




**PLANNING & DEVELOPMENT MEMORANDUM**  
**#12-2023**

**DATE:** April 24, 2023

**TO:** Honorable Mayor Meredith Leighty and City Council Members

**THROUGH:** Heather Geyer, City Manager   
Jason Loveland, Interim Deputy City Manager 

**FROM:** Brook Svoboda, Director of Planning and Development   
Ashley McFarland, Planner II

**SUBJECT:** CB-2000 – Unified Development Ordinance Amendments

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**PURPOSE**

To consider CB-2000, 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, staff communicated that any clerical or policy revisions to the UDO would be brought forward as needed.

The first set of modifications was 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. A second set of UDO amendments was presented to both bodies and adopted by ordinance in 2021.

Staff continues to identify items as the Municipal Code is administered. Staff compiled and presented additional modifications to the Planning Commission at its Jan. 3, 2023, study session. Based on those discussions, formal amendments were drafted for consideration during the Planning Commission's Jan. 17, 2023 meeting. This set of modifications is considered UDO Amendment #3.

Staff presented the proposed modifications during the March 20, 2023, Council meeting and received direction to bring forward an ordinance to adopt the amendments.

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-2000.

**Applicability of Temporary Use/Special Events Permitting [Section 11-3-5(d)(4)] – Page 67 and 218**

This modification proposes additional language to the Special Events section, exempting residential private property and residential block party events from the Temporary Use Permitting approval process. Residential block parties would be subject to approvals by other City departments. Additionally, a definition of residential block party was included in Article 7.

**Consideration of Approved Parking Surfaces and Areas** [Section 11-4-5(f)(2)] – Pages 95, 96, and 109

This modification includes the allowance of rock/gravel driveways as an approved parking material for single-family residential zone districts. Rock/gravel driveways would be subject to additional maintenance and delineation regulations.

**Landscaping Materials** [Section 11-4-7(e), Table 4-7-A, and Section 11-4-7(f)] – Pages 111, 112, 113, 116, and 119

This modification establishes minimum front yard landscaping regulations for single-family residential zone districts. Minimum landscaping standards are based on a sliding scale determined by front yard square footage. Only single-family zone districts would allow for 100% rock/mulch front yards, with the required landscaping minimum being provided. Additional language on ground coverings maintenance was added to ensure any ground covering materials fully cover exposed earth, mud and dirt reducing soil erosion. An additional subsection was included to provide regulations for artificial turf, including maintenance and installation.

**Stucco Permitted as “Other Masonry”** [Section 11-4-8(d)] – Pages 122, 124, 125, 127, and 240

This modification includes the allowance for masonry and synthetic stucco as an approved exterior finish material for single-family detached dwellings. The modification also includes allowance of both masonry stucco and synthetic stucco as an approved exterior finish material for multifamily dwellings, mixed-use, and non-residential buildings. However, it prohibits the use of stucco as a means to meet the minimum 30% masonry requirement.

**Temporary Banner Requirements** [Section 11-4-10(g)(1), Table 4-10-D] – Page 142

- Maximum area per sign face and number of permitted signs for temporary Wall Banners and Freestanding Banners were modified to allow flexibility for larger properties.
- Wall Banners were provided a sliding scale based on structure square footage.
- Freestanding Banners’ maximum size was increased from 36 square feet to 40.
- The number of permitted signs for both Wall Banners and Freestanding Banners was modified to read “Up to two (Wall Banners and/or Freestanding Banners); when combined total square footage not to exceed max area per sign face.”

**Development Agreement** [Article 5: Guarantee of Public Improvements] – [Section 11-5-6(1)(C)] – Page 150

City staff identified the absence of an Administration and Procedures agreement in the UDO. The UDO stipulates any application subdividing property and involving public infrastructure requires a subdivision improvements agreement to be approved by City Council. However, the UDO does not provide language on procedures for properties not being subdivided and involving public infrastructure.

**BUDGET/TIME IMPLICATIONS**

There are no financial impacts to the City.

**STAFF RECOMMENDATION**

Staff recommends approval of CB-2000 on second reading.

**STAFF REFERENCE**

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

**ATTACHMENT**

1. Presentation

# UNIFIED DEVELOPMENT ORDINANCE

# *PROPOSED MODIFICATIONS*

**Ashley McFarland**

*Planner II*

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*amcfarland@northglenn.org*

**Council Meeting**

*April 24, 2023*



**CITY OF**  
**Northglenn**

# ***PURPOSE***

**To consider CB-2000, an ordinance on second reading amending various sections of the Unified Development Ordinance (UDO) in Chapter 11 of the Municipal Code.**



# ***BACKGROUND***

- The UDO was originally adopted in February 2019.
- City Council approved two rounds of modifications to the UDO.
  - The first in October 2019 and the second in August 2021.



# ***BACKGROUND***

**CONT'D**

- Topics presented are recommendations provided by Resolution 2023-01 from the Planning Commission.
- City Council discussed modifications proposed in CB-2000 on March 20, 2023, and approved the bill on first reading on April 10, 2023.
- This public hearing was noticed in accordance to Section 11-6-3(e).



# ***BACKGROUND***

CONT'D

- **Staff has provided UDO Amendment #3 Changes Version**
  - Revised language based on Planning Commission recommendation.
  - Changes are highlighted in yellow.
  - Wording in caps represents additional language proposed, with strike-throughs representing language proposed to be removed.



# *DISCUSSION*



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# ***DISCUSSION***

- **Applicability of Temporary Use/Special Events Permitting**
  - Exempts residential private party and residential block party events from the Temporary Use Permitting approval process.
  - Adds definition of residential block party
- **Consideration of Approved Parking Surfaces and Areas**
  - Proposed allowance of rock/gravel driveways in single-family zone districts
  - Maintenance and delineation regulations proposed



# ***DISCUSSION***

**CONT'D**

- **Landscaping Materials**
  - Proposed minimum front yard landscaping regulations for single-family residential zone districts
  - Based on a sliding scale determined by front yard square footage
  - Only single-family zone districts will allow for 100% rock/mulch.
  - Proposed language for ground covering maintenance
  - Additional subsection for artificial turf regulations



# DISCUSSION

CONT'D

## Minimum Single-Family Residential Landscaping

Front Yard Size	Minimum Landscaping Required
1,000 square feet or less	One tree and either 3 shrubs (5-gallon) or 10 ornamental grasses, perennial flowers or a combination of both (1-gallon)
1,001 sq. ft. to 2,000 sq. ft.	One tree and either 4 shrubs (5-gallon) or 12 ornamental grasses, perennial flowers or a combination of both (1-gallon)
More than 2,000 sq. ft.	Two trees and either 3 shrubs (5-gallon) or 10 ornamental grasses, perennial flowers or a combination of both (1-gallon)

*Table 4-7-A added to UDO (page 112 in Attachment 1)*



# ***DISCUSSION***

**CONT'D**

- **Stucco Permitted as “Other Masonry”**
  - Allowance for masonry and synthetic stucco as an approved exterior finish material for single-family dwellings
  - Allowance of both masonry and synthetic stucco as an approved exterior finish material for multifamily dwellings, mixed-use, and non-residential buildings
  - Prohibits all stucco as means to meet the minimum 30% masonry requirement for multifamily dwellings, mixed-use and non-residential buildings



# ***DISCUSSION***

**CONT'D**

- **Temporary Banner Requirements**
  - Wall Banners: maximum size determined by sliding scale based on structure square footage.
  - Freestanding Banners: maximum size increased from 36 sq. ft. to 40 sq. ft.
  - Number of permitted signs for both Wall Banners and Freestanding Banners modified to read “Up to 2; when combined, total square footage not to exceed max area per sign face.”



# ***DISCUSSION***

**CONT'D**

- **Development Agreement**
  - To provide administration and procedure language for properties that are not being subdivided but involve public infrastructure
  - Language provided by the City Attorney



# ***RECOMMENDATION***

**Staff recommends the approval of CB-2000.**



***QUESTIONS?***



**CITY OF**  
**Northglenn**



SPONSORED BY: MAYOR LEIGHTY

COUNCILMEMBER'S BILL

ORDINANCE NO.

No. CB-2000  
Series of 2023

\_\_\_\_\_  
Series of 2023

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

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, which amendments consist of the following:

- A. The Table of Contents on page V;
- B. Section 11-3-5, subsection (d)(4)(B) [Temporary Uses and Structures] on page 67;
- C. Section 11-4-5, subsection (f)(2)(F) [Residential Driveways] on pages 95-96;
- D. Section 11-4-6, subsection (h)(6) [Off-Street Residential Parking] on page 109;
- E. Section 11-4-7 [Landscaping Screening and Fencing], with the following amendments on pages 111-113, 116, and 119:
  1. Amendments to subsection (e);
  2. A new subsection (f);
  3. Amendments to subsection (j);
  4. Amendments to subsection (m)(1)(E)(i)(d);
  5. Amendments to subsection (n)(2)(D);
- F. Section 11-4-8(d)(1)(C) [Residential Design Standards – Single Family] on page 122;
- G. Section 11-4-8(d)(3)(E)(i)(b.) and Section 11-4-8(d)(3)(E)(ii) [Residential Design Standards – Multi Family] on pages 124 and 125;
- H. Section 11-4-8(e)(5)(A)(ii) [Mixed Use and Nonresidential Design Standards] on page 127;
- I. Table 4-10-D [Wall Banners and Freestanding Banners] on page 142;
- J. Section 11-5-6 [Financial Guarantee for Site Development Plans] on page 150;
- K. Section 11-7-2(g) [Addition of definition of Residential Block Party] on page 218; and
- L. Section 11-7-6 [Addition of definitions of Stucco, Masonry and Stucco, Synthetic] on page 240.

INTRODUCED, READ AND ORDERED POSTED this 10<sup>th</sup> day of April,  
2023.

  
MEREDITH LEIGHTY  
Mayor

ATTEST:

  
JOHANNA SMALL, CMC  
City Clerk


PASSED ON SECOND AND FINAL READING this \_\_\_\_ day of \_\_\_\_\_,  
2023.

\_\_\_\_\_  
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

Amendment #3 - January 17, 2023 [CHANGES  
VERSION]

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**(B) RESIDENTIAL PRIVATE PROPERTY AND RESIDENTIAL BLOCK PARTY EVENTS EXEMPT SPECIAL EVENTS OR PARTIES ON RESIDENTIAL PRIVATE PROPERTY AND RESIDENTIAL BLOCK PARTY EVENTS ARE EXEMPT FROM THE STANDARDS FOR SPECIAL EVENTS AND SHALL NOT REQUIRE A TEMPORARY USE PERMIT. RESIDENTIAL BLOCK PARTIES ARE SUBJECT TO APPROVAL FROM OTHER CITY DEPARTMENTS FOR THE BLOCKING OF STREETS AND PUBLIC SAFETY.**

**(C) Frequency and Duration**

Each lot or parcel is allowed a maximum of 10 separate, three-day events per calendar year.

**(D) Location, Design, and Operations**

- (i) For a special event established by a single business, outdoor sales shall be located only within the permittee's business frontage.
- (ii) Special event signage shall comply with the provisions in Section 11-4-10, *Signs*.
- (iii) Outdoor sales or display areas shall comply with the provisions in Subsection 11-3-4(d)(6), *Outdoor Sales and Display*.
- (iv) Special events shall comply with any required vision clearance areas for intersections and driveways.
- (v) Exterior lighting shall with the provisions in Section 11-4-9, *Exterior Lighting*.
- (vi) Public address systems, music, amplified sound, or other sound-making devices shall comply with the provisions in Subsection 11-3-3(b), *Performance Standards for All Uses*.
- (vii) Adequate restroom facilities shall be provided pursuant to the building code.

**(E) Additional Information at Request of Director**

The Director shall be authorized to request additional information for special events with potential impacts on public lands and rights-of-way.

## Oil and Gas Operations

### (a) Purpose

- (1) These regulations are enacted to provide for the safety, and preserve the health, safety and welfare of the present and future residents of the City.
- (2) It is the City's intent by enacting these regulations to facilitate the development of oil and gas resources within the City while mitigating potential land use conflicts between such development and existing, as well as planned, land uses.
- (3) It is recognized that under Colorado law the surface and mineral estates are separate and distinct interests in land and that one may be severed from the other. Owners of subsurface mineral interests, including oil and gas, have certain legal rights and privileges, including the right to use that part of the surface estate reasonably required to extract and develop their subsurface mineral interests subject to compliance with the provisions of these regulations and any applicable statutory and regulatory requirements.
- (4) The State has a recognized interest in fostering the efficient development, production and utilization of oil and gas resources and in the prevention of waste and protection of the correlative rights of common owners and producers to a fair and equitable share of production profits. Similarly, owners of the surface estate have certain legal rights and privileges, including the right to have the mineral estate developed in a reasonable manner and to have adverse land use impacts upon their property, associated with the development of the mineral estate, mitigated through compliance with these regulations so long as these regulations do not create an operational conflict with the State's authority to regulate oil and gas development.
- (5) Municipal governments have a recognized, traditional authority and responsibility to regulate land use within their jurisdiction to the extent they do not create an operational conflict. These regulations are intended as an exercise of this land use authority.

(C) Alternatives to these standards may be approved by the Director where strict compliance with such standards is impractical.

**(3) Cul-de-Sacs and Dead-End Streets Discouraged**

The design of street systems shall use through-streets. Permanent cul-de-sacs and dead-end streets shall only be used when topography, natural features, and/or vehicular safety conditions make a vehicular connection impractical.

**(4) Residential Streets**

(A) Local residential streets shall be laid out to discourage through-traffic use. Traffic-calming techniques such as diverters, neck-downs, street gardens, and curvilinear alignments may be used to reduce speed and cut-through collector and/or arterial traffic.

(B) Residential streets shall be designed to align with the existing street grid pattern of the region to the maximum extent practicable, and follow natural contours of the site where appropriate.

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**(f) Driveways and Access**

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**(1) General Standards**

(A) All lots shall have sufficient access providing reasonable ingress and egress to and from the property.

(B) All access points shall be constructed so that:

(i) Vehicles may safely enter and exit the property; and

(ii) Interference with the convenient flow of traffic and conflict with pedestrians and bicycles is minimized.

(C) Shared access shall be provided to the maximum extent practicable.

(D) Driveways shall be hard-surfaced with materials pursuant to the Public Works Standards and Specifications. Alternative surface materials, such as concrete pavers and permeable pavers, may be allowed with approval by the Director. Determining factors for approval of such alternatives include:

(i) Whether or not the driveway is a primary driveway or a secondary, rarely accessed driveway;

(ii) Whether or not the driveway is intended for vehicle use;

(iii) Whether or not the driveway is visible from the public right-of-way; and/or

(iv) Whether or not the proposed material is appropriate for the climate and location.

**(2) Residential Driveways**

In addition to the general requirements above, residential driveways shall comply with the following:

(A) No driveway shall provide direct access to an arterial or highway unless no other legal access alternative is available.

(B) No individual driveway for single-family detached dwellings shall exceed 30 feet in width at any point along the driveway.

(C) Except for lots located on the turnaround or bulb of a cul-de-sac, no individual driveway for a single-family detached dwelling shall exceed 40 percent of the lot width.

(D) The total width for all driveways on lots with single-family detached dwellings shall not exceed 40 percent of the lot width.

(E) For single-family detached dwellings with multiple driveways, a minimum of six feet of non-driveway surface shall be maintained between each individual driveway.

(F) **FOR SINGLE-FAMILY DETACHED DWELLINGS, ROCK/GRAVEL DRIVEWAYS ARE ALLOWED AS AN APPROVED SURFACE, PROVIDED COMPLIANCE WITH THE FOLLOWING:**

**(I) ROCK/GRAVEL DRIVEWAY AREAS SHALL BE CLEARLY DELINEATED WITH THE USE OF AN APPROVED COMMON LANDSCAPING EDGING MATERIAL.**

**(II) ROCK/GRAVEL DRIVEWAYS ARE TO BE COVERED ENTIRELY WITH ROCK/GRAVEL MATERIAL AND MUST BE CLEAR OF WEEDS, MUD, DIRT, AND RUTTING.**

**(III) ROCK/GRAVEL DRIVEWAYS SHALL BE ENTIRELY CONTAINED INSIDE THE DELINEATED DRIVEWAY AREA AND NOT DISPLACE DRIVEWAY MATERIALS UPON ANY ADJACENT SIDEWALK, STREET, OR PROPERTY.**

**(3) Drive-Through Facilities**

See Section 11-4-6(i), *Drive-Through Facilities*.

**(4) Vision Triangle Requirements**

See Section 11-2-19(d), *Vision Triangle Requirements*.

**(5) Cross-Access between Adjacent Uses**

**(A)** All multifamily and nonresidential development shall be designed to allow for cross-access to adjacent properties to encourage shared parking and shared access to public or private streets. This may be accomplished by one or more of the following:

- (i)** Connecting streets and drives;
- (ii)** Coordinating parking lot and parking structure entrances;
- (iii)** Providing common service and delivery areas;
- (iv)** Providing shared parking areas;
- (v)** Providing shared driveways and access points for adjacent lots to minimize curb cuts.

**(B)** The Director may allow alternatives to cross-access requirements if providing cross-access is deemed impractical, provided the applicant provides adequate bicycle and pedestrian connections between adjacent developments or land uses.

## **(g) Pedestrian and Bicycle Circulation**

**(1) Sidewalks Required**

**(A)** Sidewalks shall be required for development in all zoning districts except for the AG district.

**(B)** Sidewalks shall be installed and maintained to the specifications in the Public Works Standards and Specifications.

**(2) On-Site Pedestrian Connections Required**

All new nonresidential, mixed-use, and multifamily development shall provide a network of on-site pedestrian walkways with a minimum width of five feet to and between the following areas:

- (A)** The primary entrance or entrances to each building, including pad site buildings;
- (B)** Any sidewalks, walkways, or multi-use paths on adjacent properties that extend to the boundaries shared with the development.
- (C)** Any parking areas intended to serve the development;
- (D)** Any public transit stations and/or stops on or along an adjacent street;
- (E)** Any adjacent residential neighborhoods; and
- (F)** Any adjacent public parks, trails, open spaces, or other public uses or amenities.

**(3) Parking Area Pedestrian Access**

Parking lots with more than 400 spaces shall include pedestrian walkways or sidewalks through the parking lot to the primary building entrance(s) or to a sidewalk that connects to the primary building entrance(s).

**(4) Required On-Site Connection Designs**

Wherever on-site walkways are required, such walkways shall be distinguishable from areas used by vehicles through the use of changing materials or patterns, paving height, bollards or other decorative amenities, or raised medians or walkways. Walkways shall be ADA accessible if required per adopted ADA/ANSI standards.

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, **WITH THE EXCEPTION OF SINGLE-FAMILY RESIDENTIAL**, 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(j), *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.
- (E)** Audible electronic devices such as loudspeakers, vehicle service order devices, and similar instruments shall not be audible beyond the property line of the site.



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### (c) Landscape Plan Required

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- (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.

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### (d) Required Site Area Landscaping

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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.

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### (e) Landscaping Materials

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#### (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(G).
- (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, PURSUANT TO SUBSECTION 11-4-7(F), ARTIFICIAL TURE REGULATIONS;
- (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.
- (H) IN SINGLE-FAMILY RESIDENTIAL DISTRICTS, WHEN EXCEEDING 50 PERCENT ROCK OR MULCH, THE FOLLOWING MINIMUM FRONT YARD LANDSCAPING SHALL BE APPLICABLE, BASED ON THE FOLLOWING TABLE 4-7-A:

**TABLE 4-7-A: MINIMUM SINGLE-FAMILY RESIDENTIAL LANDSCAPING**

Front Yard Size	Minimum Landscaping Required
1,000 sq. ft. or less	One tree and either 3 shrubs (5-gallon) or 10 ornamental grasses, perennial flowers or a combination of both (1-gallon)
1,001 to 2,000 sq. ft.	One tree and either 4 shrubs (5-gallon) or 12 ornamental grasses, perennial flowers or a combination of both
More than 2,000 sq. ft.	Two trees and either 3 shrubs (5-gallon) or 10 ornamental grasses, perennial flowers or a combination of both

**(2) Type and Amount of Plant Material**

- (A) Trees and other plant material shall be provided according to **TABLE 4-7-B**.
- (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(k), *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.

**TABLE 4-7-B: TYPE AND AMOUNT OF PLANT MATERIAL REQUIRED**

	Minimum Amount of Trees, Shrubs, and Grasses	Minimum Size of Trees, Shrubs, and Grasses at Planting
Residential districts	One tree and 10 shrubs or ornamental grasses for every lot for single-family and duplex (applies to front yard only – not rear and side yards); one tree and five shrubs or ornamental grasses per 800 square feet of required pervious coverage area for all other uses	Deciduous: 1 1/2 inch caliper measured six inches above the base of the tree  Coniferous: six feet in height
Mixed-use and commercial districts	One tree and 10 shrubs per 500 square feet of required pervious coverage area; one ornamental street tree per 40 linear feet of street frontage	Shrubs: five-gallon size
Other nonresidential districts, except for AG and OS districts	One tree per 500 square feet of required pervious coverage area; one street tree per 50 linear feet of street frontage	Ornamental grasses: 18 inch spread at mature growth

**(F) ARTIFICIAL TURF REGULATIONS**

- (1) **ARTIFICIAL GROUND COVER SHALL BE OF A TYPE KNOWN AS CUT PILE INFILL AND SHALL BE MANUFACTURED FROM POLYPROPYLENE, POLYURETHANE, OR A BLEND OF THE TWO FIBERS STITCHED ONTO A POLYPROPYLENE OR POLYURETHANE MESHED OR HOLE-PUNCHED BACKING.**
- (2) **THE USE OF INDOOR OR OUTDOOR CARPETING IN LIEU OF ARTIFICIAL TURF IS NOT PERMITTED.**
- (3) **INSTALLATION: ARTIFICIAL TURF SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S SPECIFICATIONS AND MAINTAINED IN A MANNER TO MIMIC HEALTHY LIVING TURF, INCLUDING THE FOLLOWING:**

(A) SOD OR EXISTING GROUND COVER SHALL BE REMOVED PRIOR TO INSTALLATION OF ANY ARTIFICIAL TURF.

(B) ARTIFICIAL TURF SHALL BE INSTALLED OVER A COMPACTED AND POROUS ROAD BASE MATERIAL.

(C) ARTIFICIAL TURF SHALL BE ANCHORED AT ALL EDGES AND SEAMS.

(D) ALL ARTIFICIAL TURF SEAMS SHALL BE GLUED AND NOT SEWN.

(E) AN INFILL MEDIUM CONSISTING OF GROUND RUBBER, GROUND COAL SLAG, CLEAN WASHED SAND AND/OR OTHER APPROVED MIXTURE SHALL BE BRUSHED INTO THE FIBERS TO ENSURE THAT THE FIBERS REMAIN IN AN UPRIGHT POSITION AND TO PROVIDE BALLAST THAT WILL HELP HOLD THE TURF IN PLACE AND PROVIDE A CUSHIONING EFFECT.

(4) SLOPE RESTRICTIONS: ARTIFICIAL TURF SHALL NOT BE INSTALLED ON SLOPES GREATER THAN SIX PERCENT.

(5) GENERAL APPEARANCE: ARTIFICIAL TURF MUST BE A GREEN COLOR, SIMILAR TO NATURAL GRASS.

(6) MAINTENANCE: THE FOLLOWING MAINTENANCE ACTIVITIES ARE REQUIRED FOR ARTIFICIAL TURF: CLEANING, SANITIZING, BRUSHING, AND REMOVAL OF DEBRIS. CLEANING SHALL BE DONE WITH BIODEGRADABLE PRODUCTS. REPAIRING OF DEPRESSIONS TO MAINTAIN AN EVEN VISUAL SURFACE. REGULAR MAINTENANCE TO ELIMINATE ANY ODORS, FLAT OR MATTED AREAS, WEEDS, LOOSENESS AT EDGES, SEAMS, OR ELSEWHERE. REPLACEMENT OF THE ARTIFICIAL TURF WHEN MAINTENANCE OR REPAIR IS UNABLE TO SIMULATE A HEALTHY LIVING TURF.

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### (g) Water Conservation

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- (1) The City recognizes the importance of water conservation and the protection of the City's water resources. The City encourages the use of low-water planting materials, xeriscape designs, and other landscape techniques used to limit the amount of water use.
- (2) To the maximum extent practicable, the total amount of high-water use landscaping, pursuant to the City's specifications, shall not exceed 50 percent of the required landscaped area and the total amount of high-water use turf grass shall not exceed more than 30 percent of the required landscaped area.

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### (h) Vision Triangle Requirements

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All landscaping, buffering, and screening shall comply with the vision triangle requirements pursuant to Subsection 11-2-19(d).

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### (i) Low-Impact Development Practices

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To the maximum extent practicable, the LID options in Section 11-4-4(e), *Low-Impact Development Practices*, shall be considered in coordination with the standards in Section 11-4-7.

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### (j) Parking Area Landscaping

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#### (1) Exemptions

Expansions, enlargements, and redevelopment that result in less than a 25 percent increase in the number of required parking stalls shall not be required to comply with this Subsection 11-4-7(j), *Parking Area Landscaping*.

#### (2) Perimeter Landscaped Buffer

(A) A minimum five-foot wide landscaped perimeter buffer shall be provided between any parking area and a property line or public right-of-way.

(B) Perimeter buffers shall be landscaped pursuant to **TABLE 4-7-B**.

(C) Parking areas adjacent to residential zoning districts shall comply with Subsection 11-4-6(h)(2)(B), *Design of Parking Areas within or Adjacent to Residential Districts*.

#### (3) Interior Landscaped Islands

Any parking area containing 12 or more parking spaces shall provide interior landscaping as follows:

**(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:
  - (a) Screening shall be a minimum height of six feet but in no case shall exceed eight feet in height;
  - (b) Outdoor storage shall not exceed the height of the screening;
  - (c) Screening shall incorporate the primary materials and colors of the principal building associated with the outdoor storage; and
  - (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-B**.
- (ii) In industrial zone districts, the outdoor storage of recreation 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.

**(B) Plans**

Location and design of screening, fences, and walls shall be shown on the landscape plan pursuant to Subsection 11-4-7(c), *Landscape Plan Required*, for applications requiring such landscape plan, or on a plot plan or permit application for applications not requiring a landscape plan.

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**(n) Installation and Maintenance of Landscaping, Screening, and Fencing Improvements**

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**(1) Installation**

- (A)** The developer shall install all landscape improvements prior to receiving a certificate of occupancy, unless otherwise approved by the Director with posting of sufficient security for improvements. The amount of required security shall be based on cost estimates of all landscape improvements including labor, and shall be provided by a qualified landscape architect, irrigation specialist, and/or local landscaping nursery.
- (B)** Irrigation systems shall be professionally designed by a landscape architect or irrigation specialist. Raw water shall be used for irrigation to the maximum extent practicable.

**(2) Maintenance**

- (A)** The owner of the property is responsible for the proper installation and maintenance of the landscaped area, screening, fencing, and parking lot area per the approved landscape plan.
- (B)** Landscaped areas shall be continuously maintained including necessary watering, weeding, pruning, and pest control.
- (C)** The City shall have the authority to order the repair of dilapidated fences, screens, or walls to a sound condition to protect the public health, safety, and welfare.
- (D)** ALL GROUND COVERINGS SHALL SUBSTANTIALLY COVER EXPOSED EARTH, MUD, AND DIRT. LANDSCAPING AREAS SHALL BE CONTINUOUSLY MAINTAINED INCLUDING NECESSARY WATERING, WEEDING, PRUNING, AND PEST CONTROL. (CROSS-REFERENCE MUNICIPAL CODE SECTION 9-17-3(A)).

**(3) Replacement of Dead or Diseased Plant Material**

Replacement of dead or diseased plant material shall be of equivalent species or material as specified in the approved landscape plan. Replacement shall occur at the time of removal, unless such removal occurs outside the planting season in which case the replacement shall occur during the next planting season. Replacement shall occur within one year from the time of removal.

**(i) All New Subdivisions**

No two buildings with the same front elevation shall be constructed side by side or directly across the street from one another.

**(ii) Three Dwelling Units or Fewer**

Each building shall have a distinct front elevation.

**(iii) Three to 10 Dwelling Units**

Three different buildings with distinct front elevations shall be required.

**(iv) More than 10 Dwelling Units**

Five different buildings with distinct front elevations are required, and no more than 30 percent of the units constructed shall have the same front elevation.

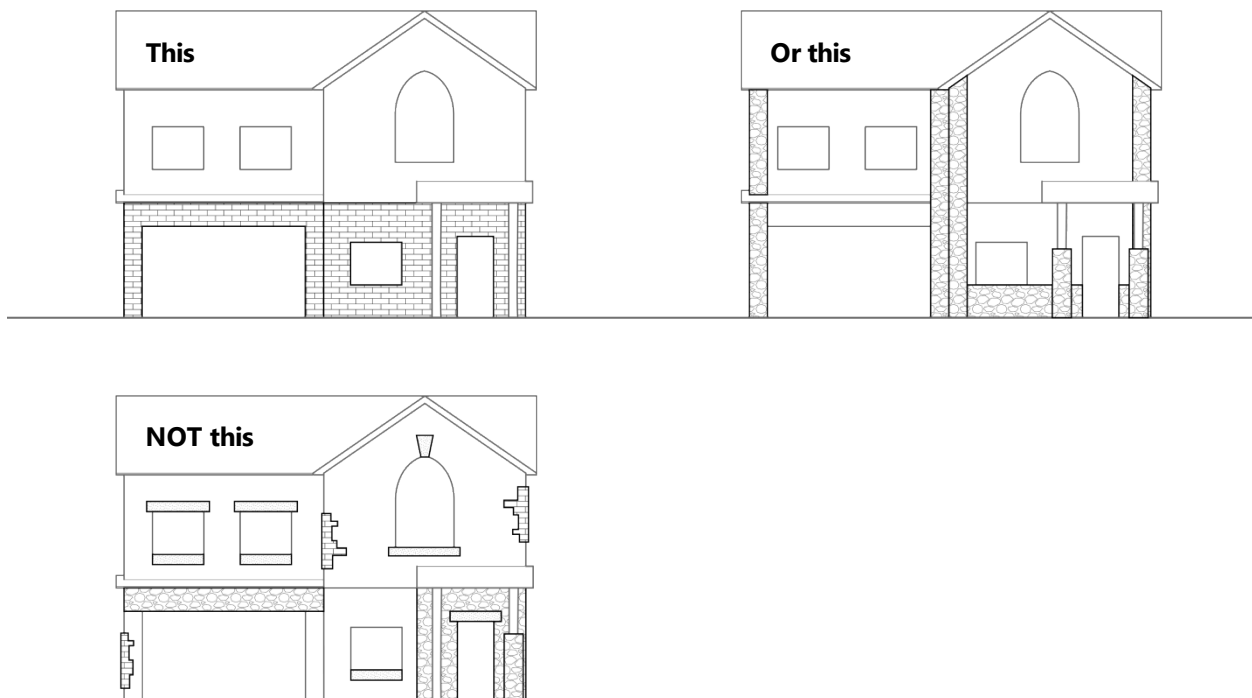
**(B) Building Mass**

Exterior walls shall be broken by recessed entryways, bay windows, use of more than one exterior finish material, use of architectural details, or such other technique or combinations of techniques to prevent the appearance of featureless walls.

**(C) Exterior Finish Materials**

- (i) Brick, stone, **MASONRY AND SYNTHETIC STUCCO SYSTEMS, OR OTHER MASONRY MATERIALS APPROVED BY THE DIRECTOR** shall be used on an area of at least 30 percent of the façade fronting the public right-of-way. Such materials shall be applied across the façade using a consistent visual design, and not an inconsistent or fragmented application of materials. (See Figure 4.B.)

**Figure 4.B: Consistent Visual Design**



- (ii) The use of shipping containers or CONEX boxes shall be prohibited in residential zoning districts.

- (iii) Except for properties in the AG district, accessory structures are subject to the following:

- a. 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.

**(ii) Multi-Building Developments**

For developments with three or more buildings:

- a. Buildings shall be arranged using one or more of the following techniques:
  1. Organize units around a central courtyard that maintains a consistent side yard setback between units along the street frontage;
  2. Locate the buildings on the corner of an adjacent street intersection or entry point to the development to frame the corner;
  3. Provide common gathering spaces between buildings; and/or
  4. Other site improvements as approved by the Director.
- b. To the maximum extent practicable, buildings shall avoid side-by-side, end-to-end, or “barracks” style building orientation.

**(C) Building Entrances**

- (i) The primary building entrance shall face a public or private street or shall face a common open space, interior courtyard, park, or on-site natural feature with clearly defined and accessible pedestrian circulation.
- (ii) 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.
- (iii) For buildings on corners, the primary building entrance may be oriented toward the corner for emphasis.
- (iv) 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. For buildings with multiple tenant entries, each entrance shall be defined and articulated with architectural elements.
- (v) All ground-floor pedestrian entrances shall be covered or inset.

**(D) Building Mass**

Buildings shall not extend more than 50 continuous feet without incorporating at least two of the following five elements (items i-v below) for each 50-foot segment:

- (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(d)(3)(G);
- (iv) Windows, doors, and openings pursuant to minimum transparency requirements in Subsection 11-4-8(d)(3)(H); and/or
- (v) Alcoves, porticoes, awnings, and other architectural features to provide visual interest and relief.

**(E) Exterior Finish Materials**

- (i) All exposed surfaces of principal buildings shall use a variety of durable materials, including:
  - a. Brick, stone, or other masonry;
  - b. Stucco; **MASONRY AND SYNTHETIC**;
  - c. Split-face block;
  - d. Composite siding;
  - e. Steel or rust-resistant architectural metal;
  - f. Treated rot-resistant or paint-grade wood; or
  - g. Comparable materials as approved by the Director.

- (ii) Brick, OR stone, or other SIMILAR masonry materials shall be used on a minimum of 30 percent of all exterior walls. Such materials shall be applied across the façade using a consistent visual design, and not an inconsistent or fragmented application of materials. (See Figure 4.B.) THIS REQUIREMENT SHALL NOT ALLOW FOR STUCCO TO BE COUNTED TOWARD THE MINIMUM 30 PERCENT MASONRY REQUIREMENT.
- (iii) 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. Facades of accessory structures that are facing a public right-of-way and where the principal structure is brick, stone, or other masonry materials, shall use the same materials on an area of at least 30 percent of the accessory structure façade fronting the public right-of-way.
- (iv) The following materials are prohibited as exterior cladding or roofing materials:
  - a. Aluminum siding or cladding, except as accent materials;
  - b. Galvanized steel or other bright metal, except as accent materials;
  - c. Plastic or vinyl siding;
  - d. Unfinished concrete masonry units or concrete wall;
  - e. Shipping containers or CONEX boxes;
  - f. Exposed aggregate; and
  - g. Reflective glass.

**(F) 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.

**(G) Roof Form**

Building 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.

**(H) Transparency (Windows, Doors, and Openings)**

- (i) At least 25 percent of the ground-floor wall area, as measured from floor plate to floor plate, of any façade facing a public street or other public area such as a plaza, park, or open space shall contain windows, other transparent materials, or doorways. Such windows, transparent materials, or doorways shall be unobstructed and allow views into common areas, foyers, lobbies, pedestrian entrances, hallways, and display areas, but may be translucent or opaque for individual dwelling units or working areas.
- (ii) At least 20 percent of each upper-floor wall area, as measured from floor plate to floor plate, of all building façades shall contain windows or other transparent materials.
- (iii) Windows and other materials intended to meet the minimum transparency requirements shall not be reflective.
- (iv) Reductions to these minimum standards may be approved by the Director if required to comply with local energy codes.

**(I) Playgrounds**

One playground tot-lot, including commercial-grade play apparatus and seating for parents, shall be provided for every 40 dwelling units. In developments of more than 40 units, one multi-purpose hard surface court shall be provided for each 100 dwelling units. Alternative amenities may be allowed by the Director.

**(J) Stairways**

Stairways shall not be located outside of the building envelope.



**(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; **MASONRY AND SYNTHETIC**;
- (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 an accessory structure 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;
- (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.

**Table 4-10-D: Temporary Nonresidential Sign Requirements**

Sign Type	Max Area per Sign Face	Max Sign Height	Number Permitted	Permit Required?
WALL BANNER BUSINESS < 10,000 SQ. FT. BUSINESSES 10,000 – 25,000 SQ. FT. BUSINESSES > 25,000 SQ. FT.	40 SQ. FT. 70 SQ. FT. 100 SQ. FT.	N/A	UP TO 2 WALL BANNERS; WHEN COMBINED, TOTAL SQUARE FOOTAGE NOT TO EXCEED MAX AREA PER SIGN FACE	Yes
Pole Banner/Wind Blade	36 sq. ft.	15 feet	4	Yes
FREESTANDING BANNER	40 SQ. FT.	8 FEET	UP TO 2 FREESTANDING BANNERS; WHEN COMBINED TOTAL SQUARE FOOTAGE NOT TO EXCEED MAX AREA PER SIGN FACE	Yes
Portable/A-frame/Sandwich Board	8 sq. ft.	8 feet	2	Yes
Sign Spinner	12 sq. ft.	6 feet	2	Yes
Signs on Projects While Under Construction	96 sq. ft.	10 feet	1 <sup>(1)</sup>	Yes
Election Season Signs - Freestanding	3 sq. ft.	8 feet	3	No
Election Season Signs – Wall Banner	18 sq. ft.	N/A	2	No
Weekend Signs	6 sq. ft.	8 feet	No limit	No

**NOTE:**  
 [1] One sign for each subcontractor, real estate affiliate, or development partner associated with the project.

**(2) Vehicle Signs**

- (A)** Vehicles that are parked or stored for more than 96 hours with a vehicle mounted sign more than two square feet must acquire a temporary sign permit and shall comply with the following:
  - (i)** Only one vehicle per applicant is allowed to display signage;
  - (ii)** The motor vehicle sign may not be larger in any dimension than or extend beyond any surface of the vehicle or trailer to which it is attached;
  - (iii)** The motor vehicle sign must be attached to a vehicle or trailer that is registered and operable;
  - (iv)** The motor vehicle sign may not be attached to a vehicle or trailer parked or stored in a public right-of-way or an area not designed, designated, or commonly used for parking; and
  - (v)** The motor vehicle sign may not be attached to a vehicle or trailer that is regularly parked or stored in a "front yard" or "side yard", as such terms are defined in Section 11-1-1 of the UDO, that abuts a street, when there are other areas of the property designed or available for the parking or storage of the vehicle or trailer that are not visible from the street or do not abut streets, or parked or stored within 50 feet of a street when there are other areas of the property designed, designated, or available for the parking or storage of the vehicle or trailer that are more distant from the street or not visible from the street.
- (B)** The vehicle sign shall be considered in compliance if evidence can be shown of the following:
  - (i)** The regulations in the subsection above shall not apply to signs displayed on vehicles which are being operated or stored in the normal course of a business, such as signs indicating the name of the owner or business which are located on moving vans, delivery trucks, and rental vehicles, and provided further that they are stored or parked in areas and in such a fashion as is appropriate to their use as vehicles. Signs measuring two square feet or less shall be exempt.

taxes prorated to the time of conveyance. Dedicated park land shall include the necessary water rights or other available water service to provide for irrigation and drinking water.

- (B) Community and neighborhood parks and all other dedicated open space land shall be conveyed as specified by the subdivision improvement agreement.

**(3) Cash-in-Lieu-of-Land Dedication**

**(A) Applicability**

Cash-in-lieu-of-land dedication or off-site land dedications shall be used in cases in which the cash value of park land dedication and park development costs is deemed, by the City Council, to be more appropriate in satisfying the needs of the residents of the proposed development than land.

**(B) Schools**

Cash-in-lieu-of-land dedication shall be required when deemed by the City Council, upon recommendation of the school district, to be appropriate in satisfying the needs of the proposed residential development. For residential minor developments, the minimum cash-in-lieu fee shall be five hundred dollars (\$500.00) per each additional residential lot created.

## 11-5-6 Guarantee of Public Improvements

**(1) Public Improvements Required**

- (A) In each new subdivision, the City Council shall determine the type, location and extent of necessary public improvements (the "Public improvements") depending upon the characteristics of the proposed development and its relationship to surrounding areas. Improvements shall be made by the applicant at the applicant's expense according to standards and specifications prepared by a qualified professional engineer in accordance with the applicable City of Northglenn regulations.

- (B) Public improvements, including, but not limited to, all streets, road rights-of-way, and sidewalk, drainage, and landscape improvements located within street and road rights-of-way, shall conform to the requirements of the applicable City planning documents, the Northglenn Municipal Code, and all other regulations pertaining to the development of land.

- (C) THE CITY MAY ALSO REQUIRE PUBLIC IMPROVEMENTS AS A CONDITION OF SITE DEVELOPMENT PLAN APPROVAL, WHICH SHALL BE SUBJECT TO THE REQUIREMENTS OF THIS SECTION 11-5-6, INCLUDING AN AGREEMENT AND THE FINANCIAL GUARANTEE AS SET FORTH HEREIN SUBJECT TO CITY COUNCIL APPROVAL, TO THE EXTENT THE CHARACTERISTICS OF THE PROPOSED DEVELOPMENT AND ITS RELATIONSHIP TO THE SURROUNDING AREAS REQUIRE ADDITIONAL PUBLIC INFRASTRUCTURE.

**(2) Acceptance of the Subdivision Agreement**

No final plat shall be approved or recorded until the applicant has submitted and the City Council has reviewed and accepted a subdivision agreement (or similar performance agreement) that provides for the construction of all required public improvements shown in the final plat documents and secured by the following:

**(A) Financial Guarantee**

A financial guarantee in the form of an irrevocable letter of credit or cash arrangement approved by the City Attorney (the "security") in the amount of 110 percent of the total construction cost of the public improvements. The City shall have the right to draw on the security for the purpose of restoring and remediating any site disturbance and/or constructing or completing construction of any public improvements, provided that the City shall not be obligated to undertake such action if the City Council, for good cause, deems it inadvisable to do so. In the event the City draws on the security, neither the applicant nor his or her successors or assigns shall engage in any work on the site until new security is provided to the City in the amount specified in this Section. Security shall be deposited to warrant the public improvements against defects during the two-year warranty period. Such warranty security shall be posted in the amount of 20 percent of the total construction cost of the public improvements for the two-year warranty period.

**(B) Restriction on Residential Approvals**

Until the Public Improvements are accepted for probationary purposes by the City in writing, the City shall not be obligated to issue any building permits for private improvements within the residential subdivision, except as provided herein. The sidewalks, plant material and related irrigation facilities for a City-approved

**Outdoor Storage, Accessory**

The incidental keeping of goods, materials, equipment, or personal property of any nature that are not kept in a structure having at least four walls and a roof. Automotive sales and leasing display and parking shall not be defined as outside storage. Donation receiving areas and associated equipment are included as accessory outside storage.

**Outdoor Sales and Display**

The outdoor sale and display area of retail goods, produce, handcrafts, and the like conducted on the same lot or parcel as the primary business with which such activities are associated. This use does not include mobile food vending. Vending machines, service kiosks, and online retail storage lockers are included as outside sales and display.

**Sale of Produce and Plants Raised on Premises**

The incidental on-site sale of feed, grain, fruits, flowers, vegetables, ornamental plants, or similar goods.

**(g) Temporary Uses**

Temporary uses are uses that occur for a specified time period only. Such uses shall not include the frequent occurrence of an activity at short intervals or events repeated on a regular basis, such as every weekend or every other weekend.

**Construction Support Activity**

A temporary construction yard, building, or structure located on the same lot as the construction site it serves until the given construction work is completed. This use does not include concrete or asphalt batching plants.

**Farmer's Market or Open Air Market**

The seasonal selling or offering for sale at retail directly to the consumer of fresh fruits, vegetables, flowers, herbs, or plants, processed food stuffs and products such as jams, honey, pickled products, sauces, baked goods, crafts, and art, clothing and other goods, occurring in a pre-designated area, where the vendors are generally individuals who have raised the produce or have taken the same or other goods on consignment for retail sales.

**Mobile Food Vending**

A vehicle, typically a van, truck, or towed trailer, from which food and/or beverages are sold.

**RESIDENTIAL BLOCK PARTY**

**A SOCIAL GATHERING OR COMMUNITY SPONSORED RESIDENTIAL STREET EVENT REQUIRING THE CLOSURE OF A SINGLE BLOCK OF A STREET OR PORTION THEREOF, FOR A SINGLE DAY IN WHICH NO FUNDRAISING OR THE SALE OF GOODS OR SERVICES OCCURS AND DOES NOT OTHERWISE FALL INTO ANY OTHER CATEGORY.**

**Seasonal Sales**

The temporary sale of goods or products associated with the season or a cultural event, such as the sale of Christmas trees, pumpkins, or seasonal produce. Such sales typically take place in locations not devoted to such sales for the remainder of the year.

**Special Event**

A temporary use on public or private property that extends beyond the normal uses and standards allowed by the Northglenn Unified Development Ordinance. "Special events" include, but are not limited to, fundraising activities, educational, historic, religious and patriotic displays or exhibits, circuses, carnivals, grand openings, amusements, outdoor concerts, festivals, revivals, street fairs, arts and crafts fairs, and other organized events. These activities may include the use of tents, semi-trailers and other vehicles, temporary stands or kiosks, food service, entertainment, performers, or displays.

**Definitions related to Oil and Gas Regulations**

- (1) All terms used in Section 11-3-6 that are defined in the Oil and Gas Conservation Act of the State of Colorado ("Act"), or in Oil and Gas Conservation Commission ("COGCC") regulations and are not otherwise defined in the

**Street Improvements**

Street grading, street surfacing and paving, curbs, gutters, and sidewalks.

**Street Tree**

Trees located in the public right-of-way between the edge of the street and the edge of private or common property, and trees located in street medians. Street trees can also be located on private property abutting the street right-of-way.

**Structure**

Anything constructed, erected, or placed with a more or less fixed location on the ground or attached or resting on something having a fixed location on the ground. For floodplain regulations in Section 11-4-3, "structure" shall be defined pursuant to Section 11-7-4.

**STUCCO, MASONRY**

A FINE PLASTER USED FOR COATING WALL SURFACES OR MOLDING INTO ARCHITECTURAL DECORATIONS. THE MATERIAL IS MADE OF CEMENT, LIME, SAND, AND WATER. MASONRY STUCCO SYSTEMS INCLUDE HARD COAT, THREE COAT, AND ONE COAT STUCCO SYSTEMS.

**STUCCO, SYNTHETIC**

A NON-LOAD BEARING, EXTERIOR WALL CLADDING SYSTEM THAT CONSISTS OF AN INSULATION BOARD ATTACHED EITHER ADHESIVELY OR MECHANICALLY, OR BOTH, TO THE SUBSTRATE; AN INTEGRALLY REINFORCED BASE COAT; AND TEXTURED PROTECTIVE FINISH COAT. SYNTHETIC STUCCO SYSTEMS INCLUDING EXTERIOR INSULATION AND FINISH SYSTEMS (EFIS) A LIGHTWEIGHT SYNTHETIC WALL CLADDING THAT INCLUDES FOAM PLASTIC INSULATION AND THIN SYNTHETIC COATING.

**Stub Street**

A street or road extending from within a subdivision boundary and terminating there with no permanent vehicular turn around. Stub streets are provided to permit adjacent undeveloped parcels of land to be developed later with adjacent connecting street system.

**Subdivider**

Any person, partnership, joint venture, association, corporation, or legal representative capacity, or other legal entity or legal representative who shall participate in any manner in the dividing of land for the purpose, whether immediate or future, of sale or building development.

**Subdivision**

The division of a lot, tract, or parcel of land into two or more lots, plats, sites, or other divisions of land for the purpose, whether immediate or future, of sale or building development, whether residential, industrial, office, business, or other use. The term shall also include and refer to any division of land previously subdivided or platted but shall not include nor refer to a transaction or transactions which is or are exempt under the provisions of Section 11-6-6.

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**Temporary Use Permit**

A permit issued pursuant to the provisions of Section 11-6-5(c) of this UDO.

**Through Street**

A street or portion of a street where vehicular traffic has the right-of-way and where vehicular traffic from intersecting streets by law must yield the right-of-way in obedience to either a stop sign or a yield sign.

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**Unimproved Street**

Any street or portion of any street on which the street improvements have not been installed and constructed.