

# **ARTICLE 4 ZONING DISTRICTS**

## **4.1 ESTABLISHMENT OF DISTRICTS**

The following zoning districts are hereby established. They may be referred to throughout this Code by their name or district letter abbreviations:

### **4.1.1 Standard Agriculture/Conservation Zoning Districts**

- A. A-1 Agricultural District
- B. C-1 Conservation District

### **4.1.2 Standard Residential Zoning Districts**

- A. R-CE Residential Countryside Estate District
- B. R-E Residential Estate District
- C. R-L Residential Low Density District
- D. R-SL Residential Small Lot, Low Density District
- E. R-NT Residential Neo-Traditional District
- F. R-I, One and Two-Family Residence District
- G. R-MD, Residential Medium Density District
- H. R-M, Residential Multi-Family District

### **4.1.3 Standard Commercial Zoning Districts**

- A. P-1, Professional Office District
- B. B-1 Neighborhood Business District
- C. B-2 General Business District
- D. B-3 Central Business District
- E. B-4 Intensive Business District

### **4.1.4 Standard Industrial Zoning Districts**

- A. I-1 Light Industrial District
- B. I-2 Heavy Industrial District

#### **4.1.5 New Communities Zoning District**

Within the New Communities zoning district are established the following zoning sub-districts:

- A. NC-AG Agricultural Sub-District
- B. NC-OS Open Space Sub-District
- C. NC-RA Residential Sub-District
- D. NC-RB Residential Sub-District
- E. NC-RC Residential Sub-District
- F. NC-C/OF Retail Commercial & Office Sub-District
- G. NC-I/OF Industrial & Office Sub-District
- H. NC-MU-A Mixed-Use Office & Residential Sub-District
- I. NC-MU-B Mixed-Use Office & Residential Sub-District
- J. NC-MU-C Mixed-Use Industrial, Commercial, Office & Residential Sub-District
- K. NC-SU Special Industrial & Office Sub-District

#### **4.1.6 Clear Creek Zoning District**

Within the Clear Creek Zoning District are established the following zoning sub-districts:

- A. CC-A Industrial & Commercial Sub-District
- B. CC-B Residential Sub-District
- C. CC-C Commercial & Office Sub-District
- D. CC-D Residential/Transitional Sub-District
- E. CC-E Mixed-Use Commercial, Industrial & Residential Sub-District

#### **4.1.7 Planned Unit Development (PUD) Zoning Districts**

- A. PUD-R Planned Unit Development (Residential) District
- B. PUD-BP Planned Unit Development (Business/Professional) District
- C. PUD-BPR Planned Unit Development (Business/Professional/Residential) District

- D. PUD-I Planned Unit Development (Industrial) District

#### **4.1.8 Special Purpose and Overlay Zoning Districts**

- A. Floodplain Overlay District
- B. Arvada Downtown Historic District
- C. Olde Town Conservation Area

### **4.2 COMPLIANCE WITH DISTRICT STANDARDS**

No building or structure shall be erected, converted, enlarged, reconstructed, or altered for use, nor shall any land, building, or structure be used or changed in use except in accordance with all of the regulations established by this Code for the zoning district in which the land, building, or structure is located.

### **4.3 APPLICABLE STANDARDS**

In addition to any district-specific standards set forth in this Article 4, development in a standard zoning district, NC zoning district (including any of the NC sub-districts), or CC zoning district (including any of the CC sub-districts) shall be subject to all applicable use regulations set forth in Article 5, "Use Regulations," all applicable development standards set forth in Article 6, "Development Standards," and all applicable standards set forth in Article 7, "Subdivisions," unless otherwise waived or modified by the Decision-Making Body. In case of any conflict between a district-specific standard or regulation set forth in this Article 4 and any regulation set forth in Article 5, Article 6, or Article 7, the regulation in this Article 4 shall apply unless otherwise expressly allowed.

### **4.4 STANDARD AGRICULTURE/CONSERVATION ZONING DISTRICTS: INTENT AND DISTRICT-SPECIFIC STANDARDS**

This section sets forth the specific purpose and intent of each standard agriculture or conservation zoning district, as well as any district-specific standards that are unique to such districts. Permitted uses by zoning district and use-specific regulations are set forth in Article 5, "Use Regulations." Development standards generally applicable to all development in the City of Arvada are set forth in Article 6, "Development Standards."

#### **4.4.1 A-1 Agricultural District**

- A. Intent. The A-1 Agricultural District is intended to provide areas in the City for large-lot residential uses while allowing limited production of agricultural crops and livestock. This District is also intended to preserve and protect agricultural and non-urbanized areas until urbanization is warranted and the appropriate change in zoning district classification is made. Low-density (large-lot) single-family residential uses compatible with the rural character of this district are allowed.

B. District-Specific Standards.

1. Buildings and housing for livestock, fowl, and animals shall not be located closer than 75 feet from the boundary of an adjacent residential zoning district

**4.4.2 C-1 Conservation District**

- A. Intent. The C-1 Conservation District is intended to preserve tracts of land from urban development and to preserve land for parks, open space, recreational areas, greenbelts, trails, waterways, and floodplain areas.

**4.5 STANDARD RESIDENTIAL ZONING DISTRICTS: INTENT AND DISTRICT-SPECIFIC STANDARDS**

This section sets forth the specific purpose and intent of each standard residential zoning district, as well as any district-specific standards that are unique to such districts. Permitted uses by zoning district and use-specific regulations are set forth in Article 5, "Use Regulations." Development standards generally applicable to all development in the City of Arvada are set forth in Article 6, "Development Standards."

**4.5.1 R-CE Residential Countryside Estate District**

- A. Intent. The R-CE District is intended to preserve and encourage rural small-scale agricultural activities in conjunction with large-lot, single-family homes and compatible uses, including provisions for private stables. This District is intended to be mapped primarily in the western edges of the City and serve a transition function between open space in Jefferson County and suburban development in the City. Limited complementary uses are allowed, such as private schools, and places of worship.

**4.5.2 R-E Residential Estate District**

- A. Intent. The R-E District is intended to preserve and encourage exclusively large-lot, single-family homes and compatible uses, including provisions for private stables. Complementary uses customarily found in residential zoning districts, such as community recreation facilities, places of worship, and schools, are also allowed.

**4.5.3 R-L Residential Low Density District**

- A. Intent. The R-L District is intended to preserve and encourage relatively standard density single-family residential development (minimum lot area of 7,500 square feet). Complementary uses customarily found in residential zoning districts, such as community recreation facilities, places of worship, and schools are also allowed.

#### **4.5.4 R-SL Residential Small Lot District**

- A. Intent. The R-SL District is intended to preserve the size, scale, density, and character of single-family residential development existing in the older, established neighborhoods of Arvada. Much of the future new residential development in this District is expected to be infill development or redevelopment. Accordingly, this district allows as small as 4,500 square feet residential lots, consistent with long-established lot sizes and patterns. Complementary uses customarily found in residential zoning districts, such as community recreation facilities, places of worship, and schools, are also allowed. Limited, neighborhood-serving commercial uses are allowed as conditional uses.

#### **4.5.5 R-NT Residential Neo-Traditional District**

- A. Intent. The R-NT District is intended to encourage new development of high-quality, relatively affordable, small-lot single-family residential uses (minimum lot size of 4,500 square feet). This District is appropriately zoned in areas of the City that are currently undeveloped ("greenfield" sites), as well as in parts of older, established Arvada where redevelopment or infill development opportunities exist and the R-NT District would be compatible with existing patterns and densities. To implement the Comprehensive Plan, this zone district also encourages alternative forms of residential development, especially development of walkable "neo-traditional" residential areas that include a mix of support services, small-scale neighborhood-serving retail uses, and amenities. Complementary uses customarily found in residential zoning districts, such as community recreation facilities, places of worship, and schools, are also allowed.

#### **4.5.6 R-I One and Two-Family Residence District**

- A. Intent. The R-I District is intended to encourage relatively higher-density, small-lot residential development of both single family and two-family dwellings. Minimum lot sizes for single-family dwellings will be 6,000 square feet, and for two-family dwellings (duplexes) will be 9,000 square feet. Complementary uses customarily found in residential zoning districts, such as community recreation facilities, places of worship, and schools, are also allowed.

#### **4.5.7 R-MD Residential Medium Density District**

- A. Intent. The R-MD District is intended to encourage a mixture of medium-density housing types, including quadraplexes, townhouses, condominiums, and low-density apartment units, as well as single-family detached and two-family dwellings. Complementary uses customarily found in residential zoning districts, such as community recreation facilities, places of worship, and schools, are also allowed. Limited, neighborhood-serving commercial uses are allowed as conditional uses.

#### **4.5.8 R-M Residential Multi-Family District**

- A. Intent. The R-M District is intended to encourage a wide range of housing types and costs, especially multi-family dwellings, to meet the diverse needs of the Arvada housing market. Complementary uses customarily found in residential zoning districts, such as community recreation facilities, places of worship, and schools, are also allowed. Limited, neighborhood-serving commercial uses are allowed as conditional uses.

### **4.6 STANDARD COMMERCIAL ZONING DISTRICTS: INTENT AND DISTRICT-SPECIFIC STANDARDS**

This section sets forth the specific purpose and intent of each standard commercial zoning district, as well as any use or development standards that are unique to such districts. Permitted uses by zoning district and use-specific regulations are set forth in Article 5, "Use Regulations." Development standards generally applicable to all development in the City of Arvada are set forth in Article 6, "Development Standards."

#### **4.6.1 P-1 Professional Office District**

- A. Intent. The P-1 District is intended to provide for a wide variety of professional and business offices to satisfy community demand for services. This District is different from the other standard commercial zoning districts in that in most cases retail sales are not allowed. In only limited cases, retail may be allowed where its primary purpose is to serve the office workers in the district.
- B. District-Specific Use/Development Standards. No drive-in facility shall be permitted in any P-1 District that is within 100 feet of any residential district.

#### **4.6.2 B-1 Neighborhood Business District**

- A. Intent. The B-1 District is intended to provide for convenience shopping areas and professional offices within which the daily needs of the surrounding neighborhood can be satisfied, but which contains no stores of a type which would encourage traffic from another area to come through the neighborhood to shop. This District is typically located at the intersection of two collector streets or a collector street and arterial street in close proximity to developed residential neighborhoods.
- B. District-Specific Use/Development Standards.
  - 1. No single establishment shall contain more than 10,000 square feet of gross floor area.
  - 2. No establishments are permitted to have drive-up facilities, except for automobile service stations.
  - 3. No B-1 District shall be established that contains more than ten (10) acres or less than two (2) acres. No addition shall be made that would increase the size of a B-1 District to a total of more than ten (10) acres.

4. No manufacturing is permitted in conjunction with sales.
5. There shall be no permanent outdoor storage; however, accessory outdoor display during normal working hours is permitted. Seasonal outdoor storage such as garden supplies and Christmas tree sales are permitted.

#### **4.6.3 B-2 General Business District**

- A. Intent. The B-2 District is intended to provide a wide variety of general retail, business, and service uses, as well as professional and business offices, but not intensive business or industrial activities. This District is typically located at the intersection of two arterial streets or where other regional access is provided.
- B. District-Specific Standards.
  1. Minimum District Size. The minimum size for any new B-2 District shall be five (5) acres in one parcel, not divided by streets. This district-specific standard may be modified by the Decision-Making Body upon its approval of a site plan in which the applicant demonstrates an excellent site design.
  2. Development Intensity Limits. The number of buildings or structures allowed on an individual development parcel within the B-2 zoning district shall be as follows, unless modified by the Decision-Making Body due to a plan that demonstrates improved site design:
    - a. 0 -1 acres development parcel area - one (1) building or structure permitted;
    - b. 1 - 2 acres development parcel area - two (2) buildings or structures permitted;
    - c. 2 - 5 acres development parcel area - three (3) buildings or structures permitted;
    - d. 5 - 10 acres development parcel area - four (4) buildings or structures permitted;
    - e. 10 - 15 acres development parcel area - five (5) buildings or structures permitted;
    - f. 15 - 20 acres development parcel area - six (6) buildings or structures permitted;
    - g. 20 - 25 acres development parcel area - seven (7) buildings or structures permitted; and
    - h. Over 25 acres development parcel area - eight (8) buildings or structures, plus one (1) additional building or structure for each 5 acres over 25 acres.
  3. No manufacturing is permitted in conjunction with sales.
  4. There shall be no permanent outdoor storage; however, accessory outside display during normal working hours is permitted. Seasonal outdoor storage such as garden supplies and Christmas tree sales are permitted.

5. Residential Protection Standards:
  - a. There shall be no drive-up facility or automobile service stations located within 100 feet of any residential district. However, this provision shall not apply if the residential district is located across an arterial street.
  - b. No curb cuts shall be permitted within 50 feet of any residential district.

#### **4.6.4 B-3 Central Business District**

- A. Intent. The B-3 District, mapped to encompass "Olde Town" Arvada, is intended to promote a mix of commercial and residential uses in order to provide a full range of professional and business offices, retail sales, and services, plus a variety of residential uses in a more urban, 24-hour downtown environment.
- B. District-Specific Standards.
  1. No manufacturing is permitted in conjunction with sales, except for works produced by crafts persons or artisans.
  2. There shall be no permanent outdoor storage; however, accessory outside display during normal working hours is permitted. Seasonal outdoor storage such as garden supplies and Christmas tree sales are permitted.

#### **4.6.5 B-4 Intensive Business District**

- A. Intent. The B-4 District is intended to promote relatively more intensive or higher-impact business activities, as well as general retail, commercial, personal and business services, and professional offices. In addition, this district is intended to accommodate commercial uses that require permanent outdoor storage or display.
- B. District-Specific Standards.
  1. Within 100 feet of any residential district, the front yard setback requirement shall be the same as said residential district.
  2. All storage shall be contained within an enclosed building or solid fence or screen adequate to conceal such storage from first floor windows, existing or potential, on adjacent properties. See §6.5.11 for standards governing screening for outdoor storage areas.
  3. All activities associated with any type of repair or machine shop use shall be conducted within an enclosed building and shall not create undue noise, odor, dust, smoke, vibration, or other similar effects outside of the enclosed buildings. See §6.18, "Operational Standards."

4. Residential Protection Standards:
  - a. There shall be no drive-in businesses, liquor stores, or automobile service stations located within 100 feet of any residential district.
  - b. No curb cuts shall be permitted within 50 feet of any residential district.
  - c. No building within 100 feet of any residential district shall be more than 35 feet in height.

## **4.7 STANDARD INDUSTRIAL ZONING DISTRICTS: INTENT AND DISTRICT-SPECIFIC STANDARDS**

This section sets forth the specific purpose and intent of each standard industrial zoning district, as well as any district-specific standards that are unique to such districts. Permitted uses by zoning district and use-specific regulations are set forth in Article 5, "Use Regulations." Development standards generally applicable to all development in the City of Arvada are set forth in Article 6, "Development Standards."

### **4.7.1 I-1 Light Industrial District**

- A. Intent. The I-1 District is intended to encourage development of industrial and office uses with minimal adverse impact on surrounding properties. Accordingly, District setbacks and landscaping requirements ensure compatibility with abutting districts. In addition, low-intensity development is required, external effects are limited, accessory outdoor storage is limited to 10% of the parcel's land area for most uses, and permitted uses are limited to manufacturing, wholesaling, and office activities that can be operated in a clean and quiet manner. Certain public facilities needed to serve the occupants of the District and residents of adjoining residential districts are also allowed.
- B. District-Specific Standards.
  1. No curb cuts shall be permitted within 50 feet of any residential zoning district.
  2. All loading areas and loading docks must be placed on the site so as to be screened from view from Arterial or Collector streets or residentially zoned property.
  3. Outdoor storage areas may not occupy more than ten (10) percent of the parcel's total gross land area.

### **4.7.2 I-2 Heavy Industrial District**

- A. Intent. The I-2 District is intended to provide for a less restrictive type of industrial development than in the I-1 District. The I-2 District encourages normal operation of almost all industries, subject to those regulations necessary for the mutual protection of nearby property owners in the lawful use of their respective properties. Outdoor storage in this District can be allowed up to 100% of the property excluding the required front setback.

B. District-Specific Standards.

1. No curb cuts shall be permitted within 50 feet of any residential district.
2. All loading areas and loading docks shall be sited so as to be screened from view from arterial or collector streets or residentially zoned property.
3. Outdoor storage areas may occupy up to 100 percent of the total lot gross acreage, not including the front setback area.

## 4.8 NEW COMMUNITIES (NC) ZONING DISTRICT: INTENT AND DISTRICT-SPECIFIC STANDARDS

This section sets forth the specific purpose and intent of the New Communities Zoning Subdistricts, as well as any standards that are unique to any of the Sub-Districts. Permitted uses by sub-district and generally applicable use-specific regulations are set forth in Article 5, "Use Regulations." Development standards generally applicable to all development in the City of Arvada are set forth in Article 6, "Development Standards."

### 4.8.1 Intent and Purpose

- A. In General. The intent of the New Community zoning district (NC) is to provide the opportunity for a mixed and multiple use district where both residential and non-residential neighborhoods can be comprehensively planned and developed.

All major categories of land use including industrial, office, commercial, residential, public and existing open space have the potential to be present in the NC zoning district. The District is structured to promote the grouping and identification of such uses in clearly defined zoning sub-districts. The mixing of different uses within the various sub-districts, as set forth in this Article and Article 5, has been developed to be flexible in order to respond to the long-term development schedule associated with new community areas.

- B. For the NC-OS Open Space Sub-District. The Open Space sub-district permits open space land uses. The OS sub-district is intended to be used as:
1. Undeveloped natural lands, not designated for development of buildings, roads, or structures; or
  2. Undeveloped natural lands, except for minor buildings and roads that are only accessory for passive recreation; or
  3. Active recreation that is accessory to developed areas; or
  4. Public or private events centers that are compatible with other land uses permitted in the NC-OS zoning sub-district and

compatible with the scale of other land uses permitted in the NC-OS zoning sub-district; or

5. Landscape enhancement to developed areas.

C. For the NC-SU Special Use Sub-District. The Special Use sub-district is intended to allow a unique integration of the uses permitted in the I/OF zoning sub-district and the OS zoning sub-district. This relationship is based on the sub-district being located in areas that exhibit unique physical features or hazards.

#### **4.8.2 Threshold Requirements for a NC District Zoning**

A. Property Characteristics. For property to be zoned NC, a landowner shall meet the requirements of this Section and Code, and the property shall exhibit unique characteristics and features that set it apart from other areas or neighborhoods within the City. The Comprehensive Plan shall note the element as being appropriate for the NC zoning district.

B. Designation of Sub-Districts. Any property zoned NC shall also specify sub-district classifications provided for in this Article. The NC and sub-district zoning classifications shall be established through an initial zoning process or rezoning process in accordance with Article 3 of this Code.

#### **4.8.3 Mixed Uses Encouraged**

Mixed use developments are strongly encouraged in the NC zoning district, including the mixing of residential principal uses with principal commercial uses. Mixed use development may occur by having two or more principal uses located in the same building (e.g., retail on ground floor, office space above) or by having two or more principal uses located in different buildings sited on the same lot or parcel (e.g., free-standing child day care center located on the same parcel as an office building).

#### **4.8.4 Sub-District Specific Standards**

A. NC-I/OF Sub-District. All commercial uses allowed in the C/OF sub-district may be permitted in the I/OF sub-district provided the following conditions are met:

1. Such uses shall be located within a 1,500 feet radius of the intersection of two arterial streets.
2. The total maximum commercial gross square footage permitted at such intersection shall not exceed 180,000 square feet, excluding the gross square footage contained in permitted accessory uses.
3. The total minimum retail gross square footage in any center at such location shall not be less than 60,000 square feet, excluding the gross square footage contained in permitted accessory uses.

## 4.9 CLEAR CREEK/I-76 (CC) ZONING DISTRICT: INTENT AND DISTRICT-SPECIFIC STANDARDS

This section sets forth the specific purpose and intent of the Clear Creek Zoning District, as well as any district-specific standards that are unique to the District or any of the five Clear Creek Sub-Districts. Permitted uses by sub-district and generally applicable use-specific regulations are set forth in Article 5, "Use Regulations." Development standards generally applicable to all development in the City of Arvada are set forth in Article 6, "Development Standards."

### 4.9.1 General Intent/Purposes

The intent and purposes of the Clear Creek/I-76 zoning district (CC) are to:

- A. Establish controls that achieve a reasonable balance between the need to protect community health, safety, and welfare, on the one hand, and the need to encourage business growth, on the other;
- B. Allow a wide variety or mix of uses within the district while assuring that performance-based standards are in place to focus on and address the impacts of such mixed development;
- C. Establish standards that allow a broad range of industrial/commercial land uses but which protect the adjacent residential areas from any negative impacts of those uses;
- D. Foster development of incubator-type business space;
- E. Allow the transition of certain areas from residential to non-residential uses in a manner that protects remaining residences;
- F. Ensure that development will not create significant negative impacts on the groundwater and surface water; and
- G. Encourage certain street improvements that will facilitate industrial/commercial growth and beautify and identify the area.

### 4.9.2 Mixed Uses Encouraged

Mixed use developments are strongly encouraged in the CC zoning district, including the mixing of residential principal uses with principal commercial uses. Mixed use development may occur by having two or more principal uses located in the same building (e.g., retail on ground floor, office space above) or by having two or more principal uses located in different buildings sited on the same lot or parcel (e.g., free-standing child day care center located on the same parcel as an office building).

### 4.9.3 CC-A Industrial & Commercial Sub-District

- A. Specific Intent and Purpose. Sub-district CC-A is intended to serve as the industrial and commercial core of the Clear Creek-I-76 area. It will accommodate the widest range of land uses, with minimal requirements for site improvements and impact mitigation. Outdoor storage standards

are intended to allow a maximum of outdoor storage with a minimum of screening. Property being developed adjacent to existing residential subdivisions must mitigate any adverse impacts upon those residences. Although not mandated by this Code, owners of property adjacent to Ralston Creek are encouraged to maintain the natural vegetation and setting along the creek and, if possible, provide further plantings to enhance provision of food and habitat for wildlife. Ralston Creek represents a significant wildlife ecosystem worthy of attention and enhancement.

#### **4.9.4 CC-B Residential Sub-District**

- A. Specific Purpose and Intent. It is intended that property owners in Sub-District CC-B be allowed to develop or redevelop their properties as either residential or non-residential uses. However, the primary intent is to preserve the predominantly single-family residential appearance of this sub-district, so as to protect adjacent homes. Accordingly, any nonresidential use must result in an appearance that is similar in percent of lot coverage, scale, setbacks, and architectural character to a single-family residence. Although a wide range of nonresidential uses is allowed, potential adverse impacts on surrounding sub-district properties must be strictly controlled. Any uses not capable of mitigating such potential adverse impacts will not be allowed.

Sub-district CC-B may encompass all lots on the north side of W. 60th Avenue which have frontage on W. 60th Avenue. However, any lots not having frontage on W. 60th Avenue may also be included within this sub-district if all three of the following conditions apply:

1. The lot shares two property boundaries with a W. 60th Avenue frontage lot or lots that have transitioned to non-residential or multifamily residential use, and the amount of each property line shared with the W. 60th Avenue frontage lot is greater than 50 percent of the total length of the property line of the non-frontage lot.
2. The lot has vehicular access off of Jay Street, Ingalls Circle, Harlan Street, Gray Street, Fenton Street, or Depew Street.
3. The centerline of the existing or proposed driveway providing vehicular access to the lot lies no more than 200 linear feet from the northerly right-of-way line of W. 60th Avenue.

B. Sub-District Specific Standards

1. Vehicle Trip Generation. Nonresidential uses shall not be permitted if they are expected to generate more than 48 weekday vehicle trips per day. Expected average vehicle trips for a proposed use shall be determined by reference to the current edition of the Institute for Transportation Engineers' "Trip Generation" manual (or successor publication), or an independent trip generation analysis prepared by a qualified transportation engineer licensed in Colorado.

2. Truck Traffic. Nonresidential uses shall not generate more than an average of four (4) vehicle trips per week of semi-trailer trucks in AASHTO vehicle classifications WB-40, WB-50, and WB-60. For a proposed use, expected trip generation for the purposes of this standard shall be determined by a developer's certified estimate of trip generation by such trucks.

#### **4.9.5 CC-C Commercial & Office Sub-District**

- A. Specific Purpose and Intent. It is intended that this sub-district CC-C fulfill its potential for higher quality commercial/office development. It is expected that this sub-district might attract hotels/motels, offices, restaurants, and other commercial uses drawn by the surrounding locational amenities. For this reason greater control of outside storage, operational impacts, and aesthetics are imposed than are found in Sub-district A. Architectural design and building materials must be of high quality and must illustrate cohesive design elements throughout the sub-district.

#### **4.9.6 CC-D Residential/Transitional Sub-District**

- A. Specific Purpose and Intent. This sub-district is intended to allow residential uses to transition to nonresidential uses. The standards provide for transitional uses that are similar in appearance and impacts to the existing residential uses. In this way, the standards seek to preserve land values and quality of life of residents while at the same time allowing for conversion of uses. Special care is, however, taken to protect the residences in this sub-district from any adverse impacts from adjacent nonresidential uses. When this sub-district has transitioned to 100 percent nonresidential uses, the use and development standards for Sub-District A shall apply.
- B. Sub-District Specific Standards
  1. Vehicle Trip Generation. Nonresidential uses shall not be permitted if they are expected to generate more than 48 weekday vehicle trips per day. Expected average vehicle trips for a proposed use shall be determined by reference to the current edition of the Institute for Transportation Engineers' "Trip Generation" manual (or successor publication), or an independent trip generation analysis prepared by a qualified transportation engineer licensed in Colorado.
  2. Truck Traffic. Nonresidential uses shall not generate more than an average of four (4) vehicle trips per week of semi-trailer trucks in AASHTO vehicle classifications WB-40, WB-50, and WB-60. For a proposed use, expected trip generation for the purposes of this standard shall be determined by a developer's certified estimate of trip generation by such trucks.

#### **4.9.7 CC-E Mixed-Use Commercial, Industrial & Residential Sub-District**

- A. Specific Purpose and Intent. The character of this sub-district is predominantly retail, office, and light industrial. The sub-district is

intended to encourage development of a mixed-use nonresidential and multifamily residential area. Development standards specifically applicable to this sub-district are intended primarily to address the problem of adverse impacts upon adjacent residences. Of particular concern is the problem of trucks which serve businesses using the residential streets.

- B. Sub-District Specific Standards. Vehicular access for uses fronting on Marshall/Lamar Street should not be allowed onto or from Newland Street or Newland Way, to the west.

#### **4.9.8 Threshold Requirements for a CC District Zoning**

- A. Property Characteristics. For property to be zoned CC, a landowner shall meet the requirements of this Section and Code, and the Comprehensive Plan shall show the land as being included within the Clear Creek-I-76 Community Plan Element and as being appropriate for the CC zoning district.
- B. Minimum Acreage Requirement. None.
- C. Designation of Sub-Districts. Any property zoned CC shall also specify sub-district classifications provided for in this Article. The CC and sub-district zoning classifications shall be established through an initial zoning process or rezoning process in accordance with Article 3 of this Code.

### **4.10 PLANNED UNIT DEVELOPMENT (PUD) ZONING DISTRICTS: INTENT AND DISTRICT-SPECIFIC STANDARDS**

This Section sets forth the specific purpose and intent of each PUD zoning district, as well as any district-specific standards that are unique to each district. Permitted uses by PUD zoning district and use-specific regulations are set forth in Article 5, "Use Regulations," as supplemented by district-specific use regulations set forth in this §4.10. Development standards generally applicable to all development in the City of Arvada, including PUDs, are set forth in Article 6, "Development Standards." All PUD zoning districts shall be established either as initial zoning at the time of annexation, or through a map amendment to this Code pursuant to the procedures and criteria for rezonings set forth in §3.5 above.

#### **4.10.1 General Intent/Purposes of the PUD Zoning Districts**

- A. General Intent & Purpose. The Planned Unit Development (PUD) zoning district allows projects of innovative design and layout that would not otherwise be permitted under this Code because of the strict application of zoning district or general development standards. The PUD District encourages innovative land planning and site design concepts that achieve a high level of environmental sensitivity, energy efficiency, aesthetics, high-quality development, and other community goals by:
  - 1. Reducing or eliminating the inflexibility that sometimes results from strict application of zoning and development standards that were designed primarily for individual lots;

2. Allowing greater freedom in selecting the means to provide access, light, open space, and design amenities;
3. Allowing greater freedom in providing a mix of land uses in the same development, including a mix of housing types, housing prices, lot sizes, and densities in the residential PUD District and a unified mix of residential/commercial uses in the PUD-BPR District;
4. Promoting quality urban design and environmentally sensitive development by allowing development to take advantage of special site characteristics, locations, and land uses; and
5. Encouraging quality urban design and environmentally sensitive development by allowing increases in base densities or floor area ratios when such increases can be justified by superior design or the provision of additional amenities such as public open space.

In return for maximum flexibility in site design and development, PUDs are expected to deliver exceptional quality design that preserves critical environmental resources, provide above-average open space amenities, incorporate creative design in the layout of buildings, open space, and circulation, assure compatibility with surrounding land uses and neighborhood character, and provide greater efficiency in the layout and provision of roads, utilities, and other infrastructure. The PUD District shall not be utilized as a means of circumventing the City's adopted land development regulations for routine developments.

#### **4.10.2 General Use & Development Regulations Applicable to All PUD Zoning Districts**

##### **A. Applicable Standards.**

1. In addition to any PUD-district-specific regulations set forth in §4.10, development in a PUD zoning district shall be subject to all applicable use regulations set forth in Article 5, "Use Regulations," all applicable development standards set forth in Article 6, "Development Standards," and all applicable standards set forth in Article 7, "Subdivisions," unless otherwise waived or modified by the Decision-Making Body in the terms of the approved PUD. In case of any conflict between a specific use or development regulation set forth in this §4.10 and any regulation set forth in Article 5, Article 6, or Article 7, the regulation in this §4.10 shall apply unless otherwise expressly allowed.
2. Notwithstanding subsection A.1 above, in no case shall the Decision-Making Body waive or modify the following development standards for a proposed PUD zoning district unless otherwise expressly allowed:
  - a. §5.2.31, Telecommunications;
  - b. §6.11, Underground Utilities;
  - c. §6.12, Stormwater Drainage and Erosion Control;

- d. §6.13, Floodplain Development Standards;
- e. §6.14, Avoidance of Natural Hazards & Protection of Natural Lands;
- f. §6.15, Oil, Gas, and Mineral Extraction;
- g. §6.17, Signs;
- h. §6.18, Construction Mitigation Standards;
- i. §6.19, Operational Standards;
- j. §7.6.5, Geologic Hazard Areas & Protection of Natural Lands;
- k. §7.11, Public Park and Trail Dedications & Fees; and
- l. §7.12, School Dedication or Fee-In-Lieu Payment.

B. Mixed Uses Encouraged. Mixed use developments are strongly encouraged in the PUD zoning districts, including the mixing of residential principal uses with principal commercial uses. Mixed use development may occur by having two or more principal uses located in the same building (e.g., retail on ground floor, office space above) or by having two or more principal uses located in different buildings sited on the same lot or parcel (e.g., free-standing child day care center located on the same parcel as an office building).

C. Net Density Measurement Required.

1. The dwelling unit density in the PUD-R District shall be measured and defined as Net Density. Any application for a PUD zoning district that incorporates a residential component shall carry a density and type of use which shall be determined at the time of the approval of the Outline Development Plan or Preliminary Development Plan, whichever is first. All zoning classifications of PUD must have either an Outline Development Plan or Preliminary Development Plan stating residential densities and types of uses (i.e., single-family, duplex, townhouse, condominiums, apartment) approved simultaneously with the rezoning request. Net Density (dwelling units per acre) is defined as follows:

$$\text{Net Density} = \frac{\text{Total Dwelling Units}}{\text{Net Land Area in Acres}}$$

2. Net acreage is calculated by subtracting from the gross acreage any commercial, professional, or industrial-designated land uses; existing dedicated street right-of-way; any land not under the direct control of the property owner, such as canal right-of-way; any land purchased by the City or any other governmental entity; any church sites; any recreational facility to be operated as a commercial enterprise by the developer or property owner.

#### **4.10.3 PUD-R Planned Unit Development (Residential) District**

A. Intent. The PUD-R District is intended to fulfill the general purpose of PUDs by allowing a wide mix of residential housing types and densities.

B. District-Specific Standards.

1. Minimum District Size. There shall be no minimum size for a PUD-R District.
2. Accessory Uses. In addition to other accessory uses permitted in §5.3.3, private stables shall be a permitted accessory use in a PUD-R District.
3. Maximum Density. There shall be no maximum density limit for a PUD-R District.

**4.10.4 PUD-BP Planned Unit Development (Business/Professional) District**

A. Intent. The PUD-BP District is created to provide for construction of planned business and professional centers, or mixtures thereof. It is intended to promote the grouping of professional and business uses and provide area large enough to establish harmonious relationships between structures, people, and the automobile. A PUD-BP District should be designed using well-planned parking access, pedestrian walkways, courtyards, malls, and open space to accomplish this intent. This district should offer a wide variety of goods and services and cater to both the pedestrian and the auto-oriented shopper.

B. District-Specific Standards.

1. Minimum District Size. There shall be no minimum size for a PUD-BP District.

**4.10.5 PUD-BPR Planned Unit Development (Business/Professional/Residential) District**

A. Intent. The PUD-BPR District is intended to fulfill the general purpose of PUDs by encouraging alternative developments containing a creative mix of business, professional, and/or residential uses. This District is intended to promote the grouping of professional and business uses, together with optional residential uses, in an area large enough to establish harmonious relationships between structures, people, and the automobile. These Districts should be sited and designed using parking access, pedestrian walkways, courtyards, malls, and open space to connect the various uses and users. This district should offer a wide variety of goods and services and cater to employees, pedestrians, shoppers, and residents.

B. District-Specific Standards.

1. Minimum District Size. There shall be no minimum size for a PUD-BPR District.
2. Maximum Density. There shall be no maximum density limit for a PUD-BPR District.

#### 4.10.6 PUD-I Planned Unit Development (Industrial) District

1. Intent. The PUD-I District is created to encourage planned development industrial parks. It is intended to promote campus-like groupings of industrial uses and the provision of well-planned access and parking areas, adequate fire and safety controls, landscaped open space, physical connectivity between structures, and high-quality architectural design.
2. District-Specific Standards.
  1. Minimum District Size. There shall be no minimum size for a PUD-I District.
  2. Impacts on Adjacent Residential Districts:
    - a. A six (6) foot high solid masonry wall or solid fence with brick posts shall be constructed along all boundaries of the PUD District that are adjacent to any residential zoning district.
    - b. No curb cuts shall be permitted within 100 feet of any residential zoning district.
    - c. No structure shall be erected within twenty (20) feet of any adjacent residential property line or residential district boundary. Setbacks for signs are covered under §6.17 of this Code.

### 4.11 SPECIAL PURPOSE AND OVERLAY ZONING DISTRICTS: INTENT AND DISTRICT-SPECIFIC STANDARDS

This section sets forth the specific purpose and intent of each special purpose and overlay zoning district, as well as any district-specific standards that are unique to such districts. Permitted uses by zoning district and use-specific regulations are set forth in Article 5, "Use Regulations." Development standards generally applicable to all development in the City of Arvada are set forth in Article 6, "Development Standards."

#### 4.11.1 Floodplain Overlay District

- A. Intent. The Floodplain Overlay District is intended 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, as more fully described in §6.13 of this Code.
- B. District-Specific Standards. District-specific standards for the Floodplain Overlay District are set forth in §6.13 of this Code.

#### 4.11.2 Arvada Downtown Historic District

- A. Intent. The intent of the Arvada Downtown Historic District is to preserve, maintain, and enhance each of the following, through appropriate application of the Design Guidelines for Olde Town Arvada and the provisions of this Code:

1. The historic character, scale, architectural integrity, and cultural and aesthetic heritage of the District;
  2. The economic vitality of the District;
  3. The attractiveness and functional utility of the District as a place to live, work and visit;
  4. The use of the District for the education, pleasure and welfare of both the residents of, and visitors to, the City of Arvada.
- B. District-Specific Standards. District-specific standards applicable to the Arvada Downtown Historic District are contained within the Design Guidelines for Olde Town Arvada, as adopted by City Council and as, from time to time, amended (See also §1.8.2 of this Code.)

#### **4.11.3 Olde Town Conservation Area**

- A. Intent. The intent of the Olde Town Conservation Area is to preserve the historical, cultural and aesthetic heritage of the area as an important transition area between the Arvada Downtown Historic District and outlying areas of more modern development and, by doing so, to preserve, maintain and enhance the Historic District and those characteristics of the District set forth in §4.11.2.A.
- B. District-Specific Standards. District-specific standards applicable to the Olde Town Conservation Area are contained within the Design Guidelines for Olde Town Arvada, as adopted by City Council and as, from time to time, amended. (See also §1.8.2 of this Code.)