



PLANNING & DEVELOPMENT MEMORANDUM
#21-2021

DATE: Aug. 23, 2021

TO: Honorable Mayor Meredith Leighty and City Council Members

THROUGH: Heather Geyer, City Manager 

FROM: Brook Svoboda, Director of Planning & Development 
Eric Ensey, Senior Planner

SUBJECT: CB-1975 – Unified Development Ordinance Amendments

PURPOSE

To consider CB-1975, an ordinance on second reading amending various sections of the Unified Development Ordinance (UDO) in Chapter 11 of the Municipal Code.

BACKGROUND

In February 2019, the City adopted the UDO, which replaced chapters 11 (Zoning), 12 (Subdivision Regulations), and 21 (Signs) of the Municipal Code with a single development ordinance and concurrently adopted a correlating zoning district map. At that time, the staff communicated that any clerical or policy revisions to the UDO would be brought forward as needed.

The first set of modifications were discussed by the Planning Commission and City Council in 2019. Following policy discussions with both bodies, the amendments to the UDO were adopted by ordinance in October 2019.

Since then, staff continued to identify items needing to be addressed while administering the code. Staff complied and presented these items to the Planning Commission at the following meetings: June 7, 2020; Oct. 6 and 20, 2020 and Nov. 4 and 17, 2020. Based on those discussions, formal amendments were drafted for consideration by the Planning Commission at their meeting on June 29, 2021.. This set of modifications is considered UDO Amendment #2.

Staff discussed the modifications being proposed in this ordinance during the July 19, 2021 City Council meeting. At that time, the direction was to bring forward an ordinance to adopt the amendments. The proposed ordinance was approved on first reading at the Aug. 9, 2021 meeting. A public hearing and second reading was set for the Aug. 23, 2021 meeting. As required by the UDO, notification of the public hearing was published in the Northglenn/Thornton Sentinel at least 15 days before the public hearing.

The following provides a brief overview of the proposed amendments to the UDO. Each topic is cross-referenced with the actual page number within the UDO, which is the number at the bottom right of the pages in Exhibit A to CB-1975.

Enforcement [Section 11-1-6(a)] – Page 5

This item became an issue during a recent Municipal Court case. The proposed language was part of the previous zoning ordinance but was omitted during the re-write of the current UDO. The language is intended to clarify who can be cited for a violation under the provisions of the UDO.

The proposed language now states that any person associated with the violation can be subject to the enforcement provisions of this section.

Accessory Structure Height, Size, and Setbacks *[Section 11-2-2 through Section 11-2-8] – Pages 11, 12, 13, 15, 16, and 18*

This amendment would require a building permit for accessory structures greater than 12 feet in height, even those under 200 square feet in area. This would be reflected by adding a new section to the building standards table for all residential and mixed-use zone districts. Accessory structures that are less than 200 square feet in area and under 12 feet will continue to not require a building permit.

Outdoor Storage *[Section 11-3-3(f)(6)(D) and Section 11-4-7(l)(1)(E)] – Pages 55 and 117*

This amendment would allow for certain outdoor storage to exceed the height of screening, including outdoor storage of recreational vehicles, fleet vehicles, or other vehicles associated with a business, provided that such business is located in the industrial zone district. As currently worded, the UDO requires that all outdoor storage be fully screened, which is not practical for certain items. This modification does not negate the need for screening, which would still be required, but vehicles that might exceed the height of the screening would not violate the UDO's screening requirements.

Height of Accessory Dwelling Units (ADU) *[Section 11-3-4(d)(1)(C)] – Page 63*

The current code stipulates that an ADU cannot exceed the height of the primary structure on the lot. However, there are instances in Northglenn where a ranch-style house is less than the height allowed for other accessory structures. This amendment would remove the language in the UDO, limiting the height of an ADU not to exceed the height of the primary residence. Instead, it would limit the height to that of all other accessory structures, which is 20 feet. This language would allow a property owner to construct an ADU over a detached garage.

Parking Standards for Auto Wash Facilities *[Section 11-4-6, Table 4-6-A] – Page 103*

This amendment would address the current trend of full-service, drive-thru car wash facilities. The current code does not address parking for this use. There is a new requirement to provide parking at a ratio of one parking space for each employee for the facility if it is a drive-thru or full-service car wash. If it is a self-service car wash, the current ratio of one space per detailing bay remains.

Compact Parking Spaces *[Section 11-4-6(h)(5)] – Pages 109 and 110*

The amendment would clarify the size of parking that can be considered compact. Typical parking stalls are 9 by 19 feet. As proposed, compact spaces would range between 8 and 9 feet in width with a length less than 19 feet but greater than 15 feet. The code still contains a limitation on the number of compact spaces that can be part of a development, 25%.

Applicability of Screening Replacement Mechanical Equipment *[Section 11-4-7(b)] – Page 112*

The previous zoning regulations included a requirement for the screening of replacement mechanical equipment for non-residential uses. This meant that when a property replaced any mechanical equipment, they were required to screen the replacement unit. This was inadvertently omitted from the UDO. The proposed amendment would add that language back to the code and require those replacement units to be screened.

Site Area Landscaping and Materials *[Section 11-4-7(d) and (e)] – Page 113*

This section of the code was unclear as to what regulations applied to existing single-family residential. Amendments are being proposed to make the necessary clarifications:

- Subsection (d) would be modified to clarify existing single-family residential properties in Section 11-4-7(e).
- Language would be added to Subsection 11-4-7(e)(1)(B) that clarifies the types of landscaping that can be considered “live ground cover,” including grass or lawn, shrubs, ornamental grasses, perennial flowers, as well as other plantings approved by the Planning & Development Director. Also, further clarification would be provided that live ground cover can be measured by the size of the plant at the time of maturity.
- Language would be added clarifying that anything not considered rock or mulch areas must be live ground cover. In front yards, only a maximum of 50% of the front yard can be rock or mulch, with the rest having to be living material.

Calculation of Fence Height [Section 11-4-7(l)(2)(A)(iii)] – Page 118

This amendment would add a section that explains how to measure the height of a fence when located on a retaining wall or berm. The current UDO does not address these scenarios. The UDO currently states that the maximum height for a fence in the side or rear yard is 8 feet and up to 42 inches in the front yard. The proposed amendment measures the height of a fence from the bottom of a wall to the top of the fence when that fence is located within 6 feet from the edge of a retaining wall. This would mitigate the visual impact of a fence, which could be up to 8 feet in height, when located on a retaining wall.

Fabric Material on Fences [Section 11-4-7(l)(2)(B)(i)] – Page 118

Fabric is a common screening material for fences, especially in industrial districts. It is often applied to chain link fences or ornamental iron fences to screen outdoor storage of equipment. The UDO is currently silent on this material for fencing. This amendment would allow fabric manufactured explicitly for fencing in the industrial zone district. The use of fabric fencing would not be permitted in other non-residential or residential districts.

Shipping Containers or CONEX Boxes [Section 11-4-8(e)(5)(C)] – Page 128

This section would be modified to clarify where shipping containers can be used.

- Shipping containers are allowed accessory structures in industrial and public facilities zone districts when reasonably screened behind a solid fence.
- Clarification would be provided as to the use of shipping containers in other non-residential zone districts. They would not be permitted as an accessory use for storage purposes but could be incorporated into a development or site if it is integrated with the rest of the development as an architectural feature and designed in a manner so as not to appear as a shipping container.

Parking Lot Lighting [Section 11-4-9(d)(2)] – Page 130

The UDO does not contain a limitation on the height of parking lot light poles. The amendments proposed would set a maximum height of such lighting:

- Maximum height of 25 feet for parking lot lighting in residential zone districts or adjacent to residential districts
- Maximum height of 30 feet for parking lot lighting in non-residential or mixed-use zone districts

BUDGET/TIME IMPLICATIONS

There are no financial or time impacts to the City.

STAFF RECOMMENDATION

Staff recommends approval of CB-1975 on second reading.

STAFF REFERENCE

If Council members have any questions, please contact Brook Svoboda, Director of Planning & Development, at bsvoboda@northglenn.org or 303.450.8937.

ATTACHMENT

1. Presentation

CB-1975 – Unified Development Ordinance Amendments

UDO AMENDMENTS

Eric Ensey

Senior Planner

303.450.8740

eensey@northglenn.org

Council Meeting

Aug. 23, 2021



CITY OF
Northglenn

BACKGROUND

- **UDO was originally approved in February 2019**
 - Combined zoning, subdivision and sign regulations into one document
- **Amendment #1 adopted October 2019**
- **Began the process for this amendment in 2020**
 - Five study sessions held with the Planning Commission: July 7; Oct. 6 and 20, Nov. 4 and 17
 - Final review and recommendation: June 29

BACKGROUND

CONT'D

- **Staff presented Planning Commission's recommended UDO Amendment package to Council as a discussion item on July 19**
- **First reading of the ordinance was approved by City Council on Aug. 9**
- **Public hearing and second reading scheduled for Aug. 23**

UDO AMENDMENT

Enforcement

- Proposed language is intended to clarify who can be issued a violation to the provisions of the UDO.

Accessory Structure Height, Size and Setbacks

- Requires accessory structures that are greater than 12 feet in height and under 200 square feet to obtain a building permit

Outdoor Storage

- Allows for certain outdoor storage to exceed the height of the fence that screens it
- Only in industrial zone districts

UDO AMENDMENT

CONT'D

Height of Accessory Dwelling Units (ADUs)

- Removed language restricting ADU height to that of the primary structure
- Height will now be the same as all accessory structures.

Parking Standards for Auto Wash Facilities

- Established a new ratio for full-service, drive-thru auto wash: 1 space per employee

Compact Parking Spaces

- Clarify that a compact space is any space between 8 and 9 feet in width, 15 and 19 feet in length
- Standard stall is 9 feet by 19 feet.

UDO AMENDMENT

CONT'D

Screening for Mechanical Units

- Clarify that replacement of existing roof top units trigger the need to screen the units

Site Area Landscaping and Materials

- Clarify what is applicable to existing single-family attached and detached
- Language was added that clarifies what constitutes live ground cover (turf, shrubs, ornamental grasses, perennial flowers, and artificial turf). Measurement of plantings is at full maturity of the plant.
- Anything not considered rock or mulch areas are required to be live ground cover.

UDO AMENDMENT

CONT'D

Calculation of Fence Height

- Clarification to the measurement of fence height when on a wall or berm
- Measurement is taken from the ground to the height of the fence, when fence is within 6 feet from the structure.

Fabric Material on Fences

- Fabric specifically allowed for fencing can be used in industrial zone districts.

UDO AMENDMENT

CONT'D

Shipping Containers or CONEX Boxes

- Clarify that they can only be used as accessory structures in the industrial or public facilities districts when screened.
- In other nonresidential districts, they can be considered as architectural elements to the development but still cannot be used as storage.

Parking Lot Lighting

- Clarify height of light poles in residential parking lots or adjacent to residential is 25 feet.
- Add limit to other non-residential light poles to 30 feet

NEXT STEPS

If approved, the modifications will go into effect in accordance with the provisions outlined in the ordinance.

QUESTIONS?

Eric Ensey

Senior Planner

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Council Meeting

Aug. 23, 2021



CITY OF
Northglenn

SPONSORED BY: MAYOR LEIGHTY

COUNCILMAN'S BILL

ORDINANCE NO.

No. CB-1975
Series of 2021

Series of 2021

A BILL FOR AN ORDINANCE AMENDING CHAPTER 11 OF THE NORTHGLENN MUNICIPAL CODE AMENDING VARIOUS SECTIONS OF THE UNIFIED DEVELOPMENT ORDINANCE

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

Section 1. The Northglenn Municipal Code is amended by the adoption of the amendments to the Unified Development Ordinance (the "UDO"), attached hereto as **Exhibit A**, and incorporated herein by this reference.

INTRODUCED, READ AND ORDERED POSTED this 9th day of August, 2021.


MEREDITH LEIGHTY
Mayor

ATTEST:


JOHANNA SMALL, CMC
City Clerk

PASSED ON SECOND AND FINAL READING this ____ day of _____, 2021.

MEREDITH LEIGHTY
Mayor

ATTEST:

JOHANNA SMALL, CMC
City Clerk

APPROVED AS TO FORM:


COREY Y. HOFFMANN
City Attorney



Unified Development Ordinance (UDO)

Effective February 26, 2019

Amendment #1 - October 28, 2019

Amendment #2 - August 23, 2021

- (i) An addition to or expansion of one or more structures that, over a two-year period, would increase the total gross floor area of the structures (as shown by Building Permit applications) by more than 50 percent; or
- (ii) A remodeling of one or more structures that, over a two-year period, would cost (as shown by Building Permit applications) more than 50 percent of the current assessed value of the structures.

(3) Upgrading Nonconforming Buffers, Landscaping, Screening, and Outdoor Lighting

Except for properties with single-family, duplex, or manufactured home dwellings, nonconforming buffers, landscaping, screening, and outdoor lighting shall be upgraded to achieve full compliance with this UDO's buffer, landscaping, screening, and outdoor lighting standards if the site containing those nonconforming site features is proposed for any of the following:

- (A) An increase in the total square footage of vehicular use area;
- (B) A structural addition that increases the combined total gross floor area of all existing structures on a lot by more than 25 percent;
- (C) Building elevation changes involving 50 percent or more of the exterior walls of a roofed structure on the property within a two-year period, excluding minor cosmetic items such as painting, lighting fixtures, and awnings. A modification to only part of an elevation shall constitute a change in the entire elevation of that exterior wall; or
- (D) An expansion of outdoor operations, storage, or display areas on a site containing nonconforming buffers or screening that increases the gross square footage of such areas.

(4) Upgrading Nonconforming Fencing

- (A) Nonconforming fencing shall be upgraded to achieve full compliance with the UDO if repairs or replacement of such fencing involves 25 percent or more of the total linear feet of that portion of the fence that is nonconforming.
- (B) Minor maintenance of fencing such as painting, refinishing, or replacing minor components shall not be considered repair or replacement requiring conformance with this standard.

(5) Compliance to the Maximum Extent Practicable

Where full compliance with the requirements of this subsection is precluded by a lack of sufficient developable area due to the size of the lot, the layout of existing development, or the presence of significant wetlands, floodplains, watercourses, or other significant environmental constraints, the applicant shall comply with the requirements of this section to the maximum extent practicable, as determined by the Director. In making such determination, the Director shall consider the following:

- (A) The application meets the overall intent of the UDO; and
- (B) The application imposes no greater impacts on adjacent properties than would occur through strict compliance with the UDO.

11-1-6 Enforcement

(a) Purpose

This section identifies violations of this UDO and establishes procedures for the City to ensure compliance with this UDO and to correct violations. This section also sets forth the remedies and penalties for violations of this UDO.

IT SHALL BE UNLAWFUL FOR ANY PERSON TO ERECT, CONSTRUCT, RECONSTRUCT, ALTER, MAINTAIN, OR USE ANY BUILDING OR STRUCTURE OR TO USE ANY LAND IN VIOLATION OF THE PROVISIONS OF THIS UDO. ALSO, IT SHALL BE UNLAWFUL FOR ANY PERSON TO VIOLATE ANY OF THE PROVISIONS OF THIS UDO, ANY CONDITION, RESTRICTION, EXCLUSION, OR REGULATION ESTABLISHED BY OR UNDER THE AUTHORITY OF THIS UDO, OR ANY OF THE TERMS, CONDITIONS, PROVISIONS, OR DIRECTIONS OF ANY LICENSE OR PERMIT ISSUED UNDER THE AUTHORITY OF THIS UDO.

11-2-2 RS-1 Single-Family Large-Lot

(a) Purpose

The RS-1 district is intended to provide large-lot suburban neighborhoods that accommodate single-family detached homes. The RS-1 district is intended to promote a low-density residential environment and prohibit most commercial activities other than allowed home occupations and limited community and educational uses.

(b) RS-1 Lot and Building Standards

Lot Standards (minimum)		
	Lot area	12,500 sq. ft.
	Lot width	100 feet
Setbacks (minimum)		
A	Front	30 feet
B	Side/Side (detached accessory)	10 feet/5 feet
C	Rear/Rear (detached accessory)	20 feet/None
Building Standards (maximum)		
D	Building height, primary	28 feet [1]
	Building height, accessory	20 feet
	Building coverage	40 percent

E ACCESSORY STRUCTURES UNDER 200 SQUARE FEET AND EXCEEDING 12 FEET IN HEIGHT SHALL OBTAIN A BUILDING PERMIT AND COMPLY WITH SETBACKS

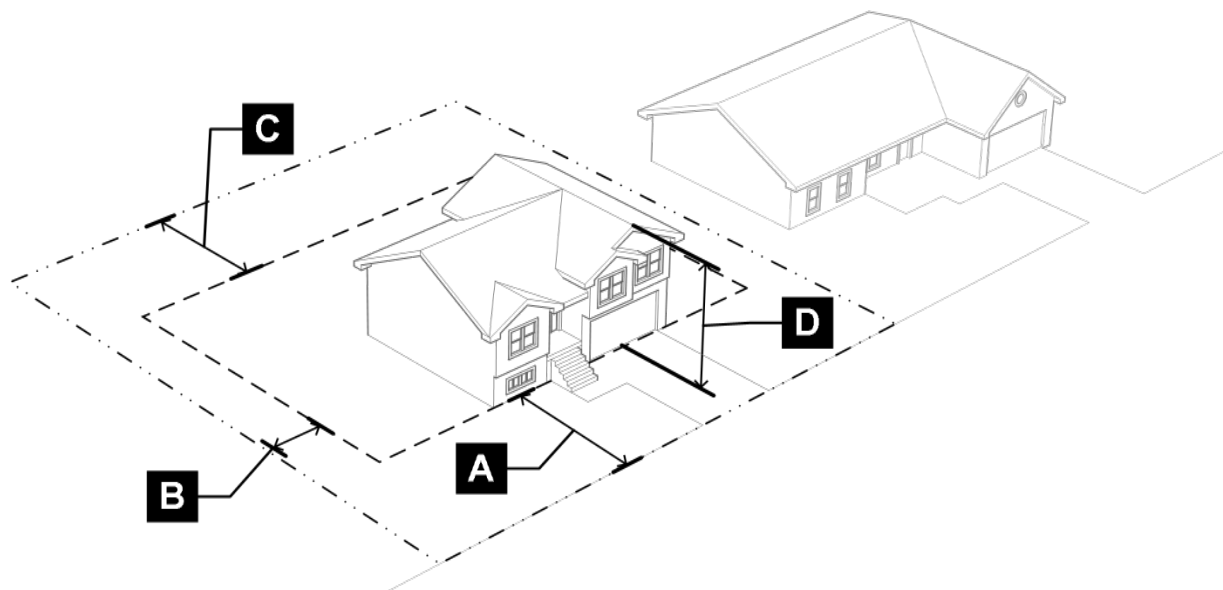
SEE SETBACKS ABOVE

(c) Other Standards

Other Standards	Location in LDC
Measurements and Exceptions	Section 11-2-19
Use Regulations	Article 3:
Off-Street Parking and Loading	Section 11-4-6
Landscaping, Screening, and Fencing	Section 11-4-7
Site and Building Design	Section 11-4-8
Exterior Lighting	Section 11-4-9

NOTES:

[1] BUILDINGS ASSOCIATED WITH NONRESIDENTIAL USES ARE ALLOWED A MAXIMUM PRIMARY BUILDING HEIGHT OF 35 FEET.



11-2-3 RS-2 Single-Family Standard-Lot

(a) Purpose

The RS-2 district is intended to provide standard-sized lots in suburban neighborhoods that accommodate single-family detached homes. The RS-2 district is intended to promote a low-density residential environment and prohibit most commercial activities other than allowed home occupations and limited community and educational uses.

(b) RS-2 Lot and Building Standards

Lot Standards (minimum)		
	Lot area	7,000 sq. ft.
	Lot width	70 feet
Setbacks (minimum)		
A	Front	25 feet
B	Side	5 feet
C	Rear/Rear (detached accessory)	20 feet/None
Building Standards (maximum)		
D	Building height, primary	28 feet [1]
	Building height, accessory	20 feet
	Building coverage	40 percent

im ACCESSORY STRUCTURES UNDER 200 SQUARE FEET AND EXCEEDING 12 FEET IN HEIGHT SHALL OBTAIN A BUILDING PERMIT AND COMPLY WITH SETBACKS

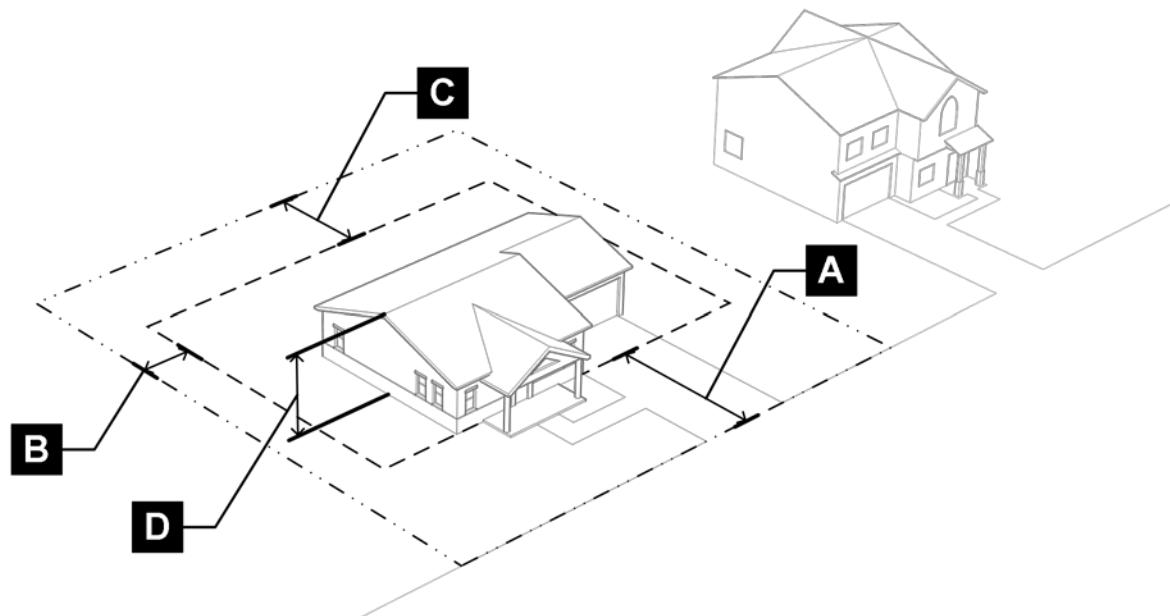
SEE SETBACKS ABOVE

(c) Other Standards

Other Standards	Location in LDC
Measurements and Exceptions	Section 11-2-19
Use Regulations	Article 3:
Off-Street Parking and Loading	Section 11-4-6
Landscaping, Screening, and Fencing	Section 11-4-7
Site and Building Design	Section 11-4-8
Exterior Lighting	Section 11-4-9

NOTES:

[1] BUILDINGS ASSOCIATED WITH NONRESIDENTIAL USES ARE ALLOWED A MAXIMUM PRIMARY BUILDING HEIGHT OF 35 FEET.



11-2-4 RS-3 Single-Family Small-Lot

(a) Purpose

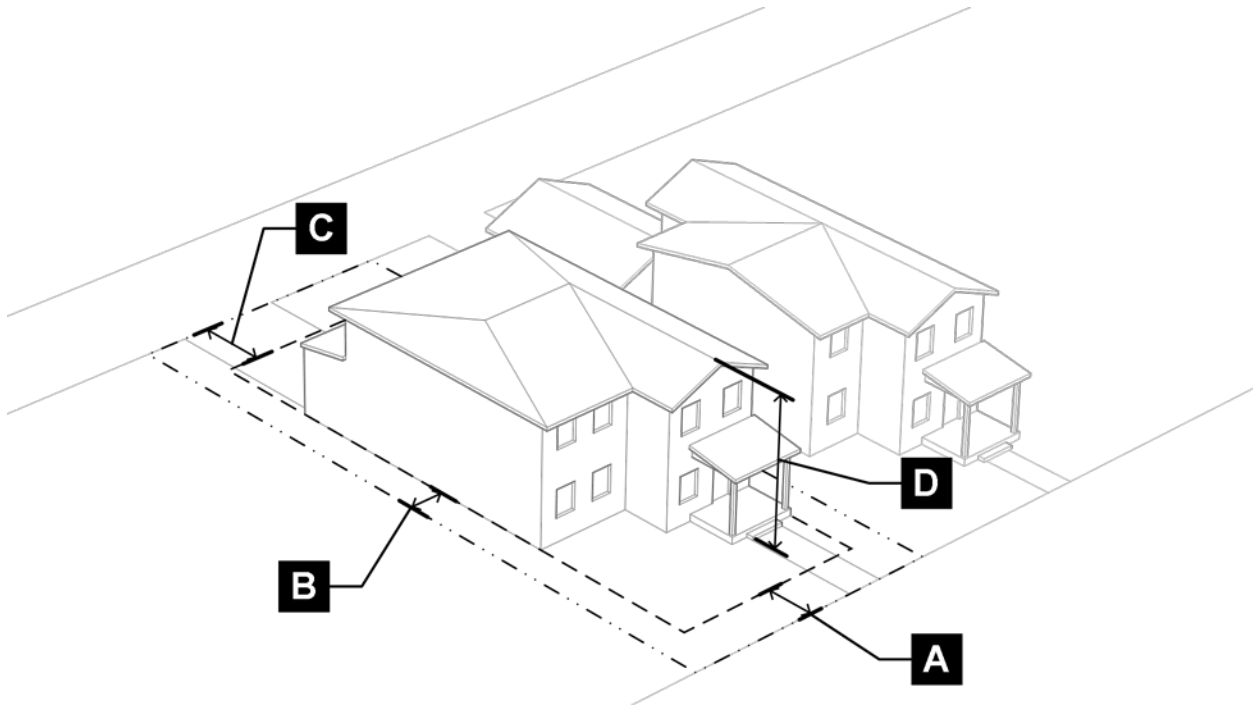
The RS-3 district is intended to provide small residential lots with single-family uses in both urban and suburban neighborhoods. The RS-3 district is intended to promote medium- to high-density residential development but prohibit most commercial activities other than allowed home occupations and limited community and educational uses.

(b) RS-3 Lot and Building Standards

Lot Standards (minimum)		
	Lot area	2,500 sq. ft.
	Lot width	35 feet
Setbacks (minimum)		
A	Front	15 feet
	Front (alley-loaded residential)	7 feet
B	Side	5 feet
C	Rear/Rear (detached accessory)	10 feet/None
Building Standards (maximum)		
D	Building height, primary	35 feet
	Building height, accessory	20 feet
	Building coverage	60 percent
E	<p>ACCESSORY STRUCTURES UNDER 200 SQUARE FEET AND EXCEEDING 12 FEET IN HEIGHT SHALL OBTAIN A BUILDING PERMIT AND COMPLY WITH SETBACKS</p>	
		SEE SETBACKS ABOVE

(c) Other Standards

Other Standards	Location in LDC
Measurements and Exceptions	Section 11-2-19
Use Regulations	Article 3:
Off-Street Parking and Loading	Section 11-4-6
Landscaping, Screening, and Fencing	Section 11-4-7
Site and Building Design	Section 11-4-8
Exterior Lighting	Section 11-4-9



11-2-5 RM-1 Multifamily Limited

(a) Purpose

The RM-1 district is intended to provide housing at mixed densities including primarily single-family attached uses with limited small-scale multifamily uses. The RM-1 district may serve as a transition between higher density and/or intensity districts and lower density residential districts. The RM-1 district is intended to prohibit most commercial uses other than allowed home occupations and limited community and educational uses.

(b) RM-1 Lot and Building Standards

Lot Standards (minimum)		
	Lot area, single-family attached and duplex	2,500 sq. ft. per unit
	Lot area, multifamily	2,000 sq. ft. per unit
	Lot area, all other uses	10,500 sq. ft.
	Lot width	35 feet
Setbacks (minimum)		
A	Front	15 feet
B	Side, single-family and duplex	5 feet
	Side, all other uses/Side, (detached accessory)	10 feet/5 feet
C	Rear/Rear (detached accessory)	10 feet/None
Building Standards (maximum)		
D	Building height, primary	45 feet
	Building height, accessory	20 feet
	Building coverage	60 percent

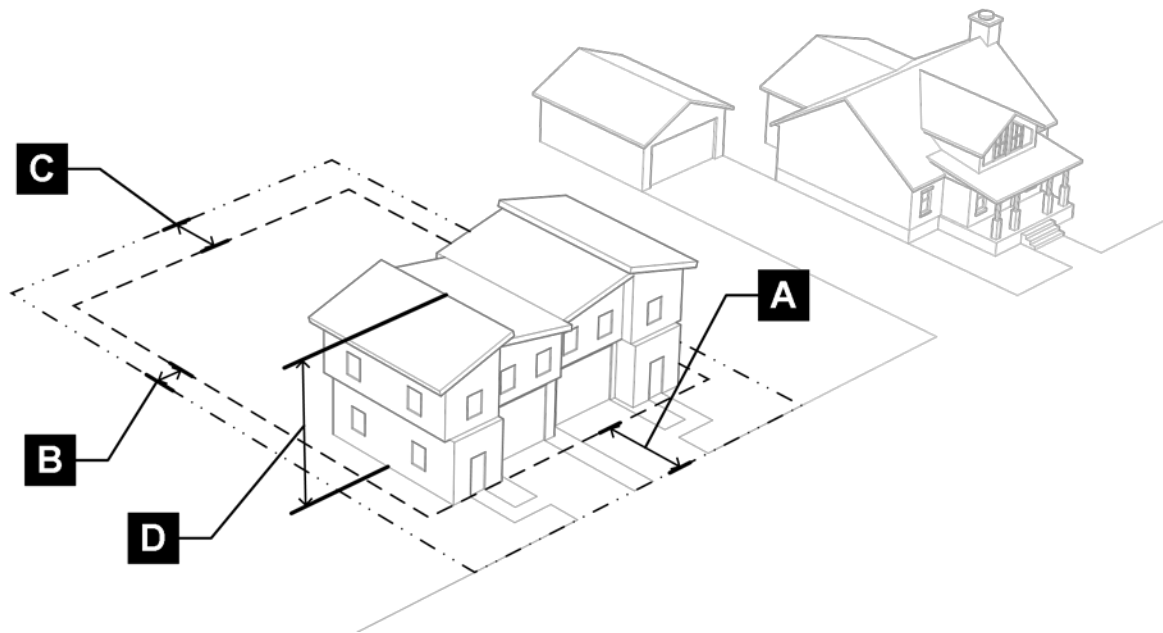
(c) Other Standards

Other Standards	Location in LDC
Measurements and Exceptions	Section 11-2-19
Use Regulations	Article 3:
Off-Street Parking and Loading	Section 11-4-6
Landscaping, Screening, and Fencing	Section 11-4-7
Site and Building Design	Section 11-4-8
Exterior Lighting	Section 11-4-9

Impervious coverage 80 percent

ACCESSORY STRUCTURES UNDER 200 SQUARE FEET AND EXCEEDING 12 FEET IN HEIGHT SHALL OBTAIN A BUILDING PERMIT AND COMPLY WITH SETBACKS

SEE SETBACKS ABOVE



11-2-6 RM-2 Multifamily

(a) Purpose

The RM-2 district is intended to provide housing at varied densities including attached single-family and multifamily uses. The RM-2 district also may include community, educational, and limited supportive uses. The RM-2 district may serve as a transition between higher intensity commercial and mixed-use districts and lower density residential districts.

(b) RM-2 Lot and Building Standards

Lot Standards (minimum)	
Lot area, single-family attached and duplex	2,000 sq. ft. per unit
Lot area, multifamily	1,000 sq. ft. per unit
Lot area, all other uses	10,500 sq. ft.
Lot width	70 feet
Setbacks (minimum)	
A Front	15 feet
B Side, single-family attached and duplex	5 feet
Side, all other uses/ Side, (detached accessory)	10 feet/5 feet
C Rear/Rear (detached accessory)	10 feet/None

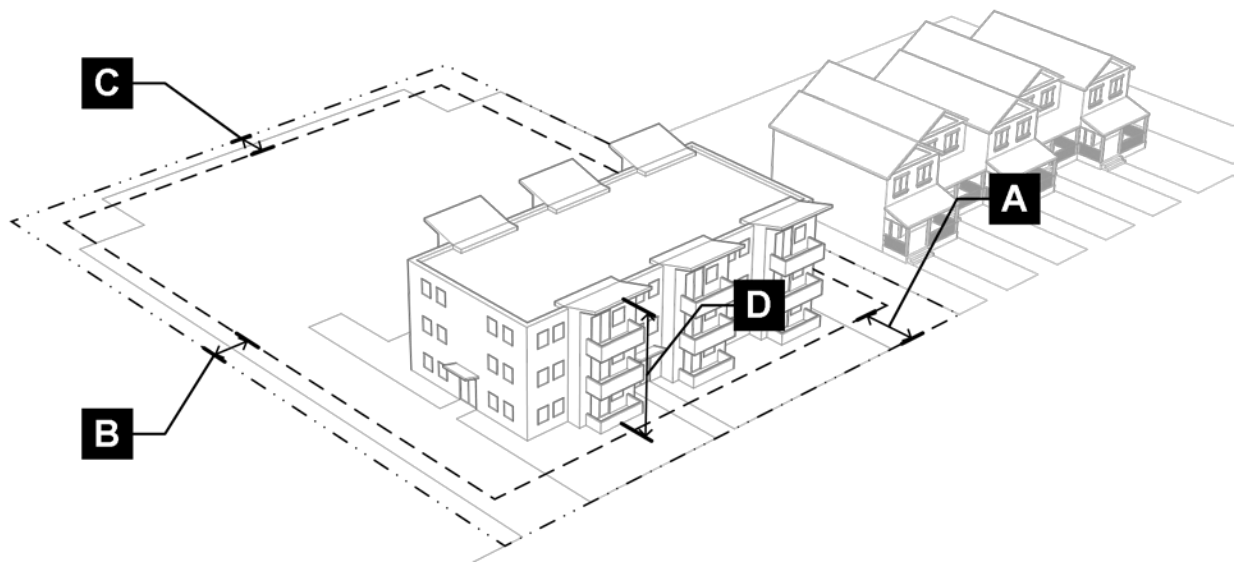
(c) Other Standards

Other Standards	Location in LDC
Measurements and Exceptions	Section 11-2-19
Use Regulations	Article 3:
Off-Street Parking and Loading	Section 11-4-6
Landscaping, Screening, and Fencing	Section 11-4-7
Site and Building Design	Section 11-4-8
Exterior Lighting	Section 11-4-9

Building Standards (maximum)

D	Building height, primary	60 feet
	Building height, accessory	20 feet
	Building coverage	60 percent
	Impervious coverage	80 percent

m ACCESSORY STRUCTURES UNDER 200 SQUARE FEET AND EXCEEDING 12 FEET IN HEIGHT SHALL OBTAIN A BUILDING PERMIT AND COMPLY WITH SETBACKS SEE SETBACKS ABOVE



11-2-8 MN Mixed-Use Neighborhood

(a) Purpose

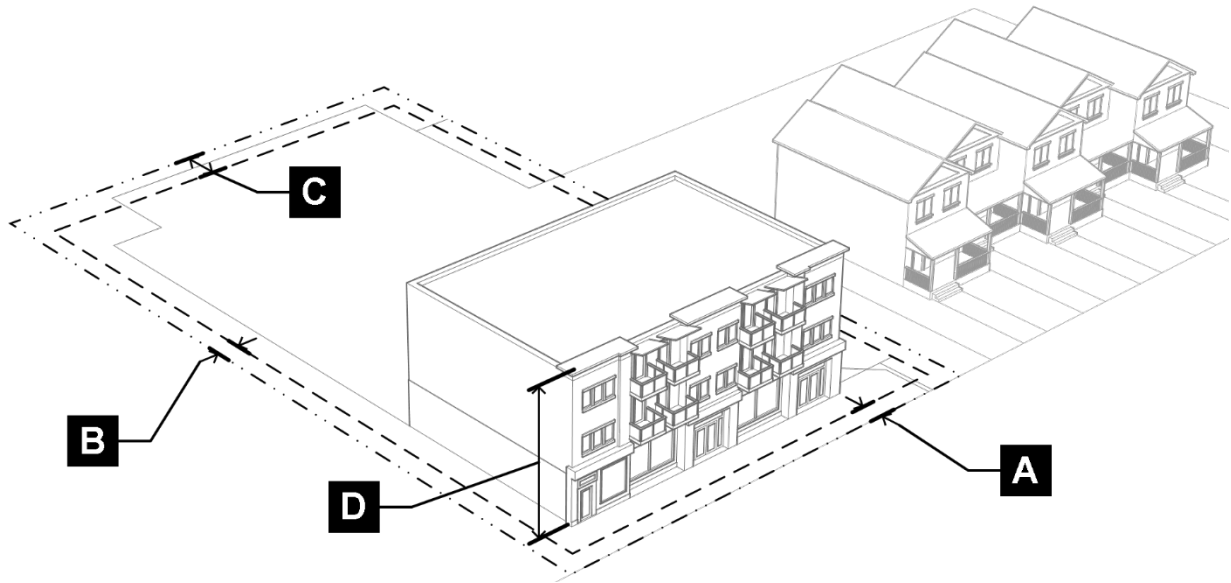
The MN district is intended to accommodate primarily residential uses with limited community and commercial uses with appropriate accessory uses. Residential uses in the MN district are intended to offer a diversity of housing opportunities at varied densities. Commercial uses in the MN district should typically be limited to those providing retail and services to the convenience of the neighborhood. Mixed-use development in the MN district is intended to be walkable, have an active streetscape, and be compatible with surrounding residential uses.

(b) MN Lot and Building Standards

Lot Standards (minimum)		
	Lot area, single-family detached	3,500 sq. ft.
	Lot area, all other uses	7,000 sq. ft.
	Lot width	35 feet
Setbacks		
A	Front, minimum	5 feet
	Front, maximum	15 feet [1]
B	Side, minimum	5 feet
C	Rear minimum/Rear (detached accessory)	10 feet/5 feet
Building and Site Standards (maximum)		
D	Building height, primary	35 feet
	Building height, accessory	20 feet
	Building coverage	60 percent
	Impervious coverage	90 percent
E	<p>ACCESSORY STRUCTURES UNDER 200 SQUARE FEET AND EXCEEDING 12 FEET IN HEIGHT SHALL OBTAIN A BUILDING PERMIT AND COMPLY WITH SETBACKS</p>	
		SEE SETBACKS ABOVE

(c) Other Standards

Other Standards	Location in LDC
Measurements and Exceptions	Section 11-2-19
Use Regulations	Article 3:
Off-Street Parking and Loading	Section 11-4-6
Landscaping, Screening, and Fencing	Section 11-4-7
Site and Building Design	Section 11-4-8
Exterior Lighting	Section 11-4-9
Notes:	
[1] Existing single-family detached dwellings, or conversions of existing single-family detached dwellings into nonresidential uses shall be exempt from the maximum front setback requirement.	



(ii) Insurance

The operator shall furnish evidence that he is insured to the extent of not less than \$100,000 against liability for any negligent act or omission by the operator from the operation or maintenance of the extraction and production and all activities connected with or incidental to such extraction and production.

(iii) Bond

The operator shall post a bond in the form prescribed by the Commission in a sum equal to the number of acres covered by the permit multiplied by \$500 to insure full compliance with all of the terms and conditions of the permit and the regulations of the Commission pertaining to the extraction and/or processing. The minimum amount of such bond shall be \$2,500 and the maximum amount \$25,000.

(iv) Time of Permit

All permits shall be in full force for a period of five years from date of issuance unless a shorter time is set by the Commission.

(D) Rehabilitation

The parties to the permit for extraction are responsible for the eventual rehabilitation of the worked-out area in accordance with the rehabilitation plan.

(i) Dry Pit Rehabilitation

After excavation has been completed in a dry pit, the operator shall spread evenly over the bottom of the excavation the excess waste materials. He shall then spread evenly the topsoil to a minimum depth of 18 inches unless he produces clear and convincing evidence that the land excavated has less than 18 inches of topsoil prior to commencement of operations. The topsoil shall be spread so as to produce a new surface for the purpose of growing crops, trees, shrubs, and other flora. The dry pit may be backfilled with clean fill. For excavations backfilled and rehabilitated, the following requirements shall be met:

- a. The graded or backfilled area shall not permit stagnant water to collect or remain therein.
- b. The condition of the area after rehabilitation shall be in accordance with the rehabilitation plan.

(ii) Wet Pit Rehabilitation

A wet pit may be filled in accordance with the conditions set forth for dry pit rehabilitation, or may be converted into a lake for recreational or scenic purposes. The following conditions apply to rehabilitation of set pits into lakes:

- a. All banks shall be sloped to the water line at a slope which shall not be steeper than two feet horizontal to one foot vertical.
- b. All banks shall be stabilized unless otherwise called for on the approved rehabilitation plan.
- c. Stabilization shall be accomplished by surfacing with soil of a quality at least equal to the topsoil of land areas immediately surrounding.
- d. Such topsoil shall be planted with trees, shrubs, legumes, or grasses on the parts of such area where re-vegetation is possible unless otherwise specified in the rehabilitation plan.

(5) Contractor Office or Showroom

- (A) In the CG district, no outdoor storage shall be allowed.
- (B) In the CA and IN districts, outdoor storage shall require a special use permit.

(6) Outdoor Storage

- (A) No outdoor storage shall be located in front of a primary building unless allowed elsewhere in this UDO.
- (B) Materials shall not be stored in areas intended for vehicular or pedestrian circulation.

- (C) Outdoor storage shall be screened from public view pursuant to screening standards in Subsection 11-4-7(l).
- (D) Materials stored outside shall not protrude above the height of the fence or screen, **EXCEPT AS STIPULATED IN SUBSECTION 11-4-7(l).**

(7) Self-Service Storage

(A) Layout and Design

- (i) Doors to individual storage units shall not be directly accessible from any street frontage.
- (ii) Individual storage units shall face the interior of the site. This does not apply to storage units within an enclosed structure.

(B) Operation and Activities

- (i) No other residential or nonresidential activities shall take place on the premises other than the rental of storage units, unless otherwise allowed by this UDO.
- (ii) The incidental retail sale of products associated with the business (e.g., boxes, moving supplies, locks, bubble wrap) is allowed.

(g) Public and Semi-Public Utility Uses

(1) Public Utility, Major and Minor

- (A) Buildings and structures associated with utility uses shall comply with the minimum required setbacks of the underlying zoning district, unless otherwise exempted in this UDO.
- (B) All public utility facilities shall comply with the screening requirements established in Section 11-4-7(l), unless otherwise exempted in this UDO.

(2) Water Storage Facility

In the OS district, water reservoirs, storage tanks, transmission, diversion, and pumping stations, and sewage facilities shall be constructed underground and/or developed as multiple use facilities which include recreational usage.

(3) Wireless Service Facilities

(A) Purpose

The purposes of this section is to allow the location of wireless service facilities ("WSF") in the City while protecting the public health, safety, and general welfare of the community; to act on applications for the location of WSFs within a reasonable period of time; to encourage co-location of WSFs; and to prevent unreasonable discrimination among providers of functionally equivalent services.

(B) Definitions

- (i) "Accessory equipment for a WSF" means equipment, including buildings and structures, used to protect and enable radio switching equipment, backup power and other devices incidental to a WSFs, but not including antennas.
- (ii) "Antenna" means communications equipment that transmits or receives electromagnetic radio frequency signals used to provide wireless service.
- (iii) "Base station" means a structure or equipment, other than a tower, at a fixed location that enables Federal Communications Commission-licensed or authorized wireless communications between user equipment and a communications network. The term includes any equipment associated with wireless communications services, including radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration (including Distributed Antenna Systems and small-cell networks). The term includes any structure, other than a tower, to which any of the equipment described hereof is attached.
- (iv) "Building roof-mounted WSFs" means a WSF that is mounted and supported entirely on the roof of a legally existing building or structure.

(C) Design

- (i) Except for properties in the IN, PF, and AG districts, all accessory structures that require a building permit shall comply with the applicable exterior finish materials standards pursuant to 11-4-8(d), *Residential Site and Building Design Standards* and 11-4-8(e), *Mixed-Use and Nonresidential Site and Building Design*.
- (ii) No manufactured home, trailer, travel trailer, camping trailer, truck camper, or motor vehicle shall be attached or connected in any manner to an existing building or structure.
- (iii) Fabric, membrane, or cloth structures intended to be erected for more than 30 days in a calendar year shall not be allowed for the purpose of covered storage of vehicles, recreational vehicles, boats, equipment, or other outdoor storage.

(D) Timing

Accessory uses or structures are not allowed until the primary use or structure is established.

(d) Additional Standards for Specific Accessory Uses and Structures

(1) Accessory Dwelling Unit

Accessory dwelling units ("ADUs") shall be allowed as indicated in Table 3-2-A and shall comply with the following standards:

(A) Generally

- (i) Only one ADU shall be allowed per property.
- (ii) ADUs shall not be used as short-term rentals.
- (iii) ADUs for multifamily dwellings or live/work units are prohibited.
- (iv) No manufactured home, trailer, travel trailer, camping trailer, truck camper, or motor vehicle shall be used as an ADU.

(B) Ownership Requirements

- (i) The owner of the property on which the ADU is located shall be required to reside in either the primary dwelling unit or in the ADU.
- (ii) Ownership of the ADU may not be legally severed from ownership of the associated lot and any other structures on such lot.

(C) Size

- (i) ADUs shall not exceed 750 square feet, however, ADUs located in the basement of an existing single-family unit may exceed 750 square feet if entirely contained within the building footprint of the primary structure.
- ~~(ii) The height of an ADU shall not exceed the height of the primary dwelling unit on the lot.~~

(D) Location and Design

- (i) ADUs shall be allowed as both attached and detached structures.
- (ii) ADUs shall have a separate exterior entrance from the primary dwelling unit and shall contain cooking, sleeping, and sanitary facilities.
- (iii) ADUs shall not have more than one bedroom.

(E) Public Services and Utilities

- (i) Separate water or sewer service for the ADU shall not be allowed.
- (ii) Separate metering of other utilities is allowed.

(2) Caretaker Dwelling Unit

The living area of caretaker dwelling unit shall not exceed 750 square feet.

(3) Drive-Through Facility

Drive-through facilities shall comply with the standards in Subsection 11-4-6(i), *Drive-Through Facilities*.

Table 4-6-A: Minimum Off-Street Parking

sq. ft. = square feet gfa = gross floor area

Use Type	Minimum Parking Requirement
	If such use does not have indoor seating areas, then the minimum parking required shall be 1 space per 200 sq. ft.
Office, Business, and Professional Services	
Administrative, Professional, and Government Office	1 space per 300 sq. ft.
Financial Institution	
Research and Development	
Personal Services	
Laundry Facility, Commercial	1 space per 1,000 sq. ft.
Laundry Facility, Self-Service	1 space per 300 sq. ft.
Personal Services, General	
Retail Sales	
Building Materials and Supply Store	1 space per 400 sq. ft.
General Retail, Less than 10,000 Square Feet	1 space per 300 sq. ft.
General Retail, 10,000 Square Feet or More	1 space per 250 sq. ft.
Liquor Store	1 space per 300 sq. ft.
Marijuana Establishment, Medical	1 space per 300 sq. ft.
Marijuana Establishment, Retail	1 space per 300 sq. ft.
Nursery or Garden Supply Store	1 space per 300 sq. ft.
Lodging Facilities	
Bed and Breakfast	1 space per bedroom; plus 1 space for the owner/operator
Boarding or Rooming House	
Hotel/Motel	0.5 spaces per guestroom
Short-Term Rental	
Transportation	
Rail Yard	None
Transit Terminal or Station	Determined by Transit Authority
Vehicles and Equipment	
Auto Wash	1 space per detailing bay (IF SELF SERVICE) OR 1 SPACE PER EMPLOYEE (IF FULL SERVICE OR DRIVE-THRU)
Automotive Fuel Sales	1 space per 350 sq. ft.; fuel pump spaces and any parking spaces under the canopy shall not count toward meeting the minimum required parking
Automotive Repair, Major	1 space per 500 sq. ft. of indoor sales/leasing/office area; plus 1 space per service bay
Automotive Repair, Minor	
Automotive Sales and Leasing	
Equipment and Machinery Sales and Rental	Indoor: 1 space per 500 sq. ft. Outdoor: 1 space per 1,000 sq. ft.
Parking Facility	None

(iv) City streets or rights-of-way shall not be utilized for loading and unloading purposes.

(3) Number and Size of Loading Berths Required

(A) The number and size of loading berths shall be provided pursuant to Table 4-6-C below:

Table 4-6-C: Required Off-Street Loading Berths

Gross Floor Area	Minimum Number of Loading Berths	Minimum Size of Each Loading Berth		
		Length	Width	Height
Less than 10,000 square feet	None	--	--	--
10,000 to 24,999 square feet	1	20 feet	10 feet	15 feet
25,000 to 100,000 square feet	2	35 feet	12 feet	15 feet
More than 100,000 square feet	2, plus 1 additional loading berth for every 100,000 square feet beyond the first 100,000 square feet	50 feet	14 feet	15 feet

(B) The Director may approve a variation from the required loading space requirements if warranted by the building use.

(4) Parking Stall and Aisle Design

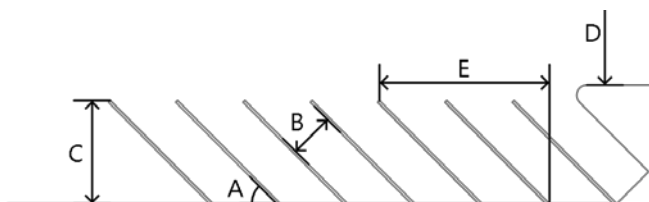
Parking areas shall be designed according to Table 4-6-D: *Parking Stall and Drive Aisle Layout*, and Figure 4.A. Parking stalls shall be designed to prevent vehicles from overhanging required walkways or landscaped areas. Additional parking stall and aisle designs may be considered by the City Engineer provided they meet the intent of these standards and any other applicable engineering standards.

Table 4-6-D: Parking Stall and Drive Aisle Layout

All dimensions in feet

A Parking Angle (in degrees)	B Stall Width	C Length of Stall to Curb	D Aisle Width	E Curb Length per Stall
0 ° (parallel)	8.5	8.5	12.0	23.0
30 °	9	16.9	11.0	17.0
45 °	9	19.4	13.0	12.0
60 °	9	20.7	18.0	9.8
90 °	9	19.0	23.0	8.5

Figure 4.A: Parking Stall and Drive Aisle Layout



(5) Compact Parking

Up to 25 percent of a parking area may be dedicated to head-in 90-degree compact parking spaces with a reduced width of eight feet and a stall length of 15 feet deep LESS THAN NINE FEET BUT EQUAL TO OR GREATER

THAN EIGHT FEET AND A LENGTH LESS THAN NINETEEN FEET BUT EQUAL TO OR GREATER THAN 15 FEET. A higher percentage of compact parking, and/or further reduced stall dimensions may be allowed at the discretion of the Director.

(6) Parking and Loading Area Surfacing

All parking and loading areas shall be paved with an impervious surface such as concrete or asphalt unless using a green infrastructure option such as porous pavers or another surface material approved by the City Manager. Permanent surfacing shall be installed prior to receiving a certificate of occupancy unless otherwise approved by the Director.

(7) Access to Garages and Carports

Driveways to garages and carports shall comply with parking and loading area surfacing requirements above. Asphalt shall not be used as a hard surface material for single-family residential driveways or parking surfaces.

(8) Parking Area Landscaping

See Subsection 11-4-7(i), *Parking Area Landscaping*.

(9) Parking Area Lighting

See Subsection 11-4-9(d)(2), *Parking Lot Lighting*.

(10) Pedestrian and Bicycle Circulation

See Subsection 11-4-5(g), *Pedestrian and Bicycle Circulation*.

(i) Drive-Through Facilities

(1) Number of Stacking Spaces Required

All drive-through facilities shall provide at least the number of on-site stacking spaces indicated in Table 4-6-E: *Required Vehicle Stacking Spaces*, in addition to any required vehicle and bicycle parking spaces required by Subsections 11-4-6(e) and 11-4-6(f).

Table 4-6-E: Required Vehicle Stacking Spaces

Use	Minimum Number of Stacking Spaces
Automotive Fuel Sales	1 per fuel pump
Auto Wash	3 per washing bay
Financial Institution or Automated Teller Machine (ATM)	2 per teller window/ATM
Other Uses with Drive-Through Facilities	3 per service lane
Personal Services	3 per service lane
Restaurant	4 per service lane
Retail Sales	3 per service lane
Note: Each stacking space shall be 20 feet long unless otherwise approved by the Director.	

(2) Location and Design of Drive-Through Facilities

- (A)** Each stacking space shall be 20 feet long unless otherwise approved by the Director. Required stacking distances shall be measured from the end of the queuing lane or property line to the point of service.
- (B)** Vehicle stacking spaces shall be integrated into the site layout and shall not interfere with site access points, access to parking or loading spaces or areas, or internal circulation aisles.
- (C)** Drive-through service windows shall be oriented away from residentially-zoned areas to the maximum extent practicable.
- (D)** In the MC and MR zoning districts, drive-through lanes shall not be located between the front façade of the primary building and the front lot line or within five feet of a side lot line.

11-4-7 Landscaping, Screening, and Fencing

(a) Purpose

The City recognizes landscaping, buffering, and screening as important elements to:

- (1) Blend the built and natural environment and preserve the natural landscape;
- (2) Mitigate or minimize potential nuisances such as noise, light, glare, dirt, litter, signs, parking, or storage areas and to provide a transition between uses;
- (3) Conserve water resources by using sustainable design and maintenance techniques and low-water plant species;
- (4) Protect existing native vegetation and mature trees;
- (5) Promote environmental benefits such as improved stormwater retention, water quality, and air quality, retaining soil moisture, recharging groundwater, and preventing erosion; and
- (6) Improve the appearance of development and establish an attractive streetscape; and
- (7) Provide screening to minimize the visual impacts of some types of facilities, structures, and equipment.

(b) Applicability

(1) New Development

Unless otherwise exempted in Subsection 11-4-7(b)(3) below, or elsewhere in this UDO, the standards in Section 11-4-7 shall apply to all new development and land uses.

(2) Expansions and Enlargements

Unless otherwise exempted in Subsection 11-4-7(b)(3) below, or elsewhere in this UDO, the standards in Section 11-4-7 shall apply to the following expansions and enlargements:

- (A) Any site improvements requiring full compliance pursuant to 11-1-5(f)(3), *Upgrading Nonconforming Buffers, Landscaping, Screening, and Outdoor Lighting*; or
- (B) The expansion or enlargement of a use or structure that requires a special use permit; or
- (C) Major parking area improvements including reconfiguring, reconstructing, or other similar projects as determined by the Director, but not including resurfacing or restriping.

(3) REPLACEMENT OF EXISTING SCREENING

UNLESS OTHERWISE EXEMPTED IN SUBSECTION 11-4-7(B)(4) BELOW, OR ELSEWHERE IN THIS UDO, THE STANDARDS IN SECTION 11-4-7 SHALL APPLY TO THE REPLACEMENT OF EXISTING MECHANICAL SCREENING.

~~(3)~~(4) Exemptions

The standards in Section 11-4-7 shall not apply to the following:

- (D) Properties in the AG or OS zoning districts, except that any yard or frontage in the AG or OS district abutting residential zoning districts shall comply with any applicable compatibility standards in this section and with the standards in Subsection 11-4-7(l), *Screening, Fences, and Walls*;
- (E) Site landscaping improvements on properties with existing single-family, duplex, or manufactured home dwellings, except that such improvements shall comply with 11-4-7(d), *Required Site Area Landscaping*, and 11-4-7(e)(1), *Appropriate Landscaping Materials*;
- (F) Expansion of a single-family, duplex, or manufactured home dwelling meeting the dimensional standards for the underlying zoning district, except that such uses shall comply with the standards in Subsection 11-4-7(l), *Screening, Fences, and Walls*; or
- (G) Conversion of a residential structure to a nonresidential use if no site improvements are required.

(c) Landscape Plan Required

- (1) A landscape plan with designed landscaped areas shall be submitted with all development applications where landscaping, buffering, or screening is required pursuant to Subsection 11-4-7(b), *Applicability*, unless the Director determines that compliance with the provisions of Section 11-4-7 can be demonstrated without the use of a landscape plan.
- (2) A landscape plan may be combined with other required application materials if compliance with Section 11-4-7 can be demonstrated in the combined materials.
- (3) For phased projects, the applicant may, at their discretion, submit a partial landscape plan for site development associated with the initial phase of the project provided that development on subsequent phases shall require additional landscape plans demonstrating compliance with this section prior to issuance of a building permit. Each landscape plan associated with a phased development shall demonstrate compliance with this section.

(d) Required Site Area Landscaping

Except for areas with native vegetation cover, any part of a site not used for buildings, parking, driveways, walkways, utilities, approved storage areas, or other site improvements, subject to the impervious coverage maximum for the zone district and further described in Section 11-2-19(g), Building and Impervious Coverage, shall be landscaped with appropriate materials pursuant to Subsection 11-4-7(e), below. **FOR EXISTING SINGLE FAMILY ATTACHED AND DETACHED RESIDENTIAL, ONLY THE APPROPRIATE LANDSCAPING MATERIALS SECTION OUTLINED IN SECTION 11-4-7(E)(1)(A-E) BELOW IS APPLICABLE.**

(e) Landscaping Materials

(1) Appropriate Landscaping Materials

Required landscaped areas pursuant to Subsection 11-4-7(d), above, may include the following landscaping materials:

- (A) Trees, shrubs, and ornamental grasses provided the species complies with the City's approved plant list;
- (B) Live ground cover, **WHICH INCLUDES INTENTIONAL AND PURPOSEFUL PLANTINGS (INCLUDING GRASS OR LAWN COVER (OR ARTIFICIAL GROUND COVER AS PROVIDED IN SUBSECTION (E) BELOW), SHRUBS, ORNAMENTAL GRASSES, PERENNIAL FLOWERS, AND OTHER PLANTINGS AS APPROVED BY THE DIRECTOR, BUT EXCLUDING TREES) AT THEIR SIZE ESTIMATED AT TIME OF MATURITY;**
- (C) Turf grass, pursuant to Subsection 11-4-7(f), *Water Conservation*;
- (D) Rock or mulch provided that the combination of such materials do not comprise more than 50 percent of the required landscaped area, **WITH THE REMAINING AREA CONSISTING OF LIVE GROUND COVER;**
- (E) Artificial ground cover, provided such ground cover is pervious;
- (F) Required stormwater detention areas meeting the standards of this UDO may be used to satisfy the landscaping requirements of this section; and
- (G) In the Mixed-Use and Commercial districts, public amenity areas such as courtyards, plazas, and pedestrian amenities may be counted toward the landscaped area requirements at the discretion of the Director provided such improvements comply with applicable maximum impervious coverage requirements.

(2) Type and Amount of Plant Material

- (A) Trees and other plant material shall be provided according to Table 4-7-A.
- (B) Trees and other plant materials shall comply with the City's approved plant list.
- (C) Existing landscape may be used to satisfy the landscaping requirements, except that preservation of existing trees shall comply with Subsection 11-4-7(j), *Tree Preservation*.
- (D) Artificial trees, shrubs, or plants shall not be used to satisfy any of the requirements of this section.
- (E) Where fractional number results, the number of trees shall be rounded up to the next whole number.

(D) Screening of Refuse Areas

- (i) To the maximum extent practicable, refuse areas shall be integrated into the primary building design.
- (ii) Refuse areas shall not be visible at ground level from adjacent residentially zoned properties or residential uses.
- (iii) To the maximum extent practicable, refuse areas shall be located where they are not visible from public streets or adjacent mixed-use or nonresidential districts.
- (iv) Refuse areas shall be screened from view by a solid wall or fence pursuant to the following:
 - a. Screening shall be a minimum height of six feet, but shall be of a sufficient height to fully screen the refuse area;
 - b. Screening shall fully enclose refuse areas on four sides with a gate provided for access; and
 - c. Screening shall incorporate the primary materials and colors of the primary building for which the loading or refuse area serves.

(E) Screening of Outdoor Storage Areas

- (i) Outdoor storage areas that are adjacent to a residential zoning district or residential use, including a mixed-use building with residential, shall be screened from view by a solid wall or fence, or vegetative screening pursuant to the following:
 - (i)(a) Screening shall be a minimum height of six feet but in no case shall exceed eight feet in height;
 - (ii)(b) Outdoor storage shall not exceed the height of the screening;
 - (iii)(c) Screening shall incorporate the primary materials and colors of the principal building associated with the outdoor storage; and
 - (iv)(d) A buffer with a minimum width of five feet shall be provided from the outdoor storage use to the property line adjacent to the residential zoning district or use. Such buffer shall be landscaped pursuant to Table 4-7-A.
- (ii) IN INDUSTRIAL ZONE DISTRICTS, THE OUTDOOR STORAGE OF RECREATIONAL VEHICLES, FLEET VEHICLES, OR OTHER VEHICLES ASSOCIATED WITH A BUSINESS MUST BE SCREENED IN ACCORDANCE WITH THE PROVISIONS OF THIS SECTION, BUT MAY EXCEED THE HEIGHT OF THE SCREENING.

(2) Fence Standards

(A) Location and Design

Fences other than those used for screening in paragraphs (1)(A) through (1)(E) above shall comply with the following:

(i) Front Yard Fences

- a. Fences located in a front yard shall not be allowed in the CG or CA districts.
- b. Fences located in the front yard shall not exceed 42 inches in height, except for fences in the IN or PF districts, which shall not exceed eight feet in height, and fences associated with multifamily residential uses which shall not exceed six feet in height.
- c. Except in the IN and PF districts, fences located in the front yard shall be a minimum of 50 percent transparent, as measured perpendicular to the fence for each fence section between supports.

(ii) Side and Rear Yard Fences

Fences located in the side or rear yard shall not be more than eight feet in height.

(iii) CALCULATION OF FENCE HEIGHT

FENCE HEIGHT IS CALCULATED FROM THE NATURAL GRADE TO THE TOP OF THE FENCE. IN INSTANCES WHERE A FENCE IS LOCATED ON AN EARTHEN BERM OR A RETAINING WALL WITHIN 6 FEET OF THE EDGE OF WALL, THEN THE HEIGHT OF THE FENCE IS MEASURED FROM THE BOTTOM OF THE RETAINING WALL TO THE TOP OF THE FENCE.

(iii)(iv) Exemptions

The height limitations of this subsection do not apply to any fence enclosing a tennis court, swimming pool, playing field, park, recreation facility, electric substation, gas regulator station, sand and gravel excavation, or noise barrier fences approved by the Director.

(iv)(v) Vision Triangle

Fences shall comply with the vision triangle requirements in Subsection 11-2-19(d).

(v)(vi) Framing Side of Wood Fence

The exposed framing of a wood fence shall face the interior yard when the fence abuts a public right-of-way.

(vi)(vii) Picket Fences

Picket fences less than five feet in height shall have the top of the pickets sawed or rounded to a blunt end.

(B) Fence Materials

(i) Fencing material shall be compatible with the overall design of the principal building and site landscape. Acceptable materials include, but are not exclusive of:

- a. Natural stone;
- b. Brick;
- c. Stucco;
- d. Wood;
- e. Plastic and vinyl if manufactured for the purposes of fencing;
- f. Decorative concrete block;
- g. Metal, such as wrought iron;
- h. Chain link, except for along frontages facing the right-of-way of an arterial; and/or
- i. FABRIC, IF MANUFACTURED FOR OUTDOOR FENCING AND PERMITTED ONLY IN INDUSTRIAL ZONE DISTRICTS; AND/OR

ii. Other materials deemed appropriate by the Director.

(ii) The following fencing materials are prohibited:

- a. Chicken wire along a property perimeter, except those used for internal runs and personal gardens;
- b. Chain link on frontages facing the right-of-way of an arterial;
- c. Plywood;
- d. Corrugated metal;
- e. Barbed wire, unless approved by the Director; and
- f. Electrically-charged fence, except for in the AG district.

(C) Noise Barrier Fencing Along State Highways

Where a proposed residential development is adjacent to a State Highway, the Director shall have the authority to evaluate and approve noise barriers installed as part of a Colorado Department of Transportation requirement.

(e) Mixed-Use and Nonresidential Site and Building Design

(1) Purpose

The design of mixed-use and nonresidential development is important to:

- (A) Promote high-quality building design and enhance the visual interest and character of development;
- (B) Ensure compatibility between residential and nonresidential development;
- (C) Ensure building scale, orientation, and design relates to surrounding uses and streets, and creates a cohesive visual identity and an attractive and pedestrian-friendly streetscape; and
- (D) Ensure safe and efficient access between buildings and parking areas.

(2) Building Orientation for Large and/or Multi-Building Developments

Developments with more than 100,000 square feet shall be organized to create pedestrian-friendly spaces and streetscapes. This shall be accomplished by using the buildings to frame and emphasize at least one of the following:

- (A) The corners of street intersections or entries into the development site;
- (B) A "main street" pedestrian or vehicle access corridor within the development site; and/or
- (C) A plaza, pocket park, square, or other outdoor gathering space for pedestrians; and/or
- (D) Other site improvements as approved by the Director.

(3) Building Entrances

- (A) The primary building entrance shall face the primary street or the street providing main access to the site. In cases where the primary building entrance does not face the primary street, the entrance shall be connected to the primary street and adjacent parking areas with sidewalks.
- (B) For multi-building developments, at least one building shall be oriented with an entrance facing the primary street or the street providing main access to the site.
- (C) For buildings on corners, an additional entrance shall be provided on the side street frontage, or the primary entrance shall be oriented toward the corner.
- (D) Primary building entrances shall be defined and articulated with architectural elements such as pediments, columns, porticos, porches, overhangs, or other elements approved by the Director.
- (E) For buildings with multiple tenant entries, each entrance shall be defined and articulated with architectural elements.
- (F) All ground-floor pedestrian entrances shall be covered or inset.
- (G) The Director may consider alternatives to these building entrance standards where strict compliance is impractical due to site conditions, provided the alternative:
 - (i) Achieves the overall intent of the standard to the same degree or higher;
 - (ii) Results in benefits to the community that are the same degree or higher; and
 - (iii) Imposes no greater impacts on adjacent properties than would otherwise occur through strict compliance with this section.

(4) Building Mass

(A) Mixed-Use Districts

Buildings shall not extend more than 40 continuous feet without incorporating at least four of the five Massing Reduction Elements in subsections (C)(i-v) below for each 40-foot segment.

(B) All Other Nonresidential

Buildings shall not extend more than 50 continuous feet without incorporating at least three of the five Massing Reduction Elements in subsections (C)(i-v) below for each 50-foot segment.

(C) Massing Reduction Elements

- (i) Projections, recessions, or reveals such as columns, pilasters, cornices, and bays, and having a change of wall plane that is a minimum depth of two feet and has the effect of casting shadows;
- (ii) Changes in materials, colors, patterns, or textures;
- (iii) Changes in roof form pursuant to Subsection 11-4-8(e)(7);
- (iv) Windows, doors, and openings pursuant to minimum transparency requirements in Subsection 11-4-8(e)(8); and/or
- (v) Alcoves, porticoes, awnings, and other architectural features to provide visual interest and relief.

(5) Exterior Finish Materials

(A) All exposed surfaces of principal buildings shall use a variety of durable materials, including:

- (i) Brick, stone, or other masonry;
- (ii) Stucco;
- (iii) Split-face block;
- (iv) Composite siding;
- (v) Steel or rust-resistant architectural metal;
- (vi) Treated rot-resistant or paint-grade wood; or
- (vii) Comparable materials as approved by the Director.

(B) Except for properties in the IN or PF districts, all accessory structures requiring a building permit shall be architecturally compatible with its associated principal structure or screened from view of abutting properties and public rights-of-way.

(C) The following materials are prohibited as exterior cladding or roofing materials:

- (i) Aluminum siding or cladding;
- (ii) Plastic or vinyl siding;
- (iii) Unfinished concrete masonry units or concrete wall;
- (iv) Shipping containers or CONEX boxes unless approved by the Director, **SUBJECT TO THE FOLLOWING PARAMETERS:**

a. **IN INDUSTRIAL OR PUBLIC FACILITIES ZONING DISTRICTS CONEX BOXES ARE ALLOWED AS** ~~and provided the proposed use of such materials is only for an accessory structure in an industrial or public facilities zoning districts~~ **WHEN REASONABLY SCREENED BY A SOLID FENCE, or**

b. **In other nonresidential zoning districts CONEX BOXES ARE NOT ALLOWED AS ACCESSORY STRUCTURES FOR THE PURPOSE OF STORAGE, HOWEVER THEY MAY BE ALLOWED** if it is integrated with **THE REST OF THE DEVELOPMENT AS AN ARCHITECTURAL DESIGN FEATURE INCLUDING THE USE OF OTHER** materials so as to not appear as a CONEX box ~~and is not used for storage;~~

- (v) Exposed aggregate; and
- (vi) Reflective glass.

(6) Comprehensive Design

Building elevations that face a public street or right-of-way, or other public area such as open space or common areas, shall be finished with similar levels of architectural details, materials, and façade treatments. Blank wall void of architectural details or other variations are prohibited.

(7) Roof Form**(A) Mixed-Use Districts**

Buildings shall be designed to avoid any continuous roofline longer than 60 feet. Rooflines longer than 60 feet shall include at least one vertical elevation change of at least two feet in height. Sloped rooflines shall provide variation in overhangs and architectural elements to provide visual relief.

11-4-9 Exterior Lighting

(a) Purpose

The purpose of Section 11-4-9 is to ensure that public areas within the City have adequate outdoor illumination while also limiting the impacts of outdoor lighting nuisance on adjacent properties.

(b) Applicability

(1) General Applicability

Unless exempted below, Section 11-4-9 applies to new development and to new buildings or improvements to previously developed lots.

(2) Exemptions

- (A) Single-family and duplex dwelling lighting shall be exempt from these standards provided lighting does not result in spillover onto adjacent properties or the public right-of-way.
- (B) Temporary outdoor string lighting is allowed provided such lighting does not result in spillover onto adjacent properties or the public right-of-way.

(c) Exterior Lighting Plan Required

An exterior lighting plan shall be submitted with all development applications unless the Director determines that compliance with the provisions of Section 11-4-9 can be demonstrated without the use of an exterior lighting plan.

(d) Exterior Lighting Standards

(1) General Lighting Standards

- (A) Area lighting shall be provided for all roadways, alleys, playgrounds, and public common areas and shall remain on all night.
- (B) All light sources shall be full cutoff fixtures to minimize the impacts to adjacent properties and public rights-of-way.
- (C) Lighting shall be the minimum recommended practice necessary for safety and security. Lighting not required for public safety and security shall be extinguished outside of operating hours.
- (D) Light spillover onto adjacent properties shall not exceed one foot-candle at any property line, except where the property line is adjacent to walkways, driveways, and streets or in nonresidential developments comprised of multiple lots.
- (E) Flickering, pulsing, flashing, or any other lights that could distract or confuse a motorist are prohibited.

(2) Parking Lot Lighting

- (A) Parking area lighting shall be full cutoff and downcast fixtures.
- (B) Parking lot lighting **IN RESIDENTIAL ZONE DISTRICTS OR** adjacent to residential districts or residential uses shall not exceed a maximum of 25 feet in height.
- (C) **PARKING LOT LIGHTING IN NON-RESIDENTIAL AND MIXED-USE ZONE DISTRICTS SHALL NOT EXCEED A MAXIMUM OF 30 FEET IN HEIGHT.**

(3) Exterior Building Lighting

- (A) Building lighting shall be provided at all entryways and on all sides of the building.
- (B) Building lighting shall be installed so that all lighting is cast downward. Building lighting that is shining upward (uplighting) architectural features may be allowed for nonresidential or mixed-use buildings, but not adjacent to a residential zoning district or single-family or duplex use.