

# ARTICLE 6. DEVELOPMENT STANDARDS

The development standards set forth in this Article 6 shall apply to all new development, and to expansions, alterations, or enlargements that would increase the existing gross area occupied by any conforming multi-family residential or nonresidential use or structure existing on the effective date of this Code by more than 25%. The development standards set forth in this Article 6 shall not apply to expansions, alterations, or enlargements of conforming single-family detached dwellings, two-family dwellings, or town home dwellings existing on the effective date of this Code.

## 6.1 ONE PRIMARY STRUCTURE PER LOT

There shall be no more than one primary structure, plus permitted accessory structures per lot or tract of land, except as follows: (A) As otherwise permitted pursuant to the PUD approval process in §3.7 (Planned Unit Developments); (B) In the B-3 Zoning District standards (§4.6.4); (C) In the NC District (§4.8.3); and (D) In the CC District (§4.9.2). In addition, there may be more than one primary structure per lot in any zoning district that allows multi-family residential or industrial uses. In order to qualify as a single primary structure, all portions of a structure must be structurally linked to each other, and not merely connected through the use of patios, breezeways, arcades, or similar devices.

## 6.2 INTENSITY OF USE, LOT DIMENSIONS, LOT COVERAGE, AND SETBACKS

The standards of this section apply to all development in the Standard Zone Districts, New Communities Subdistricts, Clear Creek Subdistricts, and PUD Zone Districts, unless inconsistent with more specific standards applicable to the development (a) pursuant to sec. 6.9 (Activity Center Design), or (b) contained in an adopted special plan.

### 6.2.1 Basic Table

All lots and all primary and accessory structures shall comply with all of the intensity, lot area, lot frontage, lot coverage, and setback requirements set forth in the table below unless explicitly exempted or subject to more specific standards elsewhere in this Code. Additional or explanatory notes as indicated by [ ] are found at the end of the table.

Zone Districts and Uses	Min. Lot Area (or Max. Density) [f]	Min. Lot Frontage (reg lot/ corner lot ) (ft.)[f]	Max. Lot Coverage [h]	Minimum Setbacks (feet from lot or sidewalk easement line)[f]		
				Front [a][b][d][g]	Side [e][g]	Rear [c][e][g]
<b>STANDARD ZONE DISTRICTS</b>						
<b>A-1 Zoning District</b>						
All Uses Not Listed Below	5 ac	200	10%	100	30	30
Cemetery, Mausoleum	80 ac	200	NA	100	100	100
Religious Institutions, Parochial or Private School	5 ac	125	25%	30	30	30

Zone Districts and Uses	Min. Lot Area (or Max. Density) [f]	Min. Lot Frontage (reg lot/ corner lot ) (ft.)[f]	Max. Lot Coverage [h]	Minimum Setbacks (feet from lot or sidewalk easement line)[f]		
				Front [a][b][d][g]	Side [e][g]	Rear [c][e][g]
Crop Production, Pasture Grazing Land, or Unimproved Forest or Range Area	5 ac	NA	NA	NA	NA	NA
Greenhouse/Nursery, Specialty Crop Production	5 ac	200	30%	50	30	30
Gun Club, Kennel	5 ac	400	10%	100	100	100
Poultry hatchery, fish hatchery, dairy farm	5 ac	200	20%	100	30	30
Public building, Public utility	NA	NA	NA	30	30	30
Radio/Television Transmission Tower	5 ac	400	10%	200	200	200
Single Family Dwelling, Bed and Breakfast Establishment, or Group Home	5 ac	200	10%	30	30	30
Veterinary Clinic	5 ac	200	10%	30	30	30
<b>C-1 Zoning District</b>						
All Uses Not Listed Below	NA	NA	NA	NA	NA	NA
Public Utilities	NA	NA	NA	30	30	30
<b>R-CE Zoning District</b>						
All Uses Not Listed Below	32,670 sf	100	25%	30	15	15
Religious Institutions, Parochial or Private School	2 ac	125	25%	30	15	15
Greenhouses	2 ac	100	25%	25	25	25
Public Buildings and Utilities	NA	NA	NA	30	15	15
<b>R-E Zoning District</b>						
All Uses Not Listed Below	12,500 sf	100	25%, 30% for 1-story	30	15	15
Small Lots (see §6.10)	4,000 sf	40	30%	18	5	10
Religious Institution, Parochial or Private School	2 ac	125	25%	30	15	15
Greenhouses	2 ac	100	25%	25	25	25
Public Buildings and Utilities	NA	NA	NA	30	15	15
<b>R-L Zoning District</b>						
All Uses Not Listed Below	7,500 sf	75/85	35%, 40% for 1-story	25	10	10
Small Lots (see §6.10)	4,000 sf	40	30%	18	5	10
Cemetery	5 ac	NA	NA	NA	NA	NA
Religious Institution, Parochial or Private School	2 ac	125	25%	30	30	30
Greenhouses in excess of 250 sf	2 ac	100	30%	25	25	25

Zone Districts and Uses	Min. Lot Area (or Max. Density) [f]	Min. Lot Frontage (reg lot/ corner lot ) (ft.)[f]	Max. Lot Coverage [h]	Minimum Setbacks (feet from lot or sidewalk easement line)[f]		
				Front [a][b][d][g]	Side [e][g]	Rear [c][e][g]
Public Buildings and Utilities	NA	NA	NA	30	15	15
<b>R-SL Zoning District</b>						
All Uses Not Listed Below	4,500 sf	45/65	40%	18	5	10
Religious Institution, Parochial or Private School	2 ac	125	25%	30	30	30
Public Buildings and Utilities	NA	NA	NA	30	15	15
<b>R-NT Zoning District</b>						
All Uses Not Listed Below	4,500 sf (7 du/ac)	60/75	40% (See also §6.4.3.B)	15 (10 to side-loaded garages)	8	10
Religious Institution, Parochial or Private School	2 ac	125	25%	30	20	20
Public Buildings and Utilities	NA	NA	NA	30	10	10
<b>R-I Zoning District</b>						
All Uses Not Listed Below	6,000 sf	60/75	40%	18	5	10
Small Lots (see §6.10)	4,000 sf	40	30%	18	5	10
Two Family Dwelling	9,000 sf	75/85	30%	25	10	10
Religious Institution, Parochial or Private School	2 ac	125	25%	30	30	30
Public Buildings and Utilities	NA	NA	NA	30	15	15
<b>R-MD Zoning District</b>						
Single Family Dwelling	6,000 sf	60/75	40%	18	5	10
Two Family Dwelling	9,000 sf	75/85	30%	25	10	10
Multiple Dwelling Unit	3,630 sf per unit	80	30%	25	5 per story	5 per story
Religious Institution, Parochial or Private School	3 ac	125	25%	30	30	30
Public Buildings and Utilities	NA	NA	NA	30	15	15
<b>R-M Zoning District</b>						
All Uses Not Listed Below	6,000 sf	60	40%	18	5	10
Two Family Dwelling	9,000 sf	75	30%	25	10	10
Multiple-Unit Dwelling, 1 story	2,900 sf per unit	90	30%	25	7.5	7.5
Multiple-Unit Dwelling, 2 story	2,180 sf per unit	90	30%	25	10	10
Multiple-Unit Dwelling, 3 story	1,750 sf per unit	90	30%	25	15	15
Multiple-Unit Dwelling, 4 story	1,450 sf per unit	90	30%	25	20	20

Zone Districts and Uses	Min. Lot Area (or Max. Density) [f]	Min. Lot Frontage (reg lot/ corner lot ) (ft.)[f]	Max. Lot Coverage [h]	Minimum Setbacks (feet from lot or sidewalk easement line)[f]		
				Front [a][b][d][g]	Side [e][g]	Rear [c][e][g]
Multiple-Unit Dwelling, 5 story or more	1,245 sf per unit	90	30%	25	5 per story	5 per story
Religious Institution, Parochial or Private School	2 ac	125	25%	30	30	30
Public Buildings and Utilities	NA	NA	NA	30	15	15
<b>P-1 Zoning District</b>						
All Uses	NA	NA	35%	20	10	10
<b>B-1 Zoning District</b>						
All Uses	NA	NA	25%	30	10	20
<b>B-2 Zoning District</b>						
All Uses	NA	NA	25%	20	10	20
<b>B-3 Zoning District</b>						
All Uses	NA	NA	100%	NA	NA	NA
<b>B-4 Zoning District</b>						
All Uses Not Listed Below	NA	NA	30%	20	20	20
One dwelling unit in conjunction with a principal permitted use	NA	NA	30%	20	5	20
<b>I-1 and I-2 Zoning Districts</b>						
All Uses	NA	NA	50%	20	10	10
<b>NEW COMMUNITIES SUBDISTRICTS</b>						
<b>NC-AG Subdistrict</b>						
All Uses Not Listed Below	1 du/ 10 gross ac	NA	NA	20	15	10
Religious Institution, Parochial or Private School	1 du/ 10 gross ac	NA	15%	20	15	10
<b>NC-OS Subdistrict</b>						
All Uses Not Listed Below	NA	NA	NA	NA	NA	NA
Equestrian Center	NA	NA	10%	NA	NA	NA
<b>NC-RA Subdistrict</b>						
All Uses Not Listed Below	1 du/ 2 gross ac	NA	35%	20	7.5	10
Religious Institution, Parochial or Private School	2 ac	NA	15%	20	7.5	10
<b>NC-RB Subdistrict</b>						
All Uses Not Listed Below if Directly Adjacent to Van Bibber Creek	2 du/ gross ac	NA	NA	20	7.5	10
All Uses Not Listed Below and Not Directly Adjacent to Van Bibber Creek	2.5 du/ gross ac	NA	NA	20	7.5	10

Zone Districts and Uses	Min. Lot Area (or Max. Density) [f]	Min. Lot Frontage (reg lot/ corner lot ) (ft.)[f]	Max. Lot Coverage [h]	Minimum Setbacks (feet from lot or sidewalk easement line)[f]		
				Front [a][b][d][g]	Side [e][g]	Rear [c][e][g]
Small Lots (see §6.10)	4,000 sf	40	30%	18	5	10
Religious Institution, Parochial or Private School	2 ac	NA	15%	20	7.5	10
<b>NC-RC Subdistrict</b>						
All Uses Not Listed Below	4 du/ gross ac	NA	35%	20	7.5	10
Small Lots (see §6.10)	4,000 sf	40	30%	18	5	10
Religious Institution, Parochial or Private School	2 ac	NA	15%	20	7.5	10
<b>NC-C/OF Subdistrict</b>						
Non-Residential Uses	1 ac	NA	35%	20	10	10
<b>NC-I/OF Subdistrict</b>						
Non-Residential Uses	1 ac	NA	35%	20	10	10
<b>NC-MU-A Subdistrict</b>						
Residential	1 du/ gross ac	NA	35%	20	7.5	10
Non-Residential Uses	1 ac	NA	35%	20	10	10
<b>NC-MU-B Subdistrict</b>						
Residential	4 du/ gross ac	NA	35%	20	7.5	10
Small Lots (see §6.10)	4,000 sf	40	30%	18	5	10
Non-Residential Uses	1 ac	NA	35%	20	10	10
<b>NC-MU-C Subdistrict</b>						
Residential Other than Low Impact Housing & Small Lots	7 du/ gross ac	NA	35%	20	7.5	10
Low Impact Housing	15 du/ gross ac	NA	40%	20	7.5	10
Small Lots (see §6.10)	4,000 sf	40	30%	18	5	10
Non-Residential Uses Within 500 ft. of Northwest Parkway	2 ac	NA		20	15	10
<b>NC-SU Subdistrict</b>						
Non-Residential Uses	1 ac	NA		NA	NA	NA

Zone Districts and Uses	Min. Lot Area (or Max. Density) [f]	Min. Lot Frontage (reg lot/ corner lot) (ft.) [f]	Max. Lot Coverage [h]	Minimum Setbacks (feet from lot or sidewalk easement line) [f]		
				Front [a][b][d][g]	Side [e][g]	Rear [c][e][g]
<b>CLEAR CREEK SUBDISTRICTS</b>						
<b>CC-A Subdistrict</b>						
All Uses, where side lot lines are not adjacent to a public right-of-way	NA	NA	75%	10[d]	5[e]	10[e]
All Uses, where side lot lines are adjacent to public right-of-way	NA	NA	75%	10[d]	10[e]	10[e]
<b>CC-B Subdistrict</b>						
All Uses	NA	NA	40 %	20	10	10
<b>CC-C Subdistrict</b>						
All Uses, where side lot lines are not adjacent to a public right-of-way	NA	NA	50%	20[d]	5	10
All Uses, where side lot lines are adjacent to public right-of-way	NA	NA	50%	20[d]	10	10
<b>CC-D Subdistrict</b>						
All Uses, if subdistrict is not fully occupied by non-residential uses	NA	NA	35%	20	10	10
All Uses, if subdistrict is completely occupied by non-residential uses	All Standards Applicable in CC-A Sub-District Shall Apply					
<b>CC-E Subdistrict</b>						
All Uses	NA	NA	50%	10	10	10
<b>PUD ZONE DISTRICTS</b>						
<b>PUD Zone Districts</b>						
Public, Institutional, and Civic Uses in the PUD-R Zone District	2 ac	125	25%	30	30	30
Small Lots in the PUD zoning districts (see §6.10)	4,000 sf	40	30%	18	5	10
<i>Residential Uses in PUD-R zone district &amp; BPR zoning district:</i>	10,000 sf	75	35% (1-story 40%)	20	7.5	10
All other non-residential uses in a PUD-R zone district, PUD-BP, & PUD-BPR	10,000 sf	100	30%	20	10	10
<i>All Uses in PUD-I zone district:</i>	1 ac	100	50%	20	10	10
<i>Multi-Family Uses in PUD-R zoning district</i>	10,000 sf	100	25%	25	10	10

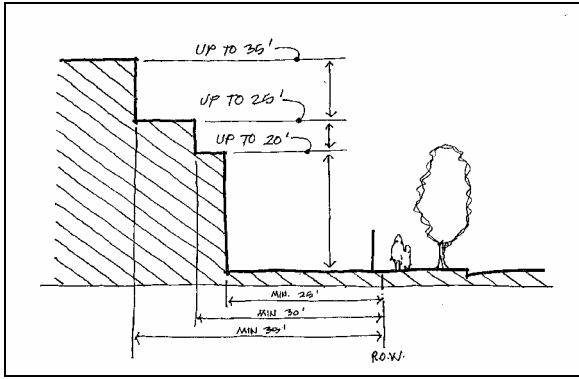
**NOTES TO TABLE 6.2.1:**

- [a] For corner lots, the front setback standards shall apply to both street sides of the lot.
- [b] Front setbacks for new single family detached and attached residential structures may be reduced by 50% of the standard front setback (but not closer than 15 feet) if: (1) The front wall plane of the garage is placed further from the street than the rear wall plane of the home; or (2) The plane of the garage door is perpendicular to the plane of the street from which garage access is taken.
- [c] Double frontage lots shall meet the rear setback requirements of §6.2.2.
- [d] Front setbacks for properties abutting Sheridan Blvd, W. 52<sup>nd</sup> Ave., or Ralston Rd. shall be 25 feet from the property line. Front setbacks may be reduced to zero feet except adjacent to W. 60<sup>th</sup> Avenue, W. 52<sup>nd</sup> Ave., Marshall/Lamar Streets, Ralston Rd., or Sheridan Blvd. as long as all applicable screening, landscaping, and buffering requirements of §6.5 are met.
- [e] Where buildings in Subdistrict A are no more than 35 feet in height, side or rear setbacks abutting a residence in Subdistrict D shall be 20 feet. Where buildings in Subdistrict A are more than 35 feet in height, side or rear setbacks abutting a residence in Subdistrict D shall be 40 feet.
- [f] Where a lot allowing for a Two Family Dwelling is to be subdivided, the minimum area after subdivision shall be 3,000 square feet, the minimum lot width shall be 30 feet, and the lots that the Two Family Dwellings are on must combine to meet or exceed the requirements listed for a Two Family Dwelling. There shall be no setback required along the common lot line.
- [g] Lots adjacent to an arterial street shall have a setback of 150 feet from the centerline of the arterial street except for non-residential uses which shall have a setback of 100 feet from the centerline.
- [h] Uncovered decks are permitted 5% lot coverage in addition to the required coverage in Table 6.2.1.

**6.2.2 Double Frontage Lots**

Double frontage lots with residential uses shall have a minimum lot depth of at least 130 feet, including any landscaped tree lawn, and at least the following minimum rear setbacks, which may be applied as a single setback for the entire structure or as stepped setbacks applicable to portions of the building above the stated heights.

<b>Height of Structure</b>	<b>Minimum Setback</b>
Less than 20 ft.	25 ft.
Between 20 and 25 ft.	30 ft.
Between 25 and 35 ft.	35 ft.
More than 35 ft.	1 foot for each foot of building height



## Setback Standards for Double Frontage Lots

### 6.2.3 Structures and Features Allowed Within Setbacks

The following structures and features may be located within required setbacks as described in the following table.

Structure or Feature	Permitted Locations in Setbacks
Balconies, decks, and outside stairs of any height	Permitted to extend outward from structure 6 feet into a front or rear setback and 3 feet into a side setback.
Bay Windows, eaves, cornices, fireplace chimneys, and ornamental features	Permitted to extend outward from structure up to 2 feet into any setback
Clotheslines and clothesline poles	Permitted in rear or side setback only, but not closer than 18 inches from any side or rear property line
Driveways	Permitted anywhere in setbacks
Dumpsters and Trash Containers	Permitted in side and rear setbacks
Fences and Walls	See §6.5.8 (Fences and Walls)
Flagpoles, lighting poles, and other poles not 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 height restrictions set forth in §6.17.2.A. Amateur radio antennas shall not be located in a front setback.
Garage additions to existing single family residential structures, whether attached or detached, provided that no more than a total of 600 square feet of garage exists on the lot.	Permitted in any side or rear setback in the R-L 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.

<b>Structure or Feature</b>	<b>Permitted Locations in Setbacks</b>
Mini-structures	Permitted in any side or rear setback, provided they are not attached to any principal or accessory structure.
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
Uncovered porches, decks, uncovered flatwork, and concrete slabs, provided that such items are no more than 30 inches in height above grade	Permitted anywhere in setbacks
Covered porches, decks, terraces, and patios, if such items are below 12 feet in height above grade and not enclosed	Permitted to extend outward from structure 7 feet into a front or rear setback, but no closer than 5' from the rear or 3' from the side property line and 3 feet into a side setback.
Signs	See §6.17 (Signs)
Swimming Pools	Not permitted in front setback and shall be no closer than 10 feet from any side or rear property line.
Telecommunications Structures	See §5.2.31 (Telecommunications Structures)

#### **6.2.4 Arterial Street Setbacks**

There shall be a setback of 150 feet for all residential structures from the centerline of all arterial streets, and a setback of 100 feet from the centerline of arterial streets for all non-residential uses. Parking may be allowed within this area.

### **6.3 HEIGHT OF STRUCTURES**

The standards of this section apply to all development in the Standard Zoning Districts, New Communities Zoning Sub-Districts, Clear Creek Zoning Sub-Districts, and PUD Zoning Districts, unless inconsistent with more specific standards applicable to the development (a) pursuant to §6.9 (Activity Center Design), or (b) contained in an adopted special plan.

#### **6.3.1 General Rule: Uniform Height Limitation**

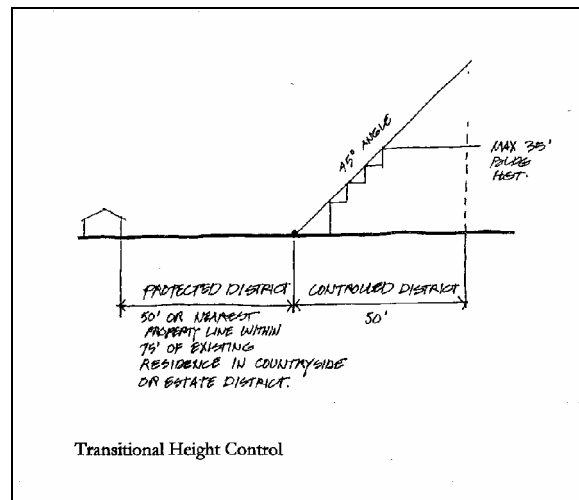
- A. The maximum height of all buildings and structures in the City of Arvada shall be 35 feet unless:
  1. The structure or building is exempt, as set forth in this §6.3 or §3.13.1.B. of this Code;
  2. The structure or building is subject to the transitional height or double-frontage lot height requirements set forth below;

3. The structure or building is subject to a different height limit as specified in another part of this Code (e.g., flagpoles and some accessory structures); or
  4. A greater height is approved through the Height Exception procedures set forth in §3.13 of this Code.
- B. The maximum height of telecommunications structures shall be established by §5.2.31 of this Code.

### 6.3.2 Exception to General Rule: Transitional Heights

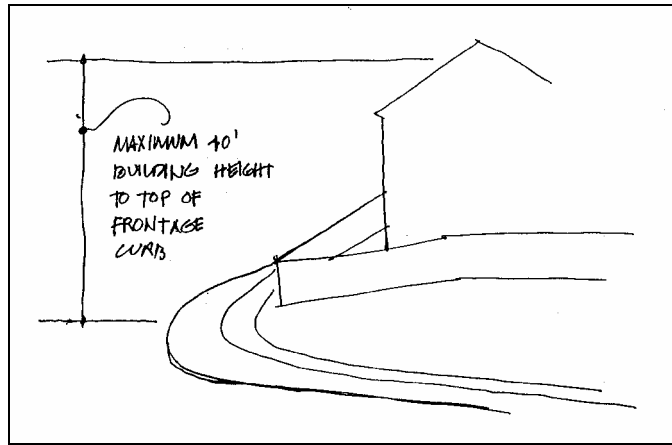
Where a multi-family residential structure or non-residential structure is constructed within 100 feet of a single family detached or attached structure on an adjacent lot, the new multi-family or non-residential structure shall meet one of the following criteria:

- A. It shall not extend upward through a bulk plane beginning on the nearest lot line of the adjacent residential structure and extending upward at an angle of 45 degrees over the multi-family residential or non-residential lot.
- B. Alternately, the new multi-family or non-residential structure may be constructed to a height no taller than the adjacent existing single-family structure.



### 6.3.3 Exception to General Rule: Double Frontage Lot Heights

In addition to the 35-foot restriction on maximum residential structure height, the maximum combined height of a residential structure on a double-frontage lot plus the height of the lot on which the structure is located shall not exceed 40 feet when measured from the elevation of the top of the curb of the street adjacent to the rear of the lot.



**Double Frontage Lot-Height Limits**

#### **6.3.4 Exceptions to Height Limitations in All Districts**

Chimneys, cornices without windows, cupolas, domes not used for human occupancy, elevator penthouses, monuments, parapet walls, skylights, spires, steeples, theater scenery lofts, towers, ventilators, water tanks, and similar structures and necessary mechanical appurtenances covering not more than 25 percent of the roof area of the structure may exceed the maximum permitted height in the district in which the site is located.

### **6.4 OPEN SPACE**

The provisions of this section shall apply to all development in the City.

#### **6.4.1 Purpose and Intent**

This section addresses the character and design of those portions of the Standard Zoning Districts, PUD Zoning Districts, the CC Subdistricts, and the NC Subdistricts that are not occupied by platted lots or streets and that are reserved for parks, trails, landscaping, and open space uses. It does not address park and open space dedication requirements, which are described in detail in §7.11 (Public Park and Trail Dedications). The requirements of this Section apply regardless of whether or not the land involved will be dedicated to Arvada, and regardless of whether or not such open space will be open to the public or to other residents of the development. For purposes of complying with the requirements of this Code, (a) driveways, sidewalks, parking areas, and designated outdoor storage areas shall not be counted as common open space, (b) land occupied by active recreational uses such as pools, playgrounds, tennis courts, jogging trails, and clubhouses used primarily for recreational purposes, may be counted as open space.

#### **6.4.2 Selection**

All development shall be organized to include, protect, or enhance as many of the following open areas and features as possible:

- A. Natural features such as stream corridors, bluffs, ridges, steep slopes, mature trees, rock outcroppings, wetlands, native upland ecosystems, riparian areas, and wildlife corridors;

- B. Water features such as drainages, canals, ditches, lakes, natural ponds, and retention and detention ponds;
- C. Landscaped buffers or visual transitions between different types or intensities of land uses;
- D. Natural or geologic hazard areas or soil conditions, such as unstable or potentially unstable slopes, faulting, landslides, rockfalls, expansive soils, or floodplains;
- E. Habitat for threatened or endangered species listed, or proposed for listing, by either the U.S. Fish and Wildlife Service or the Colorado Division of Wildlife; and
- F. Areas that accommodate multiple compatible open space uses rather than a single use.

#### **6.4.3 Minimum Amount Required**

- A. General Standards.
  1. In addition to meeting the lot coverage and setback requirements in Table 6.2.1, all new development shall provide the minimum amounts of open space shown in the following two tables, whichever is applicable.
  2. The minimum amounts stated in the tables may be modified through the review process based on consideration of the specific land uses proposed, the density or intensity of development proposed, the characteristics of the land use's prospective residents or employees, the character and intensity of adjacent land uses, the site's proximity and relation to existing open space, parks, and natural features, or where strict compliance with the required minimum amount is impossible or impracticable for infill or redevelopment projects. These requirements may also be modified or varied for developments of a smaller size and/or where there are no appropriate open space features, or where the design and maintenance may not be practical.
  3. In addition, in the case of non-residential development, the minimum open space requirements may be reduced by up to 10% through the review process in return for off-site landscaping improvements provided by the Applicant and intended to improve the appearance of the area surrounding the development.
  4. Open areas and features preserved to comply with the requirements of §6.4.2 above shall be credited toward compliance with the minimum amounts of open space required in this §6.4.3.
  5. Open space required to be dedicated to the City pursuant to §7.11 of this Code (Public Park and Trail Dedications) shall be credited toward compliance with the minimum amounts of open space required in this §6.4.3.

6. The use categories listed in the tables below are illustrated in the City of Arvada Comprehensive Plan. For standards governing cluster lot subdivisions, see §7.9 of this Code.

**B. Minimum Amounts Required in the Standard Zoning Districts, NC Sub-Districts, and PUD Zoning Districts.**

1. For land located in the Standard Zoning Districts, NC Sub-Districts, and PUD Zoning Districts, the minimum amounts of required open space are based on the Comprehensive Plan designations as defined in the table below.
2. The land use categories listed in the table below correspond to the land use categories described and mapped in the Comprehensive Plan, as amended from time to time, which map is reproduced and set forth in the Appendix to this Code.

<b>Minimum Amount Open Space Required by Type of Use &amp; Land Use Category</b>	
<b>Use/Development Type</b>	<b>Minimum Amount of Open space Required (% of Gross Land Area per Development)</b>
<b>Low Density Residential</b>	
Non-Clustered	20%
Clustered up to 1.2 du's per acre	50%
Clustered up to 1.5 du's per acre	70%
<b>Suburban Residential</b>	
Single family detached and two family dwellings	10%
Attached dwellings or clustered subdivisions	20%
<b>Medium Density Residential</b>	
Single family detached and two family dwellings	10%
Attached dwellings or clustered subdivisions	20%
<b>High Density Residential</b>	
Attached dwellings	20%
Multi-family dwellings	25%
<b>Mixed Use</b>	20%
<b>Mixed Use Residential Emphasis</b>	20%
<b>Industrial/Office</b>	
Industrial	25%
Office	30%
<b>Neighborhood and Community Commercial</b>	
Retail	25%
Office	30%
Medium Density Housing	20%
High Density Housing	25%
<b>Regional Commercial</b>	25%

NOTE TO TABLE – The open space requirement may be waived by the Decision-Making Body for single family and duplex developments where the size of the open space is not practicable or where, due to the size of the development, a homeowners association is not practicable.

- C. Minimum Amounts Required in the CC Sub-Districts. For land located in the CC Sub-Districts, the minimum amounts of required open space are based on the zoning sub-district designation as defined in the table below.

<b>Clear Creek Zoning Sub-Districts Minimum Amount Open Space Required</b>	
<b>Zoning Sub-District</b>	<b>Minimum Amount of Open Space Required (% of Gross Land Area per Development)</b>
CC-A	No minimum requirement
CC-B	35% of total land area
CC-C	10% of total land area
CC-D, If subdistrict is not fully occupied by non-residential uses	30% of total land area
CC-D, If subdistrict is completely occupied by non-residential uses	No minimum requirement
CC-E	20% of total land area

NOTE TO TABLE – The open space requirement may be waived by the Decision-Making Body for single family and duplex developments where the size of the open space is not practicable or where, due to the size of the development, a homeowners association is not practicable.

- D. Minimum Amounts Required in the B-3 District. There shall be no minimum open space requirement in the B-3 zoning district.

#### **6.4.4 Design**

Open space areas that are not storm water detention areas, should be planted, graded, improved, and maintained for use as open space amenities for the enjoyment of residents, employees, and other users. Site grading shall provide smooth transitions of grades and natural drainage patterns between lots without creation of steep slopes that may require erosion control or special treatment.

#### **6.4.5 Integration**

Open space in each development shall be organized so as to create integrated systems of open space that connect with dedicated school lands, park lands, other open spaces, or public lands or trails within the development or on lands adjacent to it. Small areas of inaccessible or unusable open space shall be avoided to the greatest degree practicable.

#### **6.4.6 Public Access and Visibility**

- A. Accessibility. To the maximum extent practicable, open space in each subdivision shall be open and accessible to, and visible to, all residents of the development, and if possible, to other residents of the City using public streets, trails, and open spaces.
- B. Easements. If the development contains or abuts a publicly owned natural area, the development shall include such easements as are

necessary to allow reasonable access for the public to such natural area, unless such access is deemed by the Community Development Director (a) to be unnecessary or undesirable for the proper public utilization of the natural area, or (b) to be detrimental to the protection of existing wildlife using such publicly owned natural area, or (c) to impose a burden on development that is disproportionate to the impact of the development on access to such open spaces. Any required access easement dedication shall be credited against any park or open space dedication or fee-in-lieu required pursuant to §7.11 of this Code.

#### **6.4.7 Maintenance**

Required open spaces that are not dedicated to and accepted by the City shall be maintained in perpetuity either by the Property Owner, a Property Owner's Association or other legal entity approved by the City.

### **6.5 LANDSCAPING, BUFFERING, SCREENING, FENCES, AND WALLS**

The regulations of this section shall apply to all development in the Standard Zone Districts, New Communities Subdistricts, Clear Creek Subdistricts, and PUD Zone Districts, unless inconsistent with more specific standards applicable to the development (a) pursuant to §6.9 (Activity Center Design), or (b) adopted by the Arvada Urban Renewal Authority, or (c) contained in an adopted corridor plan.

#### **6.5.1 Purpose and Intent**

Landscaping should maximize visual framing of buildings, the buffering of parking, garage, and service areas, and the creation of a consistent landscape character from one lot to another within a development. Landscaped areas bordering natural open space should create a transition from formal, irrigated landscape to natural forms and vegetation. Water shall be conserved to the greatest degree feasible for the amounts of landscaping required.

#### **6.5.2 General Standards**

- A. Plant Types. All required landscaping shall emphasize the use of native and drought-tolerant species that reflect the character of the native landscape, and all required tree and shrub species shall be selected from the City plant list unless substitutions are specifically approved. The following standards are designed to permit, but not to require, the installation of xeriscape landscaping.
  1. Minimum Sizes. All plant materials shall meet the minimum size requirements shown in the table below.

<b>Plant Type</b>	<b>Minimum Size</b>
Deciduous Trees	2 inch caliper (measured 1 foot above the ground)
Ornamental Deciduous Trees	1 1/2 inch caliper
Evergreen Trees	6 feet tall
Shrubs	5-gallon container size + 24 inches tall
Ground Cover	1-gallon container with 12 inch spread

2. Tree Species Mix. Not less than 10% of all trees required to be installed shall be evergreen species, and such evergreens shall be planted at least 8 feet away from all paved areas. Any one species of trees shall not make up more than 20% of the total tree plantings for the property.
  3. Inorganic Ground Cover. Inorganic material such as river rock, cobble rock, gravel, artificial turf, artificial plant material, concrete, or asphalt paving may not be used as a permanent, primary ground cover within the landscaped area, except where:
    - a. Rock is utilized as an integral part of the landscape design, does not exceed 25% of each distinct landscape area and is part of an approved plan.
    - b. Drainage or soil conditions require a non-irrigated and/or surface pan at finished grading adjoining the building's foundation.
    - c. Artificial turf is used as part of an approved plan for recreational fields or common amenities such as a clubhouse.
    - d. Artificial turf is used for backyard and sideyard applications that are not in public view. Public view includes any area viewable from areas with public access such as streets, sidewalks, parks, and trails. Side or rear yards with open fencing are also considered within public view.
    - e. Concrete, rock or asphalt materials are used for walkways, driveways or patios.
    - f. Where mulches are used, they shall be applied at a minimum depth of 2" and covered with plant materials that meet the ground coverage requirements of Paragraph D.
  4. Plant Beds. Plant beds shall include landscaping, mulch over a weed barrier, and edging along turf areas.
  5. Installation. Plants shall be installed in accordance with the specifications of the Engineering Code of Standard Specifications.
- B. Preservation of Significant Landscape Features. Features that are to be incorporated into open space areas pursuant to §6.4.2 (Selection) shall be protected from damage during all phases of site development.
- C. Tree Preservation and Replacement.
1. Tree Preservation and Replacement Standards. Existing healthy trees shall be incorporated into new developments to the

maximum extent feasible. In relation to the size of existing trees, the Applicant shall satisfy the following general requirements.

- a. Trees that are smaller than 2" in caliper may be preserved, transplanted, or removed at the Applicant's discretion.
  - b. Trees that are 2" - 6" in caliper shall be preserved in place, transplanted, or replaced on site or a location approved by the City.
  - c. Trees that are greater than 6" in caliper shall be preserved in place, transplanted, or replaced on site or a location approved by the City. Replacement trees will at least equal the total number of caliper inches removed from the site. (Four 5" caliper replacement trees satisfy the removal of one 20" caliper tree.)
2. City Determination. The determination that existing trees are to be preserved, replaced, or relocated shall be made by the City based on professional tree analysis provided by the applicant.
3. Penalty. If an Applicant fails to comply with these minimum provisions to preserve trees, the Applicant shall be required to replace each tree that is damaged beyond remedy or destroyed at the rate proposed in subsection 1.c. above. If an owner does not choose to replace irreparably damaged or destroyed trees intended for preservation, the Applicant will be penalized an amount equal to the caliper inch replacement cost plus 25% for those trees.
- a. The Applicant is required to spend the amount of the penalty for trees at the project. If the Applicant does not choose to plant trees on the project site, the Applicant may choose to plant the trees on a nearby public property.
4. Tree Removal Prior to Application Submittal. Applicants/owners are not permitted to remove trees, 2" or larger, within 6 months prior to submittal of a development application, unless prior written approval of the Community Development Director has been obtained. Any development application for a site where such removal has occurred without permission shall be required to install 125% of the number of trees and shrubs otherwise required for the site.
5. Procedure. The Applicant shall satisfy the following process by which trees will be preserved, transplanted or replaced:
- a. With a preliminary subdivision plat or site plan application, whichever occurs first, the Applicant shall provide an analysis of existing trees with 2" or greater calipers, prepared by a professional forester or arborist that will include as a minimum:
    - i. A site plan locating each tree (2" min. caliper) and recommending trees intended for preservation in place, transplanting on site, or replacement.
    - ii. Species and size of each tree (caliper/height).

- iii. Condition, indicating overall health of each tree with an evaluation of structure, pests, disease, or other factors affecting each tree.
  - iv. Recommended tree protection efforts, especially during construction, which will include protection of each root zone, trunk, limbs, and foliage by fencing the drip line of deciduous trees and fencing 1.5 times the square footage of drip lines for evergreens.
  - v. Recommended maintenance practices that will sustain the health of all protected trees, including provisions for irrigation during growing seasons, pruning, foliar feeding, etc.
  - vi. Recommended removal of all trees in a condition hazardous to the proposed development.
- b. With the preliminary subdivision plat or site plan application, the Applicant shall incorporate recommendations of the forester or arborist into preliminary landscape and development plans for the project. When calculating required landscaping, existing trees that are preserved or transplanted shall relieve the Applicant of the requirement to plant an equal number of new trees based on caliper inches. (For example, if a 30" caliper tree is preserved the Applicant will be credited for fifteen, 2" caliper trees.)
- c. With a final subdivision plat or site plan, as applicable, the Applicant shall incorporate those trees intended for preservation in the final landscape plan and in the construction plans. The Applicant will integrate the following provisions into overall grading, utility, road, and irrigation ditch plans:
- i. Provide a significant water supply deliverable to existing trees from the first day of construction to the completion of construction that includes a new irrigation system. (Actual watering schedule and amount will comply with forester/arborist recommendations.)
  - ii. Fence around drip lines of deciduous and around one and one-half times the square footage of drip lines of evergreens.
  - iii. Spray trees with pesticides before construction starts and before each growing season during construction.
  - iv. Avoid trenching through root zones within drip lines by boring or pushing utilities under roots.
  - v. Root prune damaged roots within one hour after damage occurs.
  - vi. The maximum area of cuts and fills within the fenced root zone shall not exceed 25% of such zone.
  - vii. Avoid placing fill against tree trunks (using retaining walls, etc.)
  - viii. Avoid construction activity (materials, storage, vehicular traffic, chemical disposal, fires, cut, fill, etc.) within the fenced root zone.

- D. General Landscaping Standards. All required open space areas shall meet the following requirements in the table below, and no landscaped open space shall count toward compliance with minimum landscaping requirements unless it meets the requirements in the table below, unless (a) they are subject to more specific requirements elsewhere in this Code, or (b) the Decision-Making Body determines, through the development approval process, that an alternative form of landscaping would be more consistent with the Arvada Comprehensive Plan and provide a better amenity to the public.

Element	Requirement
Minimum area and dimensions	100 square feet, with no dimension of less than 5 feet if shrubs and ground cover are to be planted, and no dimension of less than 8 feet if any trees or spray-irrigated sod are to be planted
Minimum plant materials (other Code sections may require more materials)	<ul style="list-style-type: none"> <li>• One large tree or two small trees (ornamental trees) per 3,000 square feet plus:</li> <li>• One shrub per 600 square feet and a combination of ground cover, ornamental grasses or turf which are planted to achieve 75% coverage at maturity.</li> </ul>

- E. 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%.
- F. Visibility Triangles. Except in single-family residential areas, landscaping shall be installed and maintained in such a manner that it does not interfere with protected intersection or driveway visibility triangles as defined in §6.8.1E (Intersection and Driveway Visibility).
- G. Water Wise Landscaping Required. All landscaping plans shall be designed to conserve water to the greatest degree practicable. The regulations of paragraph “H” cover the following types of development:
1. Single-family detached development where landscaping is installed by the developer or builder;
  2. Two-family development where landscaping is installed by the developer or builder;
  3. Multi-family development;
  4. Commercial development;
  5. Industrial development;

6. Office development;
7. Any privately-owned common open space; and
8. Landscaping installed within public rights of way as may be required as part of the development approval process or City street templates.

H. Water Wise Landscaping Standards.

1. Plant Selection. All tree, shrub, groundcover, perennial, vine, and grass selections shall come from the City's recommended list. Substitutions are only allowed if approved by Community Development Director upon reviewing evidence as to the water-conserving qualities of proposed substitutions.
2. Use of High-Water-Demand Landscapes. High water-demand landscapes (such as irrigated cool season turf grass) are limited to areas of high pedestrian activity, tree lawns, primary entrance features, club-houses, wetland plantings, or in single-family lot front yards. High-water-demand turf shall be minimized to the extent practicable and not exceed 50% of the total landscaped area in residential projects and 35% in commercial, office or industrial projects. High-water-demand turf is specifically prohibited in the following (unless approved by the Community Development Director after reviewing evidence of a water-efficient irrigation system):
  - a. Parking lot islands,
  - b. Slopes greater than 4:1,
  - c. Street medians,
  - d. Storm water detention ponds, unless designed for active recreation or needed as part of required wetlands;
  - e. Any space less than 8 feet wide.
3. Grouping Plants According to Water Needs. All plantings should be grouped according to their water needs to minimize water use.
4. Soil Amendments. Prior to planting, all sites for plantings shall incorporate soil amendments at a rate of 3 cubic yards per 1000 square feet to a minimum depth of 6". A lesser amount shall be allowed if a soil test shows that 3 cubic yards per 1000 square feet is not necessary for water retention and deep rooting of plant materials. If the specified plant material 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. Examples of acceptable soil amendments include compost and aged manure. Mountain peat and inorganic materials such as sand, gypsum and lime are prohibited soil amendments. Certification must be provided to the City, prior to the issuance of a certificate of Occupancy, that such amendments have been installed and substantiated by providing an affidavit.

5. Irrigation. The landscape plan shall label or note the type of irrigation to be applied to each plant hydrozone to ensure that plants receive only the needed water. In addition, the plan shall include:
  - a. A rain sensor with automatic shut-off of the system during periods of high moisture;
  - b. A drip, sub-surface, bubbler or low volume irrigation system for all planting strips less than 8' wide and all planting beds involving trees, shrubs, perennials and groundcover; and
  - c. An irrigation clock which allows programming to meet the differential needs of the specified planting plan.
  
6. Restrictive Covenants Requiring Sod. Any restrictive covenant that becomes effective after July 15, 2003 shall not prohibit the use of water-wise landscaping or require more than 50% high-water-demand turf. This provision shall not restrict the individual and voluntary use of a greater percentage of high-water-demand turf.
  
- I. Landscape Maintenance. All plants shall be maintained continually in a healthy condition in accordance with generally accepted professional horticultural standards and practices. Plants that die or are unhealthy shall be replaced. Regular pruning and trimming shall apply to maintain health and an attractive appearance and to permit the plants 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 mulch, wood or bark chips, or decorative rocks or cobble, or similar natural materials providing a clean, uniform appearance.

### **6.5.3 Residential Landscaping**

- A. Single Family Residential Front Yard Landscaping Requirements. Prior to the issuance of a certificate of occupancy , single family or two-family residences on lots containing less than 6,000 square feet of land area shall be landscaped as follows:
  1. Tree lawns and front setback areas shall be landscaped with trees, turf, low ground covers, shrubs, or flowers (unless such setback areas are adjacent to designated open spaces).
  2. Subject to documented soil difficulties, shrubs shall be planted at a maximum spacing of 5 feet on center along all building foundations facing the street.
  3. At least one ornamental, shade, or evergreen tree shall be installed in the front setback area.
  4. Tree lawns shall contain street trees spaced at a maximum of one tree per 40 linear feet.

- B. Residential Common Area Landscape Requirements. Prior to issuance of a certificate of occupancy, all common areas in single family and multi-family residential developments shall be landscaped as follows.
1. Landscape Locations. All front setback areas (except setbacks adjacent to designated open spaces), excluding driveways, access lanes, and sidewalks, shall be landscaped.
  2. Foundation Planting Requirement. Barring documented soil difficulties, shrubs shall be planted at the rate of at least 20 shrubs per 100 lineal feet of building facade visible from streets, residences, or public lands. Foundation plantings may be clustered to provide interest and accent key features such as building entries.
  3. Entryway Planting Requirement. Barring documented soil difficulties, a landscaped area with minimum dimensions of at least 5 feet shall be provided at (a) the primary entrance to the development, and (b) at least one primary pedestrian entrance to the primary structure.

#### **6.5.4 Non-Residential Landscaping**

- A. Foundation Planting Requirement. Barring documented soil difficulties, shrubs shall be planted within 10 feet of the primary structure foundation along any facade visible from streets, residences, or public lands, in an amount equal to 10% of the total amount of trees and shrubs required pursuant to §6.5.5 (Parking Lot Landscaping) and §6.5.6 (Neighborhood Buffer and Screening Standards). Foundation plantings may be clustered to provide interest and accent key features such as building entries.
- B. Entryway Planting Requirement. Barring documented soil difficulties, a landscaped area with minimum dimensions of at least 5 feet shall be provided at (a) the primary entrance to the development, and (b) at least one primary pedestrian entrance to the primary structure.
- C. Front Setback Landscape Requirement. All front setback areas shall be landscaped.

#### **6.5.5 Parking Lot Landscaping**

The provisions of this Section shall apply to all development in the City, except that development in the CC Sub-Districts shall be exempt from parking lot interior landscaping requirements.

- A. Intent. Parking areas should 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; and define pedestrian access ways.

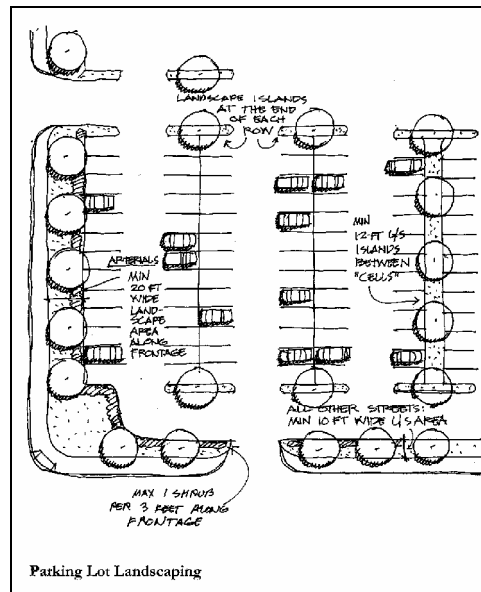
B. Parking Lot Frontage Landscaping.

Location	Requirement
<b>Standard Zone Districts</b>	
All Street frontages	A landscaped area at least the depth of the required setback shall be provided along each street frontage. All street frontages of parking lots shall include shrubs or other approved ground cover planted with a maximum spacing of 5 feet on center or a berm meeting the requirements of §6.5.9. Street frontages of parking lots shall include deciduous trees planted with a maximum spacing of 40 feet on center. Screen walls up to 30 inches tall are permitted between the required landscaping and the parking lot. Plant locations need to be arranged with quantities based on the previous spacing requirements.
<b>New Communities Sub-Districts</b>	
All Street Frontages	All Requirements for the Standard Zone Districts apply.
<b>Clear Creek Sub-Districts</b>	
<b>NOTE:</b> In Subdistricts A and C, property owners shall not be responsible for screening parking lots from public view from elevated sections of roadways, specifically Highway I-76, Ralston Road, Sheridan Blvd., and Marshall/Lamar St.	
All street frontages  (Required in all Subdistricts. However, in Subdistrict A, the requirement applies only to properties adjacent to W. 52nd Ave., W. 60th Ave., Marshall/Lamar St., or Sheridan Blvd. In addition, in Subdistricts B and D, Driveway Parking areas are not required to be screened.)	<p><b>Option 1:</b> Within a minimum 8-foot wide strip, a solid planting of shrubs (maximum spacing of 5 feet on center) with a minimum of one tree every 40 linear feet for the length of the planting. There must be at least one tree for each planted area. Within 10 feet of any automobile driving lane interior to the project, shrubs may not exceed 3 feet in height.</p> <p><b>Option 2:</b> Within a minimum 18-foot wide strip, provide a minimum 3-foot high earth berm. A minimum of one tree every 40 linear feet must be planted.</p> <p><b>Option 3:</b> Within a minimum 9-foot wide strip, provide a minimum 3-foot high berm that is held back by a retaining wall. A minimum of one tree every 40 linear feet must be planted.</p> <p><b>Option 4:</b> Within a minimum 7-foot wide strip, provide a minimum 3-foot high wall or opaque fence. A minimum of one tree every 40 linear feet must be planted.</p>
<b>PUD Zoning Districts</b>	
All street frontages	All PUDs shall provide those buffers and screening devices required for Standard Zone Districts unless alternative requirements are explicitly stated in the approved PUD. Additional buffering and screening may be required along the boundaries of PUDs to screen views of parking areas containing more than 10 spaces.

C. Parking Lot Interior Landscaping.

1. CC Sub-Districts Exempt. Development in the CC Sub-Districts shall be exempt from the following parking lot interior landscaping requirements.
2. Minimum Amount of Interior Parking Lot Landscaping Required. In addition to required street frontage landscaping:
  - a. A minimum of 7.5% of the paved lot surface in multi-family residential parking lots shall be landscaped, and
  - b. A minimum of 5% of the paved lot surface in non-residential parking lots outside the NC Zoning Sub-Districts shall be landscaped, and
  - c. A minimum of 10% of the paved lot surface in non-residential parking lots in the non-residential NC Sub-Districts and PUD-I Zoning District, shall be landscaped.
3. Requirements/Layout.
  - a. Landscaping shall include at least one deciduous tree per 300 sq. ft. of required landscaped area, and at least eight shrubs for each required tree.
  - b. Unless an alternative layout is approved during the development process, the minimum landscaped areas shall be organized into:
    - i. A minimum 300 sq. ft. landscaped entry median (if the lot contains 180 or more parking spaces),
    - ii. Planted islands at the end of each parking row at least 8 feet in width,
    - iii. At least one landscaped island for each 12 consecutive parking spaces in the parking lot, and
    - iv. Internal landscaped areas at least 12 feet wide to separate parking areas into cells, with the maximum number of parking spaces in each cell shown in the following table.

<b>Predominant Type of Land Use</b>	<b>Maximum Number of Parking Spaces in Cell</b>
Residential	90
Commercial and office	180
Industrial	180 if located within 300 feet of a public street (otherwise, no maximum)



### 6.5.6 Neighborhood Buffer and Screening Standards

- A. Intent. The purpose of these standards is to provide visual and noise separation of intensive uses from less intensive uses; to preserve and enhance property values by ensuring that yards, open spaces, parking lots and areas next to public rights-of-way are constructed and maintained with plants and landscape materials; and to provide flexibility in the provision of required landscape materials and designs.
- B. Buffer Types.
1. The buffers described in the following table shall be provided where applicable. In each case where buffers are required along the boundaries between two development areas, the required buffer shall be provided by the latter of the two adjacent properties to develop.
  2. Buffers shall not be required along any portion of a boundary that is adjacent to a designated open space that has been protected from future development, except where a parking lot, truck loading area, outdoor storage area, or trash collection/compaction area will be adjacent to the protected open space.
  3. The Community Development Director may waive or modify these buffer requirements upon a finding that an existing railroad, canal, or other natural or manmade feature will adequately buffer the adjacent developments to the same or greater extent as this section requires.
  4. Additional buffering and screening requirements for truck loading areas, outdoor storage areas, and trash collection/compaction areas are described in §6.5.11 (Outdoor Storage, Trash Collection/ Compaction, and Truck Loading Areas).

Element	Requirement
<b>USES WITHIN STANDARD ZONING DISTRICTS</b>	
<b>Type A: Single Family / Non-Single Family Residential Edges</b>	
Minimum width of strip	8 feet
Minimum length of strip	Entire length of adjacency (up to 25 percent of length may be interrupted as needed to provide vehicle or pedestrian ingress/egress)
Minimum plant materials	<p>One large tree per 50 feet on center plus any combination of small trees and shrubs at the following densities:</p> <ul style="list-style-type: none"> <li>• Small trees: One per 100 linear feet;</li> <li>• Shrubs: One per 100 feet;</li> </ul> <p>In addition, groundcover shall cover at least 75% of remaining areas.</p>
<b>Type B: Non-Residential / Residential Edges</b>	
Minimum boundary treatment	6 foot high solid masonry wall or solid fence with brick posts every 120 feet on center or at lot corners, whichever distance is less. The Community Development Director may approve alternative boundary treatments that achieve the same or better buffer boundary treatment.
Minimum width of strip	20 feet
Minimum length of strip	Entire length of adjacency (up to 25% of length may be interrupted as needed to provide vehicle or pedestrian ingress/egress)
Minimum plant materials	One large tree per 50 linear feet of buffer, located on the side of the wall or fence towards the use required to provide the buffer, regardless of which property the wall or fence is located on. Large evergreen trees shall be used in an amount equal to or greater than 30% of total tree plantings.
<b>Type C: Industrial / Non-Industrial Edges</b>	
Minimum width of strip	10 feet
Minimum length of strip	Entire length of adjacency (up to 25% of length may be interrupted as needed to provide ingress/egress)
Minimum plant materials	<p>One large tree per 50 linear feet of buffer plus small trees and shrubs at the following densities:</p> <ul style="list-style-type: none"> <li>• Small trees: One per 100 linear feet of buffer; or</li> <li>• Shrubs: Three per each 100 feet of linear buffer.</li> </ul> <p>In addition, groundcover shall cover at least 75% of remaining areas. Large evergreen trees shall be used in an amount equal to or greater than 50% of total large tree plantings.</p>
<b>Type D: Utility Screening</b>	
	Evergreen shrubs or evergreen trees (as tall as the enclosure) shall be used to screen utility service boxes and other ground mounted equipment visible from public or private streets wherever possible.

Element	Requirement
<b>USES WITHIN NEW COMMUNITIES SUB-DISTRICTS</b>	
	All development in NC Subdistricts shall provide those types of buffering and screening devices required for Standard Zone Districts.
<b>USES WITHIN CLEAR CREEK SUB-DISTRICTS</b>	
Residential / Non-Residential Edges; Industrial / Non-Industrial Edges; and SF Residential / Non-SF Residential Edges  (Required in all CC Sub-Districts, but in Sub-District CC-A only parking areas adjacent to a residence in Sub-District CC-D need to be screened. )	<b>Option 1:</b> Within a minimum 7-foot wide strip, provide one tree for every 350 square feet of area. A minimum of 50 percent of the total number of trees must be evergreen. No more than 10 percent of the ground surface area shall be exposed gravel or mulch. Landscaping shall be used in combination with a 6-foot tall opaque fence or wall. <b>Option 2:</b> Within a minimum 20-foot wide strip, plant evergreen trees in a triangulated pattern at a minimum spacing of 20 feet on center, with an average overall density of at least one tree for every 400 square feet of area. <b>Option 3:</b> Within a minimum 15-foot wide strip, provide at least one continuous row of evergreen shrubs (minimum 5 feet tall within 5 years of initial planting) planted at minimum spacing of 5 feet on center, and deciduous trees planted at an average of one tree every 40 linear feet. <b>Option 4:</b> Within a minimum 25-foot wide strip, provide a berm a minimum of 36 inches tall, with a maximum slope of 4:1, which contains a minimum overall plant density of one tree and two shrubs for every 400 square feet of area. A minimum of 50 percent of the trees must be evergreen.
Utility and Other Screening	All development in the CC Sub-Districts shall provide those types of buffering and screening devices required for Standard Zoning Districts, plus those forms of buffering and screening required by §6.5.5 (Parking Lot Landscaping), §6.5.11 (Outdoor Storage, Trash Collection/ Compaction, and Truck Loading Areas), and §6.5.12 (Outdoor Retail Display Areas).
<b>USES WITHIN PUD ZONING DISTRICTS</b>	
	All PUDs shall provide those buffers and screening devices required for Standard Zone Districts unless alternative requirements are explicitly stated in the approved PUD. Additional buffering and screening may be required along the boundaries of PUDs where needed to protect residents from undesirable views, lighting, noise, or other off-site influences or to protect occupants of adjoining residential districts from similar adverse influences from within the PUD.

**6.5.7 Arterial and Collector Frontage Screening Design Requirements**

A. Double-Frontage Lots.

On all double-frontage lots, a perimeter fence shall be installed on or near the rear lot line adjacent to an arterial or collector street and the area between the perimeter fence and the arterial or collector street shall be landscaped according to the following standards (see §6.5.7.F below for required fence setback):

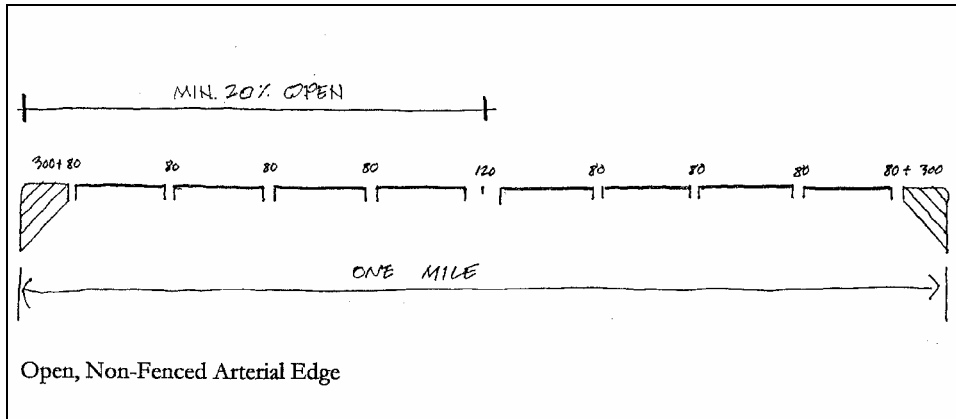
1. Water-wise landscaping shall be installed between the perimeter fence and the arterial or collector pursuant to a landscaping plan approved during the development approval process; and
2. The water-wise landscaped area shall be irrigated from a tap billed to a homeowner's association (if such an organization exists) or to a landowner whose lot adjoins the landscaped area (if no association exists).
3. Where a homeowners association exists or is to be created, it shall be required to maintain such landscaped area in perpetuity. Where no such association exists or can be created, the development approval shall require adjacent landowners to maintain such areas, and an instrument describing that responsibility shall be recorded in the real property records of all affected lots or parcels.

B. Sound Barrier Fences and Walls. The developer or property owner may install a sound barrier (noise reduction) fence along the perimeter of a development that is adjacent to an arterial street or railroad track(s), subject to the following standards:

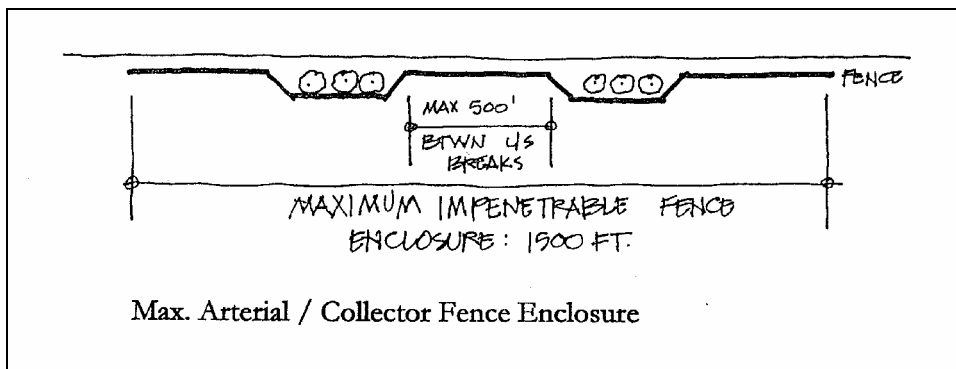
1. The sound barrier fence/wall shall be a maximum 8 feet in height;
2. The developer/owner shall install all sound/barrier fences and provide a uniform design for such fence/wall; and
3. All sound barrier fences/walls shall be a minimum length of 500 feet.

C. Minimum Open Frontage.

1. If a fence or wall 42 inches or more in height is used along an arterial street, a minimum of 20% must be open at intersecting streets, pedestrian entryways, parks or open space, any non-walled land use, or any land use with a wall lower than 42 inches.
2. If a fence or wall 42 inches or more in height is used along a collector street, a minimum of 40% must be open at intersecting streets, pedestrian entryways, parks or open space, any non-walled land use, or any land use with a wall lower than 42 inches.
3. If a fence is at least 80% transparent from 3 feet above grade upward, the entire length of the fence may be counted towards satisfying the open frontage requirement as long as the area on both sides of the fence is landscaped with trees and/or shrubs for a depth no less than 8 feet deep (total both sides).



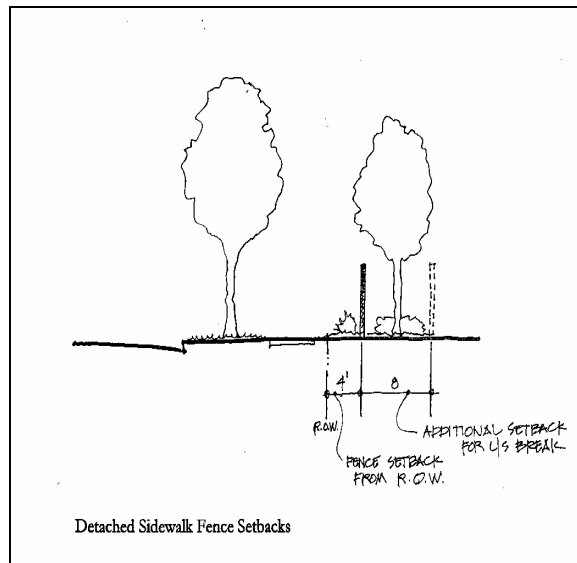
- D. Maximum Continuous Fence or Wall Length. The maximum continuous length of fence (regardless of any changes in the fence plane) shall be 1,500 feet along an arterial and 1,000 feet along a collector.
- E. Maximum Continuous Fence or Wall Plane. The maximum length of continuous, uninterrupted fence plane shall be 500 feet for an arterial and 320 feet for a collector. Landscape breaks in the fence shall count as breaks in the fence plane if they are:
1. At least 80 feet long (measured parallel to the street);
  2. At least 8 feet wide (measured from the running fence line and perpendicular to the street); and
  3. Landscaped with at least 3 trees and 2 rows of shrubs incorporating species with seasonal color and plant variety per 80 linear feet of break in the fence.
  4. The Community Development Director may approve alternative designs for breaks in a fence or wall plane upon a finding that such alternative accomplishes the purposes of these fence and wall standards equally or better than a design that complies with these standards.

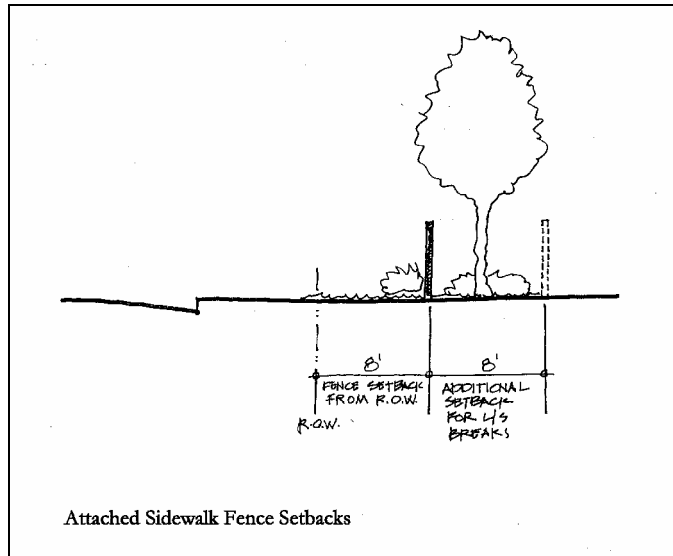


- F. Fence or Wall Setbacks.
1. Where a development site is higher in elevation than an adjacent arterial or collector, perimeter fences or walls should be located along the top of slopes, and should leave a landscaped slope area between the fence and the road. Perimeter fences or walls need

not be located at the tops of slopes where turn lanes would reduce or eliminate the area between the street and the fence near intersections. If perimeter fences or walls are located at the tops of slopes that are at least 36 inches above the adjacent curb, walls no higher than 42 inches may be provided between the street and the fence.

2. Where a development site is lower in elevation than an adjacent arterial or collector, perimeter fences or walls should be located as close to the property line as permitted by these regulations.
3. Along detached sidewalks, perimeter fences or walls shall be set back at least 4 feet from the back of the walk, and the area between the sidewalk and the fence shall be landscaped with a single row of shrubs with variety of species for seasonal color and plant variety.
4. Along attached walks, perimeter fences or walls shall be set back at least 8 feet from the back of the walk, and the area between the sidewalk and the fence shall be landscaped with either turf or a double row of shrubs and deciduous trees at an amount no greater than 40 feet on center.
5. The Community Development Director may approve alternative designs for fence or wall setbacks upon a finding that such alternative accomplishes the purposes of these fence and wall standards equally or better than a design that complies with these standards.





- G. Perimeter Fence and Wall Design. Perimeter fences and walls shall incorporate at least one of the predominant colors and one of the predominant materials used in the adjacent residential structures. All perimeter fencing shall be constructed of Western Red Cedar wood (if wood) or other approved material, the finished side facing the street, and shall include a 2 foot by 2 foot masonry fence posts located at property corners but no further than 100 feet on-center, and with sloped column caps to drain water to the sides of the posts.

#### 6.5.8 Fences and Walls

These standards supplement those in §6.5.7 (Arterial and Collector Frontage Screening Design Requirements). A fence or divisional wall is permitted in any district with the issuance of a fence permit pursuant to §3.25. All fences and walls shall comply with the following minimum requirements, unless otherwise specified during the development approval process.

- A. Maximum / Minimum Height. All fences and walls shall comply with the maximum heights shown in the following table, unless a different maximum height is explicitly permitted by this Code or approved through the PUD approval process. All heights are measured from finished grade. If a retaining wall is built and fill extends to the wall on one side, and a fence is to be constructed on top of the retaining wall, the elevation of the top of the wall shall be considered the finished grade. If a proposed fence location falls into more than one category in the following table, the lowest applicable height limit shall apply.

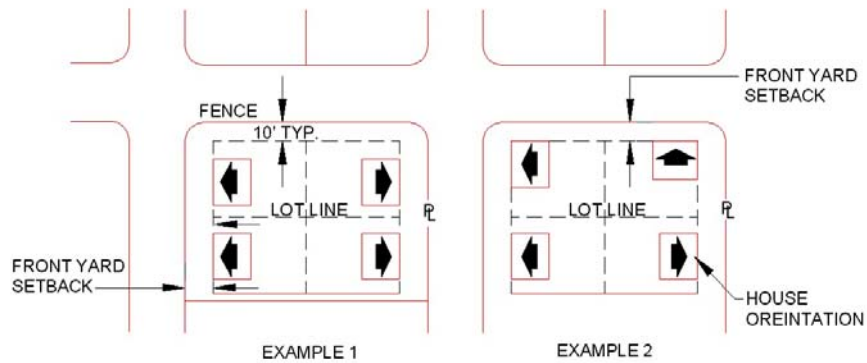
Location	Fence Maximum / Minimum Height (All Zoning Districts)
In front building setback	<ul style="list-style-type: none"> <li>• For fences on corner lots, at the time of application for a fence permit, the Applicant must designate front, side, and rear yards on the fence permit application.</li> <li>• Except as otherwise allowed in the CC District, a solid fence or divisional wall above 30 inches in height shall not be permitted in a required front yard.</li> <li>• In the CC District, front setback requirements for fences and walls above 30 inches in height shall only apply to CC Sub-Districts B, C, D, and E, and areas on the perimeter of Sub-District CC-A along W. 52nd Ave., W. 60th Ave., and Marshall/Lamar St.</li> <li>• The only exception to the foregoing shall be fences of woven wire type, or at least 65% open, which may be erected to 48 inches in height and may be closer than 25 feet to the property line, parallel or perpendicular to a public right-of-way.</li> </ul>
In the second front setback on corner lots	<ul style="list-style-type: none"> <li>• When the side of a property fronts a collector or arterial street, a solid fence or divisional wall up to a maximum 6 feet in height may be allowed along such side property line, subject to the setbacks below.</li> <li>• When the side of a property fronts on a public right-of-way, a fence may be erected a distance of 10 feet from the property line, providing the fence does not extend beyond the front of the adjacent house. If the fence would extend beyond the front of the adjacent house, it must be setback: <ul style="list-style-type: none"> <li>[1] 25 feet from the existing property line; or</li> <li>[2] To the existing setback of the structure if it is located closer than 25 feet to the property line.</li> </ul> </li> <li>• The only exception to the foregoing shall be fences of woven wire type, or at least 65% open, which may be erected to 48 inches in height and may be closer than 25 feet to the property line, parallel or perpendicular to a public right-of-way.</li> </ul>
In setbacks adjacent to open spaces	<ul style="list-style-type: none"> <li>• 48 inches unless the portion of the fence over 48 inches tall is at least 50% open</li> </ul>
In other setbacks	<ul style="list-style-type: none"> <li>• All Zoning Districts except the CC District: <ul style="list-style-type: none"> <li>On lots containing only residential uses: 6 feet maximum</li> <li>On lots containing industrial use: 8 feet maximum</li> </ul> </li> <li>• CC District: Maximum fence height on all lots is 8 feet.</li> </ul>
Tennis court, baseball field, or similar outdoor recreation use	12 feet, provided that the fence is not located in any required setback

<b>Location</b>	<b>Fence Maximum / Minimum Height (All Zoning Districts)</b>
Outdoor storage, trash collection and compaction areas, and truck loading areas	As required by §6.5.11 (Outdoor Storage, Trash Collection/Compaction, and Truck Loading Areas)
Swimming pool and hot tub areas	Minimum 4-foot fence with a self-locking gate

- B. Fence and Wall Materials. All fences and walls shall be constructed only of materials permitted or required by the following table.

<b>Permitted/Prohibited/Recommended Materials</b>
<ul style="list-style-type: none"> <li>▪ Fences and walls shall be constructed of wood, brick, stone, stucco over concrete block, split-faced or fluted block, metal wire, wrought iron, vinyl or PVC (except for PVC pipe). Sheet plastic, sheet metal (including corrugated metal), and plywood fencing shall not be allowed</li> <li>▪ Barbed wire or electrified fences shall not be allowed except in the I-1 and I-2 districts or portions of the New Communities Subdistricts, Clear Creek Subdistricts, or PUDs occupied by industrial uses. Barbed wire fences are permitted in conjunction with agricultural uses in the A-1 zoning district.</li> </ul>

- C. Other Fence and Wall Requirements.
1. No portion of any front yard setback may be fenced for use as an animal pen or dog run.
  2. Fences located on lot lines that are adjacent to public rights-of-way, including trails, shall have the finished side facing the right-of-way.
  3. Nothing in this Code shall require the "back-to-back" placement of fences or fences and walls where an existing fence or wall on an adjoining property substantially meets the requirements of this section.
  4. Fences shall not be erected that block the intersection sight distance triangles.



### 6.5.9 Berms

Where constructed in combination with a landscaped buffer, berms shall comply with the following minimum requirements.

Measure	Requirement
Minimum height	2 feet
Minimum total width	19 feet
Minimum width of crest	3 feet
Maximum slope	4 horizontal feet for each vertical foot
Minimum planting	Required trees and shrubs shall be planted to maximize the intended screening; remainder of crest and side slopes shall be planted with ground cover and/or sod as specified in applicable landscape buffer type.

### 6.5.10 Retaining Walls

All retaining walls shall meet the following requirements.

- A. **Intent.** The purpose of these standards is to avoid large, flat, unbroken retaining wall planes by creating visual interest that is compatible with the architectural character of the surrounding area, create texture and relief in walls, encourage human scale detailing, and promote the use of materials that are durable and of high quality.
- B. **Maximum Height.** The maximum height of any retaining wall shall not exceed 4 feet, except as noted herein. A series of low retaining walls (instead of one taller retaining wall) shall be used wherever possible. Where multiple retaining walls are used, a minimum of 1 foot of horizontal spacing for every 1 foot of wall height of the tallest wall shall be provided. For example, a series of retaining walls involving a 3 foot wall and a 4 foot wall will require a 4 foot minimum horizontal spacing. The maximum height of any retaining wall that is attached to a primary structure and necessary to compensate for a change in grade shall not exceed 6 feet.

The Decision-Making Body may waive or modify the maximum height requirement if an alternative design will achieve the same or greater design as this Section requires.

- C. Railing Required. Where the construction of a retaining wall results in a downward vertical drop of more than 30 inches within 4 horizontal feet of a sidewalk, walkway, or other public circulation area, a railing at least 42" high shall be placed along the top edge of the retaining wall to prevent pedestrians from falling over the edge of the retaining wall.
- D. Materials. Dry-stacked stone, pre-cast masonry block, or masonry block walls with stone, brick or stucco facing shall be used for retaining walls. Cast in place concrete may be used as a material based upon the incorporation of design features including, but not limited to, surface treatments, colors, lighting, and landscaping. Treated timber walls and railroad tie walls shall not be used for retaining walls except on single family residential lots.

**6.5.11 Outdoor Storage, Trash Collection/Compaction, and Truck Loading Areas**

The standards of this section apply to all outdoor storage, trash collection, trash compaction, and truck loading areas except (a) areas located on sites with single-family detached or attached residential uses, or (b) areas that are only visible from nearby lots with industrial uses.

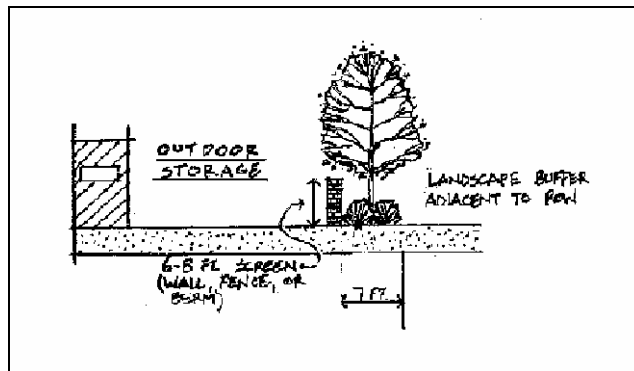
- A. General Requirements. Each such area shall comply with the standards in the following table. In addition, outdoor storage areas shall comply with all applicable use regulations set forth in §5.2.24 (Outdoor Storage as Principal Use), §5.3.5.P (Accessory Outdoor Storage) and §5.2.8 (Building Materials & Services with Outdoor Storage Areas).

Location	Requirement
<b>Standard Zoning Districts</b>	
Truck parking and loading areas	<ul style="list-style-type: none"> <li>• Each such area shall be located and designed to ensure adequate on-site maneuvering area for delivery vehicles and shall be screened by a combination of structures and evergreen landscaping to minimize visibility from adjacent streets and property lines as follows:</li> <li>• Within a minimum 15-foot wide strip, provide at least one continuous row of evergreen shrubs (minimum 5 feet tall within 5 years of initial planting) planted at maximum spacing of 5 feet on center, and deciduous trees planted at an average of one tree every 20 linear feet.</li> </ul>

Location	Requirement
Outdoor storage areas	<ul style="list-style-type: none"> <li>• Each such area shall be incorporated into the overall design of the primary structure on the site, and shall be screened from view from all property lines and adjacent rights-of-way by an opaque fence or wall between 6 feet and 8 feet in height that incorporates at least one of the predominant materials and one of the predominant colors used in the primary structure. The fence may exceed 8 feet in height where the difference in grade between the right-of-way and the outdoor storage area makes a taller fence necessary to effectively screen the area.</li> <li>• A landscaped earth berm may be used instead or in combination with a required fence or wall.</li> <li>• If such areas are covered, then the covering shall include at least one of the predominant exposed roofing colors on the primary structure.</li> <li>• Except in the CC-A Zoning Sub-District, where screening is from an adjacent right-of-way, the perimeter of the fence or wall must be landscaped with a 7-foot wide strip containing a minimum of one tree for every 150 square feet of lot area.</li> <li>• Flammable liquids or gases in excess of 1000 gallons shall be stored underground.</li> </ul>
Trash collection and trash compaction areas	<ul style="list-style-type: none"> <li>• Each lot or tract containing a primary structure shall provide 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. Each such area shall be incorporated into the overall design of the primary structure or the site, and shall be located in the rear of the lot at least 20 feet from residential uses, or if that is not feasible, then on the sides of the lot.</li> <li>• No such area shall be located within 20 feet of any street, public sidewalk, internal pedestrian way, or residential use.</li> <li>• Each such trash collection area shall be screened from view from all property lines by a non-combustible solid fence or wall between 6 feet and 8 feet in height. The access to this enclosure shall be screened with an opaque gate. Screening fences and walls (not including gates) shall incorporate at least one of the predominant materials and one of the predominant colors used in the primary structure.</li> </ul>
<p><b>Clear Creek Sub-Districts</b>  <b><i>NOTE: In Sub-Districts CC-A and CC-C, property owners shall not be responsible to screen areas from public view from elevated roadways or elevated sections of roadways, specifically Highway I-76, Ralston Road, Sheridan Blvd., and Marshall/Lamar St.</i></b></p>	
Truck parking and loading areas	The truck parking/loading area screening requirements applicable to the Standard Zoning Districts shall apply.

Location	Requirement
<p>Outdoor storage areas</p> <p>(Screening from adjacent rights-of-way and adjacent residences)</p>	<p>The outdoor storage screening requirements applicable to Standard Zoning Districts shall apply. In addition, all of the requirements of §5.2.24.J (Outdoor Storage-Additional Standards for the CC District) shall apply.</p>
<p>Trash collection and trash compaction areas</p>	<p>The trash collection/trash compaction screening requirements applicable to the Standard Zoning Districts shall apply. However, in Sub-District CC-A the requirement shall only apply to areas that would otherwise be visible from W. 52nd Ave., W. 60th Ave., Marshall/Lamar St., or Sheridan Blvd., and to trash collection/compaction areas on sites adjacent to a residence in Subdistrict D. In addition, all of the requirements of §5.2.24.J (Outdoor Storage-Additional Standards for the CC District) shall apply.</p>
<p>Outdoor Display Areas</p>	<p>Permanent outdoor display areas in the CC-C and CC-E Sub-Districts shall be screened from adjacent rights-of-way through the use of one of the four methods described below. In addition, a minimum of 7% of the impervious surface area of the site shall be occupied by distributed landscaped areas with planted materials that meet at least one of the planting standards established below.</p> <p><b><u>Option 1:</u></b> Within a minimum 7-foot wide strip, a solid planting of shrubs (maximum spacing of 5 feet on center) with a minimum of one tree every 30 linear feet for the length of the planting. There must be at least one tree for each planted area. Within 10 feet of any automobile driving lane interior to the project, shrubs may not exceed 3 feet in height. No more than 10 percent of the ground surface area shall be exposed gravel or mulch.</p> <p><b><u>Option 2:</u></b> Within a minimum 18-foot wide strip, provide a minimum 3-foot high earth berm. A minimum of one tree every 30 linear feet must be planted. No more than 10 percent of the ground surface area shall be exposed gravel or mulch.</p> <p><b><u>Option 3:</u></b> Within a minimum 9-foot wide strip, provide a minimum 3-foot high berm that is held back by a retaining wall. A minimum of one tree every 30 linear feet must be planted. No more than 10 percent of the ground surface area shall be exposed gravel or mulch.</p> <p><b><u>Option 4:</u></b> Within a minimum 7-foot wide strip, provide a minimum 3-foot high wall or opaque fence. A minimum of one tree every 30 linear feet must be planted. No more than 10 percent of the ground surface area shall be exposed gravel or mulch.</p>

Location	Requirement
<b>PUD Zoning Districts</b>	
Truck parking and loading areas	All PUDs shall comply with all requirements applicable to Standard Zone Districts unless alternative requirements are explicitly stated in the approved PUD.
Outdoor storage areas	All PUDs shall comply with all requirements applicable to Standard Zone Districts unless alternative requirements are explicitly stated in the approved PUD. In addition, where permitted, open storage shall not occupy more than five (5) percent of the total site area.
Trash collection and trash compaction areas	All PUDs shall comply with all requirements applicable to Standard Zone Districts unless alternative requirements are explicitly stated in the approved PUD.



**Outdoor Storage Area Screening**

### 6.5.12 Outdoor Retail Display Areas

The following standards apply to outdoor retail display areas that will be occupied for more than 30 consecutive days in any zoning district, including a PUD District, unless a different standard is explicitly stated in an approved PUD plan.

- A. No outdoor retail display area may be located on a required parking area except for approved temporary outdoor sales.
- B. No outdoor retail display area may be located on a required landscaped area.
- C. The amount of permitted outdoor retail display area in the CC-District shall be as follows (percentage of total lot area):
  1. CC-A Sub-District: 100%
  2. CC-B Sub-District: 0%
  3. CC-C Sub-District: 75%
  4. CC-D Sub-District: 0%
  5. CC-E Sub-District: 75%

- D. In Sub-District CC-C, outdoor retail display shall consist of only licensed and/or titled vehicles and trailers, boats, pools and spas, and landscape and building materials. Additional merchandise categories may be approved by the City only through the conditional use procedure set forth in §3.14 of this Code.

## 6.6 BUILDING DESIGN, MATERIALS, COLORS, AND LIGHTING

### 6.6.1 General Intent for All Buildings

All new primary structures in the Standard Zoning Districts, New Communities Sub-Districts, Clear Creek Sub-Districts, and PUD Districts should strive to meet the following goals, unless more specific goals for a particular area or type of building are stated elsewhere, and those more specific goals are inconsistent with the general intent statements below.

- A. Visual Interest and Compatibility. New buildings should create visual interest in ways that are compatible with the architectural character of the surrounding area, through the use of similar elements such as rooflines, materials, colors, window design, building articulation, and other architectural details. This standard shall apply to new buildings that are part of an existing activity center or other unified, planned development, including all development in a PUD zoning district.
- B. Texture and Relief. All buildings should create texture and relief in facades, should avoid large, flat, unbroken, wall planes, and should take advantage of the sun to bring out changes in plane, material, and detail through light and shadow.
- C. Human Scale Detailing. Facades of buildings that face the street should incorporate human scale detailing through the use of reveals, belt courses, cornices, expression of structural or architectural bays, recessed windows or doors, material or material module changes, color and/or texture differences, or strongly expressed mullions.
- D. Public Entries. Primary public entries of buildings should be emphasized through the use of differing colors or materials, arches, arcades, or other architectural treatments. Building entrances used by residents, employees, or the public shall be visible from an adjacent street, where possible.
- E. Materials. All primary buildings should use materials that are durable, economically maintained, and of a quality that will retain their appearance over time.
- F. Colors. Large areas of wall 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.
- G. Mechanical Equipment. For all primary structures except single family residences, rooftop, wall-mounted, and ground-mounted mechanical equipment and appurtenances shall be screened so that they are not

visible when viewed from public streets or the ground level of adjacent properties.

## 6.6.2 Residential Architecture—General Standards

The following general standards shall apply to all new residential single-family, duplex, and multi-family structures in all zoning districts, including PUD Districts. These standards are in addition to the more specific design standards for single-family/duplex dwellings in §6.6.3 and for multi-family dwellings in §6.6.4 below.

- A. Intent. All residential buildings shall emphasize the location and importance of entryways, and shall avoid tall, monotonous facades near street frontages and parking areas.
- B. Facade Materials and Design.
  - 1. Where lap siding is used, it shall have a maximum 9 inch exposed board face. Highly reflective opaque materials, natural cinder block, and metals are not permitted as exterior finishes.
  - 2. Siding material shall be continued down to within 9 inches of finished grade on any elevation, except that siding shall be allowed to step to follow grade (for example, garden or walkout elevations) with the bottom of the stepped siding 6 inches minimum and 24 inches maximum from finished grade.
- C. Facade and Roof Colors.
  - 1. Bright colors shall be used sparingly and only as accents.
  - 2. In addition, all building projections, including, but not limited to, 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. The Community Development Director may approve alternatives where the color or material of a projection, such as a brick or stone chimney, complements the permanent color of the surface from which it projects.
- D. Entryway Design. The front entry of any residential structure with no porch or a porch of less than 50 sq. ft. and/or extending less than 5' beyond the front wall plane of the home, shall be emphasized by the use of at least one of the following:
  - 1. The location of the front door in a visually prominent location, or within a courtyard feature;
  - 2. The inclusion of side-lights (glazed openings to the side of the door), or transom-lights (glazed opening above the door) in the entry design.
- E. Side Facade Design (Corner Lots). Where a side facade of a residential building abuts a street, the facade shall be designed to provide human scale by the use of at least two of the following:
  - 1. At least one change in the vertical or horizontal wall plane within 20 feet above grade.

2. At least one change in the color or material of the wall;
  3. Provision of a bay window, porch or balcony;
  4. Detailing the wall with reveals, belt courses, cornices, projections or other devices; or
  5. Provision of windows or glazed doors to overlook the street.
- F. Rear Facade Design–Double Frontage Lots. Double frontage lots shall be required to comply with §6.2.2 (Double Frontage Lots), which requires the use of greater building setbacks or stepped setbacks for taller buildings. In addition, primary structures of two stories or more shall incorporate at least one of the following rear elevation treatments:
1. The building façade on the rear elevation shall have brick, stone, or stucco cladding in a minimum amount equivalent to 50% 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
  2. At least 50% of the area of the building facade shall have a minimum 4 foot horizontal difference (plan view) in the rear wall plane at the height of one of the floors.
- G. Rear Facade Design–Walkout Structures. Residential walkout structures where the rear of the structure is adjacent to a public right-of-way or open space shall incorporate at least one of the following rear elevation treatments:
1. The rear building façade shall have brick, stone, or stucco cladding in a minimum amount equivalent to 50% of the façade, (excluding windows, doors, trim and vents) from the average grade to the highest eave or all brick up to 9'-6" above the average grade, whichever is lowest; or
  2. At least 50% of the rear building facade shall have a minimum 4 foot horizontal difference (plan view) in the rear wall plane at the height of one of the floors.
- H. Universal Design. Wherever possible, primary structures for residential use are strongly encouraged to incorporate elements of "universal design," such that the structures may be accessible to persons of all ages and abilities for the life of the structure. For example, dwelling units may be designed with at least one no-step entrance, wider interior doorways and hallways, wall reinforcement in bathrooms, and accessible environmental controls and light switches.

### **6.6.3 Single Family Detached / Duplex Residential Architecture**

In addition to the general standards set forth in §6.6.2 (Residential Architecture) above, the following standards shall apply to each new development containing 10 or more single-family or two-family (duplex) dwelling units in all zoning districts.

- A. Intent. The architectural design of the single-family detached homes and duplex homes should create visual variety, promote an integrated character for the neighborhood, and avoid monotony in home designs and layouts.
  
- B. Garages.
  - 1. Fifty percent of all street access garages shall use at least one of the following devices:
    - a. Recessed garage doors - Garage doors facing the street shall be recessed a minimum of 4 feet behind the front wall plane of the house.
    - b. Separation of garage doors – All two and three car garages with doors that face the street shall include at least one 2-foot wide column or a 2-foot façade setback separating each garage door.
    - c. Side loaded garages – Garage doors shall be located at a right angle to the street (or as closely as possible), and the design of the garage wall facing the street shall be faced with the same predominant materials used on the remainder of the front house façade. See Table 6.2.1 for permitted setback reductions.
    - d. Rear yard garages – The garage shall be located to the rear of the house either as a detached structure or as a part of the house. If constructed as part of the house, the front wall of the garage shall be setback at least 15 feet behind the front façade of the house. See table 6.2.1 for permitted setback reductions.
  - 2. Where ten lots in a row face the same street, not less than two of the homes shall have a side or rear loaded garage.
  - 3. No more than three garage spaces shall face towards a street on a lot.
  
- C. Facade and Porch Requirements.
  - 1. Minimum Facade and Front Porch Requirements. Except as exempt under C.2 below, the minimum facade and front porch requirements for single-family detached or duplex dwelling units shall be:

Feature	Minimum Requirement
[a] 75% brick, stone or stucco front façade up to the highest eave or 9'6", whichever is lower	25% of all homes
[b] Covered front porch with a minimum area of 50 sq. ft., extending by 5 feet or more either forward or behind (courtyard) the front wall plane	An additional 25% of all homes
[c] Either 50% brick, stone or stucco front façade up to the highest eave or 9'6", whichever is lower, or a covered porch	An additional 25% of all homes
[d] Neither a 75% brick or stone front façade up to the eave line, nor a covered porch	A maximum of 25% of all homes

MIN. 25% BRICK FRONT FACADES	MIN. 25% COVERED FRONT PORCHES
MAX. 25% NEITHER BRICK NOR PORCHES	BALANCE BRICK FACADES AND/OR FRONT PORCHES

### Facade and Porch Distribution

2. Exemption for Final Lots. The facade and porch requirements in subsection C.1 above shall not apply to the final 10% of lots or the final 10 lots, whichever is smaller, in the approved final subdivision or approved final phase of a subdivision, provided that the amount of homes with neither brick, stone or stucco cladding nor covered porches shall not exceed 30% of all homes.
3. Application of Cladding. Where brick, stone or stucco cladding is used, they must be applied to logical places on the building facade, and cladding shall begin and end at logical breaks related to the structure of the house (such as ground floor window sill level, ceiling lines, or interior corners of projecting bays 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. Belt coursing such as rowlock, header, and/or other suitable course patterns shall be used to transition from brick, stone or stucco to other materials.

D. Roof Design and Materials.

1. Roof Pitch and Design. Roof slopes, excluding covered porches and patios, shall have a minimum pitch of 5:12, subordinate roofs can be of a lesser pitch, and shall have 1-foot minimum overhanging eaves. A house of a style that is traditionally associated with flatter roofs such as Prairie style may be allowed on a case by case basis as determined by the Community Development Director. The maximum length of a continuous roof ridgeline is 35 feet. Roofs with dormers and other architectural details are exempt from this requirement. At least 50% of all units shall have a roofline that changes elevation at least once.
2. Roof Materials. Roofs of single-family detached and duplex homes may be constructed of conventional asphalt roofs, but roofs constructed of clay or concrete tiles, slate, or similar material approved by the Community Development Director, or heavy duty/hail resistant dimensional composition material are preferred.

E. Repetitive Design Prohibited. Dwellings placed adjacent to or directly across the street from other dwellings shall have significantly different front elevations. For the purposes of this subsection, front elevations will be considered "significantly different" from one another if at least three of the seven design conditions set forth below are met as determined by the Director of Community Development:

1. The locations of at least 50 percent of the windows and doors differ by one foot or more.
2. The shapes of at least two window dormers and/or window bays differ by two feet or more.
3. The shapes of at least two gable ends differ by two feet or more.
4. The shapes of porches and/or other similar projecting design elements differ by two feet or more.
5. More than 50 percent of the front elevation cladding is of a different material.
6. The overall width of the front elevation differs by four feet or more.
7. The overall height of the front elevation differs by four feet or more.

F. Additional Standards for R-NT Zone District.

1. Lots of at least two different widths, differing by at least 5 feet, shall be incorporated into each block.
2. No more than 75% of the residential buildings on each block shall have the same number of stories above grade, when viewed from the street in front of such residential units.
3. Residential units on corner lots shall have a minimum of two occupied stories, when viewed from the street in front of such residential units.
4. At least 50% of all residential units shall have a covered front porch with a minimum area of 50 square feet, extending at least 5 feet beyond the front wall plane of the home.
5. Where street-accessed garages are used, at least 50% of all curb cuts for garages shall be no wider than 12 feet.
6. See §5.3.3.B, which allows accessory dwelling units in the R-NT District, subject to specified conditions.

**6.6.4 Multi-Family (Including Single-Family Attached) Residential Architecture**

The following standards shall apply to all new multi-family residential structures, including single-family attached residential structures, in the Standard Zoning Districts, New Communities Sub-Districts, Clear Creek Sub-Districts, and PUD Districts.

- A. Intent. Multi-family housing shall be designed to reflect the same level of quality, detail, and craftsmanship as single-family housing.
- B. General Requirements. The architectural design of all multi-family residential structures shall comply with all requirements of §6.6.2 (Residential Architecture) as well as the requirements of this Section.
- C. Site Planning.
  1. Multi-family sites of 10 acres or more shall include a minimum of one public street or private drive that is built to the city standards, is continuous through the site, and connects to a public street on both ends. The Community Development Director may waive this requirement for a through-access street or drive if the Applicant shows there are adequate alternatives available for residents and vehicles to travel through the development to adjacent properties and developments.
  2. Primary structures shall to the extent practicable be placed so that open space amenities occur between buildings, and so that open spaces are visible from curves in streets, to maximize the perception of open space within the development.

3. Primary structures and landscaping shall to the extent practicable be located and designed so that residents can easily observe the common open spaces, circulation paths, and access points into the development.
  4. At least 50% of required off-street parking shall be provided in garages, rather than surface lots. Where surface parking lots are used, they shall to the extent practicable be located between buildings, rather than adjacent to street frontages, wherever possible.
  5. Primary structures shall be located and designed to avoid having more than 5 primary structures in a row presenting the same garage facade to the street, through the use of building orientation, side-loaded garages, and the use of non-garage units to break up the monotony of similar garage treatments.
- D. Wall Planes. Each facade greater than 100 feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least 3% of the length of the facade and extending at least 20% of the length of the facade. No uninterrupted length of any facade shall exceed 100 horizontal feet.
- E. Balconies, Porches, and Stairways. Multi-family residential buildings shall provide at least 75% of the total dwelling units with at least one private outdoor yard, patio, or balcony with a minimum 6 feet along at least one dimension. The use of exterior staircases is discouraged without integrating into the overall design.
- F. Roof Design, Materials, and Equipment.
1. Roof Design. Multi-family residential buildings shall be designed to avoid any continuous roofline longer than 100 feet. Rooflines longer than 100 feet shall include at least one vertical elevation change of at least 2 feet. The height of each multi-family building taller than 35 feet shall be stepped down from its highest roofline at least one full story on any end of the building located within 50 feet of a street-right-of-way or an adjacent area with single-family residential development. All sloped roofs shall have overhanging eaves of at least 1 foot, and roofs with a pitch of less than 2:12 shall be screened by a parapet wall.
  2. Roof Materials. Roofs of multi-family residential buildings 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.
  3. Rooftop Mechanical Equipment and Flues. Rooftop mechanical equipment and appurtenances shall be screened so that they are not visible from adjacent public streets or adjacent properties less than 200 feet away when viewed from 5 feet above grade level. Screening enclosures shall use at least one of the predominant materials used in the facades of the primary structure and one of

the predominant colors used in the primary structure. All air conditioning compressors shall be completely screened. All rooftop and wall vents and flues extending above the top of the nearest parapet shall be painted with one of the predominant colors used in the primary structure. Any rooftop equipment generating off-site noise shall also be baffled or otherwise attenuated to direct unavoidable noise upward.

G. Additional Standards for the R-NT Zoning District.

1. Lot widths for townhome developments should average between 20 and 30 feet.
2. No more than eight townhomes shall be constructed adjacent to each other. Each group of eight (or fewer) adjacent townhomes shall be separated from the next group by a walkway leading from the street in front of the townhome to the alley behind the townhome, or if there is no alley, then to the next public street to the rear.
3. The front entry of each townhome, and at least one front entry of each multi-family residential structure, shall face the street in front of the townhome, and shall be emphasized by the use of at least one of the following:
  - a. A covered front porch with a minimum area of 20 square feet, extending at least 4 feet beyond the front wall plane of the home;
  - b. An elevation at least 1 foot above the grade of the nearest sidewalk;
  - c. The inclusion of side-lights (glazed openings to the side of the door), or transom-lights (glazed opening above the door) in the entry design; or
  - d. The installation of taller or more dense landscaping than would otherwise be required near the entryway.
4. Multi-family residential buildings shall provide each dwelling unit with at least one private outdoor yard, patio, or balcony with a minimum 6 feet along at least one dimension.

**6.6.5 Non-Residential Building Architecture**

The following standards shall apply to all new non-residential buildings in the Standard Zoning Districts, New Communities Sub-Districts, Clear Creek Sub-Districts, and PUD Districts.

A. Materials and Colors.

1. All primary buildings shall be constructed or clad with materials that are durable, economically maintained, and of a quality that will retain their appearance over time, including but not limited to wood siding, pre-cast concrete, stone, brick, or stucco.

2. Architectural metals may be used only on industrial buildings. All buildings constructed of metal or metal cladding shall conform to all applicable design standards for non-metal buildings.
3. Natural wood or wood paneling shall not be used as a principle exterior wall cladding system, but durable synthetic materials with the appearance of wood may be used.
4. Materials intended for indoor finishes shall not be used for exterior cladding.
5. Exterior siding may be of finish grade wood, plastic or metal which simulates the appearance of wood siding, glass, natural or synthetic stone, brick, stucco, or textured block. Siding material shall be continued down to within 9 inches of finished grade on any elevation, except that siding shall be allowed to step to follow grade (for example, garden or walkout elevations) with the bottom of the stepped siding 6 inches minimum and 24 inches maximum from finished grade.
6. Except for windows, glass is not permitted as an exterior surface, except for spandrel glass within window units. Windows shall be confined to areas between floors. In all instances, the exterior building materials used at separations between floors shall be of non-reflective materials other than glass. No glass curtain walls or curtain walls of highly reflective materials other than glass are permitted.
7. All building projections, including, but not limited to, chimneys, flues, vents, gutters, and down spouts, shall match in color the permanent color of the surface from which they project or match the building's trim color.
8. Primary or other bright colors shall be used sparingly and only as accents.
9. In addition, the following standards shall apply in the NC Sub-Districts:
  - a. Exterior materials for all non-residential buildings shall only be constructed of, wood, rock, brick, textured concrete, or architectural metals, and
  - b. The majority of exterior wall surfaces shall be natural materials such as exposed aggregate concrete, brick, natural stone, stucco or natural woods.

- B. Facades. Primary structures should not have continuous building frontages longer than 200 feet facing streets or parking areas. Adjacent buildings should be separated from each other by pedestrian walkways allowing passage from areas located behind the buildings.

Each non-residential primary structure shall meet at least one of the three facade design standards listed below:

1. Transparency. A minimum of 10% of each facade area that faces a street shall be composed of transparent materials, unless the Community Development Director determines during the development approval process that such transparency would be inconsistent with the operational requirements of the building. At least one-half of this amount shall be provided so that the lowest edge of the transparent materials is no higher than 4 feet above the street level. In areas used to meet this transparency requirement, glazing shall have a visible light transparency percentage of at least 60%.
  2. Relief. Each facade greater than 100 feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least 3% of the length of the facade and extending at least 20% of the length of the facade. No uninterrupted length of any facade shall exceed 100 horizontal feet.
  3. Surface Features. Each facade greater than 100 feet in length measured horizontally shall include 25% of their surface area in balconies, patios, windows, or natural materials (brick, stone, exposed aggregate concrete, stucco, or natural wood).
- B. Reflective Glazing. Reflective glass whose percentage of outdoor, visible light reflectivity is greater than 19% or having a transmittance factor of less than 60% shall not be used on more than 10% of glazed surfaces.
- C. Standardized Buildings. New primary structures that express a standardized corporate identity shall incorporate at least two of the following elements to create a facade and building design similar to those on an existing primary structure visible from the new primary structure and located within 500 feet of the new primary structure. Significant departures from "off-the-shelf" buildings may be required to meet this standard.
1. A similar roofline or roof material;
  2. Similar facade colors and materials;
  3. Similar pedestrian entry locations and entryway architecture; or
  4. Similar amounts of glazing on facades visible from public streets.
- D. Fast-Food Restaurants. See also §5.2.13 for additional design criteria applicable to fast-food restaurants. In case of conflict between a design criteria set forth in §5.2.13 and in this §6.6.5, the design criteria in §5.2.13 shall apply.
- E. Industrial, Storage, and Distribution Buildings.
1. No facade of an industrial primary structure may exceed 35 feet in height without a change in cladding material or surface plane.
  2. Each primary entrance for employees or visitors that faces a public right-of-way shall be emphasized through the use of

differing colors or materials, arches, arcades, or other architectural treatments.

3. All front facades of primary structures, and all side wall facades within 40 feet of the front facade, shall be of masonry (brick, stone, and/or stucco).
4. All primary structures with flat roofs shall include a parapet or fascia around all sides of the building.
5. Walls other than the front facade of a primary building may be clad with architectural metals, but when such metals are used on side wall facades they shall not extend closer than 40 feet to the front facade of the building.
6. Facades of the primary structure shall incorporate architectural relief through the use of at least two of the following tools: reveals, visible joint patterns, projected sills, belt courses, reporting brick header and stretcher courses, or differing colors and textures.
7. Wherever consistent with the standards above, the design of primary structures shall reflect the activities conducted within the building, or the mechanical or structural systems of the building, through the use of special roof shapes (such as skylights) or special corner treatments.

F. Roof Design, Materials, and Equipment.

1. Roof Design. Roofs with a pitch of less than 2:12 shall be screened by a parapet wall.
2. Rooftop Mechanical Equipment and Flues. Rooftop mechanical equipment and appurtenances shall be screened so that they are not visible from adjacent public streets or adjacent properties less than 200 feet away when viewed from 5 feet above grade level. Screening enclosures shall use at least one of the predominant materials used in the facades of the primary structure and one of the predominant colors used in the primary structure. All air conditioning compressors shall be completely screened. All rooftop and wall vents and flues extending above the top of the nearest parapet shall be painted with one of the predominant colors used in the primary structure. Any rooftop equipment generating off-site noise shall also be baffled or otherwise attenuated to direct unavoidable noise upward or away from residential uses.

G. Additional Standards for R-NT Zoning District.

1. Each building taller than 35 feet shall include facades articulated to identify a base, body, and top.
2. Non-residential buildings shall be oriented to face the street in front of such building, and shall have at least one front entryway

located no further than 10 feet from the sidewalk parallel to the public street in front of such building.

3. No off-street parking spaces shall be provided between the front facade of a non-residential building and the street in front of such building.
4. The front facade of each non-residential building shall incorporate at least one display window with a glazed area of at least 25 square feet, and the lower edge of that glazed area no higher than 3 feet above sidewalk grade.
5. The front facade of each non-residential building shall incorporate a canopy or arcade along at least 50% of its horizontal length.

## **6.7 LIGHTING**

The provisions of this section shall apply to all land uses in the Standard Zoning Districts, New Communities Sub-Districts, Clear Creek Sub-Districts, and PUD Districts. In the discretion of the City, or in the event there is any disagreement between the City and an Applicant as to whether proposed lighting meets the following standards, the City may require a photometric study of the proposed lighting at the Applicant's expense.

### **6.7.1 Intent**

It is the intent of this Section to define practicable and effective measures by which the obtrusive aspects of excessive and/or careless outdoor light usage can be minimized, while preserving safety, security, and nighttime visual environment by encouraging lighting practices that direct appropriate amounts of light where needed, decrease the waste of energy associated with exterior lighting, and help reduce glare associated with the use of poorly shielded or inappropriately aimed lighting fixtures.

### **6.7.2 Scope**

This Section designates illuminance, uniformity and spill light criteria for properties based upon the Lighting Zone (LZ) in which the property is located. The Lighting Zone designation for each property in Arvada is designated by zoning district and use in Section 6.7.5. In addition to criteria based upon Lighting Zone, this Section includes restrictions on lighting equipment, mounting conditions, and submittal requirements to demonstrate compliance. An alternate compliance process is provided for lighting equipment which meets the intent of the equipment restrictions but which may be in violation of specific regulations presented here.

### **6.7.3 Applicability**

- A. New Construction. All exterior lighting systems newly designed, constructed, erected, or otherwise placed into operation on or after the date of adoption of this Section and any alterations, rehabilitation, relocation or renovation to existing lighting commenced after the date of adoption shall be in conformance with the requirements of this Section.

Exception: Lighting designs previously approved but not yet constructed prior to the date of the adoption of this Section may be exempted from the requirements of this Section.

- B. Existing Lighting Systems. All existing lighting systems legally installed and operative before the date of adoption shall be considered legal non-conforming systems. Non-conforming lighting may be continued, but the lighting shall not be changed to any other non-conforming lighting, structurally altered, altered in any way that increases its degree of non-conformance, or expanded or extended in scope.

#### **6.7.4 Prohibited Lighting**

- A. Types. The following types of lighting shall be prohibited from use:
1. Any light that could be construed as a traffic control device except as authorized by the state, federal or city government.
  2. Searchlights and rotating beacons except by special permit.
  3. Any blinking, flashing or changing intensity lighting except as part of a temporary holiday display.
  4. Aerial lasers except by special permit.
  5. Any light source exceeding 60,000 lumens or with an intensity in any direction of 60,000 candelas or more, except by special permit approved by the Community Development Director.
- B. Exemptions. The following lighting systems are exempted from conformance with the requirements of this Section:
1. Lighting used to control and regulate the flow of pedestrian and motor vehicle movement on public rights of way.
  2. Temporary lighting for construction, provided such lighting is of a temporary nature and is discontinued daily immediately upon completion of the construction work for the day. By special permit, where safety is a concern, this lighting may be allowed to remain in operation after daily construction operations are complete.
  3. Lighting used as decoration for any national, state, local or religious holiday provided that the lighting is of a temporary nature and energized for no more than 90 nights per contiguous 12 month period.
  4. Lighting required by law enforcement or emergency services personnel to protect life or property, provided the lighting is of a temporary nature and is discontinued immediately upon resolution of the emergency necessitating its usage.
  5. Lighting required by and regulated by the Federal Aviation Administration for the purpose of air traffic control, navigation, or warning.
  6. Civic monuments as determined by the Community Development Director.
  7. Lighting approved by the Community Development Director as a part of a Special Events permit.

## 6.7.5 Establishment of Lighting Zones

The intent of the Lighting Zones (LZ) is to designate some areas of the City as being allowed to have more lighting than other areas. There are four Lighting zones designated LZ-1 through LZ-4.

A. The following Lighting Zones are hereby established:

1. Lighting Zone 1 (LZ-1)

The darkest areas, based on the overall absence of outdoor lighting, associated with undeveloped or rural areas, including community open space and other areas without roadway lighting. Lighting Zone 1 includes the following zoning districts:

A-1, C-1, R-CE, R-E, PUD-R less than 2 units/acre, NC-AG, NC-OS, NC-RA, NC-RB, NC-RC

2. Lighting Zone 2 (LZ-2)

Moderate light levels in these areas, with roadway lighting and nighttime pedestrian traffic present, but with luminous surroundings and traffic conflict of low to moderate levels. This is the Lighting Zone that applies to most areas such as residential neighborhoods and commercial, business or retail areas that do not have high levels of nighttime pedestrian traffic. Lighting Zone 2 includes the following zoning districts:

R-L, R-SL, R-I, R-MD, R-M, PUD-R more than 2 units/acre, CC-B, Residential Uses in the PUD-BPR, Residential Uses in the NC-MU-A, Residential Uses in the NC-MU-B, Residential Uses in the NC-MU-C

3. Lighting Zone 3 (LZ-3)

Higher light levels exist in Lighting Zone 3 with increased levels of all traffic, particularly nighttime pedestrian traffic, and of existing lighting. Lighting Zone 3 includes the following zoning districts:

P-1, B-1, B-2, B-3, B-4, PUD-BP, I-1, I-2, PUD-I, CC-A, CC-C, CC-D, CC-E, NC-OF, NC-I/OF, NC-SU, Commercial and Office Uses in the PUD-BPR, Commercial and Office Uses in the NC-MU-A, Commercial and Office Uses in the NC-MU-B, Commercial and Office Uses in the NC-MU-C

4. Lighting Zone 4 (LZ-4)

The brightest areas based on the presence of lighting at high levels with high potential for pedestrian and vehicle conflicts at night. Lighting Zone 4 includes the following zoning district:

Commercial and Office Land Uses located within the PUD-BPR Zoning District within 2,640 feet of Wadsworth Bypass between I-70 and the Burlington Northern/Santa Fe Railroad.

All uses within these zones must comply with the lighting criteria within that zone, and all other general lighting requirements.

### 6.7.6 Lighting Zone Requirements

The following tables give the maximum allowable illuminance, minimum uniformity and spill light criteria for each of the four Lighting Zones.

#### A. Illuminance and Uniformity Requirements

Area	Classification	Maximum Illuminance (footcandles)	Uniformity Ratio
Major Roadway (Arterial Street)	High Pedestrian Conflict	8.5	3:1 avg:min
	Medium Pedestrian Conflict	6.5	3:1 avg:min
	Low Pedestrian Conflict	4.5	3:1 avg:min
Collector Roadway	High Pedestrian Conflict	6.0	4:1 avg:min
	Medium Pedestrian Conflict	4.5	4:1 avg:min
	Low Pedestrian Conflict	3.0	4:1 avg:min
Local Roadway	High Pedestrian Conflict	5.4	6:1 avg:min
	Medium Pedestrian Conflict	4.2	6:1 avg:min
	Low Pedestrian Conflict	2.4	6:1 avg:min
Walkways	LZ-1	1.0	10:1 avg:min
	LZ-2	2.0	10:1 avg:min
	LZ-3	4.0	4:1 avg:min
	LZ-4	6.0	4:1 avg:min
Parking – Non-residential	LZ-1	5.0	20:1 max:min
	LZ-2	7.5	20:1 max:min
	LZ-3	10.0	20:1 max:min
	LZ-4	15.0	20:1 max:min
Parking Residential	LZ-1	5.0	20:1 max:min
	LZ-2	6.0	20:1 max:min
	LZ-3	7.0	20:1 max:min
	LZ-4	7.5	20:1 max:min
Outdoor Retail	All Zones	35	20:1 max:min

Maximum illuminance values shall be horizontal measurements and initial condition at grade. For definitions of the High, Medium and Low Pedestrian Conflict Classifications refer to the most recent version of the *American National Standard Practice for Roadway Lighting*, ANSI/IESNA RP-8.

B. Exceptions:

1. For driveways between parking areas and roadways that are allowed to be brighter than the parking area, the maximum illuminance is allowed to be as high as the roadway's maximum illuminance, and this driveway area is to be considered separate from the parking area for uniformity ratio calculation.
2. Lighting for areas where sports are played, if such lighting is no more than 125% of the values cited in the current IESNA recommended practice for that sport.

**6.7.7 Spill Light**

A. Maximum Permitted Spill Light

Spill light onto adjacent properties may be measured by either horizontal measurements at grade or by vertical measurements up to the height of the highest window on the property receiving the spill light. Where vertical measurements at the property boundary are impracticable, measurements at windows may be substituted.

Spill Light – Maximum Limits

Lighting Zone	Maximum Horizontal or Vertical Measured Illuminance at the property line, excluding rights of way (footcandles)
LZ-1	0.2
LZ-2	0.4
LZ-3	0.8
LZ-4	1.5

B. Exceptions

1. Spill light onto rights of way at entries to a property may be the greater of either one third (1/3) of the maximum allowed illuminance for the parking area on the property or one third (1/3) of the maximum allowed illuminance for the right of way.
2. Spill light from lighting for areas where sports are played, within one hour of when the sports are being played.
3. Historical districts.

**6.7.8 Lighting Equipment Restrictions**

- A. The following Lighting Equipment Restrictions apply to all Lighting Zones and zoning classifications.

### Rated Lamp Lumen Restrictions

	Any Light Fixture mounted no more than 4 feet above grade	Wall or Ceiling Mount Light Fixture above 4 feet	Pole Mounted Light Fixture above 4 feet, no more than 15 feet	Pole Mounted Light Fixture above 15 feet
Unshielded	480 <sup>1</sup>	480 <sup>1</sup>	480 <sup>1</sup>	480 <sup>1</sup>
Shielded	1,800	Wall 1,800 Ceiling 3,600	10,000	20,000
Fully Shielded	10,000	10,000	20,000	30,000
Full Cut-Off	N.A.	30,000	30,000	50,000

<sup>1</sup> Up to 3 lamps of this lumen rating will be allowed per light fixture.

#### B. Distribution Constraints

House side shields shall be required for all full cutoff light fixtures installed within 2.5 mounting heights of the property line. The house side shields shall limit the light output from the fixture in the direction of the nearest property line.

Floodlights, including reflector lamps, shall not be aimed off property.

#### C. Lighting Pole and Fixture Constraints

1. Height Restraints - For parking areas, the maximum height of light poles shall be:

- (a) 18 feet when located up to and including 50 feet from the property line of areas zoned for residential uses;
- (b) 25 feet when located more than 50 feet but less than 100 feet from the property line of areas zoned for residential uses;
- (c) 35 feet when located 100 feet or more from the property line of areas zoned for residential uses.

All other light fixtures shall not be mounted higher than 25'.

Exception: parking structures may have 18 foot high poles above the parking deck.

2. Mounting Method Constraints

Luminaries using lamps with more than 20,000 rated lumens shall meet the following constraints:

- (a) Shall not use spider or yoke mounting configuration;
- (b) Shall be mounted on dark color poles (less than 35% reflective).

### 3. Mounting Placement Constraints

Where light poles or bollards are used, they shall be placed:

- (a) At least 3 feet away from the face of the curb (to avoid damage from car bumpers and door swings);
- (b) At least 5 feet from the point where a curb transitions into a driveway, curb cut, or alley;
- (c) At least 20 feet from the extended flow line of the nearest intersection.

#### 6.7.9 Architectural Accent Lighting Constraints

All lighting of a specific architectural feature shall comply with the following:

- A. Non-Canopy Lighting. Building lighting may only be used to highlight important building entries or specific architectural features. General floodlighting of building facades is not permitted.
- B. Canopy Lighting. All canopy lighting (a) shall use recessed light fixtures and (b) shall not use highly reflective material on the underside.

#### 6.7.10 Limits on Timing

For all non-residential properties, any building, service, and loading area lighting, except lighting for security purposes, shall be turned off one hour after business operations have ceased for the day and shall remain turned off until one hour before the next resumption of business operations.

#### 6.7.11 Performance Approach

Lighting equipment that does not meet the requirements of the previous sections may be approved if:

- A. The luminaries are shown in the submittal to be fully shielded from view from anywhere off the property;
- B. Requirements for maximum illuminance, uniformity, spill light, mounting and time of use are met;
- C. Maximum surface luminance seen from anywhere off the property is less than 3000 cd/m<sup>2</sup>; and
- D. The property owner agrees in advance to take any necessary steps after installation to meet these requirements.

#### 6.7.12 Submittal Requirements

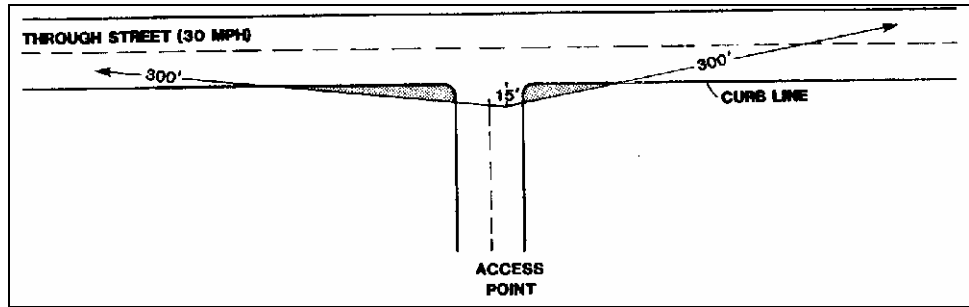
When a new outdoor lighting covered by this Code is being installed, an outdoor lighting plan shall be submitted in conjunction with a Final Development Plan, Final Plat, Conditional Use Permit, Site Plan, or with a building permit application, whichever occurs first.

- A. All submittals shall include the following:
1. The location and mounting height above grade of light fixtures including building mounted fixtures.
  2. The Lighting Zone of the property and all adjacent properties labeled on the plan.
  3. The location of all buildings, parking, drives, walkways and if applicable any outdoor retail areas on the lot or parcel.
  4. The type of light fixture keyed to a light fixture schedule and picture, cut sheets or line drawings of the proposed light fixtures.
  5. The quantity and type of lamp to be used in each fixture along with the lumen output of the lamp.
- B. The following additional submittal requirements shall apply for all properties except single family or duplex residences, when the project includes:
1. A new building, roadway or parking lot.
  2. An expansion of the parking area of more than 25% over the existing area.
  3. An expansion of the building area more than 25% over the existing area.
  4. For the above (Section 6.7.12 B) listed types of projects, in addition to the requirements listed in 6.7.12.A, the submittal shall include:
    - (a) Manufacturer's cut sheets for each light fixture shall be submitted that include a full description of the light fixture and its photometric distribution. The cut sheets shall be keyed to the light fixture schedule and the lighting plan. Where the cut sheets do not include the requirement information it shall be added to the submittal.
    - (b) Aiming angles and diagrams for all sports lighting and flood lighting fixtures.
    - (c) Photometric Plan - Initial horizontal illuminance (maintenance factor = 1.0) calculated at grade using a grid of points no more than ten feet apart and covering the entire site (excluding buildings) and extending a minimum of ten feet beyond the lot or parcel property line. The maximum, average and minimum illuminance values for each specific uses area (i.e. parking area, pedestrian areas, etc.) shall be highlighted. Statistics for uniformity for each specific use area shall be included on the plan. The Community Development Director may waive the requirements for a photometric plan for small lighting systems where light equipment restrictions are met.

## 6.8 CIRCULATION AND CONNECTIVITY

### 6.8.1 General

- A. Intent. The intent of these regulations is to create an adaptable and well-connected transportation system that provides superior access to all sidewalks, trails, transit, and streets, that minimize impacts on air quality, and that reduces reliance on the automobile.
- B. Applicability. These standards shall apply to all development in the City in the Standard Zoning Districts, New Communities Sub-Districts, Clear Creek Sub-Districts, and PUD Districts, unless inconsistent with more specific standards applicable to the development, including §6.9 (Activity Center Design).
- C. Major Street Plan. The layout of streets, highways, sidewalks, and trails shall comply with the Arvada Comprehensive plan, all adopted transportation plans, and the provisions of this Code. All streets shall be designed to avoid steep grades and deep cuts to the maximum extent feasible given each site's natural topography.
- D. Access to Public Roads. All new lots shall have direct or indirect access to a dedicated public street, through one or more access points approved by the City. Single-family detached and duplex homes shall not have individual driveway access to an Arterial, unless no other alternative is reasonably available. All public and private streets shall comply with all applicable design and construction standards adopted by the City. Lots and tracts without direct access to dedicated public roads may only be created through the Major Subdivision process. In addition to direct access to a dedicated public street, access may be provided through private streets or through techniques described in §6.8.2.H (Auto Courts) or §6.8.2.I (Loop Lanes).
- E. Intersection and Driveway Visibility.
  - 1. Visibility at Intersections.
    - a. In all zoning districts, on any corner lot, nothing shall be erected, placed, parked, planted, or allowed to grow in such a manner as materially to impede visibility at the intersection.
    - b. Sight distance shall be measured from the center of the approach lane at a point 15 feet behind the curb line to the center of the nearest approaching traffic lane for each direction.



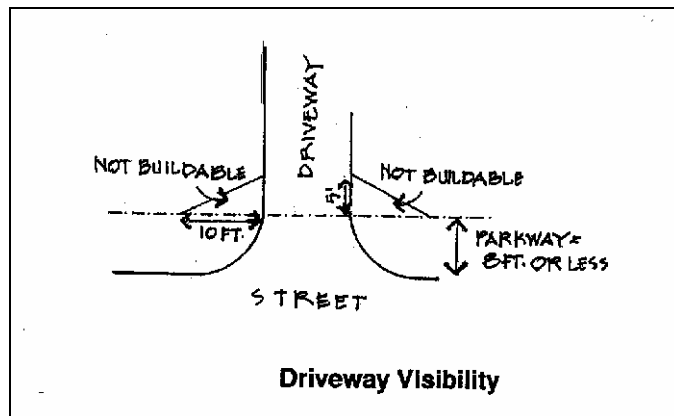
- c. The following minimum sight distance shall be provided at all access point locations: (Posted or 85th percentile if available)

SPEED	MINIMUM SIGHT DISTANCE
45 mph	450 ft.
40 mph	400 ft.
35 mph	350 ft.
30 mph	300 ft.
25 mph	250 ft.

- d. Upon recommendation by the Traffic Engineer, these distances may be modified where safe, accepted engineering practice would indicate that a modified visibility distance either greater or lesser, would be acceptable or necessary for public health, safety or welfare.

2. Driveways.

- a. On the front property line of any lot or tract, except lots with single family detached or duplex development, no structure, fence, wall, sign, or planting that will obstruct vision between a height of 30 inches and 8 feet above the driveway or above the grade of the approach lane shall be erected, placed, or maintained within the triangular area formed by the edge of the driveway and the front lot line as shown on the following diagram:



- b. The provisions of this section may be waived by the City Engineer during the development approval process for fences, walls, or plantings if the applicant demonstrates

that the movement can be made safely considering sight distance, pedestrian and bicycle movements, and street geometrics.

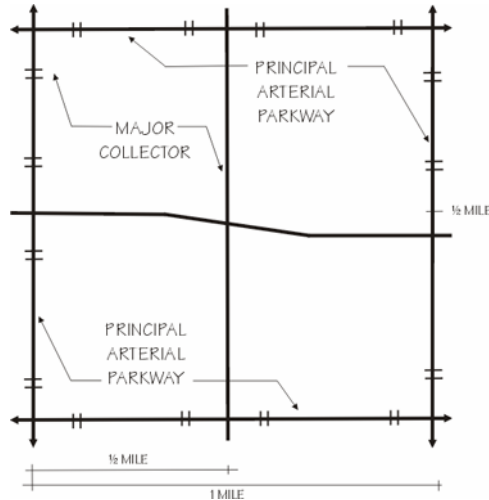
- F. Traffic Impact Analysis. A Traffic Impact Analysis (TIA) shall be required with applications for development review and approval when trip generation during any peak hour is expected to exceed 250 trips per day or more than 100 trips during any one-hour peak period, based on traffic generation estimates of the Institute of Transportation Engineers' Trip Generation manual (or any successor publication). The City may also require a TIA for:
1. Any project that proposes access to a street with Level of Service (LOS) "D" or below;
  2. Any application for a rezoning;
  3. Any case where the previous TIA for the property is more than two years old;
  4. Any case where increased land use intensity will result in increased traffic generation; and
  5. Any case in which the Traffic Engineer determines that a TIA should be required because of other traffic concerns that may be affected by the proposed development.

When access points are not defined or a site plan is not available at the time the TIA is prepared, additional studies may be required when a site plan becomes available or the access points are defined.

#### **6.8.2 Street Hierarchy & Connectivity**

- A. Intent. Residential street and block patterns shall be consistent with the City's major street plan, and should include a clear hierarchy of well connected streets that distribute traffic over a multiple number of streets and avoid traffic congestion on major streets.
- B. Arterial Streets. Arterials are located at approximately one mile intervals in both east–west and north–south directions. Within each one–mile segment, Arterials will align and connect across intersecting Arterials to distribute traffic and provide continuity for designated bicycle routes.
- C. Major Collector Streets. Within each one mile segment, at least one collector street shall divide the segment east–west and another shall divide the segment north–south at approximately the half–mile points, and these major collector streets shall intersect the Arterials within 110 feet of the half-mile points, resulting in areas of approximately 160 acres each. Major collectors should align with each other across Arterials to better distribute traffic and provide continuity for bicycle routes.
- D. Minor Collector Streets. For residential neighborhoods, within each approximately 160 acre area defined by major collectors, at least one minor collector street giving access to its interior shall be provided on every perimeter street of the area unless prevented by an obstacle.

These minor collector streets should connect with each other through such 160 acre area to define four areas of approximately 40 acres each.



**Street Hierarchy**

- E. Local Streets. For each generally 40-acre area, at least one Local Street giving access to its interior shall be provided on every perimeter street of the area unless prevented by an obstacle. Such streets should connect across other local streets depending on the land use relationship.
- F. Connectivity. Where property is to be developed and streets are stubbed to the property or where Arterial, Collector, or Local streets are designated to connect to the property, the City may require rights-of-way and construction of those streets through and into the area contained within the development application.

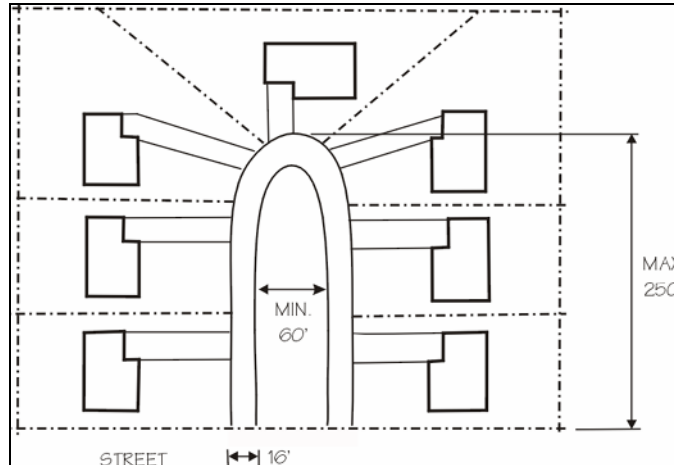


**Street Hierarchy & Connectivity**

- G. Driveways. Single-family detached and duplex driveways shall not provide direct access to dedicated Arterial streets, unless no other alternative is reasonably available.
- H. Auto Courts. Up to 4 single-family dwelling units may share a single driveway access to a public street through the use of an auto court layout, provided that the auto court is approved by the Decision Making Body and it complies with the following conditions:
  1. The minimum width of the surface of an auto court shall be 20 feet.

2. Shared driveways shall be surfaced with concrete, not asphalt.
  3. Individual driveways leading from the shared driveway to each dwelling unit shall be at least 20 feet long, as measured between the front of the garage or carport and the closest edge of the shared driveway.
  4. The design of the auto court shall permit a passenger vehicle to back out of an individual driveway and turn 90 degrees using the individual drive or intersecting street.
  5. The auto court design shall comply with all off-street parking requirements applicable to single-family dwellings. In addition, each auto court design shall provide one-half off-street parking space per dwelling unit, in a location other than a private driveway.
  6. Provisions for the maintenance and repair of shared driveways shall be approved by the City during the development approval process.
- I. Loop Lane. Up to seven single-family dwelling units may share access to a public street through the use of a loop lane layout, provided that the loop lane is approved and complies with the following conditions:
1. The surface of the loop lane shall be at least 20 feet wide, and shall be surfaced with concrete, not asphalt.
  2. No portion of the loop lane shall extend more than 250 feet from the public street to which the loop lane gives access.
  3. The common area surrounded by the loop lane shall be at least 60 feet wide.
  4. Individual driveways leading from the loop lane to each home shall be at least 20 feet long, as measured from the closest edge of the loop lane.
  5. Traffic on the loop lane shall be one-way only and shall be adequately signed as a one-way drive.
  6. The design of the loop lane shall permit a passenger vehicle to back out of an individual driveway and turn 90 degrees in either direction using only the individual driveway, the loop lane, or the intersecting public street.
  7. The loop lane design shall comply with all off-street parking requirements applicable to single-family dwellings. In addition, each loop lane court design shall provide one-half off-street parking space per dwelling unit, in a location other than a private driveway.
  8. Provisions for the private ownership and maintenance of both the loop lane surface and the common area surrounded by the loop

lane shall be approved by the City during the development approval process.



**Loop Lane**

- J. Private Streets. The use of private streets is discouraged. Where used, private streets shall comply with all standards for the design of public streets of the same function adopted by the City. Provisions for the maintenance and repair of private streets shall be approved by the City during the development approval process.
- K. Alleys. The use of alleys is encouraged for development that is residential or predominantly residential in the R-NT, R-SL, PUD-R zoning districts. Where alleys are used, they shall comply with the following standards:
1. The minimum right-of-way width of a residential alley shall be 16 feet.
  2. The minimum right-of-way width of a commercial or industrial alley shall be 20 feet.
  3. All platted alleys shall be paved.
  4. Residential alleys shall connect through the block to a publicly dedicated street on each end and must provide access to at least 50% of the garages on lots adjacent to the alley.
  5. The City may require alleys in the following circumstances:
    - a. Along the rear lot lines of a multi-family development if the area of lots as subdivided will permit three or more dwelling units;
    - b. Along the rear lot lines of all lots fronting on a major arterial street; and
    - c. At any other location the City or Decision-Making Body deems necessary.
  6. The Applicant must provide for private ownership and maintenance of the alley.

- L. Utilities. All street and alley development shall accommodate all utility easements, service, and utility cabinet locations. Service cabinets should be located in the least visible and least intrusive locations possible. Utility plans must be approved prior to issuance of the first building permit.

### 6.8.3 Pedestrian and Bicycle Access, Circulation, and Parking

- A. Trails. Pedestrian, bicycle, and equestrian trails shall be constructed where indicated in the City's adopted Trails Plan and policies and shall be designed and constructed to adopted City standards.
- B. Pedestrian Connections.
  - 1. All primary entrances of principal structures containing nonresidential uses, and each entryway serving dwelling units in a multi-family structure, shall have direct assessable sidewalk connection (i.e. access without having to cross a street) to a sidewalk, walkway, or trail that leads to a sidewalk adjacent to a public street, between each primary structure in the development, and to all existing or planned transit stop or park-n-ride locations identified by RTD. Each such sidewalk, walkway, or trail shall be a minimum of 5 feet wide, or a minimum of 7 feet wide where it is adjacent to areas where parked cars may overhang the walk or trail.
  - 2. Each proposed development that will include parking areas that extend more than 250 feet from the primary structure shall provide a designated walkway from the row of parking furthest from the primary structure to a primary structure entrance used by residents, employees, or the public, or to a sidewalk leading to such entrance. Such walkways shall be distinguished from surrounding parking areas by changes in color or texture, raised surfaces, or landscaped edges.
- C. Bicycle Access. In developments containing nonresidential uses or multi-family uses, bicycle access routes shall be provided between public bicycle lanes or trails and on-site bicycle parking areas. Sites should be designed to avoid or minimize all conflicting bicycle/motor vehicle and bicycle/pedestrian movements. All bicycle trails connecting to the Arvada park, open space, and trail system shall be constructed of concrete, and shall comply with City trail width requirements.
- D. Bicycle Parking. Each type of facility listed below shall provide bicycle parking racks to accommodate at least the following minimum numbers of bicycle parking spaces.

<b>Bicycle Parking Requirements</b>	
Activity Center (Small Activity Center and Large Activity Center)	Open Bicycle parking: 1 bicycle space for each 10 auto parking spaces, to a maximum requirement of 25 bicycle spaces per 60 acres of site, and  Secured bicycle lockers: 1 bicycle locker per 50 auto-spaces, to a maximum requirement of 5 bicycle lockers per 60 acres of site.
Residential Multi-Family of 50 Units or Greater Except Elderly Housing Facility	Open bicycle parking: 1 bicycle space for each 10 auto parking spaces, to a maximum requirement of 25 bicycle spaces per 60 acres of site, and  Secured bicycle lockers: 1 bicycle locker per 50 auto-spaces, to a maximum requirement of 5 bicycle lockers per 60 acres of site.
Office Complex; Office Park	5 spaces
Fast Food Restaurant	5 spaces
Amusement Enterprise	5 spaces
Theater	10 spaces
Public Library	10 spaces
Recreation Center	10 spaces
Museums, Community Centers	10 spaces
Elementary Schools	50 spaces
Junior High Schools	100 spaces
Senior High Schools	50 spaces

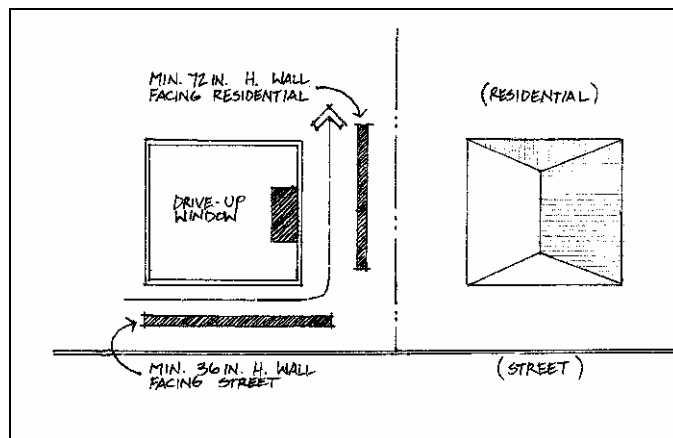
- E. Combined Trails. If a bicycle access route is combined with a pedestrian sidewalk, the combined path shall be at least 8 feet wide if detached from the street, or 10 feet wide if attached to the street.
- F. Transit Access Circulation. Nonresidential and multi-family residential developments shall incorporate bus stop locations within their site plan if requested by RTD, and each such bus stop location shall be designed to accommodate a bus shelter and passenger-loading apron complying with RTD design criteria. All existing and proposed bus stops and park-n-ride facilities identified by RTD shall be linked by paved walkways to at least one sidewalk and to at least one internal walkway within each adjacent non-residential and multi-family development that contains more than one building.
- G. Site Layout, Auto Access, and Parking.
1. Driveways shall be consolidated to the greatest degree possible to reduce the number of sidewalk/driveway crossing points.
  2. Short term (public), and long term (resident and employee) parking shall be clearly signed, and short term parking areas

should generally be located closer to the primary public entrances to primary structures.

H. Truck Access. Truck access and circulation routes shall be designed to minimize potential traffic and noise conflicts with adjacent sites, walkways between sidewalks and primary building entrances, and internal circulation routes. Wherever possible, truck access should not be from local residential streets.

I. Auto-Oriented Uses.

1. Drive-up and drive-through facilities (order stations, pick-up windows, bank teller windows, money machines, etc.), shall be located on the side or rear of primary structures to minimize views from public streets.
2. Drive-through lanes and vehicle stacking areas adjacent to public streets or sidewalks shall be separated from such streets or sidewalks by walls, railings, or hedges at least 36 inches high.
3. Car wash facilities and gas station auto service bays shall be located on the side or rear of primary structures to minimize views from public streets. Non-accessory car washes are prohibited on corner lots.
4. In addition to any residential/non-residential buffering required by §6.5.3 (Residential Landscaping), drive-through lanes and parking adjacent to residential uses shall be separated from such uses by an opaque wall at least 72 inches high, located so that required buffer landscaping is between the wall and the residential use.



**Auto-Oriented Facilities-Separation from Residential Uses**

## 6.9 ACTIVITY CENTER DESIGN

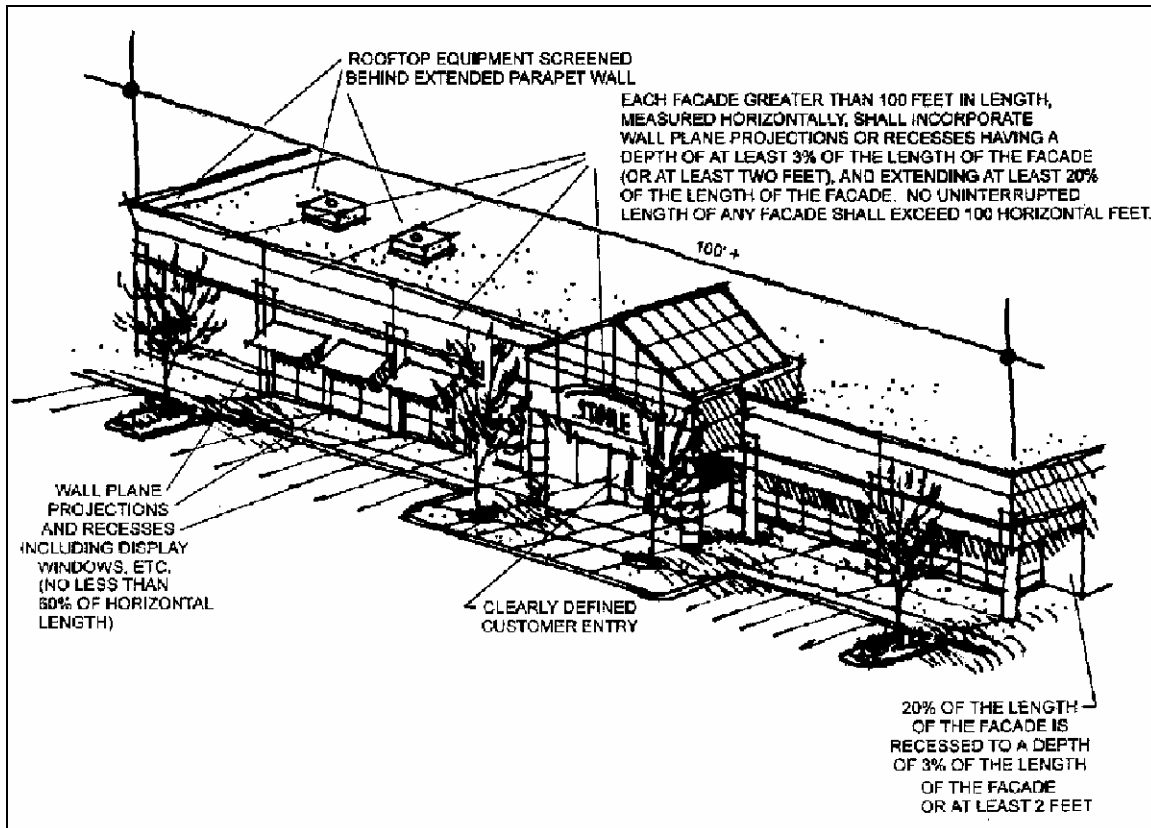
### 6.9.1 Activity Center Site Design

These standards, shall apply to any retail, commercial, office, or mixed use development containing at least one single-story retail building with at least 50,000 square feet of gross leasable area predominantly occupied by one large user, or any multi-family development containing more than 100 units.

- A. Pedestrian Meeting Plaza. Each activity center shall include at least one pedestrian plaza at least 5,000 square feet in size and centrally located to provide convenient access to the greatest number of users possible.
- B. Bus Stops. Any bus stop facilities requested by RTD shall be built to RTD specifications in the first phase of development, and may include a passenger shelter sized to accommodate anticipated usage.
- C. Additional Landscaping Requirements.
  - 1. Perimeter Buffers. In addition to landscaping required by §6.5 (Landscaping, Buffering, Screening, Fences, and Walls), a buffer at least 30 feet wide shall be provided along all street edges (with breaks at approved access points), and such buffer shall include landscaping equivalent to a Type B buffer, as described in §6.5.6.B (Buffer Types).
  - 2. Parking Lot Landscaping. These standards shall apply in lieu of those requirements contained in §6.5.5 (Parking Lot Landscaping). A minimum of 15 percent of the parking area shall be landscaped, and such landscaping shall be distributed so that:
    - a. Landscaped islands between parallel rows of parking shall be used to define parking modules containing no more than 120 cars each,
    - b. Such landscaped islands between parallel rows of parking shall be at least 12 feet wide and shall be capped at each end by a perpendicular island at least 8 feet wide,
    - c. No parking space shall be more than 150 feet from a landscaped area, and
    - d. No landscaped area shall be less than 150 square feet in size.
  - 3. Bus Stops. A minimum of one shade tree with a mature height of at least 35 feet shall be installed within 10 feet of each bus stop required pursuant to §6.9.5.B (Bus Stops).
- D. Additional Building Architecture Requirements.
  - 1. Building Facades.
    - a. Each facade greater than 100 feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least 3% of the length of the facade and extending at least 20% of the length of the

facade. No uninterrupted length of any facade shall exceed 100 horizontal feet.

- b. Each building facade shall have a repeating pattern that shall include a combination of: (a) color change, (b) texture changes, (c) material change, or (d) 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.
- c. Ground floor facades that face public streets shall have arcades, display windows, entry areas, awnings, or other such features along no less than 60% of their horizontal length.



### Building Façade Requirements for Large Retail Centers

- 2. Parapets. Roofs of single-story retail buildings with at least 50,000 square feet of gross leasable area predominantly occupied by one large user shall have parapets or enclosures concealing flat roofs and rooftop equipment from public view, and such parapets and enclosures shall be constructed of materials that match the building in quality and detail. Each such parapet or enclosure shall have an average height of no more than 15% of the height of the supporting wall, a maximum height at any point equal to 33% of the height of the supporting wall, and three dimensional cornice treatments.
- 3. Building Entryways. Each single-story retail building with at least 50,000 square feet of gross leasable area predominantly occupied by one large user shall have highly visible customer entrances featuring a combination of at least two of the following elements:

- a. Roof overhangs, raised cornice parapets, or peaked roof forms;
- b. Recessed or projecting wall sections;
- c. Arcades or arches;
- d. Outdoor patios;
- e. Display windows;
- f. Architectural details such as tile work and moldings integrated into the building structure; or
- g. Integral planters or wing walls that incorporate landscaped areas and/or seating areas.

## **6.10 AFFORDABLE HOUSING**

### **6.10.1 Intent**

This section is intended to provide a greater supply of new single-family housing on Small Lots for individuals and families seeking relatively affordable housing in the City of Arvada.

### **6.10.2 Applicability**

These standards shall apply to developments that meet all of the following criteria:

- A. All residential development in the R-E, R-L, R-I and PUD Zoning Districts, and in the NC-RB, NC-RC, NC-MU -B, and NC-MU-C Zoning Subdistricts, and
- B. That contains more than 10 single-family detached units or attached two-family units, and
- C. For which a complete application for a Preliminary Subdivision Plat or a PUD Preliminary Development Plan or a Rezoning or a Site Plan has not been accepted by the City prior to the effective date of this Code.

For purposes of determining whether a proposed development is subject to this §6.10, all proposed residential units in a single or related applications shall be considered together, regardless of whether the project will be developed in phases.

### **6.10.3 General Requirements**

- A. All residential development subject to this §6.10 shall incorporate at least the minimum number dwelling units on "Small Lots" required by §6.10.3.B, or shall comply with one or more of the Alternative Compliance provisions contained in §6.10.4. See §10.3.307 for definition of "small lot."
- B. Each development subject to this §6.10 shall incorporate at least the minimum percentages of Small Lots shown in the table below, and may not incorporate more Small Lots than the maximum shown in the table below. No more than 50% of all Small Lots included in a development may be smaller than 5,000 square feet in size.

Percentage of Small Lots Required (% of Total Single Family and/or Two-Family Lots in the Development)			
Type of Development	Minimum Number of Small Lots (Required)	Maximum Number of Small Lots	Maximum Number of Small Lots That May be Smaller Than 5,000 sf
Infill or Redevelopment Parcel	10%	15%	50% of Small Lots
All Other Development Parcels	15%	20%	50% of Small Lots

- C. Distribution of Small Lots. No more than 50 Small Lots shall be platted or developed either adjacent to each other (within the same block) or across a local street from each other. The City may approve an alternative distribution pattern if it finds that such alternative would create superior internal design for the development or reduce potential impacts on adjacent properties outside the proposed development. The City shall, in all instances, have the discretion to approve the final location and distribution of such Small Lots in the development.
- D. Dimensional Standards. All dwellings on Small Lots shall comply with those dimensional standards for Small Lots shown in §6.2.1(Dimensional Standards).

#### 6.10.4 Alternative Compliance

Applicants subject to §6.10 may propose to do any of the following measures as an alternative to complying with all or part of the requirements of §6.10.3.

- A. Cash-in-Lieu Contribution. An Applicant may make a cash in-lieu contribution to the Arvada Affordable Housing Fund as an alternative to constructing the minimum required number of dwelling units on Small Lots. For each Small Lot dwelling unit not built, the cash-in-lieu contribution shall be equal to the cost of constructing a new single-family home on a 5,000 square foot lot within the subject development, net of developer overhead, general expenses, and profit for such a home. The Applicant shall provide evidence supporting its calculation of the cash-in-lieu contribution to the City, which the City may accept, revise, or reject on the basis of accuracy or inaccuracy for the purposes of compliance with the cash-in-lieu alternative.
- B. Dedication of Land. An Applicant may dedicate land to the City as an alternative to providing the minimum required number of dwelling units on Small Lots. The dedicated land shall be located within the City of Arvada, and shall be either of a value equivalent to the cash-in-lieu contribution or shall be zoned and approved for the development of the same number of Small Lot units as would otherwise be required under §6.10.3 above.
- C. Multi-Family Housing. In lieu of providing single-family detached or two-family homes on Small Lots, an Applicant may provide an equal number of multi-family dwelling units, provided that (1) no more than six multi-family dwelling units may be contained within a single structure, and (2) each multi-family structure shall meet all Dimensional Requirements for a 2-story multiple unit dwelling structure in the R-M Zoning District, as shown in §6.2.1 (Dimensional Standards). The City shall, in all instances,

have the discretion to approve the final location and distribution of such multi-family dwelling units in the development.

- D. Mixed Use. The minimum number of Small Lots required by §6.10.3 may be reduced by 50% if the Applicant incorporates one or more of those small scale commercial uses permitted in the R-NT Zone District on parcels adjacent to those on which the remaining required Small Lot residences required by §6.10.3, or the alternative multi-family residences permitted by §6.10.4.C are sited. If this alternative is chosen, the Applicant shall not be permitted to make a cash-in-lieu payment under §6.10.4.A or a dedication of land under §6.10.4.B in lieu of providing the remaining number of Small Lot or multi-family units. The City shall, in all instances, have the discretion to approve the final location of such commercial uses within the development.
- E. Other Alternatives. In addition to the specific alternatives allowed in this §6.10.4, an Applicant may offer a different alternative for approval by the City Council, who shall have the discretion to accept such alternative compliance as long it would make an equivalent or greater contribution to addressing housing affordability as the Small Lot requirements stated in §6.10.3.

#### **6.10.5 Development Agreements**

Commitments regarding the amount and timing of any cash-in-lieu contributions to the Arvada Affordable Housing Fund, or the amount and timing of any land dedications, shall be stated in a Development Agreement (§3.12). The Development Agreement shall be executed by the Applicant and by the City no later than the date on which the Rezoning, Final Subdivision Plat, Final PUD Development Plan, or Site Plan is approved for the proposed development that gave rise to the affordable housing obligation.

### **6.11 UNDERGROUND UTILITIES**

These standards shall apply to all development in the City in the Standard Zoning Districts, New Communities Sub-Districts, Clear Creek Sub-Districts, and PUD Districts, unless inconsistent with more specific standards applicable a particular type of development.

#### **6.11.1 General Requirements**

All electric and communication utility lines and services, and all street lighting circuits, shall be installed underground, except for:

- A. Transformers, switching boxes, terminal boxes, meter cabinets, pedestals, ducts and other facilities necessarily appurtenant to such underground and street lighting facilities, which may be placed above ground within a utility easement, or within a public right-of-way in a location approved by the City.
- B. Facilities reasonably necessary to connect underground facilities to existing or permitted overhead or over-ground facilities;

- C. Overhead electric transmission lines and distribution feeder lines over 110KV, and overhead communication long distance, trunk, and feeder lines.
- D. Existing utility facilities and structures, which shall not be required to be removed or replaced.
- E. Any utility facilities or structures approved for above ground location pursuant to §3.20 (Variances) because unusual circumstances would make undergrounding of utilities an unreasonable hardship.

## **6.12 STORMWATER DRAINAGE AND EROSION CONTROL**

### **6.12.1 Applicability**

Requirements for stormwater drainage in this article shall apply to all land in the City, except lands on which an approved subdivision plat existed within the City prior to January 1, 1971, that are improved or can be improved without a development plan or plat required by this Code. Requirements for erosion control shall apply to all parcels within the City. At a minimum, reasonable efforts to prevent, mitigate, and control accelerated soil erosion shall include the design, installation, and implementation of temporary erosion control measures prior to any earth disturbance activities.

### **6.12.2 Facilities To Be Provided By Owner Or Developer**

- A. The owner or developer of land to be improved or developed shall provide drainage facilities within the development necessary for the drainage and control of storm and surface waters within the development and all drainage originating off-site but traversing or flowing adjacent to the development.
- B. Said owner or developer shall construct the facilities determined as necessary in accordance with §6.12.5 (Engineering Studies of Drainage Basins), which are to be located on or adjacent to the development, unless the City Engineer, in his discretion, waives this requirement.
- C. Said owner or developer shall provide detention facilities within the development to contain all storm waters generated by the development which are in excess of historic flows for the area to be developed. These detention facilities shall be so designed that the peak flow from the property is as nearly equal as practicable to the flow which is deemed historic.
- D. The City Engineer may, in his discretion, waive the requirements of subsection C. hereof if he determines that:
  1. The development will not cause damage from drainage waters to downstream properties, or
  2. The peak flow hydrograph along the major drainage ways is not adversely impacted by the development.
- E. Said owner or developer shall provide and maintain reasonable best management practices for permanent stormwater quality control within

the development. The best management practices shall be selected and designed to avoid or minimize, to the extent practicable, adverse water quality impacts of stormwater discharged from the development.

- F. Said Owner or developer shall be required to prepare a stormwater management plan and obtain a Colorado Discharge Permit System – Stormwater from the Colorado Department of Public Health and Environment, Water Quality Control Division.
  - 1. An owner or developer shall be exempt from the requirements of subsection F. above if the development is less than one acre and not associated with a larger development plan.

### **6.12.3 Design Criteria**

Design of storm drainage facilities, including but not limited to reasonable best management practices for permanent stormwater quality control, shall be in accordance with sound engineering practices, shall be done under the direction of a Professional Engineer registered in the State, shall be in accordance with requirements of the City Engineer, and shall be based, where practicable, upon the criteria contained in volumes 1, 2 and 3 of the Urban Storm Drainage Criteria Manual published by the Urban Drainage and Flood Control District, as amended, and the City of Arvada Standard Specifications and Policies.

### **6.12.4 Agreement Required**

The owners of lands presently located within the City boundaries or annexed to the City in the future shall agree in writing with the City prior to final publication of the Ordinance annexing said lands that the lands are subject to and the owners will comply with the provisions of this §6.12. The owners of undeveloped property presently within the City and the owners of properties subsequently annexed to the City who have not previously agreed to comply with this Section shall prior to subdivision or development of said property agree in writing to conform to the requirements of this Section, however, any such undeveloped property upon which there exists at the time of adoption of this Code a specific drainage plan approved by the City shall be exempt from the terms of this Section.

### **6.12.5 Facilities to Become Property of the City**

All drainage facilities and appurtenances constructed or provided under this Ordinance shall upon written acceptance by the City become the property of the City and the City shall thereafter operate and maintain the same.

## **6.13 FLOODPLAIN DEVELOPMENT STANDARDS**

### **6.13.1 Purpose**

This Section 6.13 is intended to provide the means and the guidelines to promote the public health, safety, and general welfare, to minimize public and private losses in areas subject to flood hazards, and to promote wise use of the Floodplain. This Section has been established with the following purposes intended:

- A. To reduce the hazards of flood to human life, health and property;
- B. To protect floodplain occupants from a flood which is or may be caused by their own, or other land use;
- C. To protect the public from the burden of avoidable financial expenditures for flood control and relief;
- D. To protect the storage capacity of floodplains and to assure retention of sufficient floodway areas;
- E. To protect the hydraulic characteristics of the small watercourses, including gulches, sloughs and artificial water channels used for conveying flood waters; and
- F. To protect individuals from purchasing floodplain lands for purposes which are not, in fact, suitable.

### **6.13.2 Methods of Reducing Flood Losses**

In order to accomplish its purposes, this Section includes methods and provisions for:

- A. Restricting or prohibiting uses which are dangerous to public life, health or property due to flood waters or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- B. Restricting uses which are particularly susceptible to flood damage;
- C. Requiring permitted floodplain uses, including public facilities which serve such uses, to be protected against floods by flood-proofing and providing general flood protection at the time of initial construction or reconstruction;
- D. Regulating the manner in which a structure, may be constructed in floodplain areas;
- E. Regulating the method of construction of water supply and sanitation systems so as to prevent disease, contamination and unsanitary conditions;
- F. Delineating and describing areas that could be inundated by floods;

- G. Regulating the method of construction and pattern of development within all uses in the floodplain;
- H. Regulating the alteration of natural floodplains, stream channels and natural protective barriers which help accommodate or channel flood waters;
- I. Regulating or prohibiting filling, grading, development, dredging and unnecessary encroachments which may increase flood damage or prevent water carrying capacity;
- J. Encouraging uses such as greenbelt, open space, agricultural, recreation facilities and riding trails in floodplain areas.

### 6.13.3 General Provisions

- A. Jurisdiction. This Section shall apply to all lands within the City of Arvada that would be inundated by the 100 year flood as shown on the Official Floodplain Maps.
- B. District Types. The Flood Regulatory District covers the 100 year floodplain. The Flood Regulatory District has been subdivided into the Floodway District and the Flood Zone District as defined in Article 10, Definitions. The Floodway District and Flood Zone District are not a separate Zoning District, but are an overlay over existing Zoning Districts. In addition to meeting the conditions of the underlying Zoning District, any property to be developed in the floodplain must meet the conditions of the applicable Floodway District and Flood Zone District.
- C. Adoption of Official Floodplain Maps. The location and boundaries of the Flood Regulatory District, Floodway District, and Flood Zone District established by this Section are based upon technical data in a scientific and engineering report by the Federal Emergency Management Agency entitled, "Flood Insurance Study, City of Arvada, Colorado, Jefferson and Adams Counties," dated February 19, 1992, and the accompanying Flood Insurance Rate Maps. This information is incorporated on the Official Floodplain Maps of the City of Arvada which are hereby adopted into this Code. Said maps and study, together with everything shown thereon and all amendments thereto, shall be as much a part of this Section as if fully set forth and described herein. Each change in the Official Floodplain Maps shall be subject to the amendment procedure as required in §3.22 (Written Interpretations), or §1.6.5, and §3.5 of this Code.
- D. Boundaries. The boundaries of the Flood Regulatory District, Floodway District and the Flood Zone District shall be determined from information on the Official Floodplain Maps and in the Flood Insurance Study which are kept on file in the Office of the Arvada City Engineer. The boundary lines on the map shall be determined by the use of the scale appearing on the map. For the purpose of final determination of the floodplain boundaries, the base flood elevations on the 100-year flood profile shall control. The base flood elevations shall be as shown on the flood profiles and tabulations in the Flood Insurance Study as revised, and on the Official Floodplain Maps. Where there is a conflict between the boundary lines illustrated on the map and actual field conditions, the dispute shall be settled according to §3.22 (Written Interpretations).

For those areas in the Flood Regulatory District, where base flood elevations have not been determined, including Flood Zone A within the Flood Zone District, the Floodplain Administrator shall obtain, review and reasonably utilize any base flood elevations and floodway data available from any Federal, State, or other source as criteria for determining final floodplain boundaries and administering rules, regulations and requirements within the floodplain as set forth in §§6.13.4 (Flood Regulatory District--General Standards), 6.13.5 (Floodway District Regulations), and 6.13.6 (Flood Zone District Regulations) of this Code.

- E. Interpretation. In the interpretation and application of this §6.13, the provisions of this Section shall be held to be minimum requirements and shall be liberally constructed in favor of the governing body and shall not be deemed a limitation or repeal of any other powers granted by the Colorado Revised Statutes.
- F. Compliance. No structure or land shall hereafter be constructed, developed, located, extended, converted or altered without full compliance with the terms of this Section and other applicable regulations.
- G. Abrogation and Greater Restrictions. This Section is not intended to repeal, abrogate, annul or impair with any existing easements, covenants, deed restrictions, provision of law or ordinance, or any rules, regulations or permits previously adopted or issued, or which shall be adopted or issued in conformity with law, relating to the use of building or property. However, where this Section and another easement, covenant, deed restriction, provision of law or ordinance, rule, regulation or permit conflict or overlap, the more stringent restriction shall apply.
- H. Applicability. The provisions as set forth in this Section for the Flood Regulatory District, Floodway District, and Flood Zone District shall apply to all lands in the City of Arvada located within the 100-year floodplain, where base flood elevations have been or are to be determined in accordance with §6.13.3.D (Boundaries), and as delineated on the Official Floodplain Maps signed by the Mayor of the City of Arvada and the City Clerk and as designated and approved by the Colorado Water Conservation Board.
- I. Warning and Disclaimer of Liability. The degree of flood protection intended to be provided by this Section is considered reasonable for regulatory purposes and is based on engineering and scientific methods of study. Larger floods may occur on occasions or the flood height may be increased by man-made or natural causes, such as ice jams and bridge openings restricted by debris. This Section does not imply the areas outside floodplain area boundaries or land uses permitted within such areas will always be totally free from flooding or flood damages, nor shall this Section create a liability on the part of or cause of action against the City of Arvada.

#### 6.13.4 Flood Regulatory District - General Standards

In all areas within the 100-year floodplain as designated in the Flood Regulatory District which includes the Floodway District and the Flood Zone District, the following general standards shall apply:

##### A. Anchoring.

1. All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure and capable of resisting the hydrostatic and hydrodynamic loads.
2. All manufactured homes must be elevated and anchored to resist flotation, collapse or lateral movement and capable of resisting the hydrostatic and hydrodynamic loads. Methods of anchoring may include, but are not limited to use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces. Specific requirements may be:
  - a. Over-the-top ties be provided at each of the four corners of the manufactured home, with two additional ties per side at intermediate locations, with manufactured homes less than 50 feet long requiring only one additional tie per side; and
  - b. Frame ties be provided at each corner of the home with five additional ties per side at intermediate points, with manufactured homes less than 50 feet long requiring four additional ties per side; and
  - c. All components of the anchoring system be capable of carrying a force of 4,800 pounds; and
  - d. Any additions to the manufactured home be similarly anchored.

##### B. Construction Materials and Methods.

1. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
2. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.
3. All new construction and substantial improvements shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

##### C. Utilities.

1. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;

2. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters; and
3. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

D. Subdivision Proposals.

1. All subdivision proposals shall be consistent with the need to minimize flood damage;
2. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage;
3. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage; and
4. Base flood elevation data shall be provided for all subdivision proposals and other proposed development.

E. Flood-Proofing. All-flood proofing measures mandated in this Section shall be subject to the requirements of this Code regarding Establishment of Floodplain Development Permit, and regarding Non-Residential Structures. A Professional Engineer registered in the State of Colorado shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this Section and the design is consistent with the flood protection elevations for the particular area as shown by the flood profile, flood velocities, and other factors associated with the flood protection elevation. Such certifications shall be provided to the Floodplain Administrator as set forth in §2.5.2.D.1 (Obtain and Maintain Floodplain Information). In addition to the flood-proofing measures described elsewhere in this Section, others may include:

1. Installation of watertight doors, bulkheads and shutters.
2. Reinforcement of walls to resist water pressure.
3. Use of paints, membranes, or mortars to reduce seepage of water through walls.
4. Addition of mass or weight to structures to resist flotation.
5. Installation of pumps to lower water levels in structures.
6. Pumping facilities for subsurface drainage systems of building to relieve external foundation, wall and basement floor pressures.
7. Construction to resist rupture or collapse caused by water pressure or floating debris.
8. Cutoff valves on sewer lines or the elimination of gravity flow basement drains.

### 6.13.5 Floodway District Regulations

The floodway delineates the channel of a gulch or other watercourse and the adjacent land that must be reserved in order to discharge the 100-year flood without cumulatively increasing the base flood water surface elevation more than one foot at any one point.

A. Special Provisions. The following regulations shall apply to all uses within the Floodway District, notwithstanding that such uses may be specifically permitted under the terms of this Section.

1. The flood protection elevation or height shall correspond to a point one (1) foot (2 feet for residential structures) above the base flood elevation shown on or attached to the flood map for a particular area.
2. No structure or temporary structure, fill, including fill for roads and levees, deposit, obstruction, storage of materials, or other floodplain uses which acting alone or in combination with existing or future floodplain uses, shall be permitted that effects the efficiency of the floodplains based on the assumption that there will be an equal degree of encroachment extending for a significant reach on both sides of the stream.
3. No floodplain uses shall affect the efficiency of or restrict the capacity of the channel or floodways of any tributaries to the main stream, drainage ditches, or any other drainage facilities or systems.
4. No developments or improvements shall be allowed within the Floodway District that would result in any increase in flood levels during the occurrence of the base flood discharge within the community.

B. Description of Permitted Uses. The following open uses shall be permitted within the Floodway District to the extent that they are also permitted in a particular area by the underlying Zoning District.

1. Agricultural uses such as: General farming, pasture, truck farming, sod farming, and wild crop harvesting;
2. Industrial-Commercial uses such as: Parking areas and airport landing strips;
3. Public and private recreation uses not requiring permanent or temporary structures designed for human habitation, such as: Parks, golf courses, driving ranges, picnic grounds, wild life and nature preserves, shooting preserves, target ranges, trap and skeet ranges, hunting, fishing and biking areas;
4. Utility facilities such as: transmission lines, excluding above ground support facilities; underground pipelines; water monitoring devices; roadways and bridges;

5. Uses very similar in nature to permitted uses may be allowed provided that they are consistent with the provisions of this Section.

C. Description of Permitted Structures. Temporary and permanent structures accessory to open uses permitted in subsection B above shall be permitted subject to submittal of building plans to the Floodplain Administrator for approval in accordance with §3.16 (Floodplain Development Permit), which:

1. Will not be designed for human habitation; and
2. Will have a low flood damage potential; and
3. If permitted, will be constructed and placed on the building site so as to offer the minimum obstruction to the flow waters:
  - a. Whenever possible, structures will be constructed with the longitudinal axis parallel to the direction of the flow of flood waters, and
  - b. Insofar as feasible, structures will be placed so their longitudinal axis are approximately on the same line as those of adjoining structures,
4. Will be firmly anchored to prevent the structure or building from floating away thus threatening to further restrict bridge openings and other restricted sections of the stream or river.

#### **6.13.6 Flood Zone District Regulations**

The Flood Zone District represents the area that is inundated in the 100-year flood that may serve as a temporary storage area for the flood waters and that lies landward of the floodway.

A. Special Provisions.

1. No fill, structure, deposit or other floodplain uses shall be permitted that adversely affects the efficiency of any channels or floodways of any tributaries to the main stream or river; drainage ditches; or any other drainage facilities or systems.
2. Residential Construction.
  - a. New construction and substantial improvement of any residential structure within or moved into the Flood Zone District, shall have the lowest floor (including basement), constructed at or above a point two (2) feet above the base flood elevation, or, if within Flood Zone AO, at or above a point two (2) feet above the depth number specified in feet on the Official Floodplain Maps (the depth number shall be at least two (2) feet if it is not specified on the maps). A residential structure shall be any structure which is designed for human habitation.
  - b. Within Zones AH and AO in the Flood Zone District, adequate drainage paths shall be constructed around

structures on slopes to guide flood waters around and away from proposed structures.

3. Non-Residential Construction.

New construction and substantial improvements of any commercial, industrial, or other non-residential structure within or moved into the Flood Zone District shall either:

- a. have the lowest floor (including basement) constructed at or above the Flood Protection Elevation, or if within Flood Zone AO, at or above the depth number specified in feet on the Official Floodplain Maps (at least two feet if no depth number is specified); or
- b. together with attendant utility and sanitary facilities shall:
  - i. be flood-proofed to or above the Flood Protection Elevation;
  - ii. be flood-proofed below the base flood elevation such that the structure is watertight with walls substantially impermeable to the passage of water;
  - iii. have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and
  - iv. be certified by a Colorado registered professional engineer that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this paragraph. Such certifications shall be provided to the Floodplain Administrator as set forth in §2.5.2.D.1 (Obtain and Maintain Floodplain Information).

4. Manufactured Homes.

- a. Manufactured homes shall be anchored in accordance with §6.13.4.A (Anchoring).
- b. All manufactured homes that are placed or substantially improved on a site:
  - i. outside of a manufactured home park or subdivision;
  - ii. in a new manufactured home park or subdivision;
  - iii. in an expansion to an existing manufactured home park or subdivision; or
  - iv. in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood; shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is constructed at or above a point two (2) feet above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement.

- c. All manufactured homes that are placed or substantially improved on sites in existing manufactured home parks or subdivisions that are not subject to the provisions in subsection b. above, shall be elevated so that either:
        - i. the lowest floor of the manufactured home is constructed at or above a point two (2) feet above the base flood elevation; or
        - ii. the manufactured home chassis is supported by reinforced piers or other foundation elements that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.
      - d. Any manufactured home park or manufactured home subdivision within the limits of the Flood Regulatory District shall file an evacuation plan with the appropriate Disaster Preparedness Authority indicating alternate vehicular access and escape routes.
  - 5. All recreational vehicles shall either:
    - a. be on the site for fewer than 180 consecutive days;
    - b. be fully licensed and ready for highway use; or
    - c. meet the permit requirements and elevation and anchoring requirements for resisting hydrostatic forces.
  - 6. The storage or processing of materials that are buoyant, flammable, explosive, or in times of flooding, could be injurious to human, animal or plant life, shall be at or above a point two (2) feet above the base flood elevation for a particular area, or adequately flood-proofed in accordance with provisions in this Section.
  - 7. Building plans for any project or construction within the Flood Zone District must be submitted to the Floodplain Administrator, for approval, in accordance with §3.16 (Floodplain Development Permit), to insure that said project or construction will not adversely affect the Flood Regulatory District.
  - 8. Any structure permitted in the Flood Zone District pursuant to this Section shall be firmly anchored to prevent the structure or building from floating away thus threatening to further restrict bridge openings and other restricted sections of the stream or river.
- B. Permitted Uses. Any uses permitted by the underlying Zoning District, in conformance with the preceding Special Provisions, may be permitted by the Floodplain Administrator, subject to the following conditions:
- 1. If the Floodplain Administrator disallows a requested use through a Floodplain Development Permit, that is permitted in the underlying Zoning district, the applicant may follow the procedures outlined in §3.21 (Floodplain Variance) or §3.2.3 (Appeals).

2. The Floodplain Administrator may also require the applicant to follow procedure outlined in §3.16 (Floodplain Development Permit) for certain uses in the Flood Zone District when said action appears to be in the public interest, and where the health, safety, and welfare of the public may be in question.

## **6.14 AVOIDANCE OF NATURAL HAZARDS AND PROTECTION OF NATURAL LANDS**

These standards shall apply to all development in the City in the Standard Zoning Districts, New Communities Sub-Districts, Clear Creek Sub-Districts, and PUD Zoning Districts, unless inconsistent with more specific standards applicable to a particular type of development. The City may require the applicant, at the applicant's expense, to provide additional studies or analysis to demonstrate additional methods to avoid natural hazards or protect natural areas. This may include, but is not limited to computer visualization/analysis to demonstrate methods used to reduce the bulk or massing of development on ridgelines.

### **6.14.6 Intent**

New construction shall comply with the following standards, unless compliance with a particular standard would prevent the construction of any permanent structure for a primary use on the land, or require the construction to violate another requirement of this Development Code. Where more than one buildable site exists on a parcel and all buildable sites would violate at least one of the following standards, the construction shall be located so as to comply with as many standards as possible. These standards are considered reasonable for regulatory purposes and do not create liability on the part, or a cause of action against, the City of Arvada.

### **6.14.7 Natural Hazard Areas**

If the subdivision contains potential areas of natural or geologic hazard (such as unstable or potentially unstable slopes, faulting, landslides, rockfalls) or soil conditions (including without limitation all expansive soils) unfavorable to development, or floodplains, the applicant shall either (a) identify on the plat the Limits of Development (as defined below) and include a plat note that those areas are not available for development, or (b) provide a report from a geotechnical engineer licensed in Colorado identifying the mitigation measures or engineering precautions necessary to make such areas safe for development and occupancy, and include a plat note stating that development will be subject to those mitigation measures and engineering precautions; or (c) incorporate into the plat some combination of (a) and (b) above.

### **6.14.8 Significant Natural Features**

- A. If the subdivision contains significant natural features (such as corridors, bluffs, ridges, steep slopes, stands of mature trees, rock outcroppings - including without limitation the Ralston Buttes -- wetlands, native upland ecosystems, riparian areas, and wildlife corridors identified by the Colorado Division of Wildlife ) or water features (such as drainages, washes, canals, ditches, lakes, natural ponds, and retention and detention ponds), the applicant shall identify on the plat the Limits of Development (as defined below), include a plat note that areas outside the Limits of Development are not available for development, and

incorporate measures to mitigate any visual or environmental impact of nearby development on such features.

- A. In addition, in the NC Sub-Districts, any area providing groundwater recharge to bedrock aquifers shall be identified at the time of the development approval, and the total amount of recharge naturally occurring shall be maintained.

#### **6.14.9 Limits of Development**

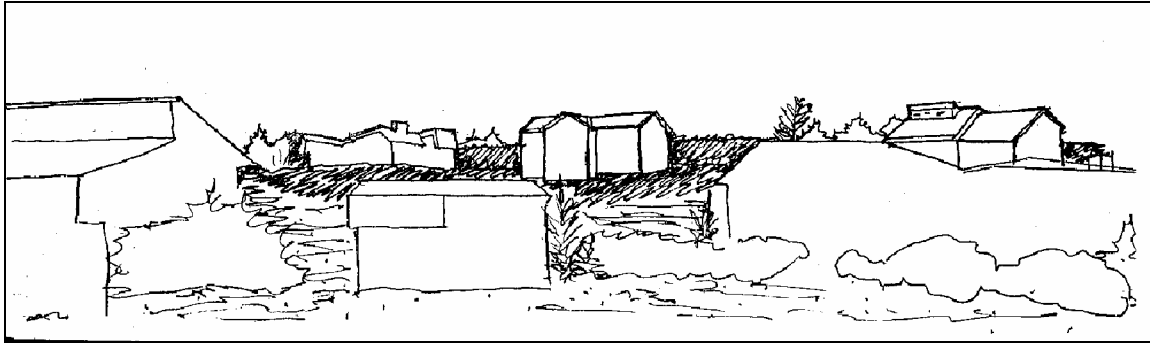
The Limits of Development (LOD) shall indicate the specific areas of a subdivision within which the development activity shall be contained in order to avoid areas identified in §6.14.2 (Natural Hazard Areas) above, and features identified in §6.14.3 (Significant Natural Features) above. LODs shall be indicated by the applicant on the plat, and shall be reviewed and approved by the City as part of the development approval process based on (a) a visual analysis of the location and apparent extent of areas affected by natural hazards and significant natural features, (b) site topography, including but not limited to such characteristics as steepness of slopes, existing drainage features, rock outcroppings, river and stream terraces, valley walls, ridgelines, and scenic topographic features, (c) any recommendations made by any other reviewing agency -- including without limitation the U.S. Fish and Wildlife Service or the Colorado Division of Wildlife, and (d) the practical needs of proposed construction activity in terms of ingress and egress to the developed project and necessary staging and operational areas.

#### **6.14.10 Site Grading**

To the maximum extent feasible, no significant changes to the natural grade are allowed unless necessary for public health or safety reasons, or unless required to meet another standards set forth in this Code. Accordingly, (a) graded areas shall be kept to a minimum, (b) architectural solutions shall be implemented to reduce grading impacts, and (c) the only grading in natural drainage areas will be for drainage detention facilities, active open space uses, and for roadways.

#### **6.14.11 Ridgeline Protection**

Residential dwellings on ridgelines identified through the development review process shall be sited so that buildings are designed to not be prominent above any such ridgeline. A reduction in the bulk or massing of the dwelling may be required, including limiting the height to one story and other suitable methods. Maintaining existing on-lot vegetation to provide a continuous screen or backdrop for the dwelling is also a suitable method.



#### **6.14.12 Steep Slopes and Building Conditions**

- A. After the effective date of this Code, new lots shall not be platted on lands containing an average slope of 30 percent or more, as measured from the points with highest and lowest elevation within 25 feet of any portion of the proposed structure, unless such lots designate a building envelope located to avoid such steep slope areas, and the location of the primary structure is restricted to the building envelope. Roads and driveways leading to any primary or accessory structure may be located on slopes in excess of 30 percent.
  
- A. No new primary structure, and no new accessory structure except mini-structures, shall be constructed on any parcel that shows evidence of slope instability, landslides, avalanche, flooding, or other natural or man-made hazards. If the City makes a preliminary determination that such evidence exists, the applicant shall demonstrate that the slope's ground surface and subsurface are not unstable, that the proposed development will not cause instability or increase the potential for slope failure, and that the development of the slope will not increase the degree of hazards.

### **6.15 OIL, GAS, AND MINERAL EXTRACTION**

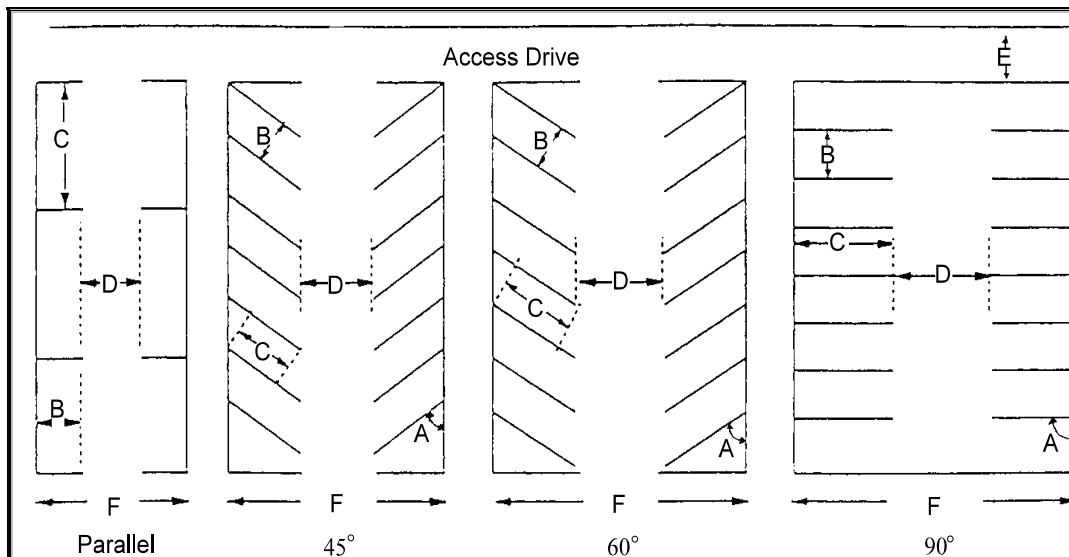
In any area containing commercial mineral deposits identified in the Jefferson County Mineral Extraction Policy, no development permit or approval shall allow the creation of any permanent structures or allow any use that interferes with any present or future commercial mineral deposit extraction activities, unless the written approval of all subsurface mineral owners has been previously obtained. It shall be the responsibility of the Applicant for any such development permit or approval to advise the City in writing as part of the application, that the subject property lies within an area containing commercial mineral deposits identified in the Jefferson County Mineral Extraction Policy, and to further advise all subsurface mineral owners of the pendency of the application.

### **6.16 OFF-STREET PARKING AND LOADING REQUIREMENTS**

#### **6.16.1 Off-Street Parking**

Off-street parking and loading spaces shall be required for all land uses as set forth in this section.

- A. Minimum Parking Space and Aisle Dimensions. All off-street parking spaces shall comply with the dimension shown in the following drawing and table.



**Minimum Dimensional Areas Indicated on the Drawing Above**

A Parking Angle	B Stall Width (ft.) <sup>1</sup>	C Length Of Stall (ft.) <sup>2</sup>	D Aisle Width (ft.)		E Width of Access Drive (ft.)	F Bay Width (Center to Center Width Of Two Row Bay with Aisle Between) (ft.)		Vertical Clearance for Covered Spaces (ft.) <sup>3</sup>
			1-way	2-way		1-way	2-way	
0°	9/ ft.	12 23 ft.	12 ft.	18 ft.	20 ft.	24 ft.	30 ft.	7 ft./98 in.
30° - 53°	9/12 ft.	18 ft.	13 ft.	20 ft.	20 ft.	42 ft.	49 ft.	7 ft./98 in.
54° - 75°	9/12 ft.	19 ft.	20 ft.	22 ft.	20 ft.	52 ft.	56 ft.	7 ft./98 in.
76° - 90°	9 /12 ft.	19 ft.	22 ft.	24 ft.	24 ft.	60 ft.	62 ft.	7 ft./98 in.

1. The first width is for standard parking spaces, and the second is for accessible spaces. See §6.16.1.C below.

2. If continuous curbing is provided pursuant to §6.16.1.F (Wheel Stops and Continuous Curbs), the length of each stall adjacent to such continuous curbing may be reduced by 2.5 feet.

3. The first height is for standard parking spaces, and the second is for accessible spaces.

**B. Required Number of Automobile Parking Spaces.**

1. **General.** The number of off-street parking spaces required for each land use shall be determined from the table below. If ambiguity arises concerning the appropriate classification of a particular use, the Community Development Director shall have the authority to determine the appropriate classification based on similarities in building use and parking characteristics. In addition, off-street parking in the B-3 zoning district shall not be required unless determined necessary by the Community Development

Director. In determining whether off-street parking is necessary, the Community Development Director 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.

2. Activity Centers--Maximum Number of Spaces.

- a. General Rule. For activity centers, the maximum number of off-street parking spaces allowed shall be 110% of the number shown in the table below.
- b. Exceptions and Alternatives. During the site plan review process and upon the applicant's written request, the 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 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.

- 3. PUD Zoning Districts. The total number of off-street parking spaces required in a PUD Zoning District may be reduced during the development approval process based on unique land use types or combinations, or based on a recognized standard for shared parking between complimentary uses.

Land Use	Number of Required Spaces
<b>RESIDENTIAL</b>	
Single-family Detached and Duplex Homes	2 per dwelling unit; In the R-NT Zoning District, 2-car garages are required for each dwelling unit.
Multi-Family Residential (except as listed below)	2.2 per dwelling unit if central parking areas are used; 2 per dwelling if no central parking area is used + .5 space centrally located for guest parking
Multi-Family Efficiency Units	1 per efficiency unit

<b>Land Use</b>	<b>Number of Required Spaces</b>
Multi-family Housing Restricted to Occupancy by the Elderly (in excess of 35% of total number of dwelling units in the project)	1 per 2 dwelling units
Group Living Facility	1 per 4 beds
Assisted Living Facility	1 per 5 beds
<b>COMMERCIAL</b>	
General Retail	5 per 1,000 sq. ft. gross floor area (GFA)
Commercial Center with 10,000 -- 50,000 sf. of GFA	4 per 1,000 sq. ft. GFA
Commercial Center with 50,000 -- 250,000 sf. of GFA	4.5 per 1,000 sq. ft. GFA
Commercial Center with more than 250,000 sf of GFA	5 per 1,000 sq. ft. GFA
Amusement Enterprises	5.5 per 1,000 sq. ft. GFA
Bank	5 per 1,000 sq. ft. GFA
Bar or Lounge	1 per 3 seats at design capacity
Bed & Breakfast Establishment	2 + 1 per guest room (guest parking may be in tandem on site)
Bowling Lane	4 per lane
Day Care Center	1.5 per employee
Funeral Home	1 per 4 seats
Greenhouse in excess of 200 sq. ft.	5 per 1,000 sq. ft. GFA
Hotel or Motel, without Restaurant	1 per room
Hotel or Motel, with Restaurant	1 per 1,000 sq. ft.
Hotel or Motel Conference Room	.5 (one-half) per seat
Hotel or Motel Convention Area	30 per 1,000 sq. ft.
Miniature Golf Course	2 per hole
Private Club & Health Club	4 per court plus 1 per 200 sq. ft. of remaining floor area
Restaurant, General	1 per 3 seats
Restaurant, Fast Food	1 per 4 seats
Self Storage Facility	1 per 8 storage units
Theater	1 per 4 seats
<b>PROFESSIONAL OFFICE</b>	
General Office or Office in Industrial Area	3 per 1,000 sq. ft. GFA
Unified Office Park	3 per 1,000 sq. ft. GFA
Medical or Dental Office	5 per 1,000 sq. ft. GFA
Laboratory	2 per 1,000 sq. ft. GFA

<b>Land Use</b>	<b>Number of Required Spaces</b>
Radio or T.V. Studio	5 per 1,000 sq. ft. GFA
<b>EDUCATIONAL</b>	
Business College/Trade school	1 per 2 students
Elementary and Junior High Schools	2 per classroom plus 1 per 3 fixed seats in largest assembly hall
Preschool or nursery school	1 per each faculty and staff
Senior High School	1 per 4 students at design capacity
<b>PUBLIC AND QUASI-PUBLIC LAND USES</b>	
Church	1 per 4 seats
Events Center	1 per 3 persons at design capacity
Public Library	1 per 300 sq. ft. GFA
Studio for Fine Arts, Art Gallery, Exhibit Hall, Museum, Reading Room, Community Center	1 per 300 sq. ft. GFA
Charitable Institution	2 per full time employee
Hospital, Sanitarium, Nursing Home, Rest Home, Convalescent Home	1 per each 2 beds
<b>RECREATIONAL</b>	
Golf Course or Country Club	6 per hole
Recreation Center	1 per 300 sq. ft. GFA
<b>INDUSTRIAL</b>	
Manufacturing and Industrial Uses	If < 3,000 sq. ft.: 3 per 1,000 sq. ft. If 3,000--5,000 sq. ft.: 2 per 1000 sq. ft. if 5,000--10,000 sq. ft.: 1 per 750 sq. ft. if >10,001 sq. ft.: 1 per 1,250 sq. ft.
Warehousing	1 per 1,000 sq. ft. GFA
Office Portion of Manufacturing, Warehouse, or Flex-Space Structure	3 per 1,000 sq. ft. GFA
Indoor Sales Area in Manufacturing, Warehouse, or Flex-Space Structure	3 per 1000 sq. ft. GFA

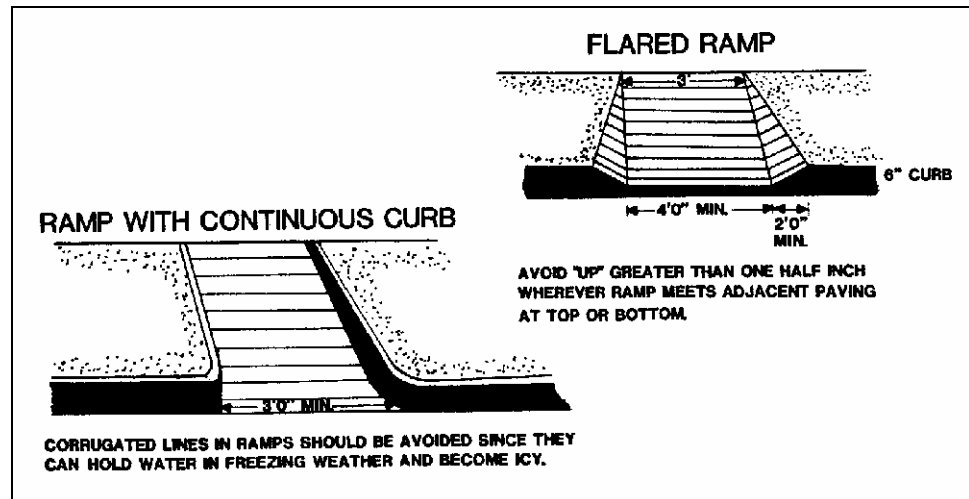
C. Accessible Parking Spaces.

1. Out of the total number of required off-street parking spaces, a portion shall be required to be accessible to persons with disabilities and shall include provisions for access to the development's living units and facilities, including any non-residential activities. Such space shall meet the minimum dimensional requirements for accessible spaces shown in §6.16.1.A (Minimum Parking Space and Aisle Dimensions), and shall be located near major building entrances used by residents, employees, or the public.

2. The minimum required number of accessible spaces is shown in the table below.

Total Parking Spaces	Required Minimum Number of Accessible Parking Spaces
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2 percent of total
1,001 or more	20, plus 1 for each 100 over 1,000

3. Curb Ramps. Where curbs exist or other barriers are present, a minimum of one curb ramp shall be provided for every 200 feet of lineal feet of building frontage where public access exists.
- For paired accessible parking spaces, the curb ramp shall be centered on the common border.
  - For individual accessible parking spaces, the curb ramp shall be on the right edge of the space (the passenger side of the vehicle when parked head in), unless approved in an alternate location by the Community Development Director. However, at no time shall a curb cut and ramp be in the center front of the handicapped parking space.



- D. Shared Parking. No off-street parking space required for any structure or land use shall be included as part of the off-street parking space required for another building or use, unless it is demonstrated during the development approval process that two or more uses have peak hour parking demands that do not overlap, and that sharing of the same

parking spaces will not result in a parking lot with inadequate spaces to meet anticipated peak hour demand.

- E. Surface of Parking Areas. All off-street parking spaces required by §6.16.1.B and all access drives shall be improved with asphalt, concrete, or other approved equivalent surface, and shall be graded and drained in order to dispose of all surface water accumulation within the parking area. Recycled asphalt, gravel, or other similar surfaces are not an approved surface. Pavers may be permitted if installed on sand and provided the installation is sufficient to support vehicles. All alleys shall meet City design specifications.
1. Access Drive Exception. The surfacing requirements above shall not apply to the access drives on lots or tracts of three-quarters (3/4) acre or more where the property structure is a single-family home and the access drive is more than 100 feet in length, or the access drive is for an accessory agricultural use.
    - a. The length of the access drive shall be measured from the nearest point of street access to the nearest point of the off-street parking spaces required by §6.16.1.B.
  2. Additional Parking Spaces on Single-Family and Duplex Lots. Any area used to park vehicles on a single-family or duplex lot, which is not an off-street parking space required by §6.16.1.B, shall be clearly delineated, improved with concrete, asphalt, stone pavers, gravel, or rock (provided the installation is sufficient to support the vehicles), maintained free of weeds, and display no visible dirt surface.
    - a. The number of additional parking spaces on single-family and duplex lots shall be limited to two (2) additional spaces within the front setback and two (2) additional spaces within the side/rear setback.
    - b. Additional parking spaces shall not be permitted on any side street frontage unless screened by a permitted 6' solid fence.
- F. Wheel Stops and Continuous Curbs. Wheel stops or continuous curbs shall be provided, located, and designed to protect required screening devices and landscaping and pedestrian ways from damage or encroachment of vehicles and to provide necessary traffic control in the parking area.
1. Wheel Stops. Each wheel stop shall be a singular block of reinforced concrete, stone, or other durable material 6 inches in height, 6 inches in width, and 8 feet in length. Wheel stops shall be securely attached to the ground and may be used only at the end of parking stalls.
  2. Continuous Curbs. Continuous curbs shall be made of asphalt, concrete, or stone, and shall be a minimum of 6 inches in height and 6 inches in width. They shall form a non-interrupted edge around all landscaped areas adjacent to parking and turn-around areas which are not protected by wheel stops.

3. Placement. The wheel stop or continuous curb shall be located a minimum of 4 feet from any structures, buildings, walls, or plant material, excluding groundcover, to prevent a vehicle from driving onto the landscape area or hitting any structure or plant material at the edge of the parking area.
- G. Parking in Front Setbacks. Parking shall not be permitted within the required front setback of any lot, except for parking on the paved driveways of single-family and duplex lots, and except for parking within the additional parking spaces provided under §6.16.1.E.2.a.
- H. Shopping Cart Storage Areas. In addition to required auto parking spaces, each tenant or owner of a structure that provides shopping carts for the use of its customers shall incorporate adequate shopping cart storage areas in the parking lot.

### **6.16.2 Off-Street Loading Requirements**

- A. General Standards.

All required off-street loading space shall be designed, constructed, and maintained in accordance with the standards and requirements set forth below.

  1. Loading spaces shall be located on the same lot as the building or structure to which they are accessory.
  2. No loading space shall be located in any front setback area, nor shall it permit any vehicle to extend into any front setback area or across any lot line of a more restrictive district while being loaded or unloaded.
  3. Loading spaces shall be designed and arranged to provide access to a street or alley in a manner that will create the least possible interference with traffic movement and parking lot circulation.
  4. Loading spaces shall not conflict with or overlap with any required off-street parking area, unless it will be used only during hours when the primary structure is not open for business.
  5. 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 the parking area. All alleys shall meet City design specifications.

## **6.17 SIGNS**

### **6.17.1 Intent**

The intent of these regulations is to coordinate the type, placement and physical dimensions of signs within the Standard Zoning Districts, New Communities Sub-Districts, Clear Creek Sub-Districts, and PUD Zoning Districts; to recognize the commercial communication requirements of all sectors of the business community; to encourage the innovative use of design; to promote both

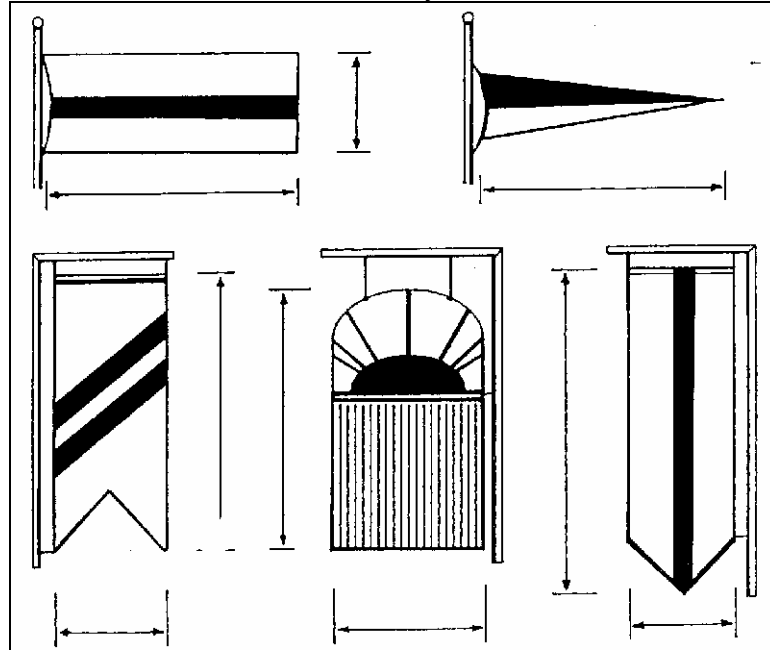
renovation and proper maintenance; to allow for special circumstances; and to guarantee equal treatment through accurate record keeping and uniform enforcement. It is further the intent of this section to encourage signs that are attractive and compatible with the adjacent property, that will preserve and enhance property values within the community and provide for the public's safety, that will preserve the environmental character of the community; that will prevent overload of visual stimuli, and that will promote safe visual perception from a moving vehicle.

#### **6.17.2 Signs Allowed Without a Permit**

Generally, the following types of signs are allowed in all Standard Zoning Districts, New Communities Subdistricts, Clear Creek Subdistricts, and PUD Zone Districts as long as they meet the requirements of this section of the Code, and do not require the issuance of a building permit. All signs not listed in this section require a permit pursuant to §3.24 (Sign Permits).

- A. Official Flags. Up to three official flags of any government, governmental agency, or non-profit agency, provided that the pole on which such flag is mounted does not exceed 50 feet in height, the size of the flag does not exceed 300 square feet, and the location of the flagpole meets the setback requirements of §6.2.3.
- B. Other Flags. One flag in addition to permitted official flags, provided that the pole on which such flag is mounted does not exceed 25 feet in height, the size of the flag does not exceed 50 sq. ft., and the location of the flagpole meets the setback requirements of § 6.2.3.
- C. Large Special Event Banners. Up to two large special event banners may be suspended from the sides of a building housing a permitted Community Services use (events center, assembly hall, or cultural facility), provided that:
  1. Each such banner shall relate to a public event;
  2. Each such banner shall be removed no later than one week after the event to which it relates; and
  3. The maximum size of any such banner shall be 200 sq. ft.
- D. Small Special Event and Other Small Special Banners. In the Olde Town Arvada area (B-3 Zoning District), in the area surrounding the Arvada Center (PUD-BP Zoning District), in connection with ongoing seasonal public events such as farmers markets, and in connection with established city festivals such as the annual Arvada Harvest Festival, any number of small banners may be suspended from light poles, utility poles, or building mounted fixtures, provided that:
  1. Each such banner shall relate to a public event or shall identify a specific neighborhood located within the City (e.g., Olde Town Arvada);
  2. When related to one-time or special events, each such banner shall be removed no later than one week after the event to which it relates ends;

3. No more than two such banners may be suspended from any one pole or fixture; and
4. The maximum size of any such banner shall be 6 square feet.



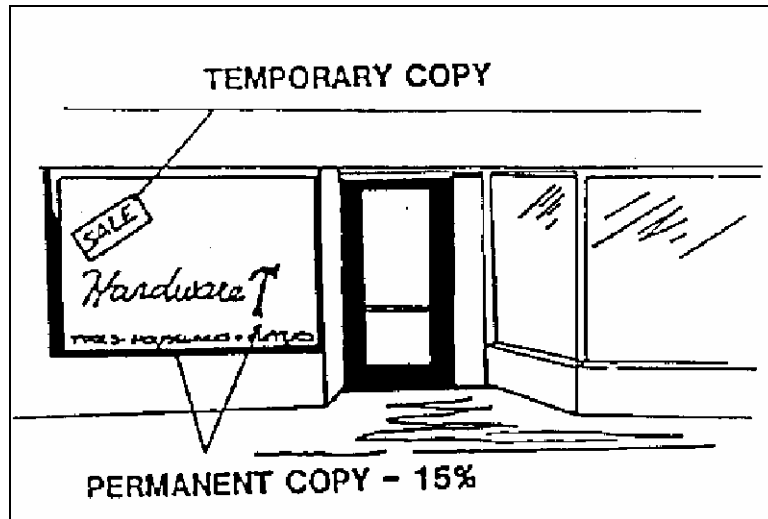
**Measurement of Banner Sign Area**

- E. Public Signs. Signs erected by any governmental agency including, but not limited to Federal, State, County and City Governments, School and Recreation Districts, but not including private water and sanitary districts.
- F. Public Warning Signs. Any number of protective, warning, or traffic signs erected by a governmental agency.
- G. Interior Signs. Any number of signs that are located within any structure and are not visible from adjacent properties or from the public streets.
- H. Historical Signs. Any number of historical commemorative plaques, memorials, or tables that are (1) built into a building or mounted flat against the wall of a building, that contain the name of that building, the date of erection and use of the building, or (2) erected in any particular locations designated by the City as having historical significance.
- I. Real Estate Signs. One freestanding or wall mounted sign per street frontage that advertises the sale, rental or lease of the property on which the sign is located. For single-family and duplex residential uses, signs shall not be larger than 5 square feet in total area. For all other uses, signs shall not exceed 20 square feet in total area. Visibility requirements must be met as described in §6.8.1.E (Intersection and Driveway Visibility).
- J. Address and Building Identification Signs. Signs, whether illuminated or not, that include a letter, number, word or address used to identify a particular parcel of land, individual building, or buildings located in a business, industrial or residential building complex, or center, for

purposes of information and not for advertising, and including an individual house address sign, provided that such signs:

1. Are attached to the building identified;
2. Are limited to two per building; and
3. Are not more than five square feet in total area for each sign.

K. Permanent Window Signs. Permanent window signs may occupy up to 15 percent of the total window area of each establishment in the P-1, B-1, B-2, B-3, B-4, CC-A, CC-C, CC-E, and PUD-BP zoning districts, and of each business land use in the CC-D and PUD-BPR zoning districts.



L. Temporary Window Signs. Temporary window signs may occupy unlimited total window area in the B-1, B-2, B-3, B-4, and PUD-BP zoning districts, and of each business land use in the PUD-BPR zoning district.

M. Temporary Banners. The following types of temporary banners may be erected in any zoning district, subject to the following conditions:

1. No more than one temporary banner is allowed per building;
2. Each banner shall be mounted on a wall of the building in which the business, organization, or individual is located to which the banner refers;
3. Each banner shall have a maximum area of 40 sq. ft.; and
4. No banner listed as a Prohibited Sign in §6.17.9 shall be permitted, even on a temporary basis.

N. Temporary Freestanding Sidewalk Signs. In the Olde Town Arvada area (B-3 Zoning District), temporary free-standing signs shall be permitted to be placed on the sidewalks in front of commercial and retail uses, provided that:

1. The maximum of each side of each such sign shall be 6 sq. ft.;

2. No such freestanding sidewalk sign shall be placed within 25 feet of another temporary freestanding sidewalk sign;
3. Each such sign shall be maintained in good condition and repair, so that it does not create a hazard to pedestrians or their clothing or luggage; and
4. No such sign shall be anchored to, or cause damage to, the sidewalk surface or other elements of the public-right-of-way.

Each such sign may be placed on the sidewalk only during the business hours of the business to which it relates, shall not impede pedestrian movement, and must be removed immediately upon the request of any City official who determines that it is in violation of this Code.

- O. Election/Campaign Signs. Any number of election/campaign signs that are located on private property and provided that the size and location of those signs do not create a hazard for automobile or pedestrian traffic or a public nuisance.
- P. Signs on Public Sports Fields. Signs intended to be viewed internally from public sports fields which are approved by the Community Development Director.

### 6.17.3 Sign Schedule

The following types of sign are allowed in the zoning districts indicated in the following table. Each sign shall also comply with the exceptions and additional criteria listed in §6.17.4 (Exceptions and Additional Criteria) and with the structural requirements set forth in the applicable City of Arvada building code.

Sign Schedule Sign Type	No.	Size & Conditions
<b>A-1 (Agricultural) and C-1 (Conservation) Zoning Districts, and NC-AG (Agricultural) and NC-OS (Open Space) Subdistricts, and Agricultural, Conservation, and Open Spaces in PUD Zoning Districts (unless otherwise stated in PUD)</b>		
Bed & Breakfast Sign	1	Wall mounted sign parallel or perpendicular to the building wall or freestanding sign with min. 10 ft. setback; max. 2 sq. ft.; max. height 8 ft.
Conditional Use Sign	1	Wall mounted sign or freestanding sign with min 10 ft. setback; max. area 32 sq. ft., max. height 6 ft., lighting permitted.
Home Occupation Sign	1	Wall sign; max. area 1 sq. ft., max. height 8 ft., no lighting.
<b>R-E, R-L, R-SL, R-I, Zoning Districts, and NC-RA, NC-RB, NC-RC, and CC-B Subdistricts Single Family Residential Uses in CC-D and PUD Zoning Districts</b>		
Bed & Breakfast Sign	1	Wall mounted sign parallel or perpendicular to the building wall or freestanding sign with min. 10 ft. setback; max. 2 sq. ft.; max. height 8 ft.
Church Sign	1	Freestanding sign with min. 10 ft. setback; may have changeable copy in references to services only; max. area 32 sq. ft.; max. height. 6 ft.; lighting permitted.

<b>Sign Schedule Sign Type</b>	<b>No.</b>	<b>Size &amp; Conditions</b>
	1	Wall sign; max area may be 30 sq. ft. if frontage is less than 30 lineal feet. 1 sq. ft. per lineal foot of building frontage (not to exceed 100 sq. ft.); lighting permitted.
Conditional Use Sign	1	Wall mounted sign or freestanding sign with min 10 ft. setback; max. area 32 sq. ft., max. height 6 ft., lighting permitted.
Home Occupation Sign	1	Wall sign; max. area 1 sq. ft., max. height 8 ft., no lighting.
<b>R-MD, R-M Zoning Districts and Multi-Family Uses in PUD Zoning Districts</b>		
Bed & Breakfast Sign	1	Wall mounted sign parallel or perpendicular to the building wall or freestanding sign with min. 10 ft. setback; max. 2 sq. ft.; max. height 8 ft.
Church Sign	1	Freestanding sign with min. 10 ft. setback; may have changeable copy in references to services only; max. area 32 sq. ft.; max. height. 6 ft.; lighting permitted.
	1	Wall sign; max. area if frontage is less than 30 ft. then a 30 sq. ft. sign is allowed. 1 sq. ft. per lineal foot of applicable building frontage (not to exceed 100 sq. ft.); lighting permitted.
Conditional Use Sign	1	Wall mounted sign or freestanding sign with min 10 ft. setback; max. area 32 sq. ft., max. height 6 ft., lighting permitted.
Informational Sign relating to a principal permitted use:	2	Freestanding sign with min. 10 ft. setback or wall sign; max. area 5 sq. ft.; max. height 6 ft.; lighting permitted.
Home Occupation Sign	1	Wall sign; max. area 1 sq. ft., max. height 8 ft., no lighting.
Identification Sign for rest homes, hospitals and multi-family housing complexes:	1	Freestanding sign with min. 25 ft. setback; max area 40 sq. ft.; max. height 8 ft.; lighting permitted; Or Wall sign; max. area 40 sq. ft.; max height 25 ft.; lighting permitted.
<b>P-1 Zoning District, and NC-C/OF and CC-C Subdistricts, and Office Uses in PUD Zoning Districts</b>		
Office	1	Building Identification Wall Sign for each Frontage: max. area 60 sq. ft.; max. height 25 ft.; lighting permitted; Or Building Identification Wall Sign for each frontage for buildings greater than 50,000 sq. ft. in gross floor area: max area 80 sq. ft.; max. height 25 ft.; lighting permitted; Or Building Identification Wall Sign for each frontage for buildings over 35 ft. in height; max area 100 sq. ft.; max. height 1 ft. below roofline; lighting permitted during hours when the primary building use is open to the public; Or Freestanding Tenant Panel Sign located within 5 ft. of building (or wall sign) listing tenants located within a building; max area 3 sq. ft. per tenant (up to a max. of 30 sq. ft.); max. height 10 ft.; lighting permitted.

Sign Schedule Sign Type	No.	Size & Conditions
Office (cont'd)	1	Additional Sign if Building is Not Located in an Office Center Which can be either: Freestanding sign with min. setback of 10 ft.; max. area 32 sq. ft.; max. height 6 ft., lighting permitted; Or (if lot is 4 acres or less) Freestanding sign with min setback of 25 ft.; max. area 60 sq. ft.; max. height 12 ft., lighting permitted; Or (if lot is more than 4 acres) Freestanding sign with min setback of 25 ft.; max. area 100 sq. ft.; max. height 25 ft.; lighting permitted.
	1	Additional Sign if Building is Located in an Office Center Freestanding Establishment Identification Sign located within 15 feet of building; max. area 32 sq. ft.; max. height 6 ft.; lighting permitted.
	3	Freestanding Informational Signs with min. 10 ft. setback (or wall sign); max. area 5 sq. ft.; max. height 6 ft.; lighting permitted.
All Office Centers	1	Freestanding Identification Sign for rest homes, hospitals and multi-family housing complexes, with min. 25 ft. setback (or wall sign); max area 40 sq. ft.; max. height 6 ft. (25 feet for wall sign); lighting permitted.
Office Center 0-2.0 Acres	1	Freestanding sign with min. setback 10 ft.; max area 32 sq. ft.; max. height 6 ft.; lighting permitted.
	2	Freestanding Informational Sign with min. 10 ft. setback (or wall sign); max. area 5 sq. ft.; max. height 6 ft.; lighting permitted.
Office Center Between 2 and 8.0 Acres	2	Freestanding signs with min. 10 ft. setbacks, one per street frontage; max. area 60 sq. ft. per sign; max. height 12 ft., lighting permitted.
	3	Freestanding Informational Signs with min. 10 ft. setback (or wall sign); max. area 5 sq. ft.; max. height 6 ft.; lighting permitted.
Office Center Between 8 and 18.0 Acres	1	Freestanding Center Directory Sign with min. 25 ft. setback (or wall sign); max. area 20 sq. ft.; max. height 8 ft.; lighting permitted.
	2	Freestanding signs with min. 25 ft. setbacks, one per street frontage; max. area 100 sq. ft. per sign; max. height 15 ft.; lighting permitted.
	3	Freestanding Informational Signs with min. 10 ft. setback (or wall sign); max. area 5 sq. ft.; max. height 6 ft.; lighting permitted.
Office Center Between 18 and 30.0 Acres	1	Freestanding Center Directory Sign with min. 25 ft. setback (or wall sign); max. area 20 sq. ft.; max. height 8 ft.; lighting permitted.
	1	Freestanding sign per street frontage, with min. 25 ft. setbacks, max. area 100 sq. ft. per sign; max. height 25 ft.; lighting permitted.
	3	Freestanding Informational Signs with min. 10 ft. setback (or wall sign); max. area 5 sq. ft.; max. height 6 ft.; lighting permitted.
Regional Center Larger than 30 Acres		Same requirements as for Office Centers between 18 and 30.0 acres; OR Comprehensive Sign Program with maximum signage area of 150 sq. ft. per sign approved pursuant to §3.24 (Sign Permits).

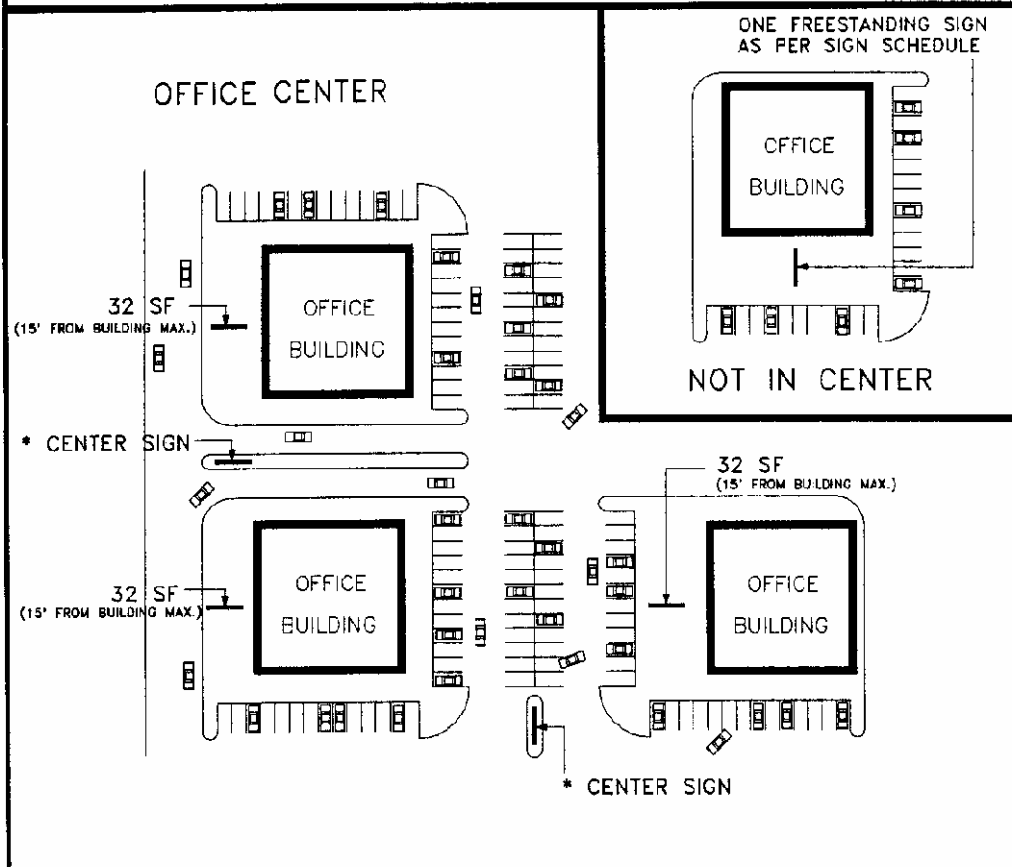
Sign Schedule Sign Type	No.	Size & Conditions
<b>B-3 (Central Business) Zoning District</b>		
Wall Sign	1	Wall sign per building frontage, except where the rear of the building would face onto or be adjacent to a residential zoning district boundary; max. area 1 sq. ft. per lineal foot of applicable building frontage (not to exceed 100 sq. ft.); max. height 25 ft.; lighting permitted. may be 30 sq. ft. if frontage is less than 30 lineal feet. Or, Projecting wall sign (in lieu of one wall sign), which may extend up to 5 ft. over a public right-of-way, but may not extend over a public street; max. area 25 sq. ft.; max. height 25 ft.; lighting permitted.
Under Canopy Sign	1	Projecting sign located perpendicular to the front of the building; max. area 4 sq. ft.; max. height 12 ft.; lighting permitted.
Freestanding Sign	1	Additional Sign if Building is Set Back at Least 10 Ft. From the Property Line and is Not Located on a Corner. This sign may be a freestanding sign with a min. 10 ft setback; max. area 32 sq. ft.; max. height 6 ft.; lighting permitted.
Interior Store Sign	1	Additional Sign for Commercial Building or Shopping Mall containing Interior Stores Without External Entrances Exterior wall sign or cluster of wall signs at one location on the exterior of the building; max. area 6 sq. ft. per interior store.
<b>CC-D Zoning District</b>		
All Non-Residential Uses Prior to 100% Occupancy of District by Non-Residential Uses	1	Wall sign on a signable wall only; max. area 6 sq. ft; max. height 10 ft.; lighting from a concealed source permitted; backlighting and neon lighting prohibited; Or Projecting wall sign, which may extend up to 5 ft. over a public right-of-way, but may not extend over a public street; min. 8 ft. clearance from ground to bottom edge of sign when located over a public or private sidewalk; max. area 6 sq. ft.; max. height 12 ft.; lighting from a concealed source permitted; backlighting and neon lighting prohibited. Total sign area for all permitted signs shall not exceed 6 sq. ft.
All Non-Residential Uses After District has Transitioned to 100% Non-Residential Uses		The sign standards applicable to Sub-District CC-A shall apply.

Sign Schedule Sign Type	No.	Size & Conditions
<b>B-1, B-2, B-4, I-1, I-2, Zoning Districts, and NC-MU-A, NC-MU-B, NC-MU-C, NC-SU, CC-A, CC-E Subdistricts, and Non-Residential and Non-Office Uses Located in CC-D and PUD Zoning Districts</b>		
Commercial Building Not Located in a Commercial Center Or Commercial Building That is the Only Building in a Commercial Center	1	<p>Freestanding sign with min. setback of 10 ft.; max. area 32 sq. ft.; max. height 6 ft., lighting permitted; Or (if lot is 4.0 acres or less)</p> <p>Freestanding sign with min setback of 25 ft.; max. area 60 sq. ft.; max. height 12 ft., lighting permitted; Or (if lot is more than 4 acres)</p> <p>Freestanding sign with min setback of 25 ft.; max. area 100 sq. ft.; max. height 25 ft.; lighting permitted; Or (if lot is more than 4 acres)</p> <p>Freestanding sign located between 25 and 100 ft. of an interstate highway right-of-way, for a single user occupying more than 300,000 sq. ft. of gross floor area in a building located within 250 feet of an interstate highway; max. area 300 sq. ft.; max. height 45 ft.; lighting permitted.</p>
	1	<p>Wall sign per building frontage, except where the rear of the building would face onto or be adjacent to a residential zoning district boundary; max. area if frontage is less than 30 sq. ft. then a 30 sq. ft. sign is allowed. 1 sq. ft. per lineal foot of applicable building frontage (not to exceed 100 sq. ft.); max. height 25 ft.; lighting permitted; Or</p> <p>Projecting wall sign (in lieu of one wall sign), which may extend up to 5 ft. over a public right-of-way, but may not extend over a public street; max. area 25 sq. ft.; max. height 25 ft.; lighting permitted.</p>
	1	<p>Establishment identification wall sign per street frontage (maximum of 2) for establishments occupying more than 60,000 sq. ft. of gross leasable area; max. area 150 sq. ft.; max. height 1 ft. below roofline; lighting permitted during hours when the primary building use is open to the public; Or</p> <p>Building Identification wall sign for buildings over 35 ft. in height; max area 100 sq. ft.; max. height 1 ft. below roofline; lighting permitted during hours when the primary building use is open to the public.</p>
	1	Under canopy projecting sign located perpendicular to the front of the building; max. area 4 sq. ft.; max. height 12 ft.; lighting permitted.
	3	Freestanding Informational Signs with min. 10 ft. setback (or wall sign); max. area 5 sq. ft.; max. height 6 ft.; lighting permitted.
	As an alternative to the wall signs and Informational Signs otherwise available to them, a single user of a building containing at least 150,000 sq. ft. of gross leasable area may apply for approval of a Comprehensive Sign Program with maximum signage area of 150 sq. ft. pursuant to §3.24 (Sign Permits).	

Sign Schedule Sign Type	No.	Size & Conditions
Commercial Building Located in a Commercial Center (Where the Commercial Center Contains Other Establishments)	1	Wall sign per building frontage, except where the rear of the building would face onto or be adjacent to a residential zoning district boundary; 1 sq. ft. per lineal foot of applicable building frontage (not to exceed 100 sq. ft.); max. height 25 ft.; lighting permitted; if frontage is less than 30 sq. ft. then a 30 sq. ft. sign is allowed; Or Projecting wall sign (in lieu of one wall sign), which may extend up to 5 ft. over a public right-of-way, but may not extend over a public street; max. area 25 sq. ft.; max. height 25 ft.; lighting permitted; Or Building Identification wall sign for buildings over 35 ft. in height; max area 100 sq. ft.; max. height 1 ft. below roofline; lighting permitted during hours when the primary building use is open to the public.
	1	Establishment identification wall sign for per street frontage (maximum of 2) for establishments occupying more than 60,000 sq. ft. of gross leasable area; max. area 150 sq. ft.; max. height 1 ft. below roofline; lighting permitted.
	1	Under canopy projecting sign located perpendicular to the front of the building; max. area 4 sq. ft.; max. height 12 ft.; lighting permitted.
Commercial Building or Shopping Mall Containing Interior Establishments Without External Entrances	1	Exterior wall sign per interior establishment; max. area 6 sq. ft. per 100 sq. ft. of gross floor area in the interior establishment (maximum 100 sq. ft.).
Office Building Not Located in a Commercial Center Or Office Building That is the Only Office Building in a Commercial Center	1	Freestanding Establishment Identification Sign located within 15 feet of building; max. area 32 sq. ft.; max. height 6 ft.; lighting permitted.
	1	Building Identification Wall Sign; max. area 40 sq. ft.; max. height 25 ft.; lighting permitted; Or Building Identification Wall Sign for buildings greater than 50,000 sq. ft. in gross floor area: max. area 80 sq. ft.; max height 25 ft.; lighting permitted; Or Building Identification Wall Sign for buildings over 35 ft. in height; max area 100 sq. ft.; max. height 1 ft. below roofline; lighting permitted during hours when the primary building use is open to the public; Or Freestanding Tenant Panel Sign listing tenants located within a building; max area 3 sq. ft. per tenant (up to a max. of 30 sq. ft.); max. setback 10 ft.; max. height 10 ft.; lighting permitted.
	3	Freestanding Informational Signs with min. 10 ft. setback (or wall sign); max. area 5 sq. ft.; max. height 6 ft.; lighting permitted.
Industrial Building Not Located in a Center	1	Freestanding Establishment Identification Sign setback 10 feet; max. area 32 sq. ft.; max. height 6 ft.; lighting permitted.

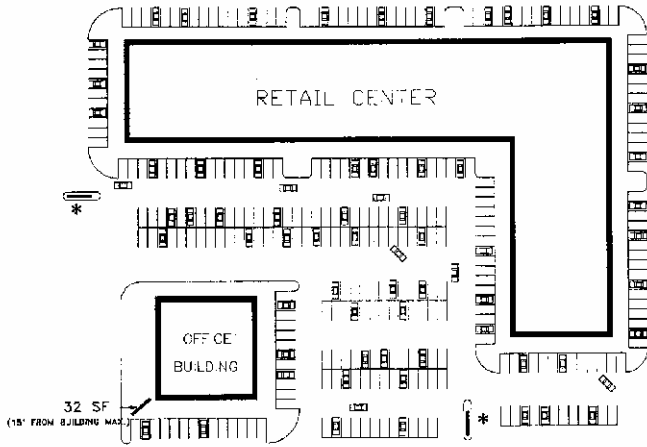
Sign Schedule Sign Type	No.	Size & Conditions
Or Industrial Building That is the Only Building in a Center Or Industrial Building Located in a Center (Where the Center Contains Other Establishments)	1	Wall sign per building frontage, except where the rear of the building would face onto or be adjacent to a residential zoning district boundary; 1 sq. ft. per lineal foot of applicable building frontage (not to exceed 100 sq. ft.); lighting permitted; allowed 30 sq. ft. if frontage is less than 30 feet; Or Projecting wall sign (in lieu of one wall sign), which may extend up to 5 ft. over a public right-of-way, but may not extend over a public street; max. area 25 sq. ft.; max. height 25 ft.; lighting permitted; Or Building Identification wall sign for buildings over 35 ft. in height; max area 100 sq. ft.; max. height 1 ft. below roofline; lighting permitted during hours when the primary building use is open to the public.
All Commercial Centers	1	Freestanding Identification Sign for rest homes, hospitals and multi-family housing complexes, with min. 25 ft. setback (or wall sign); max area 40 sq. ft.; max. height 6 ft. (25 feet for wall sign); lighting permitted.
Commercial Center 0-2.0 Acres	1	Freestanding sign with min. setback 10 ft.; max area 32 sq. ft.; max. height 6 ft.; lighting permitted.
	2	Freestanding Informational Sign with min. 10 ft. setback (or wall sign); max. area 5 sq. ft.; max. height 6 ft.; lighting permitted.
Commercial Center Between 2 and 8.0 Acres	1	Freestanding Center Directory Sign with min. 25 ft. setback (or wall sign); max. area 20 sq. ft.; max. height 8 ft.; lighting permitted.
	2	Freestanding signs with min. 10 ft. setbacks, one per street frontage; max. area 60 sq. ft. per sign; max. height 12 ft.; lighting permitted.
	3	Freestanding Informational Signs with min. 10 ft. setback (or wall sign); max. area 5 sq. ft.; max. height 6 ft.; lighting permitted.
Commercial Center Between 8 and 18.0 Acres	1	Freestanding Center Directory Sign with min. 25 ft. setback (or wall sign); max. area 20 sq. ft.; max. height 8 ft.; lighting permitted.
	2	Freestanding signs with min. 25 ft. setbacks, one per street frontage; max. area 100 sq. ft. per sign; max. height 15 ft.; lighting permitted.
	3	Freestanding Informational Signs with min. 10 ft. setback (or wall sign); max. area 5 sq. ft.; max. height 6 ft.; lighting permitted.
Commercial Center Between 18 and 30.0 Acres	1	Freestanding Center Directory Sign with min. 25 ft. setback (or wall sign); max. area 20 sq. ft.; max. height 8 ft.; lighting permitted.
	1	Freestanding sign per street frontage, with min. 25 ft. setbacks, max. area 100 sq. ft. per sign; max. height 25 ft.; lighting permitted.
	3	Freestanding Informational Signs with min. 10 ft. setback (or wall sign); max. area 5 sq. ft.; max. height 6 ft.; lighting permitted.
Center Larger than 30 Acres		Same requirements as for Commercial Centers between 18.1 and 30.0 acres; Or Comprehensive Sign Program with maximum signage area of 150 sq. ft. approved pursuant to §3.24 (Sign Permits).

# FREESTANDING IDENTIFICATION SIGNAGE (OFFICE USE ONLY)



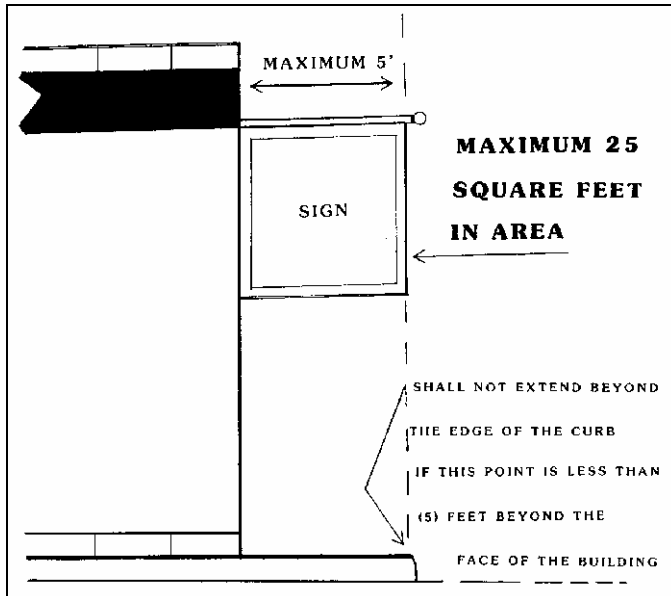
- SEE SIGN SCHEDULE FOR FURTHER INFORMATION
- \* TWO FREESTANDING CENTER SIGNS ARE PERMITTED ONLY WHERE APPLICABLE
- OTHER FREESTANDING SIGNAGE MAY BE PERMITTED AS DIRECTIONAL, TENANT PANEL SIGNAGE, ETC. SEE SIGN SCHEDULE

INDIVIDUAL OFFICE BUILDING FREESTANDING  
SIGNAGE AND COMMERCIAL  
CENTERS

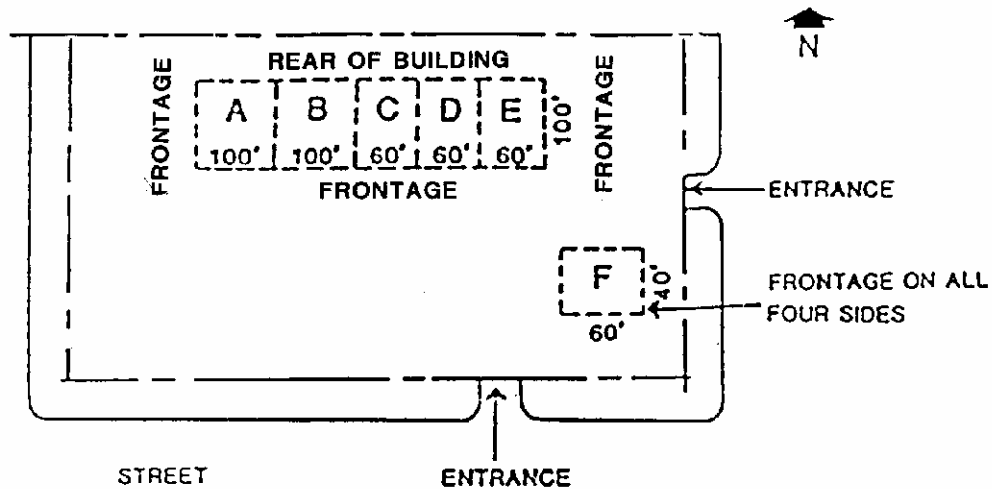


FREESTANDING PROFESSIONAL OFFICE BUILDINGS IN COMMERCIAL ZONING DISTRICTS ARE PERMITTED A FREESTANDING IDENTIFICATION SIGN IN ADDITION TO THAT SIGNAGE PERMITTED FOR THE CENTER. OTHER FREESTANDING SIGNAGE MAY BE PERMITTED. SEE SIGN SCHEDULE

\* COMMERCIAL CENTERS ARE PERMITTED 2 FREESTANDING IDENTIFICATION SIGNS WHERE APPLICABLE

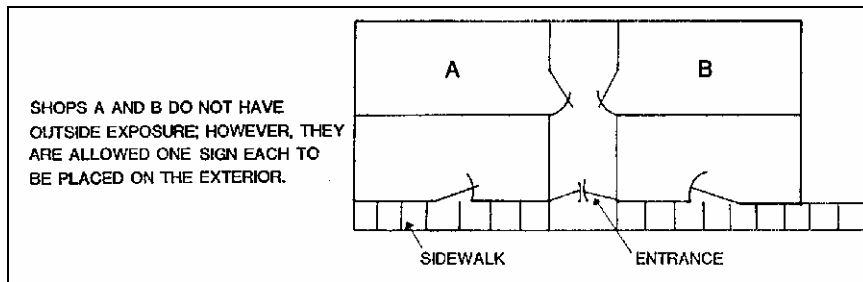


**SHOPPING CENTER - ASSUME TO BE THREE (3) ACRES IN SIZE  
A RESIDENTIAL DISTRICT BORDERS TO THE NORTH**



1. Store A - Two 100 sq. ft. wall signs
2. Store B - One 100 sq. ft. wall sign
3. Store C - One 60 sq. ft. wall sign
4. Store D - One 60 sq. ft. wall sign
5. Store E - One 60 sq. ft. wall sign placed on the South Building Frontage or one 100 sq. ft. wall sign on the East Frontage or both
6. Store F - Four wall signs, one per frontage, not to exceed the applicable building frontage in area
7. Center Sign - Two 60 sq. ft. signs, one per frontage (must meet applicable district height and setback requirements)
8. Directional Signs - Two 5 sq. ft. freestanding or wall signs
9. If there is a canopy, each store is allowed one 4 sq. ft. under canopy sign
10. Each store is allowed one 5 sq. ft. address sign

**NOTE:** One Projecting Sign could be substituted for one wall sign.



#### 6.17.4 Exceptions And Additional Criteria

- A. All signs permitted pursuant to §6.17.3 (Sign Schedule) in all Standard Zoning Districts, New Communities Sub-Districts, Clear Creek Sub-Districts, and PUD Zoning Districts shall meet the following additional requirements and/or are eligible for the following exceptions.
1. No sign attached to a building shall project above the top of the building.
  2. No flags or banners shall be displayed from poles or standards placed on the roof of a building or structure.
  3. The rear service entrance to any business establishment may have one sign no more than 2 sq. ft. in area stating only the name of the business and/or address.
  4. No freestanding sign shall be located closer than 10 feet to a front property line.
  5. Freestanding signs located within 100 feet of any residential zoned property shall not exceed 6 feet in height.
  6. All freestanding signs must meet the corner visibility requirements set forth in §6.8.1.E (Intersection and Driveway Visibility).
  7. When centers are developed or redeveloped, a Comprehensive Sign Program must be submitted and approved pursuant to §3.24 (Sign Permits), in compliance with the sign schedule.
  8. Billboard signs are allowed only in B-4 Districts. Each billboard shall not exceed 600 square feet and may not display more than two 300 square foot advertisements per side of the billboard. No billboard shall be erected:
    - a. So that its advertising faces the front or side lot lines of any residential zoning district; or
    - b. Within 100 feet of any front or side lot line of any residential zoning district; or
    - c. Within 300 feet of any other billboard; or
    - d. Within any front, side, or rear setback area.

Billboards shall be treated as the principal permitted use on the lot where it is located.

9. Signs along major arterial streets are permitted closer than 100 feet to the center line if the sign meets the applicable setback requirements.
10. Each residential subdivision may have:
  - a. One freestanding permanent subdivision identification sign; or
  - b. More than one permanent subdivision identification sign incorporated into entryways or fences. Such signs:
    - i. Shall include only the name of the subdivision or development;
    - ii. Shall be located at the principal street entrance to the subdivision;
    - iii. Shall not be located within 3 ft. of a sidewalk or curb;
    - iv. Shall have a maximum sign area of 40 sq. ft. each;
    - v. Shall have a maximum height of 6 ft.;
    - vi. Shall be constructed of masonry or other substantial materials;
    - vii. May be lighted;
    - viii. The sign may be placed on a wall or other background provided it is approved as a part of the development landscape plan;
    - ix. Shall be limited to two (2) signs per entrance (1 sign on each side).

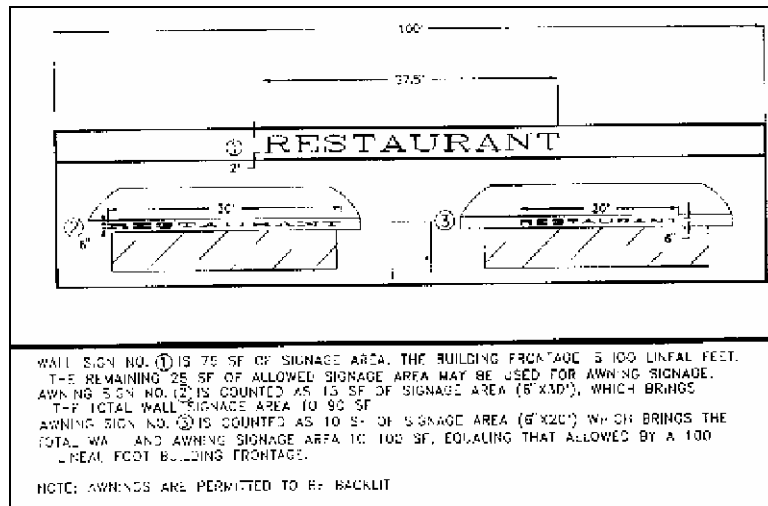
Adequate provisions to maintain the sign must be provided by subdivision covenants or homeowner association.

11. Signs may only be constructed in a public right-of-way with the approval of the Decision-Making Body and pursuant to the procedures for a revocable permit (§3.26). Any sign located within a public right-of-way shall not be located over any existing or future utilities, and may be removed by the City if necessary for reconstruction of a street, sidewalk, utilities, or to protect the health, safety and welfare of the citizens of the City, or pursuant to the terms of a revocable license agreement, with no liability to the City for replacement or repair.
12. Bench signs may be placed only at RTD bus stops, and no more than two bench signs may be placed at a single bus stop. Such bench signs shall be located:
  - a. In a public right-of-way, but not in the roadway;
  - b. As close as practicable to the place where passengers board the bus;
  - c. No closer than 3 feet from the curb or edge of pavement if no curb exists;
  - d. With no less than 3 feet of unobstructed public sidewalk remaining either in front of or behind the bench; and
  - e. So that they do not interfere with the safe and efficient passage of pedestrians or the use of traffic control devices or other street furniture.

13. Bench signs shall:
  - a. Weigh no less than 300 pounds,
  - b. Be constructed of substantial materials,
  - c. Be no longer than eight feet,
  - d. Be no higher than 42 inches,
  - e. Be no wider than 30 inches, and
  - f. Contain no fluorescent or reflective color or material.
  
14. Bench signs shall be maintained by the permittee in a safe and clean condition at all times, the area around the bench sign shall be kept clear of ice, snow, mud, trash and weeds at all times, and damaged or disfigured benches shall be repaired or replaced by the permittee immediately upon notification of such damage or disfigurement, or the bench will be removed.

In addition to any other remedies available to the City under this Code, the City shall have the right:

  - a. To remove any bench sign that violates this Code after giving 15 days written notice to the permittee, and
  - b. To remove any bench sign that creates a public safety hazard without any prior written notice, provided that the City provide notice of the removal to the permittee within 5 days after such removal.
  
15. Signs on awnings and canopies (including gasoline service station canopies) may be used as a portion of the wall signage area allowed in the Sign Schedule on any building containing business or professional uses. The area of the awning or canopy sign shall be included in the total signage area allowed for these types of wall signs and may not exceed the total square footage allowed for wall signage per building frontage. Awnings and canopies may be back-lit. Where gasoline service station canopies are involved, (1) the permitted sign area shall be measured by applying the sign schedule ratio to the length of the canopy frontage, rather than the primary structure frontage, and (2) no more than one wall sign, whether located on the primary structure or canopy, shall face in any given direction (i.e. there shall not be a wall sign and a canopy sign facing the same direction).



16. If more than 10% of any wall or roof surface of any non-residential building or any accessory structure to a non-residential use is painted, finished, or surfaced in a distinctive color scheme that includes some or all of the same colors, shapes, symbols, images, patterns, or textures used on any sign identifying an owner, tenant, or user of the building, and the Community Development Director determines that such wall or roof surfaces serve as a sign for an owner, tenant, or user of the building, such wall or roof area shall be counted as wall signage and shall be subject to the limitations on wall signage area in the Sign Schedule.
17. Signs may be placed on motorized vehicles provided that
- Each sign must be permanently painted or affixed to the vehicle;
  - The vehicle upon which the sign is affixed must be used for the daily operation of the business and not primarily to display signage;
  - No sign shall project more than 1 foot above the roofline of the vehicle to which it is attached.
- When not in use, the vehicle must be parked on the business premises of the business that it advertises and not closer than 50 feet to the public right-of-way (or, if there is no parking on the business premises, it must be legally parked). No signage may be painted or affixed in any manner to trailers.
18. A super graphic or mural may be located on the same building face as a wall sign provided they are graphically incorporated into each other. No super graphic or wall mural shall occupy more than 10% of any wall or roof surface or any accessory structure.
19. Special signs, such as:
- Super graphics or murals occupying more than 10 percent of a wall or roof surface or an accessory building;
  - Architectural sculpture;

- c. Nostalgic or period signs (such as barber poles); and
- d. Special district and historic district signs; may be approved pursuant to §3.24 (Sign Permits).

#### **6.17.5 Informational Signs**

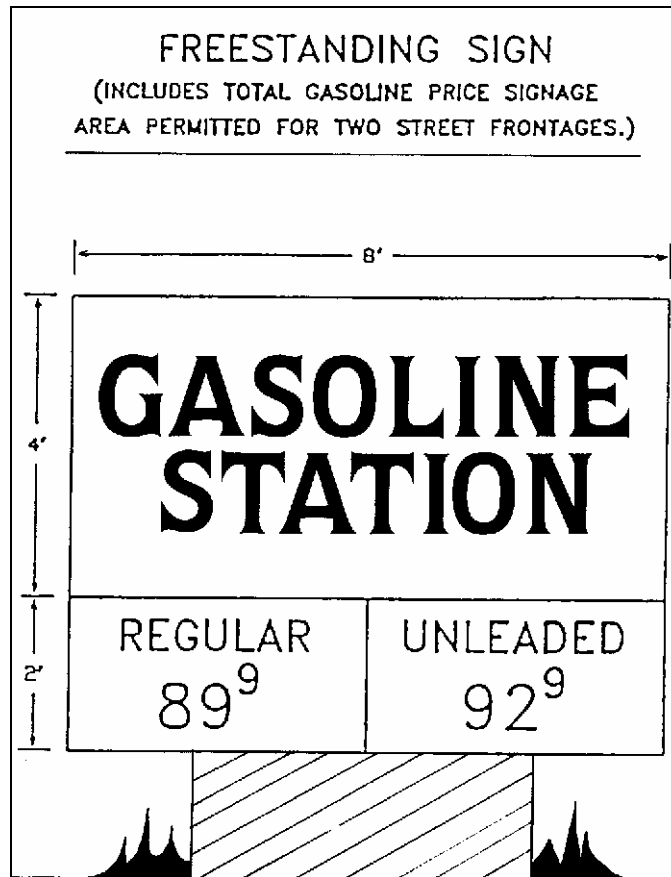
Signs that give specific instructions to the public using a building or facility are permitted provided that such signs:

- A. Have letters that do not exceed 4 inches in height;
- B. Do not exceed 5 sq. ft. in area;
- C. Display only instructional information pertaining to the use of the site (such as, "Enter", "Exit", "Warning", "Self Service", "Drive-Thru", "One-Way", etc.);
- D. Do not contain any word, symbol, or image identifying the owner, tenant, or user of the building or facility; and
- E. Do not exceed 6' in height, and are set back at least 10 feet.

#### **6.17.6 Changeable Copy Signs**

The following types of signs permitted under §6.17.3 (Sign Schedule) are permitted to have changeable copy under the following conditions. Signs not listed in this subsection must obtain a new sign permit before copy is changed.

- A. Up to 33% of any allowable building identification sign or center identification sign permitted by the Sign Schedule may have changeable copy including electronic signs.
- B. One changeable copy theater or movie marquee sign identifying current productions and movies may be incorporated into, or may be substituted for, one building identification sign and one center identification sign permitted by the Sign Schedule. The area of any marquee sign, including any changeable copy, shall be included in calculating the total area of the sign it is incorporated into or replaces, and shall not increase the permitted sign area of any such sign.
- C. Any portion of a church sign permitted by the Sign Schedule may have changeable copy.
- D. One changeable copy gasoline price sign listing only the types and prices of gasoline may be incorporated into each freestanding or wall sign permitted by the Sign Schedule (max. 1 per street frontage). The area of changeable copy shall not exceed 8 sq. ft. on any sign, and the area of changeable copy shall not be included in calculating the total area of a sign it is incorporated into.



- E. Two changeable copy menu board signs are permitted for each drive-through restaurant, in addition to those signs listed in the Sign Schedule. Menu board signs may be free standing or wall mounted, one sign shall be no more than 30 sq. ft. in area, while the second menu board shall be no more than 16 sq. ft. in area. All menu boards shall have a maximum height of 7 ft., and shall be readable only to traffic on the adjacent drive-through lane.
- F. One changeable copy menu board wall sign indicating daily menu changes is permitted for each non-drive-through restaurant. Menu board signs shall be no more than 3 sq. ft. in area and must be placed no more than 10 ft. from the front entrance of the restaurant.
- G. No changeable copy sign or portion of a sign may have changeable copy that is nailed, pinned, glued, taped, or otherwise attached by obviously temporary means.
- H. No changeable copy sign or portion of a sign may be constructed using face or screen materials such as expanded metal or other types of mesh; any type of corrugated plastic such as Filon, V3 or Styrene; or other types of materials that are commonly used for "portable" or "homemade" signs, unless the use of such materials for sign construction is permitted under any uniform code or ordinance adopted by the City.
- I. If any part of the changeable copy portion of a sign or the track type system or other method of attachment (a) is absent from the sign, or (b) deteriorates so that it is no longer consistent with the style or materials used in the permanent portion of the sign, or (c) is altered in such a way

that it no longer conforms to the approved plans and specifications, the sign shall be in violation of this Code.

#### 6.17.7 Temporary Signs

The following types of temporary signs shall be allowed under the following conditions.

A. Temporary Residential Tract Sign. Each residential subdivision may have one freestanding temporary tract sign for each type of housing unit to be built (e.g. single-family, townhouse and condominiums), provided that each sign:

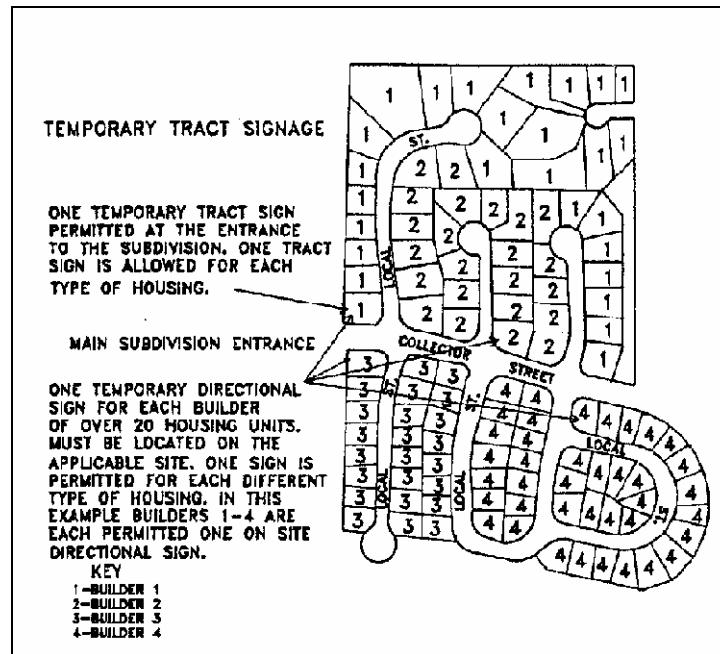
1. Is located at a major entrance to the subdivision;
2. Has a maximum area of no more than 100 sq. ft.;
3. Has a maximum height of 12 ft.;
4. Is located at least 25 feet from the public right-of-way; and
5. Is not lighted.

Such signs may remain in place as long as active initial sales of the type of housing shown on the sign is occurring.

B. Temporary Freestanding On-site Residential Informational Sign. Each builder of over 20 residential units in a subdivision or development may have one temporary Informational Sign for each type of residential unit that it is building in the subdivision or development (such as single-family, townhouse, or condominium), provided that such sign:

1. Only includes text directing visitors to the construction or sales site;
2. Has a maximum area of 15 sq. ft.;
3. Has a maximum height of 10 ft.; and
4. Is not lighted.

Such signs may remain in place as long as active initial sales of the type of housing shown on the sign is occurring.



C. Temporary Non-residential Tract Sign. Each subdivided lot in the P-1, B-1, B-2, B-3, B-4, I-1, I-2, and PUD-I Zoning Districts, and each tract or lot containing commercial or office uses in a PUD-BPR Zoning District, may have one freestanding temporary tract sign, provided that each sign:

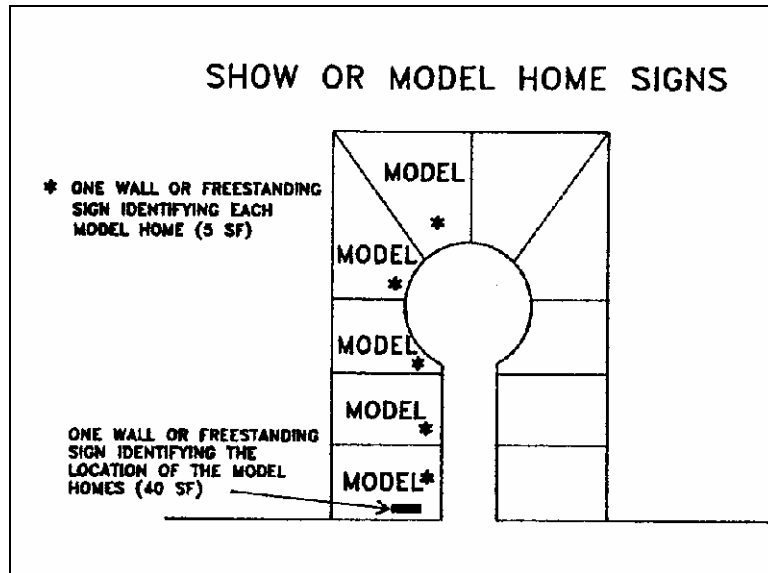
1. Has a maximum sign area of 32 sq. ft.;
2. Has a maximum height of 6 ft.;
3. Is located at least 25 feet from the public right-of-way; and
4. Is not lighted.

Such signs may remain in place until the first Certificate of Occupancy is issued for a building on the tract or lot.

D. Model Home Signs. Each builder within a subdivision or development may have the following types of model home signs under the following conditions, and each such sign may remain until the single-family model home is sold to a private buyer for use:

1. Each builder may have one freestanding or wall sign within each group of attached or detached single-family model homes that it constructs, provided that each such sign (a) is located on a model home lot, (b) has a maximum area of 40 sq. ft., (c) has a maximum height of 20 ft., (d) has a minimum setback of 10 ft., and (e) is not lighted.
2. Each attached or detached single-family model home may have one freestanding or wall sign, provided that each such sign (a) is located on the same lot as the model home, (b) has a maximum area of 5 sq. ft., (c) has a maximum height of 6 ft., and (d) is not lighted.

3. Each builder may have one freestanding or wall sign at the entrance to each multi-family building it constructs, provided that each such sign (a) is located on the same lot as the multi-family building, (b) has a maximum area of 5 sq. ft., (c) has a maximum height of 6 ft., and (d) is not lighted.
4. Each subdivision may have a temporary model home flag, provided that (a) each flagpole is located within 200 ft. of an entrance to the subdivision on a model home lot containing a model home or a temporary sales office, (b) no flag has a maximum area of more than 15 sq. ft., (c) the total area of all flags is no more than 90 sq. ft., and (d) no flag pole has a maximum height of more than 35 ft.



- E. FAA licensed hot air balloons and air-filled facsimiles, and other special non-lighted advertising devices that meet the definition of "sign" in Article 10 of this Code (Definitions), provided that:
  1. The device may not be used for more than two periods of not more than four consecutive days each (a total of eight days) in any calendar month; and
  2. The device must be tethered so that it does not flutter in the wind and must not be more than 10 feet above the highest point of the roof measured to the lowest point of the device; and
  3. All other City Code and ordinance requirements are met.

### 6.17.8 Portable Signs

One freestanding portable sign shall be allowed to each business in the P-1, B-1, B-2, B-3, B-4, I-1, I-2, CC-A, CC-C, CC-E, PUD-BP, and PUD-I Zoning Districts, and on lots or tracts containing commercial or office uses in the CC-D and PUD-BPR Zoning Districts, under the following conditions.

- A. No more than one sign per business shall be displayed outside of any single building at one time, regardless of the number of businesses in the building.
- B. Each such sign shall be located (a) within 10 ft. of the entrance of the business related to the sign (and in no case in front of another business unrelated to the sign), (b) so that a minimum 3 ft. unobstructed walkway is maintained at all times on any sidewalk where the sign is located, (c) so that both sides of the sign are not visible from the same direction, and (d) so that it does not obstruct traffic visibility or any official traffic control device. In the B-3 Zoning District, signs are only permitted on the public right-of-way only if the adjacent business or building is built to the front property line and has a zero setback. No portable sign may be installed on any public right-of-way or public property until a revocable permit to occupy such space has been obtained pursuant to §3.26.
- C. Each such sign shall be constructed (a) with a maximum area of 8 sq. ft. per side, (b) with a maximum height of 4 ft., (c) of plywood or other substantially rigid materials, and (d) without wheels or a frame allowing it to be pulled as a trailer.
- D. All changeable copy shall meet the requirements of §6.17.4 (Exceptions And Additional Criteria), all non-changeable copy shall be painted or affixed by other means to be a permanent part of the sign, and no part of the sign shall include fluorescent or day-glo colors.
- E. All signs shall be maintained to avoid (a) faded or discolored backgrounds or copy, (b) broken, loose, or ill-fitting pieces, and (c) jagged edges or other conditions that could be a hazard to pedestrians. The City shall have the right to remove any portable sign at any time that it is not maintained or constitutes a hazard to public health or safety.
- F. If this §6.17.8 (Portable Signs) is repealed or amended, no portable signs permitted above shall be allowed to continue as a nonconforming use, and all portable signs not meeting the requirements of this Code after such repeal or amendment shall be removed immediately.

#### **6.17.9 Prohibited Signs**

The following types of signs are prohibited in all Standard Zoning Districts, New Communities Subdistricts, Clear Creek Sub-Districts, and PUD Zone Districts.

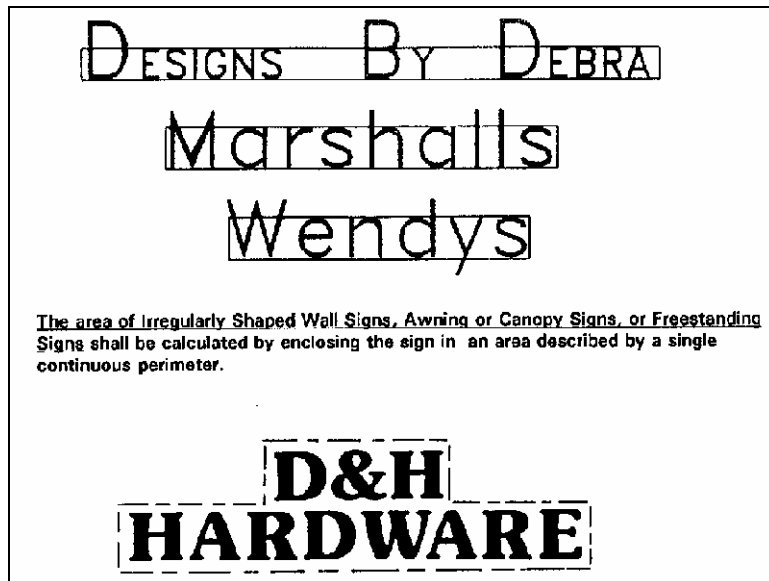
- A. Any sign which is not allowed under §6.17.2 (Signs Allowed Without a Permit), 6.17.3 (Sign Schedule), 6.17.4 (Exceptions And Additional Criteria), 6.17.5 (Temporary Signs), or 6.17.6 (Portable Signs) of this Code.
- B. Any sign which is misleading or fraudulent.
- C. Any sign erected on or over any public right-of-way or public property, unless such sign is explicitly allowed by this Code and a revocable permit for the sign has been obtained pursuant to §3.26.
- D. Any moving sign, other than one explicitly permitted by this Code, which (1) has any part revolving at more than 8 revolutions per minute by any

means, including fluttering or rotating, or (2) has any part set in motion by movement of the atmosphere.

- E. Any sign displaying flashing or intermittent lights, or lights of varying intensity, except those portions of a sign indicating time and temperature or electronic changeable copy signs with intermittent lights due to the change of copy.
- F. Any sign with direct or indirect lighting that causes direct glare into or upon any lot or tract with a residential use that is adjacent to the lot or tract where the sign is located.
- G. Any sign that is an imitation of an official government protective or warning sign, including signs using the words "Stop" or "Danger" to imply a need or requirement to stop or a caution for the existence of danger, and including signs that are copies of, or which are likely to be confused with, any official government protective or warning sign.
- H. Any sign that obstructs any window, door, fire escape, stairway, ladder, or opening intended to provide light, air, ingress, or egress for any building as required by law.
- I. Any sign not permanently affixed to a permanent, rigid structure, unless explicitly authorized by this Code.
- J. Any sign that violates any provision of any law of the State of Colorado relative to outside advertising.
- K. Any temporary signs attached to utility poles or stakes, unless explicitly authorized by this Code.
- L. Any off-site sign (billboard sign) not explicitly permitted by §6.17.4.A (Exceptions and Additional Criteria).

#### **6.17.10 Sign Measurement, Removal, and Alteration**

- A. Sign Measurement.
  - 1. The area of any sign contained within a can, cabinet, or frame shall be determined by calculating the total area of the sign including the can, cabinet or frame.
  - 2. The area of any sign displaying individual letters on a background (facade, wall, divisional wall, awning or canopy) shall be measured by encompassing all the letters in a rectangle or square. Except for awning, canopy, and permanent subdivision identification signs, the allowed signage shall not exceed 50% of the background area. The background of permanent residential subdivision signs on a wall or other background shall be approved by the Community Development Director. Three capital letters and three lower case extensions may be exempted from being included in the area of measurement. Capital letters and lower case extensions may not exceed twice the height of lower case letters.



3. Architectural treatments that aid in integrating the signage with the building design are encouraged, but any such treatment shall not be created for the purpose of visually enlarging the size of the sign.
4. Freestanding, projecting and billboard signs shall be measured by the area of one face of the sign.
5. The height of any sign shall be determined by the distance between the topmost portion of the sign structure and the ground elevation at the base of the sign.

B. Sign Removal or Repair. In addition to any other remedies available under this Code, the City may issue a written notice to owners of the following types of signs or supporting structures, or if the owner is unknown, then to the owners of the property on which the following types of signs or supporting structures are located, of the need to remove or repair them:

1. Any sign that does not meet the requirements set forth in this Code, and does not qualify as a non-conforming use or structure.
2. Any sign for which a permanent or temporary permit has expired.
3. Any sign that is in disrepair or unsafe and deemed hazardous by the City.
4. Any sign identifying a business, professional or industrial establishment that has moved from the premise.
5. Signs or supporting structures that are the subject of a written notice shall be removed or repaired within 15 days after the date on which the City issues the notice. If the sign is not repaired or removed within that time, the City may remove the sign from the

premises on which it is located and store the sign. Costs incurred by the City for removal and storage and/or disposition of the sign will be assessed to the owner of the sign, supporting structure, or property to which the notice was sent.

C. Altering or Moving Existing Signs.

1. Any alteration to an existing sign, except for alterations to changeable copy allowed pursuant to sec. 6.17.4 (Exceptions and Additional Criteria), shall require a new permit pursuant to §3.24 (Sign Permits) before the sign may be altered. Alterations shall include, without limitation:
  - a. Changing the copy of the sign except as allowed pursuant to § 6.17.4 (Exceptions and Additional Criteria);
  - b. Changing the size of the sign;
  - c. Changing the shape of the sign;
  - d. Changing the material of which the sign is constructed;
  - e. Changing or adding lighting to the sign;
  - f. Changing the location of the sign; or
  - g. Changing the height of the sign.
2. Existing conforming or legal nonconforming signs may be altered in any way that does not change the size, height, background shape, or location of the sign without bringing the entire sign into conformance, provided that the cost of the alteration is less than 50% of the sign's replacement cost.
3. Signs may be removed for maintenance only and replaced on the same support, without obtaining a new permit.

## **6.18 CONSTRUCTION MITIGATION STANDARDS**

### **6.18.1 Limitations on Site Disturbance**

Any site disturbances that remove existing vegetation from a property and leave large areas of soil exposed for more than 60 days shall not be permitted unless an erosion control and re-vegetation plan has been previously approved by the City Engineer. Cuts, fills, grading, excavation, vegetation removal, and building construction shall be confined to the footprint of the proposed building, plus a working area of 30 feet around each such footprint, plus any site disturbance necessary for installation and maintenance of utilities, access ways, trails, irrigation ditches, and fences, and for landscaping, agriculture, and similar activities. All erosion control plans shall comply with applicable standards adopted by the Urban Drainage and Flood Control District. On sites where more than one acre of land is disturbed, a permit is required from the Colorado Department of Public Health and Environment Water Quality Control Division prior to start of construction.

### **6.18.2 Equipment Access**

Mud, dirt or other debris deposited on the public or common roadway at construction access points shall be removed daily to avoid compaction and

damage to the roadway and to minimize drainage system impact. No construction equipment shall be parked on the streets. Cleaning of any construction equipment or tools on public streets, rights of way, or other vacant land is strictly prohibited.

### **6.18.3 Temporary Facilities**

Temporary structures, portable offices and other related facilities shall be maintained in good repair and arranged in a compact and organized manner on the construction site and shall not be allowed for more than 30 days before commencement or 30 days after construction operations have been substantially curtailed for any reason. These facilities shall be situated so as not to be obtrusive or unsightly when seen from the road or adjacent properties. All temporary structures and portable facilities shall be removed within 30 days after issuance of the last certificate of occupancy permit for a primary structure on the same site, or within the same phase of the same subdivision.

### **6.18.4 Materials Storage**

On-site storage of equipment and materials shall be screened and made visually unobtrusive from the roadway and adjacent properties. Off-site storage of materials is encouraged.

### **6.18.5 Debris Control**

Construction debris shall be immediately placed into containers and screened to the extent possible during construction. Trash containers shall be emptied when full and on a regular basis, but no less than weekly. Dumping, burial of construction debris, debris pits, and burning of debris at any location shall not be permitted. After construction is completed, temporary barriers, surplus materials and all trash, debris and rubbish shall be promptly removed from the site. All backfill shall be cleared of building material, stone and rubbish prior to placement.

### **6.18.6 Erosion, Siltation, and Dust Control**

Precautions for controlling water and wind erosion and sedimentation are required during construction and shall be conducted as an integral part of the construction operation. Dust from topsoil and fill material stockpiled on site as well as any areas disturbed by construction operations shall be strictly controlled. All disturbed areas shall be immediately stabilized. Temporary diversion ditches, dikes, silt fences, filter boxes, tackifiers, etc. are suggested to protect the site from erosion prior to completion of construction and establishment of permanent landscaping. Permanent surface and subsurface drainage systems shall not be used during construction unless entering water has been treated to remove suspended soil particles and other debris. To accomplish this, silting basins shall be installed at all locations necessary to intercept water before it enters catch basins and at outfall locations. Silting basins shall be cleaned after each substantial rainstorm.

### **6.18.7 Construction Materials Recycling**

All construction activities shall require the sorting and recycling of corrugated box materials, plastic films, metal, and wood based construction debris.

### **6.18.8 Restoration of Disturbed Areas**

Disturbed areas shall be restored as natural-appearing landforms, with curves that blend in with adjacent undisturbed slopes. Abrupt angular transitions and linear slopes shall be avoided. As necessary, cuts and fills shall be supported by retaining walls made of materials permitted in §6.5.8. Areas disturbed by grading shall be contoured so they can be re-vegetated and shall be re-vegetated within one growing season after construction, using native species similar to those growing on the site when such re-vegetation does not contribute to hazards. Topsoil shall be stock piled and placed on disturbed areas.

## **6.19 OPERATIONAL STANDARDS**

It is the intent of this section to prevent land or buildings within the Standard Zoning Districts, New Communities Sub-Districts, Clear Creek Sub-Districts, and PUD Zoning Districts from being used or occupied in any manner so as to create any dangerous, injurious, noxious or otherwise objectionable condition that would create adverse impacts on the residents, employees, or visitors on the property itself or on neighboring properties.

### **6.19.1 Vibration**

No vibration shall be produced which is transmitted through the ground and is discernible without the aid of instruments at or at any point beyond the lot line.

### **6.19.2 Air Pollution**

There shall not be discharged into the atmosphere any contaminant for which threshold limit values are listed for working atmosphere by the American Conference of Governmental Industrial Hygienists in such quantity that the concentration of the contaminant at ground level at any point beyond the boundary of the property shall at any time exceed the threshold limit. Visible emissions of any kind at ground level past the lot line of the property on which the source of the emissions is located are prohibited.

### **6.19.3 Odors**

Any condition or operation which results in the creation of odors, vapors or gaseous emissions of such intensity and character as to be detrimental to the health and welfare of the public or which interferes unreasonably with the comfort of the public shall be removed, stopped, or so modified as to remove the odor.

### **6.19.4 Electromagnetic Radiation**

It shall be unlawful to operate, or cause to be operated, any planned or intentional source of electromagnetic radiation for such purposes as communication, experimentation, entertainment, broadcasting, heating, navigation, therapy, vehicle velocity measurement, weather survey, aircraft detection, topographical survey, personal pleasure, or any other use directly or

indirectly associated with these purposes which does not comply with the then current regulations of the Federal Communications Commission regarding such sources of electromagnetic radiation, except that for all governmental communications facilities, governmental agencies and government owned plants, the regulations of the interdepartmental Radio Advisory Committee shall take precedence over the regulations of the Federal Communications Commission, regarding such sources of electromagnetic radiation.

#### **6.19.5 Fire and Explosion**

In all districts in which the storage, use, manufacture of blasting agent, combustible fibers, combustible liquid and compressed gas is permitted, the requirements as set forth in the Uniform Building and Fire Codes, as adopted by the City, shall be met.

#### **6.19.6 Materials & Waste Handling**

- A. No person shall cause or permit any materials to be handled, transported, or stored in a manner which allows particulate matter to become airborne or liquid matter to drain onto or into the ground.
- B. All materials or wastes that might cause fumes or dust or which constitute a fire hazard or which may be edible by or otherwise be attractive to rodents or insects shall be stored outdoors only in closed, impermeable trash containers that are screened in accordance with §6.5.11 of this Code.
- C. Toxic and hazardous materials and chemicals shall be stored, secured and maintained so that there is no contamination of ground, air, or water sources at or adjacent to the site.
- D. Notwithstanding anything contained herein, all treatment, storage, disposal, or transportation of hazardous waste shall be in conformance with all federal and state statutes, codes and regulations.
- E. Provisions shall be provided so that all lubrication and fuel substances shall be prevented from leaking and/or draining onto the property.

#### **6.19.7 Deliveries**

Except in the I-1 and I-2 Zoning Districts, the CC-A Sub-District, and portions of CC Sub-Districts and PUD Zoning Districts designated for industrial uses, no delivery, loading, trash removal or compaction, or other such operations shall be permitted between the hours of 9:00 p.m. and 7:00 a.m. unless the applicant demonstrates that all applicable noise standards will be met.

#### **6.19.8 Height of Stored Items**

Except in the I-1 and I-2 Zoning Districts and in Clear Creek Sub-District A, the objects stored within an allowable outdoor storage area may not exceed the height of any required screen fence.

### **6.19.9 Report by Expert Consultant**

The Applicant for a proposed industrial use shall submit statements that the use complies with the requirements of these operational standards. The Community Development Director may require any person, firm, or corporation to retain an expert consultant or consultants to study and report that the use complies with the operational standards, and to advise how a proposed use can be brought into compliance with the operational standards if the use fails to comply. Such consultants shall be fully qualified to give the required information and shall be acceptable to the Community Development Director. The cost of the consultant's services shall be borne by the Applicant of said use.