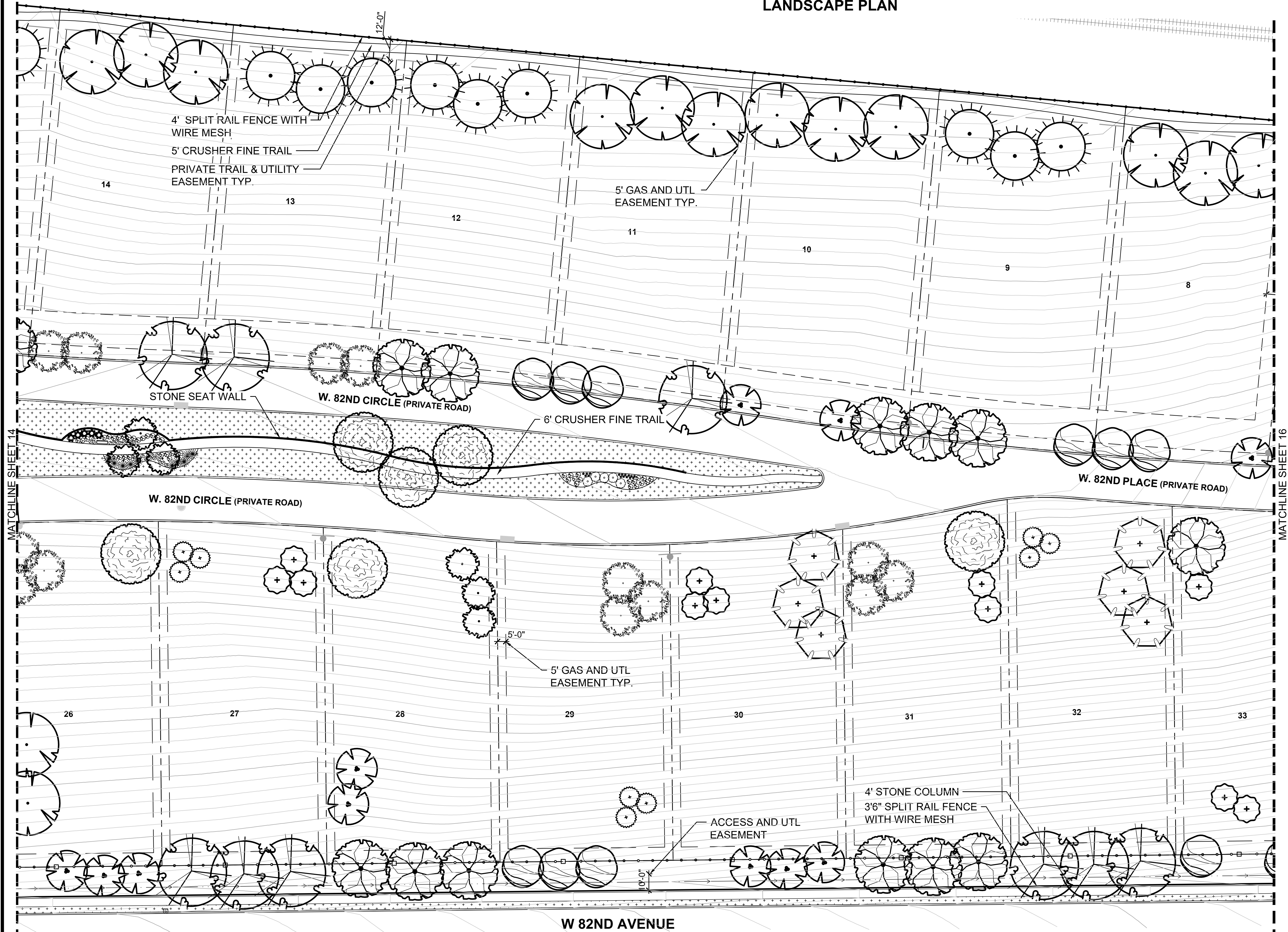
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SHEET 16 OF 20



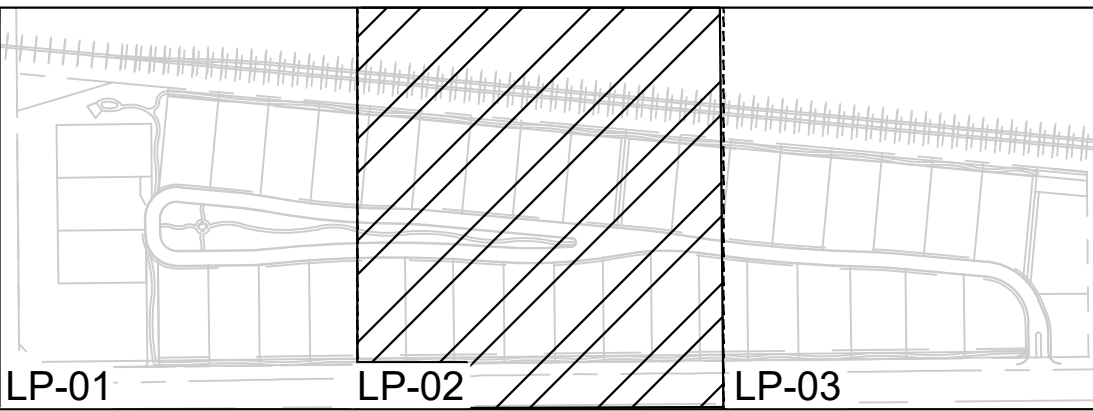
WHITEWING AT RALSTON SUMMIT

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LANDSCAPE PLAN



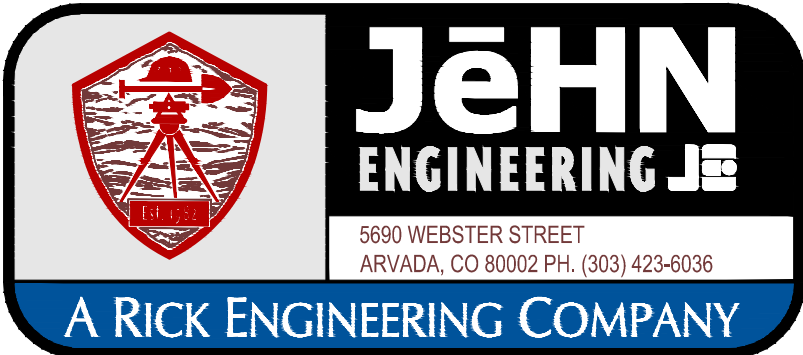
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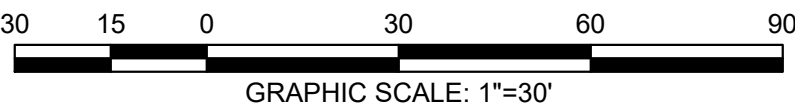
KEYMAP

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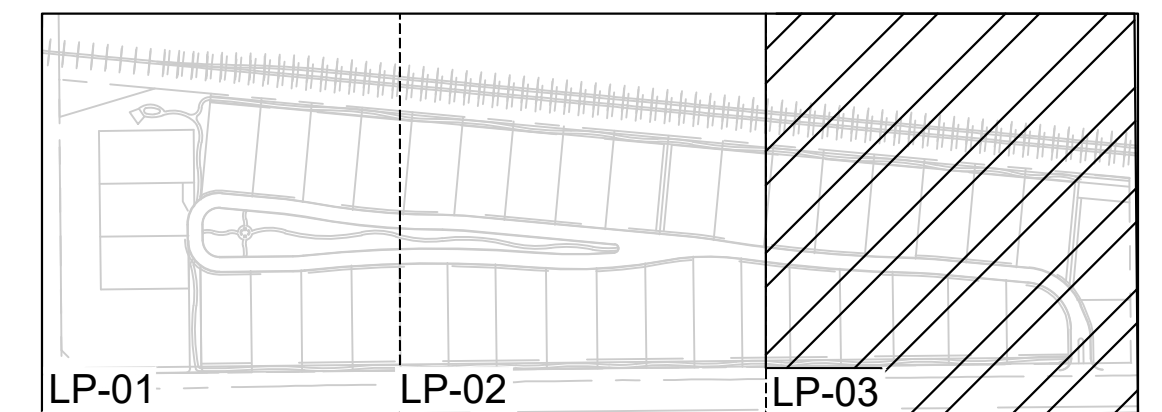
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SHEET 17 OF 20



LANDSCAPING SHOWN ON LOTS IS ILLUSTRATIVE ONLY, SEE SHEET 17 FOR MORE INFORMATION.

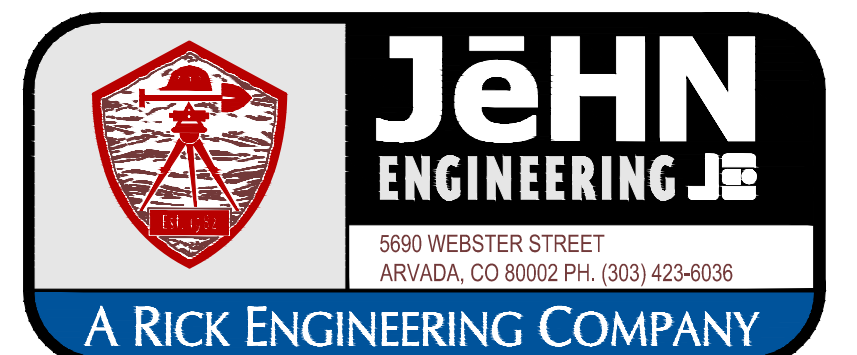


PRELIMINARY DEVELOPMENT PLAN
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LOCATED IN THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 69 WEST, 6TH P.M.,
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LANDSCAPE PLAN



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SHEET 18 OF 20



PRELIMINARY DEVELOPMENT PLAN
A PARCEL OF LAND BEING A PORTION OF WHITEWING AT RALTON SUMMIT
LOCATED IN THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 69 WEST, 6TH P.M.,
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1. IT IS THE CONTRACTORS RESPONSIBILITY TO INSPECT THE JOB SITE TO BECOME FAMILIAR WITH ALL EXISTING CONDITIONS THAT COULD AFFECT THE INSTALLATION OF ANY WORK SET FORTH IN THESE PLANS OR SPECIFICATIONS PRIOR TO SUBMITTING A BID. BEFORE BEGINNING WORK, THE CONTRACTOR SHALL VERIFY THE ACCURACY OF THE PLANS TO THE SITE CONDITIONS AND SHALL REPORT ALL DISCREPANCIES TO THE OWNERS REPRESENTATIVE. WRITTEN DIMENSIONS AND THE PREVIOUS OR PREVALENT OVER SCALED DIMENSIONS, NOTIFY OWNERS REPRESENTATION OF ANY DISCREPANCY.
2. IF ANY UTILITIES CONFLICT WITH THE ORIGINAL PLACEMENT OF INTENDED PLANT MATERIAL ON SITE THE LANDSCAPE ARCHITECT WILL AID THE CONTRACTOR IN THE RELOCATION OR SHIFTING OF PLANT MATERIAL ON SITE. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY TYPE AND LOCATION OF UTILITIES AS NECESSARY TO AVOID DAMAGE THERE TO. ALL UTILITIES SHALL BE LOCATED AND VERIFIED PRIOR TO ANY EXCAVATION. THE LOCATIONS OF UTILITIES, STRUCTURES AND SERVICES SHOWN ON THESE PLANS ARE APPROXIMATE ONLY. ANY DISCREPANCIES BETWEEN THESE PLANS AND ACTUAL CONDITIONS ARE THE RESPONSIBILITY OF THE CONTRACTOR. PRIOR TO THE COMMENCEMENT OF ANY WORK, THE CONTRACTOR SHALL CONTACT 811 TO VERIFY LOCATIONS AND DEPTHS OF UNDERGROUND UTILITIES THAT MAY BE AFFECTED BY THIS WORK, AND SHALL BE RESPONSIBLE FOR DAMAGES TO SUCH UTILITIES CAUSED AS A RESULT OF THE WORK.
3. THE CONTRACTOR SHALL COMPLY WITH ALL LAWS, RULES AND REGULATION OF ALL AUTHORITIES HAVING JURISDICTION OVER THE PREMISES. THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS FOR THIS WORK.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DUST CONTROL DURING CONSTRUCTION AND SHALL ACQUIRE A DUST CONTROL PERMIT IF REQUIRED FROM THE COUNTY HEALTH DEPARTMENT. ALL COSTS ASSOCIATED WITH DUST CONTROL AND PERMITS IS CONSIDERED INCIDENTAL TO THE PROJECT.
5. LANDSCAPE CONTRACTOR SHALL PROVIDE FINISH GRADING AND REMOVAL OF DEBRIS IN PLANTING AREAS TO INSURE POSITIVE DRAINAGE AWAY FROM ALL STRUCTURES. ANY DISCREPANCIES IN ACTUAL FIELD MEASUREMENTS ARE TO BE REPORTED TO OWNERS REPRESENTATIVE.
6. PRIOR TO PLANTING, ALL SITES FOR PLANTING SHALL INCORPORATE SOIL AMENDMENTS AT A RATE OF 3 CUBIC YARDS PER 1,000 SQUARE FEET AT A MINIMUM DEPTH OF 6". A LESSER AMOUNT SHALL BE ALLOWED IF A SOIL TEST SHOWS THAT 3 CUBIC YARDS PER 1,000 SQUARE FEET IS NOT NECESSARY FOR WATER RETENTION AND DEEP ROOTING OF PLANT MATERIALS. IF THE SPECIFIED PLANT MATERIALS REQUIRES LESS FERTILE SOIL, THOSE AREAS MAY HAVE LESS SOIL AMENDMENTS INSTALLED IF APPROVED BY THE COMMUNITY DEVELOPMENT DIRECTOR. THESE AREAS SHALL BE IDENTIFIED ON THE LANDSCAPE PLAN. EXISTING TOPSOIL SHALL BE SALVAGED AND STOCKPILED FOR USE AS SOIL AMENDMENTS OR TOPSOIL NO TOPSOIL SHALL BE REMOVED FROM THE SITE UNLESS THE CITY APPROVES THE TRANSFER OF TOPSOIL TO A CITY OWNED PARK OR OPEN SPACE.
7. PRIOR TO PLANTING, THE CONTRACTOR SHALL PERFORM ONE (1) PERCOLATION TEST PER 10,000 SQUARE FEET OF PLANTING AREA. THE CONTRACTOR SHALL FILL A 24" BOX SIZE HOLE WITH WATER, IF IT DOES NOT COMPLETELY DRAIN WITHIN 24 HOURS THE CONTRACTOR SHALL NOTIFY THE OWNERS REPRESENTATIVE. TEST SHALL BE DONE UNDER THE SUPERVISION OF THE OWNERS REPRESENTATIVE. IF PROPER DRAINAGE DOES NOT OCCUR WITHIN 24 HOURS THE CONTRACTOR WILL BE REQUIRED TO CHIMNEY GRAVEL SUMP PER OWNERS REPRESENTATIVE.
8. PRIOR TO PLANTING THE IRRIGATION SYSTEM SHALL BE FULLY OPERATIONAL AND ALL PLANTING AREAS SHALL BE THOROUGHLY SOAKED.
9. ALL PLANT MATERIALS SHALL CONFORM TO NURSERY STANDARDS ACCORDING TO AMERICAN ASSOCIATION OF NURSERYMEN INC. AND SHALL BE FREE FROM PESTS, EGGS, DISEASES AND TO BE REPRESENTATIVE OF SPECIES IN SIZE, QUALITY, FORM, COLOR AND NOT BE ROOT DUMPED, DAMAGED OR SUBSTANDARD IN ANY WAY. FINAL LOCATION OF ALL PLANT MATERIAL SHALL BE APPROVED BY THE OWNERS REPRESENTATIVE PRIOR TO INSTALLATION, ANY PLANT SUBSTITUTIONS SHALL BE APPROVED BY LANDSCAPE ARCHITECT PRIOR TO PURCHASE. REMOVE NURSERY STAKES AND TIE FROM ALL CONTAINER PLANTS.
10. NO PLANT SUBSTITUTIONS, TYPE, OR QUANTITY DEVIATIONS FROM THE APPROVED LANDSCAPE OR IRRIGATION PLANS WITHOUT PRIOR APPROVAL FROM THE OWNERS REPRESENTATIVE AND CITY REPRESENTATIVES.
11. THE CONTRACTOR IS RESPONSIBLE FOR THE REMOVAL AND LEGAL DISPOSAL OF ANY DEBRIS RESULTING FROM THE CONSTRUCTION. AT NO TIME SHALL ANY OF THIS MATERIAL OBSTRUCT THE NORMAL OPERATION OF ANY ADJOINING STREET ASSOCIATED WITH THIS PROJECT.
12. PRIOR TO THE START OF THE CONSTRUCTION SHALL BE CLEANED OF AN DEBRIS RESULTING FROM CONSTRUCTION. NO JOB WILL BE CONSIDERED UNTIL ALL CURBS, GUTTERS, AND PAVEMENT HAVE BEEN SWEEP CLEAN OF ALL DIRT AND DEBRIS AND ARE IN COMPLIANCE WITH THE AGENCY SPECIFICATIONS.
13. THE CONTRACTOR IS ADVISED THAT DAMAGE TO ANY PORTION OF ANY EXISTING CURBS, GUTTERS, PAVEMENTS, FENCING, WALLS, LIGHTING AND SURROUNDING AREAS THAT ARE NOT NOTED ON THE PLANS TO BE DISTURBED ARE TO BE REPAIRED AT THE CONTRACTORS EXPENSE.
14. ALL PLANTER BEDS TO BE MULCHED WITH 2-4" RIVER ROCK AT A 3" DEPTH OVER MIRAFI WEED BARRIER FABRIC (OR APPROVED EQUIV).
15. PERMALOC GREEN INTERLOCKING METAL EDGER (OR APPROVED EQUIV) SHALL SEPARATE ALL PLANTER BEDS FROM GRASS AREAS. DRY RIVER BED SHALL BE SEPARATED FROM THE REST OF ROCK PLANTER BED WITH PERMALOC GREEN INTERLOCKING METAL EDGER.
16. PRIOR TO PLANTING, ALL SITES FOR PLANTING SHALL INCORPORATE SOIL AMENDMENTS AT A RATE OF 3 CUBIC YARDS PER 1,000 SQUARE FEET AT A MINIMUM DEPTH OF 6". A LESSER AMOUNT SHALL BE ALLOWED IF A SOIL TEST SHOWS THAT 3 CUBIC YARDS PER 1,000 SQUARE FEET IS NOT NECESSARY FOR WATER RETENTION AND DEEP ROOTING OF PLANT MATERIALS.
17. ALL LANDSCAPE TO BE IRRIGATED BY WATER EFFICIENT AUTOMATION IRRIGATION SYSTEM. SYSTEM TO BE A DESIGN BUILD SYSTEM.
SYSTEM WILL INCLUDE:
 - A RAIN SENSOR WITH AUTOMATIC SHUT-OFF OF THE SYSTEM DURING PERIODS OF HIGH MOISTURE.
 - A DRIIP, SUBSURFACE, BUBBLER OR LOW VOLUME IRRIGATION SYSTEM FOR ALL PLANTINGS STRIPS LESS THAN 8" WIDE AND ALL PLANTING BEDS INVOLVING TREES, SHRUBS, PERENNIALS AND GROUNDCOVER.
 - AN IRRIGATION CLOCK WITH REMOTE CONTROL, WHICH ALLOWS PROGRAMMING TO MEET THE DIFFERENTIAL NEEDS OF THE SPECIFIED PLANTING ON PLAN (RACHIO GEN 3 WITH FLOW SENSOR, RAINBIRD ESP WITH WIFI MODUAL OR APPROVED EQUIV). LANDSCAPE MAINTENANCE: ALL PLANTS SHALL BE MAINTAINED CONTINUALLY IN A HEALTHY CONDITION IN A ACCORDANCE WITH GENERALLY ACCEPTED PROFESSIONAL HORTICULTURAL STANDARDS AND PRACTICES. PLANTS THAT ARE UNHEALTHY SHALL BE REPLACED. REGULAR PRUNING TRIMMING SHALL APPLY TO MAINTAIN HEALTH AND AN ATTRACTIVE APPEARANCE AND TO PERMIT THE PLANT TO ACHIEVE THEIR INTENDED FORM AND HEIGHT. LANDSCAPE AREAS SHALL REMAIN FREE OF WEEDS, LITTER, JUNK, RUBBISH AND OTHER NUISANCES AND OBSTRUCTIONS. TO PREVENT WEED GROWTH, EROSION AND BLOWING DUST, AREAS NOT COVERED BY VEGETATION SHALL BE COVERED WITH ROCK MULCH OR DECORATIVE ROCKS, OR COBBLE, OR SIMILAR NATURAL MATERIALS PROVIDING A CLEAN, UNIFORM APPEARANCE LANDSCAPE CONTRACTOR SHALL REPLACE ALL PLANT MATERIALS FOUND TO BE IN AN UNHEALTHY, DAMAGED, IMPAIRED CONDITION, MISSING OR DEAD DURING THE MAINTENANCE PERIOD.
19. LANDSCAPE MAINTENANCE: ALL PLANTS SHALL BE MAINTAINED CONTINUALLY IN A HEALTHY CONDITION IN A ACCORDANCE WITH GENERALLY ACCEPTED PROFESSIONAL HORTICULTURAL STANDARDS AND PRACTICES. PLANTS THAT DIE OR ARE UNHEALTHY SHALL BE REPLACED. REGULAR PRUNING TRIMMING SHALL APPLY TO MAINTAIN HEALTH AND AN ATTRACTIVE APPEARANCE AND TO PERMIT THE PLANT TO ACHIEVE THEIR INTENDED FORM AND HEIGHT. LANDSCAPE AREAS SHALL REMAIN FREE OF WEEDS, LITTER, JUNK, RUBBISH AND OTHER NUISANCES AND OBSTRUCTIONS. TO PREVENT WEED GROWTH, EROSION AND BLOWING DUST, AREAS NOT COVERED BY VEGETATION SHALL BE COVERED WITH ROCK MULCH OR DECORATIVE ROCKS, OR COBBLE, OR SIMILAR NATURAL MATERIALS PROVIDING A CLEAN, UNIFORM APPEARANCE. LANDSCAPE CONTRACTOR SHALL REPLACE ALL PLANT MATERIAL FOUND TO BE IN AN UNHEALTHY, DAMAGED, IMPAIRED CONDITION, MISSING OR DEAD DURING THE MAINTENANCE PERIOD.
20. A FINAL SITE WALK INSPECTION IS REQUIRED AT THE END OF THE LANDSCAPE MAINTENANCE PERIOD PRIOR TO FINAL PROJECT ACCEPTANCE.
21. A FIRE HYDRANT PROTECTION ZONE SHALL BE MAINTAINED AROUND ALL FIRE HYDRANTS AND SHALL NOT BE OBSTRUCTED.
22. TREES WITHIN THIS DEVELOPMENT, WHEN FULLY MATURE, SHALL PROVIDE AN UNOBSTRUCTED VERTICAL CLEARANCE OF 13'-6".
23. TREE QUANTITY REQUIREMENTS ARE BASED ON REQUIREMENT FOR 50% OF PARCEL (50% OF 25.5 AC = 12.75 AC). THIS IS NOT THE ACTUAL AMOUNT OF OPEN SPACE SHOWN ON PLANS.
24. TREES SHOWN ON PRIVATE PROPERTY WILL BE INSTALLED BY THE HOME CONTRACTOR AS PART OF THE BUILDING PERMIT PROCESS FOR EACH LOT AND INDIVIDUAL AREAS ARE REQUIRED TO IRRIGATE AND MAINTAIN THE TREES. THE OWNERS ARE RESPONSIBLE FOR REPLACING ANY TREES THAT DIE.
25. HOA IS RESPONSIBLE FOR REPLACING ANY TREES OR PLANTINGS THAT DIE IN THE PARKS, ENTRY AND OPEN SPACE AREAS.

PROPOSED FENCES, WALLS, SIGNS AND ACCESSORY
STRUCTURES SHOWN ON THIS PLAN ARE ILLUSTRATIVE ONLY
AND SUBJECT TO SEPARATE REVIEWS AND PERMITS.

LANDSCAPE TABLES				
INTERIOR STREET FRONTAGE				
TREES REQUIRED (1 PER 40 LF)	TREES PROVIDED ON STREET FRONTAGE	TREES REQUIRED PER INDIVIDUAL LOTS	TOTAL TREES PROVIDED ON INDIVIDUAL LOTS	TOTAL TREES PROVIDED
93	0	3	111	111

	TREES REQUIRED (1 PER 40 LF)	TREES PROVIDED ON STREET FRONTAGE	TREES REQUIRED PER INDIVIDUAL LOTS	TOTAL TREES PROVIDED ON INDIVIDUAL LOTS	TOTAL TREES PROVIDED
INDIANA STREET (564 LF)	14	14	0	0	14
82ND AVENUE (2,111 LF)	53	5	3	48	53

TREES REQUIRED (1 PER 3,000 SF)	TREES PROVIDED	TREES REQUIRED PER INDIVIDUAL LOTS	TOTAL TREES PROVIDED ON LOTS	TOTAL TREES PROVIDED	SHRUBS REQUIRED (1 PER 600 SF)	SHRUBS PROVIDED	SHRUBS REQUIRED PER INDIVIDUAL LOTS	TOTAL SHRUBS ON INDIVIDUAL LOTS	TOTAL SHRUBS
186	75**	3	111**	186	926	667	7	259	926

EVERGREEN TREES REQUIRED			
TOTAL NUMBER OF TREES PROVIDED ON PLAN	10% OF TOTAL TREES TO BE EVERGREEN	TOTAL EVERGREEN TREES PROVIDED	TOTAL % OF EVERGREEN TREES PROVIDED
142	15	28	20%

TOTAL REQUIRED TREES ON SITE	TOTAL TREES PROVIDED ON LOTS	TOTAL TREES PROVIDED IN COMMUNAL AREAS	TOTAL TREES PROVIDED ON SITE
346	270	94	364

TOTAL EXISTING DBH	TOTAL DBH TO BE PROTECTED IN PLACE	TOTAL CALCULATED MITIGATION INCHES	TOTAL NUMBER OF REPLACEMENT TREES @ 2" CAL.
1252"	16"	217"	101

*SEE TREE PRESERVATION PLAN FOR MITIGATION CALCULATIONS. MITIGATION TREES INCLUDED IN OPEN SPACE AND STREET FRONTAGE REQUIREMENTS.



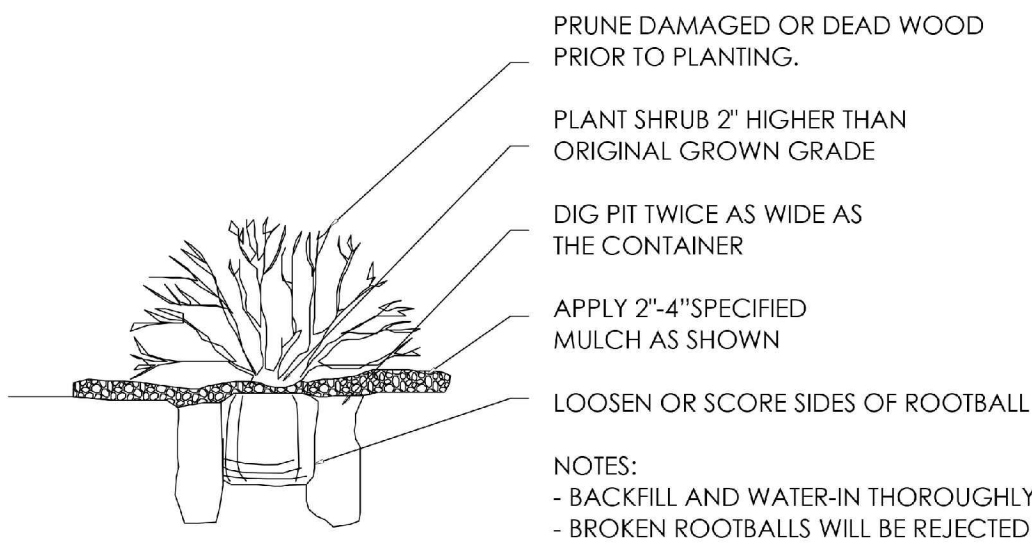
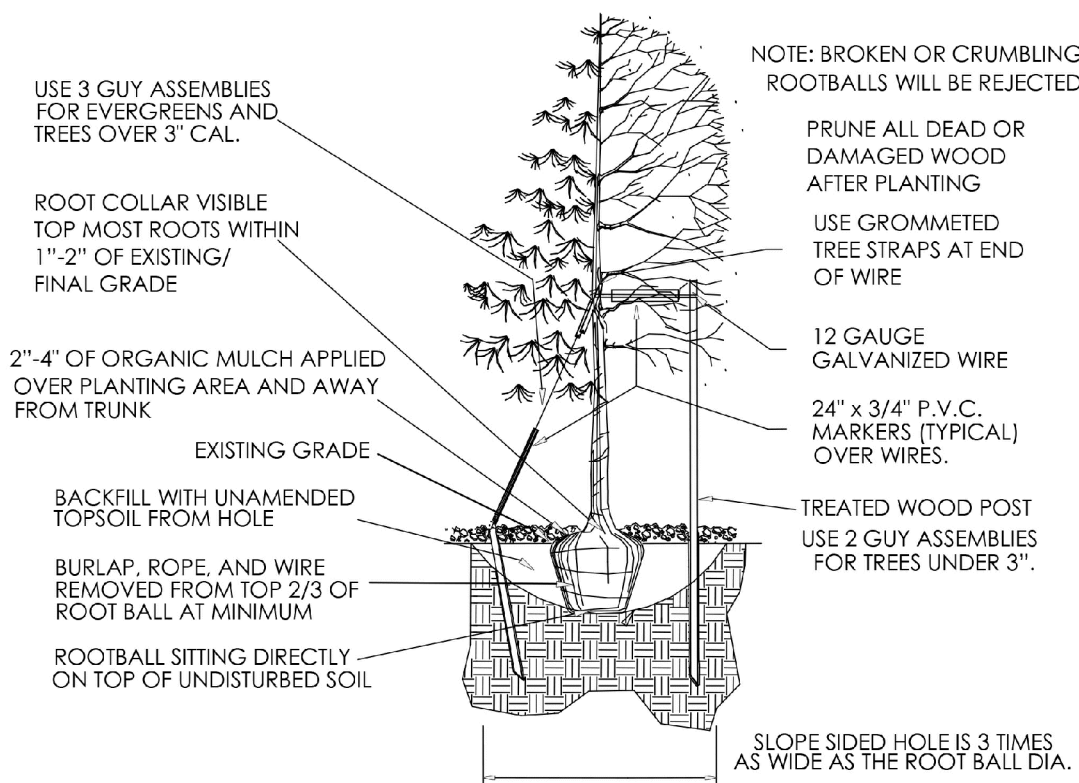
JēHN
ENGINEERING

5690 WEBSTER STREET
ARVADA, CO 80002 PH. (303) 423-6036

A RICK ENGINEERING COMPANY

WHITEWING AT RALSTON SUMMIT

PRELIMINARY DEVELOPMENT PLAN A PARCEL OF LAND BEING A PORTION OF WHITEWING AT RALSTON SUMMIT LOCATED IN THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 2 SOUTH, RANGE 69 WEST, 6TH P.M., CITY OF ARVADA, COUNTY OF JEFFERSON, STATE OF COLORADO LANDSCAPE DETAILS

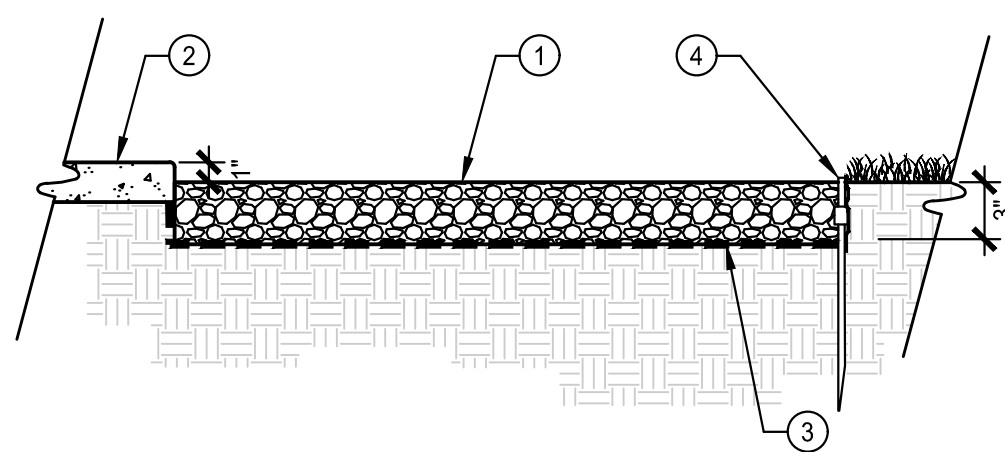


TREE PLANTING

NTS

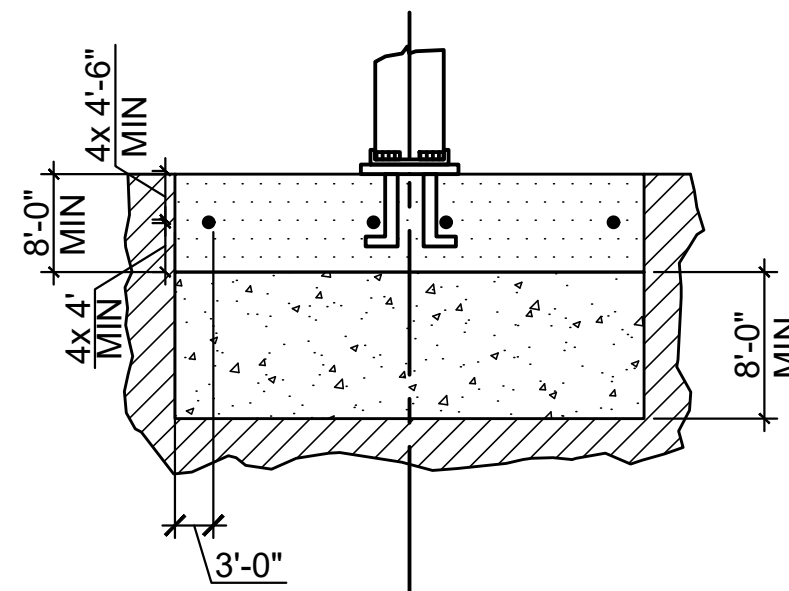
SHRUB PLANTING

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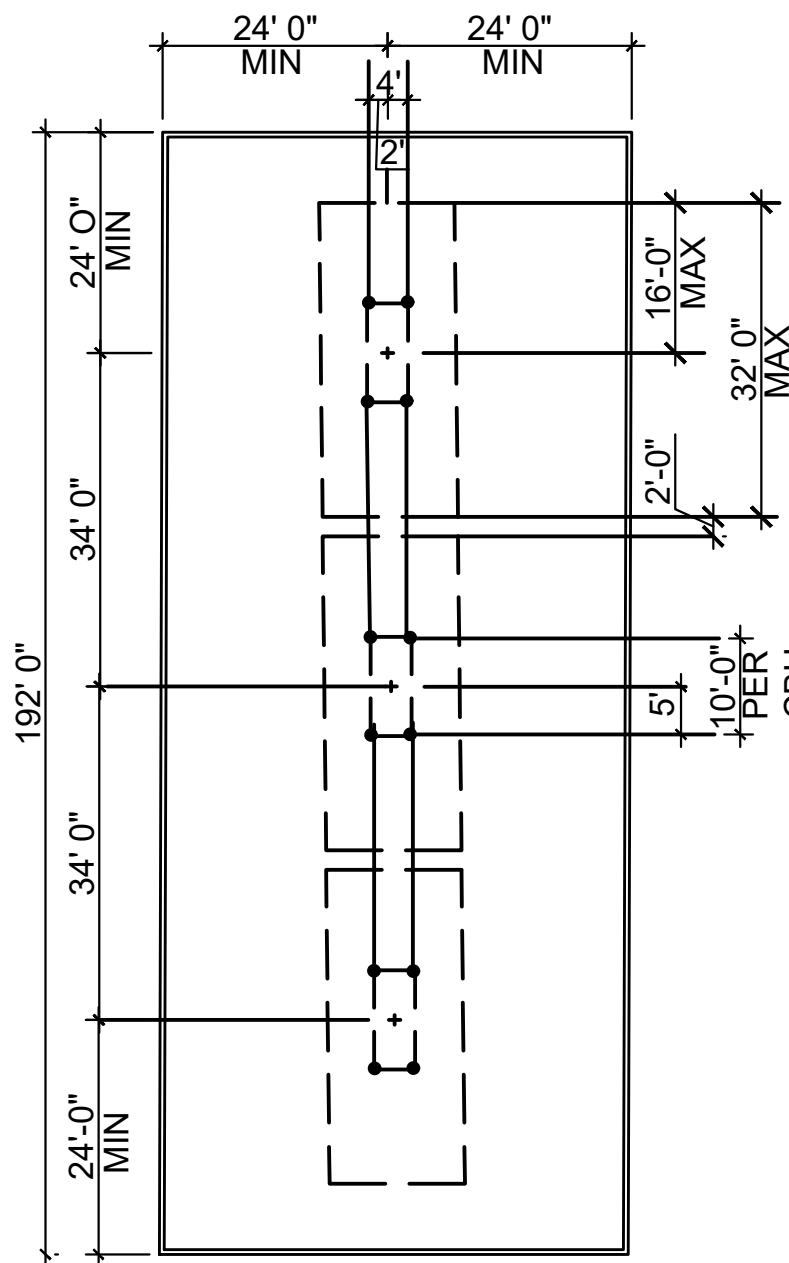


CRUSHER FINE PATH

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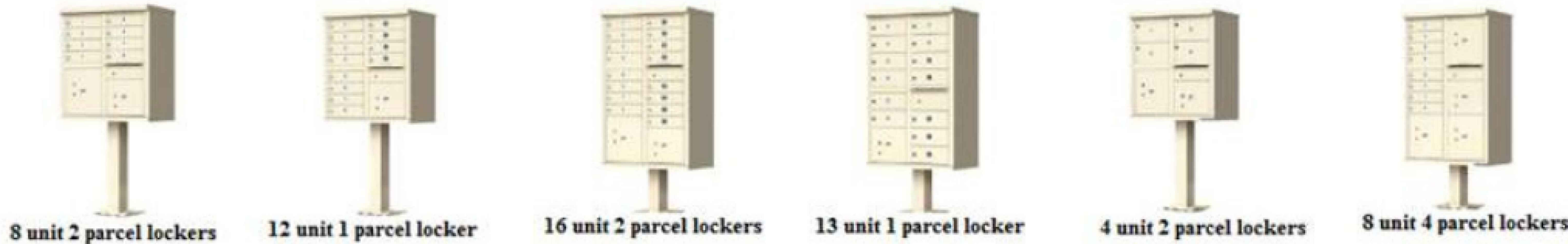
SECTION



PLAN VIEW

MAILBOX KIOSK FOOTING

NTS



Whether you plan to serve four or 2,000 residents, cluster box units (CBU) provide a flexible solution to accommodate your building project needs. Simply select the pre-configured unit(s) that has the best options for your residents. These standard stock units can be used individually or in larger group installations - all providing a convenient, secure method of mail and package delivery to residents.

MAIL KIOSK - CLUSTER BOX UNIT OPTIONS

NTS

DATE: 08/01/2021
SHEET 20 OF 20