

## 78 ACRES 8 MILES EAST OF AURORA & 1 MILE EAST OF WATKINS

### US HWY 36 & IMBODEN ROAD W/I THE NE PLAINS ZONING SUB AREA

- LOCATION:** FROM E-470 and I-70 go East on I-70 seven miles and exit at the town of Watkins, then North over I-70 1/8 mile to US Hwy 36 then East 1 mile to Imboden Rd then North over RR tracks ¼ mile to the Property.
- ACREAGE:** 78.0+/- total acres currently planted to Wheat.
- LAND USE:** The property lies within the NE Plains Zoning Sub Area per Code 146 Article 10 of the Aurora Municipal Code supporting Front Range Airport and Transport economic development (See Below). Transport is a 6,000+/- acre planned development supporting manufacturing, distribution, corporate office, aviation maintenance, biomedical, etc. opportunities in this key location which will be accessible by air, rail and ground. No residential development will be allowed. The property is currently leased for farming.
- IMPROVES:** None, except 824 feet Hwy frontage on Imboden, electrical line running along the North boundary of the Property and phone service available on Imboden.
- PRICE:** \$780,000.00. Cash at closing or terms acceptable to Seller.
- MINERALS:** Researching what portion of the mineral rights that the Seller may own. All mineral rights owned by Seller will transfer with the property.
- WATER:** Researching what water rights that the Seller may have. All water rights owned by Seller will transfer with the property.
- TAXES:** Property Tax for 2008 was \$127.36 paid in full. The property is annexed to Aurora but is still taxed as agricultural land.
- CLIMATE:** Denver and East holds a 70% chance of sunshine with 115 cloud free days. Average annual precipitation is 15.4+/- inches. Average snowfall is 30 inches with 33 days per year having at least 1 inch of snow on the ground. The average summer temp is 71degrees Fahrenheit with an average high of 86 and 34 days rising above 90. The average winter temp is 29 with an average low of 15 and 156 days falling below freezing. Average wind speed is 8.6 mph and average relative humidity is 60%.
- NOTE:** This information has been obtained from reliable sources but, is not guaranteed by Seller or Broker. This offer is subject to error, change, prior sale or withdrawal. Broker Is a Seller's agent.



# Northeast Plains Zone District

Article 10, Chapter 146, Aurora Municipal Code  
(Includes up to Ordinance 2004-77, Effective January 1, 2005)

## City of Aurora

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Departments>Planning Department>Ordinance & Design Standards>Northeast Plains Zone District

## ARTICLE 10. NORTHEAST PLAINS DISTRICT

### DIVISION 1. GENERAL PURPOSE AND DIVISION OF THE DISTRICT INTO SUBAREAS

#### Sec. 146-1000. Purpose.

- (A) *General Purpose.* The purpose of the Northeast Plains Zoning Regulations is to enable the development of lands in the Northeast Plains Zone District in accordance with the Aurora Comprehensive Plan (including without limitation the Northeast Plains element of that plan), with the highest possible levels of community and building design consistent with the healthy economic development of the corridor. The Northeast Plains District includes 4 distinct subareas, each of which is created to achieve the more specific purposes below.
- (B) *Specific Purpose of Each Subarea.*
1. *Northeast Plains Medium Density Residential (MDR) Subarea.* This subarea is intended to encourage development of master-planned, medium-density, high quality residential land uses. Primary emphasis is on single-family residential development (detached and duplexes), although limited amounts of attached row homes and small-scale multi-family buildings are also allowed. By right, this subarea also allows development of neighborhood activity centers (NACs), community activity centers (CACs), and subregional activity centers (SACs), which may contain limited retail, commercial, employment, institutional, civic, or open space uses. Higher densities are allowed primarily when residential development is adjacent to a neighborhood, commercial, or subregional activity center.
  2. *I-70 Corridor Subarea.* The subarea is intended to support the economic development potential of the I-70 corridor, to encourage well-designed planned developments, and to support the economic development potential of fringe areas in proximity to the E-470 Corridor Zoning District. This category allows a full range of employment, commercial, and light industrial uses, with sufficient design standards to ensure a positive visual image along the I-70 corridor and on lands close to the E-470 Corridor Zoning Subarea. Residential uses are permitted subordinate to and in support of employment uses and only in the residential overlay area. The design standards are intended to result in quality development that treats the I-70 corridor as an important entryway to the city, in order to provide an attractive image.
  3. *Northeast Plains General Subarea.* The primary objective of this district is to create opportunities for employment and industry that can take advantage of the Northeast Plains setting. The intent is to take advantage of the large area and great distances between existing developed areas of the city by allowing uses that may not be compatible in more developed areas of the city. While the district is intended to allow as full a range of employment and industrial uses as possible, development should occur, to the maximum extent possible, without

placing a burden on city services. Residential uses are permitted subordinate to and in support of employment uses and only in the residential overlay area.

4. *Front Range Airport Subarea.* The purpose is to take advantage of the Front Range Airport and supporting transportation network (air, rail, highway) to support economic development that is oriented toward multi-modal transportation. Residential uses are not permitted in this subarea. The design standards are intended to encourage quality design that shall be used to create a positive image for the city at this major transportation center.

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

### **Sec. 146-1001. Permitted and Conditional Uses.**

Tables 1-4 below set forth the specific permitted and conditional uses allowed within each subarea of the Northeast Plains.

- (A) *Permitted Uses.* A "P" in a cell of use tables indicates that a specific use is permitted by right in the respective subarea. Permitted uses are subject to all other applicable regulations of this section and Code, including the design standards in this article.
- (B) *Conditional Uses.* A "C" in a cell of the use tables indicates that a use category is allowed in the respective subarea only if reviewed and approved by the Planning Department pursuant to the standards set forth below:
  1. The proposed use is consistent with the Aurora Comprehensive Plan;
  2. The proposal complies with all applicable provisions of the Aurora Zoning Ordinance and applicable design standards in this article.
  3. The proposed use is not significantly different from nearby uses in terms of appearance, site design, operating characteristics (hours of operation, traffic generation, noise, odor, dust, and other external impacts) or, if there are differences, that any adverse impacts resulting from the use will be mitigated to the maximum extent practical;
  4. The nature and location of any proposed non-residential use will not create or promote a strip development pattern along any street ("strip development pattern" being generally defined as: Any one linear mile of arterial frontage, measured in any direction, of which 50 percent or more is devoted to retail and/or auto-oriented service land uses); and
  5. Any significant adverse impacts on the natural environment will be mitigated to the maximum extent practical.
- (C) *Prohibited Uses.* An "NP" in the use tables indicates that a use type is prohibited in the respective subarea, unless it is otherwise expressly

**Sec. 146-1003. Permitted and Conditional Uses in the Employment Subareas.**

Table 5 describes uses permitted, conditional uses, and uses not permitted in the non-residential subareas in the Northeast Plains: I-70 Corridor Subarea, Northeast Plains General Subarea, and the Front Range Airport Subarea. Uses not listed are expressly prohibited.

<b>Table 10.5 Non-Residential Subareas Use Table</b>					
P = Permitted C = Conditional Use NP = Not Permitted					
		Land Uses	I-70 Corridor Subarea	NE Plains General Subarea	Front Range Airport Subarea
1	Residential	Bed and breakfasts residences	P <sup>1</sup>	P <sup>1</sup>	NP
2		Dwellings, medium multi-family buildings	P <sup>1</sup>	P <sup>1</sup>	NP
3		Dwellings, single-family attached townhouses	P <sup>1</sup>	P <sup>1</sup>	NP
4		Dwellings, single-family detached	P <sup>1</sup>	P <sup>1</sup>	NP
5		Dwellings, small multi-family buildings	P <sup>1</sup>	P <sup>1</sup>	NP
6		Dwellings, two-family	P <sup>1</sup>	P <sup>1</sup>	NP
7	Manufacturing, Industrial, Warehousing	Contractor storage yard with outdoor storage	C <sup>2</sup>	P	C
8		Feedstores, lumber yards, woodyards and other similar storage yards	C <sup>2</sup>	P	C
9		Heavy industrial	C <sup>2</sup>	P	C
10		Landscape contractors yard	C <sup>2</sup>	P	C
11		Manufacturing, light	P	P	P
12		Motor vehicle salvage, wrecking or dismantling	C <sup>2</sup>	P	C
13		Recycling collection facility	P	P	P
14		Sales at Wholesale or Storage- includes sales, warehousing and storage of any commodity except: live animals, radioactive, infectious or hazardous waste and commercial explosives.	C	P	P
15	Agricultural, Resource and Extraction	Agriculture (including grazing)	P	P	P
16		Composting	NP	C <sup>2</sup>	NP
17		Mining	NP	C <sup>2</sup>	C

**Table 10.5  
Non-Residential Subareas  
Use Table**

P = Permitted C = Conditional Use NP = Not Permitted

		Land Uses	I-70 Corridor Subarea	NE Plains General Subarea	Front Range Airport Subarea	
18	Commercial	Banks	P	P	P	
19		Clinics, medical and dental	P	NP	P	
20		Drive-through facilities	P	P	P	
21		Hotels or motels	C	C	C	
22		Laboratories	P	P	P	
23		Meeting, banquet, and conference facilities	P	P	P	
24		Motor vehicle dispensing stations, services, and/or washing facilities	P	P	P	
25		Motor vehicle painting & auto body repair garage	C	P	C	
26		Office	P	P	P	
27		Office-flex office	P	P	P	
28		Office-showroom	P	P	P	
29		Outdoor storage as a principal use	C <sup>2</sup>	P	C	
30		Parking or storage of motor vehicles, including towing services	C <sup>2</sup>	P	C	
31		Research & Development	P	P	P	
32		Services	Ambulance service	P	P	P
33			Amusement enterprises; entertainment & recreation, indoor	P	P	P
34			Blueprinting	P	P	P
35	Cemetery		P	P	NP	
36	Child or adult day care center, large or small		C	C	C	
37	Educational institutions		P	NP	P	
38	Horse stable, commercial		P	P	P	

**Table 10.5  
Non-Residential Subareas  
Use Table**

P = Permitted C = Conditional Use NP = Not Permitted

		Land Uses	I-70 Corridor Subarea	NE Plains General Subarea	Front Range Airport Subarea
39	Services	Hospitals	P	NP	P
40		Kennels	C <sup>2</sup>	P	P
41		Mortuary	P	P	P
42		Personal services	P	P	P
43		Photo copying & printing	P	P	P
44		Plant nurseries and greenhouses	P	P	P
45		Places of worship	P	P	P
46		Public use or facility	P	P	P
47		Recycling collection centers, small	C	C	C
48		Repair, rental and servicing (non-vehicle)	P	P	P
49		Restaurants	P	P	P
50		Retail uses	P	P	P
51		Sale of manufactured housing, recreation vehicles or boats	C <sup>2</sup>	P	NP
52		Sale of rental new and used motor vehicles	C	C	C
53		Schools, elementary and secondary	P	P <sup>1</sup>	P
54		Self-storage facility	P	P	P
55		Small animal hospitals and clinics	C	P	C
56	Cultural, Entertainment, Recreation	Civic/Cultural facilities	P	P	P
57		Clubs, lodges, or service organizations	P	P	P
58		Indoor recreational facilities	P	P	P
59		Outdoor recreation and entertainment	C	C	C

<b>Table 10.5 Non-Residential Subareas Use Table</b>					
P = Permitted C = Conditional Use NP = Not Permitted					
		Land Uses	I-70 Corridor Subarea	NE Plains General Subarea	Front Range Airport Subarea
60	Cultural, Entertainment, Recreation	Parks and open space	P	P	P
61	Transportation, Communication and Utilities	Cargo Distribution, Air and Rail Transportation Facilities	P	P	P
62		Electric power generator station	C	P	C
63		Motor freight terminals	C	P	P
64		Studios, including television and radio broadcasting stations	P	P	P
65		Telecommunications antenna on multiple story structure pursuant to Section 1100	P	P	P
66		Transit facilities	P	P	P
67		Utilities, major	P	P	P
68		Utilities, minor	P	P	P
69		Solid waste transfer station	C <sup>2</sup>	P	C

<sup>1</sup> In such cases, residential uses are only allowed in the residential overlay area described by section 146-2305(h).

<sup>2</sup> Use not permitted within 1/2 mile of either I-70 right-of-way or land zoned for residential land uses.

*(Ord. No. 2001-72, 12-3-2001; Errata of 9-11-2002, 50)*

**Sec. 146-1004. Accessory Uses Permitted.**

Uses currently permitted as accessory to principal uses pursuant to 146-1103 of the Zoning Ordinance are permitted.

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

**Sec. 146-1005. Permitted Density and Intensity of Development.**

(A) *Maximum Amount of Multi-Family Development in the Northeast Plains Medium Density Residential Subarea.*

1. Except as provided in subsection (B)2 below, the maximum number of multi-family units (not including single-family attached townhomes, single-family attached duplexes, and two-family homes) that may be included within any framework development plan shall be limited to 24 percent of the total number of units. The percentages may be calculated using the total number of dwellings allowed under the average residential density

## **DIVISION 2. GENERAL DEVELOPMENT STANDARDS**

### **Sec. 146-1006. Applicability of Northeast Plains Design Standards.**

- (A) *Applicability in General.* These development standards shall apply to all new development in the Northeast Plains subareas unless an exception is clearly stated elsewhere in these design standards. Each subsection below contains standards governing a different substantive area, such as protection of natural features, vehicular/pedestrian access and circulation, and open areas and amenities. Some of the subsections below will also contain standards that are applicable only within certain Northeast Plains Subareas or only to a specific use type or development, such as single-family residential uses or Community Activity Center development.
- (B) *Relationship to Other Regulations.* All development in the Northeast Plains subareas shall comply with these design standards, unless the provisions of these design standards are less stringent than another development standard of general applicability in the city:
1. All development shall comply with the Aurora Subdivision Regulations, including without limitation those provisions related to streets and circulation, the protection of sensitive lands, and the amount, location, and design of residential lots containing less than 6,000 square feet.
  2. All automobile access and circulation shall conform to the Aurora Street Standards, including without limitation those standards related to access hierarchy, points of entry, alignment of neighborhood entries and private streets, on-street parking, and provision of detached sidewalks.
  3. All development shall comply with development standards of general applicability adopted by the City of Aurora.

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

### **Sec. 146-1007. Protection of Natural Features, Resources, and Sensitive Areas.**

- (A) *Intent.* Protect significant natural features, resources, and sensitive areas in order to minimize the impacts of development on the environment and create more distinctive neighborhoods and mixed-use areas. Such features shall be used as amenities to enhance the value of development.
- (B) *Standards Applicable to All Development.*
1. Development shall be organized and designed to protect, appropriately use, or enhance the following types of natural resources and features. This shall be accomplished by including such features in common landscaped areas or dedicated open space, by allowing construction in these areas sensitive to the protection of these features, or by mitigating impacts. If possible, these features shall be connected or integrated with similar features on adjacent lands.
    - a. Water features (in addition to floodplains, which are dedicated);
    - b. Parks and public open space areas on or adjacent to the site;
    - c. Historic or archeological sites or areas that have been recognized by the City Council as significant;
    - d. Significant views of the Front Range or of designated open space areas as viewed from dedicated public parks and open space,

- from I-70 or from collector or arterial streets;
  - e. Riparian wildlife habitat, as identified by the Division of Wildlife; and
  - f. The approximate topographic form of major ridgelines and swales. Natural or geologic hazard areas or soil conditions, such as unstable or potentially unstable slopes, faulting, landslides, rockfalls, or expansive soils; and
  - g. Other natural features such as bluffs, ridges, steep slopes, stands of mature trees, rock outcroppings, or wetlands.
2. Grading in relation to major ridgelines and swales shall be carried out in a manner that maintains their approximate topographic form. Significant reconstruction of major or prominent topographic features shall be avoided to the maximum extent feasible unless determined otherwise at the time of FDP site analysis.
3. The protection of natural features shall be accomplished through the inclusion of a site analysis with a Framework Development Plan, or with any site plan or plat when a Framework Development Plan is not required. The site analysis shall describe the following:
- a. The location and extent of the natural features described in this section;
  - b. The extent to which of these features will be included in common dedicated space;
  - c. The extent to which construction of land uses and roads will occur in or adjacent to these features;
  - d. The manner in which these features will be protected or used as amenities when construction or grading occurs in or adjacent to the features; and
  - e. The manner in which the impacts of construction or grading will be mitigated.

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

**Sec. 146-1008. Pedestrian Circulation.**

- (A) *Intent.* To create a safe, continuous pedestrian and bicycle network that minimizes conflict with automobile movement while promoting a convenient option for movement within and between developments.
- (B) *Requirements.* For all uses other than single-family detached residences, 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 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 8 feet in width. Sidewalks adjacent to parking spaces shall not be required to be detached; and

3. All sidewalks shall be a minimum of 5 feet wide or 7 feet where there is adjacent perpendicular head-in parking.

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

**Sec. 146-1009. Open Areas and Amenities.**

- (A) *Intent.* Create a continuous system of open area that provides pedestrian and bicycle linkage between all properties within the development, to adjacent developments, and to adjacent components of the Regional Open Space system, and that ensures the continuity of natural systems to protect the environment and create aesthetic amenities. Provide common amenities for high-density, multi-family residential developments.
- (B) Definition of "Open Area." For purposes of the design standards, "open area" shall mean an unoccupied space open to the sky on the same lot with the building and shall consist of private open areas, open recreational facilities, and areas utilized exclusively for pedestrian and non-motorized traffic. Parking lots, recreational vehicle and equipment storage areas, public and private roadways, and structures shall not be included as open areas with the exception that enclosed recreational facilities/club houses may be included as open areas when part of a residential development.
- (C) *Amount and Design of Required Open Areas.* The amount and design of landscaped open areas shall be regulated by the Aurora City Code, chapter 146, article XVII, division 13, Landscape Standards.
- (D) *Single-Family Detached and Two-Family Residential.* A single-family subdivision plat or site plan shall contain that amount of designated open area necessary to protect the types of areas listed in section 146-101, "Protection of Natural Features, Resources, and Sensitive Areas". Such open area shall be designed and configured as set forth in these standards, but need not be made open to the public.
- (E) *Multi-Family Residential Development and Active Adult Communities.* A minimum of 45 percent of the gross development area within a subdivision plat or site plan shall be designated as open area, and such open area shall be designed as courtyards or other internal configurations whenever possible.
- (F) *Open Area Standards Applicable to All Development.*
  1. To the maximum extent practicable, open areas shall be organized to include or protect as many of the natural resources and features identified in section 146-101, "Protection of Natural Features, Resources, and Sensitive Areas".
  2. Open areas shall be organized so as to create integrated systems of landscaping that connect with the following types of lands located within or adjacent to the development plat or plan:
    - a. Dedicated park lands,
    - b. Dedicated school sites,
    - c. Other dedicated open spaces,
    - d. Portions of the regional trail and open space system, and
    - e. Activity centers.
  3. Each open area shall be adjacent to or visible from at least one dedicated public street or public site, and shall be accessible to all residents of the

development. The majority of open area shall not be located in isolated corners of the development, in peripheral strips along the borders of the subdivision, or in unconnected patterns unless such a location is necessary to achieve one of the connections or visibility requirements set forth in subsections 146-107(B)1d and 146-109(A).

4. Retention and detention ponds created to meet storm drainage requirements shall be located, designed, and managed to serve as visual amenities, entryway features, or opportunities for passive recreation whenever possible.
- (G) *Amenity Standards Applicable to All Multi-Family Residential Development and Active Adult Communities.*
1. All groupings of 100 or more multi-family units shall have access to at least one of the following amenities and all groupings of 200 or more multi-family units shall have access to at least two of the following amenities:
    - a. A recreational facility, such as a tennis court, picnic area, or volleyball court or a children's play area that conforms with city standards for such facilities.
    - b. A swimming pool.
    - c. A paved plaza area with benches focusing on a water feature or work of art.
    - d. Resident clubhouse space.

(Ord. No. 2001-72, 12-3-2001; Errata of 9-11-2002, 63)

**Sec. 146-1010. Entryway Design into Developments.**

- (A) *Intent.* To provide attractive entryways to all new developments.
- (B) *Entryway Standards Applicable to All Development.* All development required to prepare a Framework Development Plan shall have an entryway feature that meets the following requirements:
1. The entryway feature shall be located at one of the development's primary street entries.
  2. In the MDR district, the feature shall be constructed primarily of stone or masonry, consistent with or complementary to the predominant building material used in the overall development;
  3. In the Employment districts, the feature shall be constructed primarily of stone, masonry, or real or artificial stucco, consistent with or complementary to the predominant material used in the overall development;
  4. The entryway feature shall contain only the name, address, and project logo (if any) of the development;
  5. The entryway feature shall be located on a parcel of land with minimum area of 200 square feet and a minimum depth or width of 15 feet;
  6. In all zoning districts the feature shall be at least 5 feet in height.
  7. Distinctive open areas shall be provided adjacent to the entryway feature. Landscaping in this area shall conform with Division 13, Landscape Standards; and

8. Entryway feature areas may be located in open areas and may be included as part of the gross land acreage used in maximum development density/intensity calculations.

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

**Sec. 146-1011. On-Site Surface Parking.**

- (A) *Intent.* Parking areas shall be located to minimize negative visual impacts, particularly as viewed from I-70, arterial or collector frontage, and from residential use areas.
- (B) *Standards Applicable to All Development.*
  1. All applicable requirements of article XV, Parking, shall be met.
  2. No more than 60 percent of the frontage on arterial streets to a depth of 80 feet shall be occupied by parking.
  3. Garage entries, carports, and parking structures shall be internalized in building groupings or oriented away from street frontage to the maximum extent feasible.
  4. The required parking space or spaces associated with any residential building shall not be located more than 200 feet from an entrance to that building and shall have a direct pedestrian connection to the building's entrance or entrances. Where individual parking spaces are not owned or reserved for individual units, the building's owner or developer shall prepare a parking assignment study demonstrating that such a requirement could be met if assignments were made.
- (C) *Standards Applicable to Multi-Family Developments.*
  1. Where allowed, parallel parking spaces on public and private streets within multi-family development may be used to meet the requirements for guest parking. Perpendicular parking shall not be allowed along the required private or public street within the boundaries of the multi-family development.
  2. To minimize exterior surface parking, at least 40 percent of resident parking shall be in garages and at least 50 percent of those garages shall be attached to a primary residential structure (garages attached to the primary structure by a breezeway shall satisfy this requirement).
  3. Where detached garages are used, they shall be faced with the same mix and percentage of materials as the primary structures.

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

**Sec. 146-1012. Building Height and Setbacks.**

- (A) *Standards Applicable to All Development.* Non-residential buildings shall be set back at least 50 feet from the property line of any land containing, zoned for, or approved for residential land uses except NACs, CACs, and SACs.
- (B) *Standards Applicable to All Development in the I-70 Corridor Subarea, NE Plains General Subarea, and Front Range Subarea.*
  1. The maximum height of principal and accessory structures in the Front Range Subarea shall be 200 feet.
  2. The maximum height of principal and accessory structures in the NE

Plains General Subarea and I-70 Corridor Subarea shall be 75 feet.

3. No primary or accessory structure located within 100 feet of an adjacent residential use located in the city, as measured from the edge of the structure nearest the residential use, shall be taller than 50 feet.
4. All industrial equipment and installations extending beyond the height of the primary structure shall be screened from view. The screening shall be constructed of the same materials used on the predominant facade of the primary structure.

(C) Standards Applicable to Single-Family Detached, Two-Family and Single-Family Attached Duplex Residential Development

1. *Intent.* Building setbacks shall locate residential buildings in their parcel space while creating clear lines of sight to and around properties. Building heights shall avoid the perception that individual buildings are out of scale with the size of their lots or with neighboring buildings, and shall avoid unnecessary shadowing of neighboring buildings.
2. Maximum residential building height and minimum setbacks shall be as shown in the following Table 10.9. Where lots in different size categories are located within a single block, the setbacks that apply to a particular lot shall be based on the Land Use Category designated for that area by the FDP. All setbacks shall be measured from the property line.
3. Front residential setbacks shall be staggered as required in sec. 146-1302(E), "Adjacent Setbacks."
4. Rear or side setbacks of residential properties facing publicly accessible open space shall be staggered to avoid the perception of a uniform wall of aligned buildings when viewed from the open space. This requirement may also be fulfilled when housing designs incorporate the required stagger into the plane of the side or rear elevation of the home facing the publicly accessible open space.

to two stories.

- b. In Community Activity Centers, building heights shall be limited to 45 feet.
- c. In Subregional Activity Centers, building heights shall not exceed 60 feet.
- d. Maximum building height requirements for active adult communities are in sec. 146-2304(f)

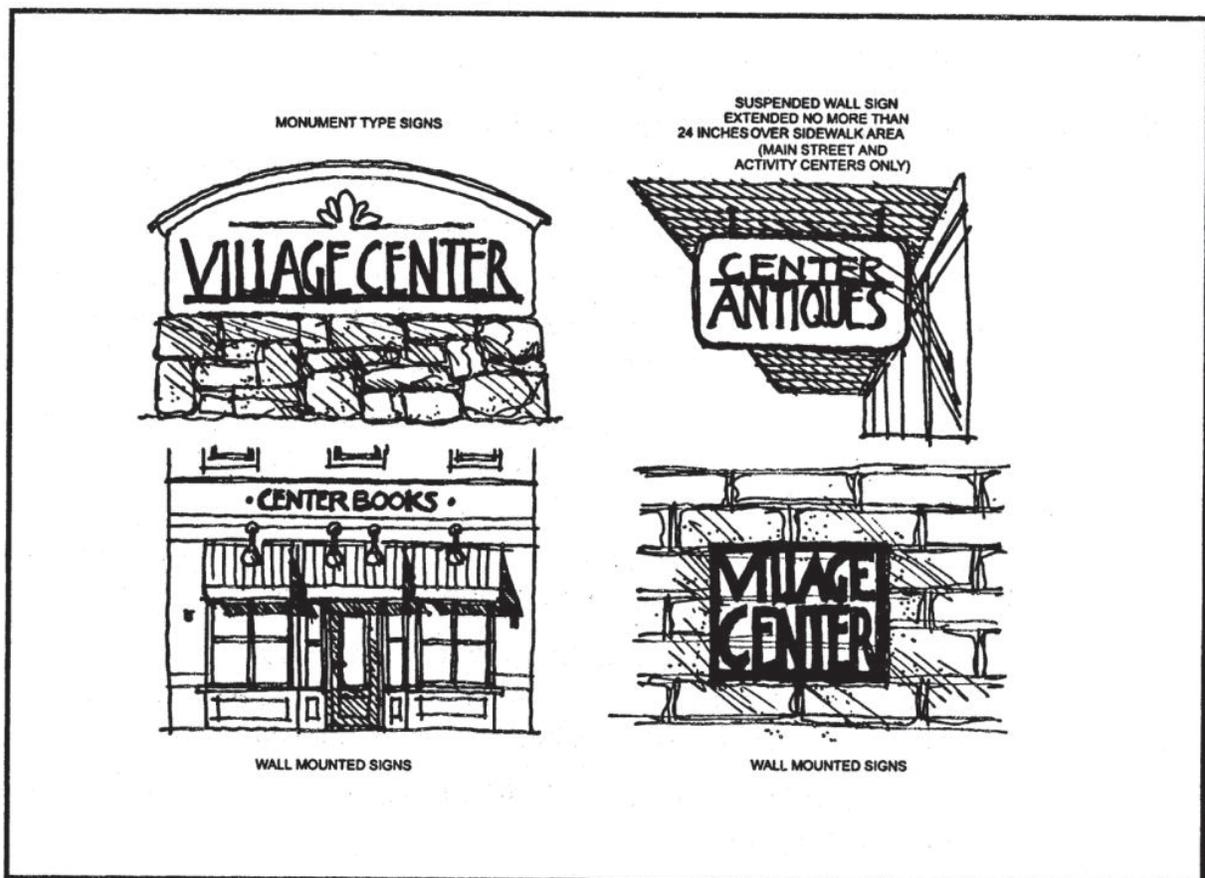
(Ord. No. 2001-72, 12-3-2001; Errata of 9-11-2002, 64--68; Errata of 9-27-2002)

**Sec. 146-1013. Signage.**

- (A) *Intent.* Provide clear information to pedestrian, transit, and automobile travelers through signs that are sized and located to avoid dominating views. Materials, colors, and graphic design shall contribute to the visual consistency of a specific development or activity center.
- (B) *Applicability.* Generally, in addition to the sign standards set forth in this document, development in the Northeast Plains subareas shall comply with the Aurora sign regulations in Article 15. In the case of conflict between a provision set forth in these design standards and a provision set forth in the Aurora Code, chapter 146, Sign Regulations, the more strict or limiting provision shall apply.
- (C) *Sign Program Required.* A sign program demonstrating compliance with this section's standards shall be required for all multi-tenant developments, including those with pad sites.
- (D) *Standards Applicable to All Development.*
  - 1. *Permitted Sign Type.* The following types of signs are permitted: (1) wall mounted signs; (2) monument-type signs; and (3) signs suspended a maximum of 24 inches over parts of the public right-of-way (including sidewalks). Suspended signs shall be allowed only in a Community Activity Center, a Neighborhood Activity Center, or along the "Main Street" in a Regional Activity Center, and only with the approval of the Department of Public Works. Except for the limited allowance for suspended signs above, every non-wall mounted sign shall be a monument sign.
  - 2. *Standards for Monument Signs.* Monument-type signs shall be attached to the ground with a base whose width and length are at least as large as the bottom edge of the sign face. Monument signs shall not be placed where they obscure important architectural features such as entrances, display windows, or decorative elements when viewed from the public right-of-way. Monument signs shall not exceed 8 feet in height.
  - 3. *Standards for Wall Signs.* Wall signs may be placed on buildings in only two locations: (1) the space between the top of storefronts and the second level finish floor (12 to 16 feet above street) and (2) the cap space above the top row of windows and below the parapet edge or the leading edge of the building roof forms. Lettering heights on signs above the

storefront position are limited to 42 inches per letter for signs for tenants over 20,000 square feet, 36 inches for tenants from 10,000 to 19,999 square feet, and 30 inches for tenants with less than 10,000 square feet. Wall signs shall not overlap or cover features of the building, such as cornices, eaves, windows, door frames, columns, and other decorative elements. Parapet wall signs, mansard roof signs, backlit awnings, and false front walls signs are prohibited.

4. *Informational Signage.* Within each development, information signage and way-finding systems shall be of a unified graphical system and shall be placed in consistent locations near site entries, key points on the internal automobile circulation system, building entries, seating areas, sidewalk intersections.



**Figure 10.2: Allowed Signs**

- (E) *Illumination.*
1. Sign lighting shall be shielded to prevent glare onto adjacent public rights-of-way and adjacent properties. Sign lighting shall be directed so that light does not stray above the light source horizontally. Lighting shall be steady and even over the entire sign face.

2. All lighting fixtures and elements shall be maintained in good working condition. Exposed bulbs shall not exceed 15 watts in power.
3. Signs shall be illuminated only during the times the establishment displaying the sign is operating or open for business.
4. Where sign faces are internally lit, the area of all the letters and numbers, plus the entire area of illuminated background, shall be counted as sign area for the purposes of meeting the Aurora Sign Code.
5. *Materials.* Materials and textures of signs shall be consistent with the architectural character of the site and building. Supporting sign structures of monument signs shall incorporate at least one of the primary finishes and colors of the associated primary structures.

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

**Sec. 146-1014. Fences, Walls, and Landscaping.**

(A) *Standards Applicable to Residential and Non-Residential Development.*

1. Fences, walls, and landscaping shall conform to all standards adopted by the city unless stricter standards are contained elsewhere in this article.

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

**Sec. 146-1015. Lighting.**

(A) *Intent.* Vehicular and pedestrian lighting shall be provided throughout all vehicular and pedestrian circulation areas to promote safety and walkability.

(B) *Standards Applicable to All Development.*

1. Sidewalks, internal pedestrian paths, and bicycle paths shall be lit with full cutoff lighting fixtures no more than 16 feet tall, and providing consistent illumination of at least one foot-candle on the walking surface.
2. In the Medium Density Residential Subarea, on-site streets and parking areas shall be lit with full cutoff type lighting fixtures no more than 25 feet tall. Fixtures shall be downcast type.
3. Lighting along public streets and landscaped areas of a specific development or activity center shall be of a recognizably unified design.
4. Lighting sources shall be color-correct types such as halogen or metal halide, and light types of limited spectral emission, such as low pressure sodium or mercury vapor lights, are prohibited even in service areas.
5. Private and security lighting shall not cause glare above a level of 4 feet onto adjacent properties.

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

**Sec. 146-1016. Special Design Standards for Mining Activities.**

- (A) *Intent.* These standards are intended to accommodate mining activities that are appropriately located and scaled to eliminate or mitigate to the maximum extent practicable, the visual impacts associated with this use.
- (B) *Applicability.* These standards shall apply to all mining activities including extraction and exploration. They supplement, but do not replace, the general design standards in this article, which also apply to all development in Northeast Plains unless clearly inconsistent with the requirements of this section. The use shall also comply with all other applicable local, state, federal, and mining requirements. The requirements of this section are in addition to the requirements of section 146-836 Commercial Mineral Deposits.
- (C) *Exemptions.* The following mining operations shall be exempt from review under this section, but are still subject to compliance with all other standards contained in this chapter.
1. *Limited Gravel Extraction.* Gravel extraction by a property owner of fifty (50) cubic yards or less for non-commercial purposes.
  2. *Limited Mineral Exploration.* Mineral exploration limited to non-motorized hand tools such as picks and hammers with no new or improved access for motorized vehicles and less than fifty (50) cubic yards of excavation or fill.
  3. *Underground Mineral Exploration.* Underground mineral exploration that results in no surface disturbance, both visual and aural or adverse subsurface and surface hydrological impacts. This includes underground drilling, excavation, or maintenance undertaken as part of an existing underground operation.
  4. *Mapping Activities.* Mapping activities that do not require use of explosives, motor vehicles, or other surface disturbance.
  5. *State/Federal Preemption.* The standards of this division shall apply to any and all mineral exploration and extraction activity on all lands within the city, except to the extent specifically preempted by federal or state law.
- (D) *Site Location.* The following standards shall be applied in reviewing the proposed location of mining operations:
1. *Prohibited Areas.* Mining operations shall not be located within the specified distance from the following areas or activities:
    - a. *Public roads.* Within two hundred (200) feet of a public road.
    - b. *Significant natural and cultural resources.* Within one thousand (1,000) feet of any significant natural or cultural resource including wetlands, lakes, rivers, streams and other riparian areas or sensitive wildlife habitat. Within one thousand (1,000) feet of any historic district, landmark, or landmark sites as designated according to division 9, Historic Preservation.
  2. *Gravel mining operations shall setback at least one hundred (100) feet*

*from any river, lake, stream, or wetland.* No gravel mining operation shall take place within the bed of any perennial stream or river.

3. *Public parks and recreation areas.* Within one thousand (1,000) feet of any public park, public open space, or public recreation area.
  4. *Residential buildings.* Within one thousand (1,000) feet of any occupied dwelling, unless the consent of the owner of the dwelling has been obtained in advance of submission of the application for development.
  5. *Public and Civic Buildings.* Within one thousand (1,000) feet of any public or civic building including churches, schools, and community buildings.
  6. *Cemetery.* Within one thousand (1,000) feet of any cemetery.
- (E) *Reduction in Location Requirements.* The City Council may reduce the above requirements upon a recommendation of the Planning Commission finding that a lesser distance will result in substantially the same or less impact due to unique site features, the nature of the equipment that will be utilized, the nature of the operations and activities proposed, and proposed mitigation measures such as buffering and screening.
- (F) *Compatibility.* To the maximum extent feasible, mining operations shall be located and conducted in such a manner as to be compatible with surrounding land uses and shall not unduly interfere with economic development efforts within the city. Mining operations should not encroach upon existing developed areas or other areas targeted for residential, commercial, institutional, or industrial development by the city.
- (G) *Development Review Standards.* The following standards shall be applied in reviewing all proposed mining operations:
1. *Access and Transportation.* All applicants shall submit an access and transportation plan for approval by the city, which shall address the following issues and standards:
  2. *Alternative Transportation Modes.* All applications shall discuss the feasibility of using alternative modes of transportation for employees and hauling of materials to and from the mine, including rail transportation, conveyor belts, buses, and vans.
  3. *Employee Transportation.* Mining operations shall be required, as applicable, to provide pool transportation plans for employee shuttles to and from the mining operation to residential areas and designated pick-up points when the city determines that, due to road capacity and/or increases in traffic hazards, the traffic generated by the operation will adversely affect city infrastructure and current levels of services.
  4. *Road impact mitigation.* Mining operations shall be required to mitigate impact of the operations on all municipal, state, and federal roads and road intersections within the city. Such mitigation shall be determined based on a traffic impact analysis conducted by the applicant and approved by the city that takes into account, among other things, existing road capacity and levels of service, road condition before and after the operation has been approved, and cumulative effects of existing traffic

and traffic generated by the mining operation. Payment of fees prior to development may be required by the city to pay for the cost of any improvements necessitated by the mining operation such as paving, lane widenings, entry lanes, acceleration/deceleration lanes, runaway truck ramps, passing lanes, and special stop or crossing areas at high-risk locations.

5. *Road damage and maintenance.*

- a. The weight of trucks shall not exceed road and bridge weight capacity on approved haulage routes.
- b. The applicant shall bear the cost of all additional improvements, repairs, and maintenance necessitated by the proposed mining activity.
- c. Truck traffic may be limited during seasons when heavy vehicle use and water saturation may damage roads.

6. *Routing.*

- a. Truck haulage and traffic routes shall be established that to the maximum extent feasible avoid residential areas, commercial areas, environmentally and visually sensitive areas, schools and other civic buildings, municipal development areas, and already congested locations. Alternative routes shall be identified by the applicant to assist the city in selecting a preferred route.
- b. Timing of truck traffic may be controlled to prevent congestion or adverse noise impacts or safety risks.

7. *Load control.* Steps shall be proposed by the applicant to prevent loss of loads and fugitive dust emissions during transit including tarps and tight tailgates.

8. *Truck noise.* Measures may be imposed by the city to control truck noise, including restrictions on the use of jake brakes on- or off-site except in emergencies, banging of tailgates or use of horns on-site, and regulation of truck speeds.

9. *Post-operational access to mine site.* Access to the mine site during post-mining operations shall be limited by fencing or other means if there are impoundments retaining water contaminated with harmful or hazardous materials or hazardous conditions remain present on the site.

(H) *Impacts on Environmental and Cultural Resources.*

1. *Water.*

- a. *Assessment and mitigation measures.* All applications shall assess the potential impacts of the mining operation on off-site and on-site water quantity and quality and propose mitigation measures to address any adverse impacts to the maximum extent feasible.
- b. *Quality.* The quality of water discharged from the mining operation shall meet the standards set by the U.S. Environmental

Protection Agency and the Colorado Department of Health and Environment, Water Quality Control Commission.

- c. *Hydrologic balance.* Mining operations shall avoid disturbances to the prevailing hydrologic balance of the mining site and surrounding areas to the maximum extent feasible. Stream flows shall not be significantly increased or decreased as a result of the proposed mining operations.
- d. *Augmentation.* Replacement water shall be subject to the applicable requirements of the Colorado Division of Water Resources, but not necessarily limited to augmentation of evaporative loss.
- e. *Wells.* Potentially affected wells both on- and off-site should be measured and logged for quantity and quality of water by the applicant prior to approval to establish a baseline from which the impacts of the mining operation can be measured. Quantity information regarding on- and off-site wells and springs that may be potentially affected by the mining operation shall be registered with the State Water Engineer, Colorado Division of Water Resources.
- f. *Recycling.* To conserve water supplies, water used in mining operations shall be recycled to the maximum extent feasible.
- g. *Hazardous materials.* All fuel, chemicals, oil, grease, and blasting agents shall be stored and maintained in such a manner as to prevent accidental discharge into any surface or ground water.
- h. Drainage and stormwater control. In addition to the control standards set forth in the city of Aurora Storm Drainage Design & Technical Criteria Manual, the applicant shall meet the following requirements:
  - i. *Drainage and stormwater control plan.* All applicants shall submit a comprehensive drainage and stormwater control plan that minimizes all off-site drainage and stormwater runoff impacts to the maximum extent feasible.
  - ii. *Drainage control structures.* Drainage control structures shall be used as necessary to control runoff and to minimize erosion, sedimentation, and flooding.
- i. *Sensitive Natural Areas.*
  - i. *Avoidance of adverse impacts.* To the maximum extent feasible, and using the best technology currently available, mining operations shall be conducted to avoid disturbances and direct impacts to sensitive natural areas, including but not limited to sensitive wildlife habitat, aquifers, floodplains, riparian areas, and geologic, flood-prone, and other mapped hazard areas.
  - ii. *Mitigation.* Mining operations that disturb or damage

sensitive wildlife habitats shall provide compensating areas off-site of at least equal size and habitat value that will support the species found on the mining site.

2. *Air Quality.*

- a. *Emission control plan.* Prior to approval of any mining operation, the applicant shall submit evidence of an emission control plan approved by the Colorado Department of Health and Environment.
- b. *Monitoring.* In addition to monitoring requirements imposed by the Colorado Department of Health and Environment, the city may impose additional requirements as a condition of approval.
- c. *Dust control.* Dust from on- and off-site activities, including dust from truck traffic, stockpiles, and processing, shall be controlled. Dust mitigation measures shall be employed, including to paving, treating of road surfaces, cleaning of vehicles, covering of truck loads, and re-vegetation of disturbed areas.

3. *Cultural and Archeological Resources.*

- a. *Survey.* All applications shall include a survey conducted by a qualified professional such as an architect, architectural historian, or archeologist, that documents all significant cultural and archeological resources on the site. Such survey may, as appropriate, be submitted to the State Historic Preservation Officer for comments and recommendations.
- b. *Mitigation.* To the maximum extent feasible, significant cultural and archeological resources identified on the site shall be maintained and preserved. Where preservation is not feasible, adequate opportunity shall be provided to the state, city, or other appropriate agencies to document and salvage the resources.
- c. *Resources Identified During Operations.* Any resource identified or discovered during the mining operation shall be reported, properly investigated, and preserved to the maximum extent feasible as provided above. Any permit deadlines shall be extended to compensate for lost operating time due to recovery efforts.

4. *Mine Wastes and Hazardous Materials.*

- a. *Mine waste piles.* Mine waste piles or impoundments shall be located so as to prevent surface water runoff from entering the mine site and any structures to be established shall divert surface water runoff from mine waste piles or impoundments containing water that has been contaminated during mining operations. Protection of groundwater from seepage of leachate from mine wastes shall be accomplished through the use of liners or other specific technologies, or siting and design measures as determined in the review process.
- b. *Hazardous wastes.* Mine wastes that may retain hazardous

chemical or heavy metal residues shall be detoxified or removed. For purposes of this section, detoxified shall mean that wastes are not hazardous as defined by local, state, and federal regulations, stabilized or treated such that potential for groundwater contamination cannot occur, and capable of supporting natural vegetation and animal life.

- c. *Waste treatment.* Mine wastes shall be treated, stored, and disposed in accordance with local, state, and federal requirements. Mine wastes shall not be used for backfilling and shall be covered and graded to allow surface drainage and ensure long-term stability.
  - d. *Hazardous materials.* If the applicant proposes to use hazardous materials or a chemical mining process, the applicant must demonstrate that the use of such materials or chemical mining process will not have an adverse impact upon the public health, safety, or welfare, or the environment.
5. *Visual Impacts.*
- a. *Visual impact assessment.* All applications shall include a comprehensive visual impact assessment that considers the impact of the proposed mining operation on the surrounding uses.
  - b. *Mitigation.* Potential adverse visual impacts of the mining operation shall be avoided or minimized to the maximum extent feasible by:
    - i. Minimizing the total area of disturbance;
    - ii. Minimizing the disturbance in visually sensitive areas;
    - iii. Limiting the duration of mining operations to the briefest possible time;
    - iv. Exposing the mining operation to the fewest possible viewers.
  - c. *Screening and visibility.* Natural topography, preservation of existing vegetation, berms, landscaping, and other buffers shall be used to screen mining operations and stockpiles in visible areas. The visibility of highwalls and equipment shall be reduced through backfilling, acid-etching, painting, or other appropriate techniques.
  - d. *Roads.* Access roads shall be constructed and sited in ways that minimize potentially negative visual impacts.
6. *Explosives and Blasting.*
- a. *Blasting plans.* All applicants shall submit blasting plans for approval that contain standard blasting procedures that will be utilized for all blasting operations. Structures, wells, and other sensitive features and activities that may be affected by any blasting shall be identified for purposes of conducting pre-blast inspections. An application that requires blasting shall be given

conditional approval only pending a determination of blasting impacts and adoption of acceptable mitigation measures and changes in the blasting plan.

- b. *Pre-blast inspections.* The mine operator shall conduct pre-blast inspections of structures, wells, and other sensitive features and activities that may be affected by blasting to provide baseline information should a blast cause structural damage or other disruption.
  - c. *Timing.* Blasting shall be limited to specified times and atmospheric conditions to minimize impact on surrounding structures and activities.
  - d. *Monitoring.* Initial blasts shall be monitored by appropriate seismic and noise measurements at sensitive locations identified in the blasting plan. The blasting plan shall be adjusted as necessary to eliminate adverse impacts associated with blasting. All subsequent blasts shall require appropriate seismic monitoring. Seismic data shall be provided to the city upon request as a condition of approval of the blasting plan and mining operation.
  - e. *Notice.* The mine operator shall give registered notice of blasting activity to adjacent property owners or property owners that may be significantly affected by approved blasting at least ten (10) days prior to detonation.
7. *Hours of operation.* The city may impose limits on the hours of operation of any mining activity to reduce impacts on surrounding properties or the community in general.
  8. *Phasing of Mining Operations.* The city may require phasing of mining projects and impose limitations on the duration of such phases to reduce the potential adverse impacts of mining operations.
  9. *Noise.*
    - a. *Noise mitigation plans.* All applications shall include a noise mitigation plan that reduces noise impacts from the site to the maximum extent feasible. Noise mitigation measures shall include, but not be limited to, restrictions on hours of operation, enclosure of equipment and operations, buffering and screening, limitations on hours of truck traffic, and siting of operations away from sensitive uses and activities such as hospitals, schools, and residential areas.
    - b. *Monitoring.* Before mining operations begin, the applicant shall measure existing noise levels on the site and at noise-sensitive locations both on- and off-site that may be affected by operations. A program for periodic noise monitoring shall also be included in any noise mitigation plan.
    - c. *Maximum permissible noise levels.* Maximum permissible noise levels shall be regulated by the standards contained within section 146-1802.

10. *Fire Protection.*
  - a. *Water supply.* Water supply shall be available for fire suppression purposes in a quantity and pressure adequate to meet safety requirements as specified by the city.
  - b. *Fire protection plan.* The applicant shall submit a fire protection plan that shall be reviewed and approved by the city. Fire protection plans shall include documentation of types of construction for all structures on the site and full disclosure of all types of chemicals to be used or stored on-site, their locations, and information regarding safe exposure levels, fire risks, and treatment and suppression techniques.
  - c. *Fencing.* Fencing shall be installed around the site to prevent access to potentially hazardous or unsafe areas by non-employees, livestock, and wildlife. Areas to be fenced include but are not limited to stockpile areas, detention and retention impoundments, steep slopes, and active mining areas.
11. *Post-Operational Land Use.*
  - a. *Future Land Uses.* The application shall contain proposed future land uses of the site after completion of the mining operations. All proposed future uses of the site shall be in accordance with the criteria set forth in this chapter.
  - b. *Land Use Pattern.* A mining operation shall not establish a permanent land use pattern upon which to base requests for future land use otherwise inconsistent with the location criteria in this chapter.
  - c. *Reclamation.* The applicant shall comply with all state and federal site reclamation requirements.
12. *Annual Inspection.* At its option, the city may perform an inspection of the site and associated mining operations annually or as frequently as necessary to assess compliance with the standards and requirements of this division and any approved plans. The applicant shall pay a fee for this inspection, based on the number of hours required to make the inspection and the normal hourly rate of the city personnel performing the review.
13. *Insurance and Performance Guarantees.*
  - a. *Insurance.* The applicant shall furnish evidence of insurance against liability for any negligent act or omission by the operator from the operation and all activities connected or incidental to it.
  - b. *Performance Guarantee.* The applicant shall post a performance guarantee or surety acceptable to the city, payable to the city, for a sum determined adequate to insure full compliance with all of the terms and conditions of the land use change permit for the mining operation. The city, upon determining that an explored or mined area complies with all terms and conditions of the land use

change permit, may release such acreage from coverage by the performance guarantee or surety.

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

**Sec. 146-1017. Special Design Standards for Development in the I-70 Corridor Subarea, NE Plains General Subarea, Front Range Subarea, or Subregional Activity Centers.**

- (A) *Environmental Review.* Proposed or expanded industrial uses shall be assessed to ensure mitigation of adverse effects to the surrounding area, including but not limited to air emissions, noise, solid and hazardous waste, vibrations, radiation, glare, heat, water pollution, and electromagnetic interference. As required by the Director of Planning, applicants shall provide all information necessary for the adequate review of potential environmental impacts by the city, Tri-County Health Department, the State Department of Health, the U.S. Environmental Protection Agency, and other agencies as appropriate.
- (B) *Noise.* Any site plan consisting of industrial development abutting a residential zone, must demonstrate that the maximum permissible sound levels measured at the property line are not exceeded, pursuant to division 8, Noise.
- (C) *Limitations on External Effects of Uses.* Every use in the I-70 Corridor Subarea, Northeast Plains General Subarea and the Front Range Airport Subarea, shall comply with the following:
  - 1. Emission of heat, glare, radiation, surface or subsurface contamination, fumes, and odors. Every use shall be operated so that it does not exceed a dangerous degree of heat, glare, radiation, fumes, or odors beyond any boundary line of the site on which the use is located.
  - 2. *Waste disposal.*
    - a. No materials or wastes shall be deposited upon a zone lot in such form or manner that natural causes or forces may transfer them off the site.
    - b. All materials or wastes which may cause fumes or dust, or which constitute a fire hazard, or which may be edible by or otherwise attractive to rodents or insects shall be stored outdoors only in closed trash containers that are screened from adjacent property.
  - 3. *Enclosure and Vibration Control.*
    - a. *Enclosure of uses.* Every use, unless expressly exempted by this section, shall be operated in its entirety within a completely enclosed structure or screened area. This requirement shall not apply to the movement or conveyance of materials or to operable heavy equipment as long as all requirements for outdoor storage in subsection 146-1017(l) are met.
    - b. *Vibration generated.* Every use shall be operated so that the ground vibration inherently and recurrently generated is not perceptible, without instruments, at any point on any boundary line

of the site on which the use is located.

- (D) *Rail Service.* Lead tracks or spur lines that terminate at an expressway, arterial, or interstate highway, shall be set back a minimum of 50 feet from the highway. Lead tracks or spur lines which are adjacent to the E-470 Corridor Zoning District, Medium Density Residential Subarea or the Northeast Plains Zoning District, Medium Density Residential Subarea shall be set back a minimum of 50 feet from land in those districts. When so adjacent, visible tracks shall be screened from view by a combination of landscaping, decorative wall, or opaque fencing.
- (E) *Parking or Storage of Motor Vehicles is allowed under the following conditions:*
1. Vehicles parked within the building setback on external boundaries adjacent to a public street or adjacent to a non-industrial zone shall be screened. Other parking need not be screened unless screening is required to mitigate off-site impacts;
  2. All parking shall meet all specifications for maintenance of off-street parking spaces;
  3. Towing services, trash removal operations, abandoned vehicle storage, or similar uses are not permitted.
- (F) *Terminals, Motor Vehicle Storage, Contractors Yards, Outdoor Storage, and Transfer Stations.* Terminals for public transit vehicles; parking or storage of motor vehicles, including towing services; motor freight terminals; contractors yards for vehicles, materials, equipment and supplies; automobile wrecking or dismantling; outdoor storage; solid waster transfer stations; and landscape contractor yards shall comply with the following conditions:
1. The site is properly graded for drainage; surfaced with concrete, asphalt, or any other improved surface approved by the city engineer; dust-free surfacing; and maintained in good condition, free of weeds, trash and debris;
  2. The site is provided with barriers of such dimensions that occupants of adjacent structures are not unreasonably disturbed, either by day or by night, by the movement of vehicles, machinery, equipment, or supplies;
  3. The site is provided with entrances and exits located to minimize traffic congestion;
  4. The site is provided with barriers of such type and so located that no part of parked vehicles will extend beyond the yard space or into the setback space from a zone lot line abutting a residential zone lot or separated there from a street;
  5. The site is appropriately screened from view from adjacent non-industrial properties by an approved treatment that may include landscaping, decorative walls or fencing;
  6. Lighting facilities are arranged so that they neither unreasonably disturb occupants of adjacent residential properties nor interfere with traffic; and
  7. The view of loading areas shall be minimized where visible, especially

from the front line of the lot and from interstate highways or expressways.

(G) *Solid Waste Transfer Stations.* Solid waste transfer stations shall conform to the following conditions:

1. All applicable requirements of the State Department of Health;
2. The site plan shall indicate the estimated number of trips per day in and out of the site, volume of material at maximum operation, hours and days of operation, method for handling household hazardous or toxic materials, and types of equipment used in the operation;
3. The site plan shall indicate provisions for controlling any objectionable effect or nuisance condition such as heat, glare, radiation, fumes, odors, dust, noise, vibration, smoke, groundwater quality protection, insects, vermin, windblown debris, etc.;
4. Screening of exterior storage areas including idling or waiting trucks;
5. No overnight storage or any putrescible waste materials shall be allowed,
6. Solid waste transfer stations shall be for the transfer of non-hazardous materials only.

(H) *Repair, Rental, and Servicing.* The repair, rental, and servicing of any commodity, including motor vehicle repair, painting, and auto body repair shall not occur adjacent to a residential zone. All such operations must be fully screened from view from adjacent properties by an approved treatment that may include landscaping, decorative walls, or opaque fencing.

(I) *Outdoor Storage for Industrial, Manufacturing, Agricultural Uses.* Outdoor storage is allowed only as an accessory use to the principal use, unless otherwise permitted in these regulations, subject to the following conditions:

1. Railroad boxcars and trailers may not be used for storage or warehousing purposes.
2. Outdoor storage shall be screened with a visual barrier that adequately conceals material from the view of residential areas, public rights-of-way, or recreational trail corridors.
3. All outdoor storage facilities for manufacturing equipment, fuel, raw materials, subassemblies, finished goods and defective or repairable goods shall be enclosed by an opaque fence or other appropriate treatment.
4. Such fence or treatment shall be adequate to conceal such facilities from adjacent property. Acceptable barriers include opaque fencing, berming, or other landscape treatment.
5. Outdoor storage shall be behind within yard areas defined by required setbacks.
6. The storage of explosives and blasting agents, the bulk storage of flammable or combustible liquids, and the bulk storage of liquefied petroleum gas must comply with all distance and other safety requirements applicable to the types of storage. Such storage shall

conform to the city Fire Code and other applicable requirements adopted by the City Council. The Director of Planning may grant a waiver to screening requirements for outdoor storage upon approval of a site plan. The exception shall be based on a visual analysis of the site and identification of unusual topographic or elevation conditions, strategic design treatment, and demonstration that the strict enforcement of screening is not practical. Views into the site will determine the amount and location of landscaping.

(J) *Service or Delivery Areas.*

1. All overhead doors for truck access must be located on the south or east sides of the building, whenever possible.
2. Truck or rail loading docks facing a view corridor, drainage, public open space, or public rights-of-way shall be screened from view.
3. When the service area wall is at the edge of a required front setback or side setback visible from a public right-of-way, the exposed side shall be landscaped in accordance with division 13, Landscape Standards.

(K) *Loading Areas.*

1. Loading areas shall be designated to provide for backing and maneuvering on-site and not from or within the public rights-of-way.
2. Direct loading or unloading from a public street is not permitted.
3. Trucks parked in a loading area shall not encroach into parking stalls or building setbacks from public streets. Parked trucks loading or unloading materials shall not block travel lanes in parking lots or fire lanes.

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

### **DIVISION 3. BUILDING DESIGN STANDARDS**

#### **Sec. 146-1018. Residential Building Design Standards.**

- (A) *Intent.* Provide a distinctive architectural character in residential developments that avoids featureless design and repetition of facades.
- (B) *Standards Applicable to All Residential Development.* The design of individual residential buildings and groups of buildings shall employ a variety of design features. In addition to the design features used on the front façade, at least some design features of a compatible architectural style shall be used on all elevations, such as window patterns and trim, eaves, gable treatments including decorative vents, siding patterns, and similar residential architectural devices to avoid the creation of monotonous residential neighborhoods and streetscapes. All buildings taller than 30 feet shall be designed so that the massing or façade articulation of the building presents a clear base, middle, and top.
- (C) *Standards Applicable to Single-Family Detached, Two-Family and Single-Family Attached Duplex Development.*

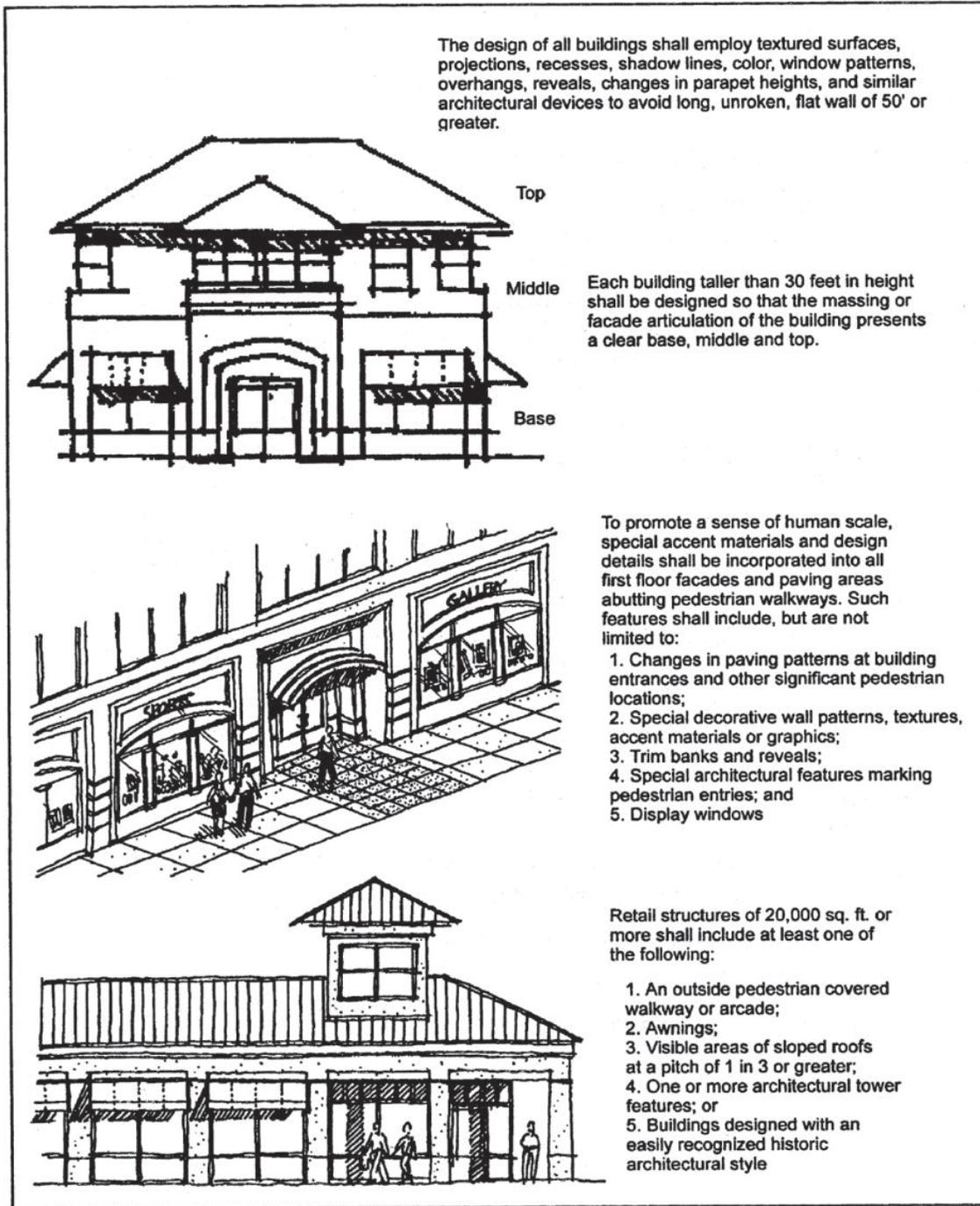
**Sec. 146-1019. Non-Residential Building Design Standards.**

- (A) *Intent.* Provide a high-quality architectural character in all non-residential developments.
- (B) *Standards Applicable to All Non-Residential Development.*
- (C) *Requirement for Four-Sided Design.* A building's special architectural features and treatments shall not be restricted to a single facade. All sides of a building open to view by the public when facing a designated view corridor, public or private open space, or public or private street rights-of-way, shall display a similar level of quality and architectural interest.
- (D) *Building Form.* The design of all buildings shall employ textured surfaces, projections, recesses, shadow lines, color, window patterns, overhangs, reveals, changes in parapet heights, and similar architectural devices to avoid monolithic shapes and surfaces and to emphasize building entries. Designs shall avoid long, unbroken, flat walls of 50 feet or greater.
  - 1. Each primary building taller than 30 feet in height shall be designed so that the massing or facade articulation of the building presents a clear base, middle, and top. This requirement shall not apply to manufacturing, industrial and warehousing uses or transportation, communication, or utility facilities as described in Table 10.5.
  - 2. The base or ground floor shall be appropriately articulated to provide human scale. This articulation shall include a highly visible entrance feature.
  - 3. All stairwells, corridors, and circulation components of the building shall be completely enclosed within the building envelope.
  - 4. Buildings having single walls exceeding 50 feet in length shall incorporate one or more of the following for every 50 feet in length:
    - a. Changes in color, graphical patterning, changes in texture, or changes in material;
    - b. Projections, recesses, and reveals, expressing structural bays or other aspects of the architecture with a minimum change of plane of 12 inches;
    - c. Windows and fenestration;
    - d. Arcades and pergolas;
    - e. Towers;
    - f. Gable projections;
    - g. Horizontal/vertical breaks; or
    - h. Other similar techniques.
  - 5. Buildings subject to the Big Box Retail requirements in subsection 146-1019(M) below shall be required to meet those standards in lieu of these standards.

- (E) *Exterior Building Materials and Colors.*
1. Intense, bright, or fluorescent colors shall not be used as the predominant color on any wall or roof of any primary or accessory structure. These colors may be used as building accent colors, but shall not constitute more than 10 percent of the area of each elevation of a building. Permitted sign areas shall be excluded from this calculation.
  2. Highly reflective or glare-producing glass with a reflectance factor of .25 or higher is prohibited on all facades. Such prohibition shall apply regardless of whether the glass is used in window or spandrels areas.
  3. All building facades facing and visible from Interstate 70 shall be finished with the same mix of materials and colors and the same degree of fenestration and articulation used on the major entry walls facing the near adjacent street.
- (F) *Roof Materials.* All sloping roof areas with a pitch of 3 in 12 or greater, and visible from any public or private right-of-way, shall be surfaced with attractive and durable materials such as concrete, clay, or slate tiles, or seamed architectural metals such as tin or copper. Asphalt shingles and membrane system roofs shall not be permitted in such areas.
1. *Roof Design and Colors.*
    - a. Intense, bright, or fluorescent colors shall not be used on any roof areas visible from a public or private right-of-way or public open space.
    - b. When sloping roofs are used, at least one of the following elements shall be incorporated into the design for each 60 lineal feet of roof: (1) projecting gables, (2) hips, (3) horizontal/vertical breaks, or (4) other similar techniques.
    - c. Where flat roofs are used, the design or height of the parapet shall include at least one change in setback or height of at least three feet along each 60 lineal feet of facade.
    - d. On all structures exceeding 3 stories in height, roofs shall be internally drained, and external scuppers and wall drains shall be prohibited.
- (G) *Rooftop Equipment and Screening.* All rooftop mechanical equipment and vents greater than 8 inches in diameter shall be screened. Screening may be done either with an extended parapet wall or a free-standing screen wall. Screens shall be at least as high as the equipment they hide. They shall be of a color and material matching or compatible with the dominant colors and materials found on the facades of the primary building and shall match the materials and color of a primary facade of the building. If equipment is visible because a screen does not meet this minimum height requirement, the Director of Planning may require construction modifications prior to issuance of a permanent certificate of occupancy.
- (H) *Orientation of Pedestrian Entries.* All office, hotel, and motel structures shall be oriented so that pedestrian entries face the nearest adjacent street.

- (I) *Exposed HVAC Units and Grilles.* When through-wall heating, venting, or air conditioning units appear on exterior building walls, such units must be covered by an architectural grille, and be designed in such a manner as to blend in with surrounding wall surfaces. When such units are adjacent to building windows, they shall be designed to appear to be part of the building's window pattern by matching window dimensions, colors, or trim. Such units shall not overhang surrounding wall planes, but shall be set flush with the facade or be placed inconspicuously in facade recesses.
- (J) *Service Area and Loading Dock Screening.* Loading docks, on-site storage yards, and all other service areas shall be fully screened from view from all public and private rights-of-way by walls or fences. Such screens shall be of a color and material matching or compatible with the dominant colors and materials found on the facades of the primary building. The screen height shall be of sufficient height to hide the equipment, vehicles, materials, or trash being screened from public view, but in no case shall exceed a height of 10 feet. Chain link fences, with or without slats, shall not be used to satisfy this screening requirement.
- (K) *Additional Standards Applicable to Commercial, Office, Hotel/Motel, Retail, Entertainment, and Restaurant Uses.*
1. *Exterior Building Materials.*
    - a. Tilt-up concrete panels shall not be permitted on hotels or motels, retail uses, or restaurants. Concrete tilt-up panels are allowed on other commercial, office, and entertainment uses subject to the following standards:
      - i. Panels shall be embossed with reveals that repeat a common pattern.
      - ii. All elevations visible from a public or private street shall include variable parapet heights and 2-foot minimum projections with the distance between projections not to exceed 60 feet.
    - b. For free-standing hotel and motel, retail and restaurant uses with a gross floor area of 20,000 square feet or less, tilt-up concrete panels shall not be used as an exterior material. For such structures, at least 60 percent of the total building facade shall be surfaced in brick, decorative architectural tile, or stone. The balance of the above facade areas may be surfaced in stucco, integrally colored decorative concrete, or standard brick masonry units.
    - c. For free-standing hotel and motel, retail and restaurant uses with a gross floor area of more than 20,000 square feet, at least 60 percent of the total building facade area shall be surfaced with integrally colored decorative concrete masonry units, brick, decorative architectural tile, stone, or pre-cast concrete panels with exposed aggregate. The balance of the above facade areas may be surfaced in stucco, integrally colored decorative concrete, or standard brick masonry units.

2. *Pedestrian Scale Details.* To promote a sense of human scale, special accent materials and design details shall be incorporated into all first floor facades and paving areas abutting pedestrian walkways. Such features shall include, but are not limited to:
  - a. Changes in paving patterns and materials at pedestrian building entrances and other significant pedestrian locations;
  - b. Special decorative wall patterns, textures, accent materials, or graphics;
  - c. Trim banks and reveals;
  - d. Special architectural features marking pedestrian entries; and
  - e. Display windows.



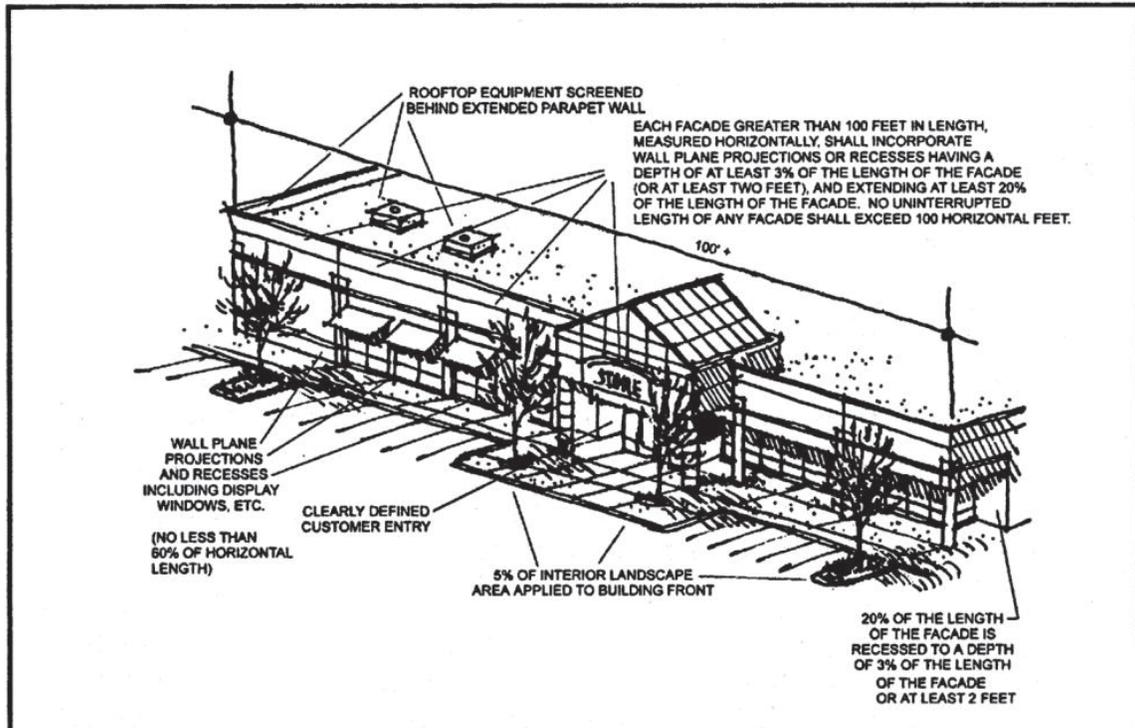
**Figure 10.5: Non-Residential Building Design**

- (L) *Additional Standards for Retail Uses.* Each primary structure of 20,000 square feet or more containing predominantly retail uses (including big box retail as defined by these regulations) shall include at least one of the following features:

1. An outside pedestrian covered walkway or arcade;
2. Awnings;
3. Visible areas of sloped roofs at a pitch of 1 in 3 or greater;
4. One or more architectural tower features; or
5. Buildings designed with an easily recognized historic architectural style.

(M) *Additional Standards for Big Box Retail Buildings.*

1. *Intent.* Reduce the perceived size, scale, and homogeneity of big box retail structures and their parking areas by requiring articulation of facades, direct connections to pedestrian circulation routes, and distributed parking.
2. *Applicability.* These standards shall apply to all single-story retail buildings containing 65,000 square feet or more of gross floor area.
3. *Facade Articulation.* Each facade greater than 100 feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least 3 percent of the length of the facade (or at least two feet), and extending at least 20 percent of the length of the facade. No uninterrupted length of any facade shall exceed 100 horizontal feet.
4. *Facade Design.* Each building facade shall have a repeating pattern that shall include no less than three instances of either (1) color change, (2) texture changes, (3) material module change, or (4) expression of an architectural or structural bay through a change in plane no less than 12 inches in width, such as an offset reveal or projecting rib. At least one of those elements shall repeat horizontally at an interval of no more than 30 feet.
5. *Concealing Equipment.* Each building shall have either (1) overhanging eaves extending at least 3 feet past supporting walls, or (2) parapets to conceal rooftop equipment from public view. If parapets are included, they shall have an average height of no more than 15 percent of the height of the supporting wall, a maximum height at any point equal to 33 percent of the height of the supporting wall, and three-dimensional cornice treatments.
6. *Pedestrian Oriented Design Features.* Ground floor facades that face public streets shall have arcades, display windows, entry areas, awnings, or other such features along no less than 60 percent of their horizontal length.
7. *Customer Entrances.* Each building shall have clearly defined, highly visible customer entrances featuring at least three of the following elements: canopies or porticos, overhangs, recesses or projections, arcades, arches, peaked roof forms, outdoor patios, display windows, architectural tilework or moldings integrated into the building design, or integrated planters or wing walls that incorporate landscaped areas or seating areas.



**Figure 10.6: Big Box Retail Building Design**

8. *Outdoor Amenities.* Each site containing a big box retail building shall provide at least two of the following: patio or seating area, pedestrian plaza with benches, transit stop, window shopping walkway, outdoor playground area, water feature, clock tower or other deliberately shaped and highly visible outdoor amenity.
- (N) *Additional Standards for Hotels and Motels.* For hotels and motels of any configuration, a facade area at least equal to the total facade area of the first floor walls shall be surfaced in brick or stone. The remainder of the exterior may be surfaced in stucco, integrally dyed decorative concrete, or ceramic masonry units. Metal, vinyl, hardboard, or wood lap siding is prohibited. Materials such as concrete, clay, or slate tiles, seamed architectural metals, or high-profile composition shingles shall be used on all sloped roofs.
- (O) *Additional Standards Applicable to Industrial, Warehouse & Manufacturing Uses.* In addition to design standards required for all non-residential development, industrial, warehouses, and manufacturing structures shall comply with the following special standards.
- (P) *Concrete Tilt-Up Buildings.* Concrete tilt-up panels are allowed subject to the following standards:
1. Panels shall be embossed with reveals that repeat a common pattern.
  2. All elevations visible from a public or private street shall include variable parapet heights and 2-foot minimum projections with the distance between projections not to exceed 60 feet.

(Q) *Metal Buildings.* Metal is permitted as a primary exterior surface material only on industrial, aviation or rail related, manufacturing, storage, distribution, or assembly buildings subject to the following standards:

1. All building facades shall include wainscoting, at least 42" high, surfaced in stone, integrally colored decorative concrete or standard brick masonry units when facing a view corridor, drainage, public or private open space, or public rights-of-way, shall display a similar level of quality and architectural interest.
2. All building facades facing public streets shall include wainscoting, at least 8 feet high, surfaced in stucco, integrally colored decorative concrete or standard brick masonry units.
3. Metal bollards shall be painted.
4. Rooflines shall be enhanced with a decorative fascia, a roof pitch of 4 in 12 or greater, projecting gables, or other similar techniques.
5. All main entries or office area entries shall be identified by utilization of an arcade, pitched roof, masonry, window groupings, or other similar architectural features.
6. Main buildings shall have a coordinated palette of materials and colors, including materials and colors for rooftops.

(R) *Additional Standards Applicable to Buildings within Activity Centers.*

1. *Common Architectural Themes.* All uses, buildings, and areas in a Neighborhood Activity Center ("NAC"), Community Activity Center ("CAC") or a Subregional Activity Center ("SAC") shall share common architectural and landscaping themes, materials, and styles. Each CAC, NAC, or SAC shall create its own identity with unique design themes based on a palate of compatible rooftops, materials, and colors. Both pads and anchor stores shall incorporate all such thematic design, materials, landscaping, roof types, and colors.

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

#### **DIVISION 4. SPECIAL DESIGN AND ORGANIZATIONAL STANDARDS**

##### **Sec. 146-1020. Special Design Standards for Residential Neighborhoods.**

- (A) *Intent.* Create distinct, identifiable neighborhoods of a walkable size and scale, and with an appropriate mix of housing types.
- (B) *Applicability.* These standards shall apply to all residential development in the Medium Density Residential District. They supplement, but do not replace, the general design standards in this article, which also apply to all residential development unless clearly inconsistent with the requirements of this section.
- (C) *Standards for the Organization of All Residential Neighborhoods.*
  1. All residential development shall be organized into approximately four