

**CITY OF CENTENNIAL,
COLORADO**

ORDINANCE NO. 2016-O-11

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
CENTENNIAL, COLORADO AMENDING CHAPTER 12 OF THE
MUNICIPAL CODE (LAND DEVELOPMENT CODE) RELATED TO
THE CENTRAL ARAPAHOE ROAD CORRIDOR**

WHEREAS, pursuant to Article 23, Title 31 of the Colorado Revised Statutes, the City of Centennial (“City”) has authority to regulate the development of land within the City for the purposes of promoting the public health, safety, convenience, and the general welfare of the community; and

WHEREAS, the City Council has adopted the 2011 Land Development Code (“LDC”) by enactment of Ordinance No. 2010-O-13 and Ordinance No. 2011-O-14; and

WHEREAS, the LDC is codified as Chapter 12 of the Centennial Municipal Code; and

WHEREAS, through the implementation of the LDC, the City staff has identified the need for additional changes to the Municipal Code and to the LDC in the nature of housekeeping or clean-up revisions and certain substantive changes related to design and development standards for properties within the Central Arapahoe Road Corridor, as defined, and changes to the limited use standards for select commercial uses.

WHEREAS, at a duly noticed public hearing, the City of Centennial Planning and Zoning Commission recommended the proposed changes to the LDC to the City Council for approval; and

WHEREAS, in conformance with the LDC, the public hearings before Planning and Zoning Commission and City Council were properly noticed, including publication in *The Villager*; and

WHEREAS, the City Council has determined that the adoption of this Ordinance is legislative in nature and will further the public health, safety and welfare of the residents of the City.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CENTENNIAL,
COLORADO, ORDAINS:**

Section 1. The foregoing recitals are affirmed and incorporated herein by this reference as findings of the City Council.

Section 2. Table 12-2-303 *Commercial, Recreation, and Amusement Uses*, is amended to separate Vehicle Sales, Rental, and Service into three (3) separate land uses and to remove Light Automobile Service from the combined land use of Light Automobile Service/Gas Station in the Land Use table, as follows:

Table 12-2-303 Commercial, Recreation, and Amusement Uses														
P = Permitted Use; T = Permitted in Traditional Neighborhood Developments Only; L = Limited Use; C = Conditional Use; - = Prohibited Use														
Land Use	Zoning District													Additional Standards
	AG	RS	RA	RU	NC	NI	CG	AC	UC	BP	I	ED	OSR	
Commercial Uses														
Agricultural Support and Other Rural Services	P	-	-	-	-	-	-	-	-	-	-	-	-	NA
Alcoholic Beverage Sales	-	-	T	T	-	-	L	L	L	L	L	-	-	Sec. 12-2-408
Bed and Breakfast	P	-	T	T	-	-	P	P	-	-	-	-	-	NA
Commercial Lodging	-	-	-	-	-	-	P	P	P	P	-	-	-	NA
Commercial Retail	-	-	T	T	-	-	P ¹	P ¹	P ¹	L ¹	L ¹	-	-	Sec. 12-2-408, Appendix F: JPA Development Standards – as limited in Appendix F
24-Hour Commercial Retail	-	-	-	-	-	-	C	C	C	C	C	-	-	
Heavy Retail	-	-	-	-	-	-	L	-	-	-	L	-	-	
Kennel	P	-	-	-	-	-	L	-	-	-	P	-	-	
Gasoline Station/Convenience	L	L	L	L	L	L	L	L	L	L	L	L	L	Sec. 12-4-203
Mixed-Use	-	-	T	T	-	-	L	P	P	-	-	-	-	Sec. 12-2-408, Appendix F: JPA Development Standards – as limited in Appendix F
Office	-	-	T	T	-	-	P	P	P	P	L	-	-	
Restaurant; No Drive-In or Drive-Through	-	-	T	T	-	-	P	P	P	P	L	-	-	
Restaurant; Drive-In or Drive-Through	-	-	-	-	-	-	L	-	-	L	L	-	-	
24-Hour Restaurant, No Drive-In or Drive-Through	-	-	-	-	-	-	C	C	C	C	C	-	-	
24-Hour Restaurant, Drive-In or Drive-Through	-	-	-	-	-	-	C	-	-	C	C	-	-	
Services, Commercial and Personal	-	-	T	T	-	-	P	P	P	P	-	-	-	NA
Vehicle Rental	L	L	L	L	L	L	L	L	L	L	L	L	L	Sec. 12-2-408
Vehicle Sales	L	L	L	L	L	L	C	L	L	L	L	L	L	
Vehicle Service/Repair	L	L	L	L	L	L	L	L	L	L	L	L	L	
Vehicle Wash	-	-	-	-	-	-	L	-	-	L	L	-	-	Sec. 12-4-204
Veterinarian (Dogs, Cats, Exotic Pets)	P	-	T	T	-	-	P	P	-	P	-	-	-	NA
Recreation and Amusement Uses														
Commercial Amusement, Indoor	-	-	T	T	-	-	P	P	P	P	L	-	-	Sec. 12-2-409
Commercial Amusement, Outdoor	-	-	-	-	-	-	L	-	-	C	-	-	L	
Recreation, Indoor	-	L	T/L	T/L	L	L	P	P	P	P	L	L	-	
Recreation, Outdoor	P	P	P	P	C	C	L	L	L	P	-	L	L	
Sexually Oriented Businesses	-	-	-	-	-	-	-	-	-	-	L	-	-	Sec. 12-2-410

TABLE NOTE:
¹ Convenience stores are a limited use ("L"). See Section 12-2-408, *Commercial Uses*, for standards.

Section 3. All references to Light Automobile Service/Gas Station shall be repealed and replaced with Gasoline Station/Convenience.

Section 4. Section 12-2-408, *Commercial Uses*, is amended to repeal the Section in its entirety, and replace as follows:

Sec. 12-2-408 Commercial Uses

A. **Generally.** The standards of this Section apply to commercial uses that are specified in Table 12-2-303, Commercial, Recreation, and Amusement Uses, as "L" or "C." These standards are applied in addition to the other applicable standards of this LDC.

B. **Alcoholic Beverage Sales.**

1. Alcoholic beverage sales uses are permitted in the AC, CG, and UC districts if it is demonstrated that:
 - a. The alcoholic beverage sales use provides adequate on-site parking. A commercial retail liquor store shall provide parking for a retail land use. A tasting room or beer garden shall provide parking for an alcoholic beverage sales (bar) land use. All other office, manufacturing or storage areas related to the alcoholic beverage sales use shall provide parking for the applicable office, light industry or wholesale area; and
 - b. For breweries, wineries and distilleries, on-site production is limited to:
 - i. Breweries: 3,200 barrels of beer per year;
 - ii. Wineries: 5,000 cases of wine per year; or
 - iii. Distilleries: 50,000 proof gallons of spirit per year.All other breweries, wineries or distilleries with annualized production in excess of the abovementioned levels shall be classified as a light-industry and wholesale land use, and subject to the standards set forth in Sec. 12-2-415; and
 - c. A minimum of 25 percent of production is sold on-site.
2. Alcoholic beverage sales uses are permitted in the BP and I districts if it is demonstrated that:
 - a. The alcoholic beverage sales use meets all of the criteria in subsection B.1 (above); and
 - b. The alcoholic beverage sales use does not propose a commercial retail store that sells liquor or fermented malt beverages (sales intended for off-site consumption), unless the store principally sells items manufactured on-site (*e.g.*, distillery selling spirits at the factory).

C. Commercial Retail.

1. Commercial retail is permitted in the BP and I districts if it is demonstrated that:
 - a. The commercial retail use is subordinate to an institutional, office, light industrial, or industrial use in the same building, building complex, or campus, and is principally intended to serve the needs of the employees of the building, building complex, or campus (*e.g.*, hospital gift shop, professional plumbing or electrical supply store); or
 - b. The commercial retail use principally sells items that are manufactured on-site (*e.g.*, furniture maker selling furniture at the factory); or
 - c. The commercial retail use is incidental and accessory to another permitted use (*e.g.*, personal care products sold at a salon, hospital pharmacy).
2. 24-hour commercial retail is permitted where indicated in Table 12-2-303, *Commercial, Recreation, and Amusement Uses*, as a "C," if it is demonstrated that, in addition to the other applicable standards of this Section, lights are

dimmed at 11:00 PM and the standards of Section 12-14-601(C), *Conditional Use and Temporary Conditional Use Procedures*, are met. The evaluation of subsection C.9., of Section 12-14-601 shall include an evaluation of lighting, noise, and deliveries in addition to other potential disruptive impacts.

D. **Heavy Retail.** Heavy retail in the CG and I districts is subject to the requirements of Table 12-2-408, *Spacing and Area Requirements for Selected Commercial Uses*, and the following requirements:

1. *Industrial District.*

- a. Heavy retail is permitted in the Industrial district if it is demonstrated that the use involves the sale of a single category of merchandise and is characterized by one or more of the following:
 - i. Outdoor displays that are larger in area than the footprint of the principal building;
 - ii. The lease or sale of goods or equipment to businesses that are permitted in the Industrial district; or
 - iii. The sale of goods that are manufactured on-site.
- b. The following heavy retail uses are examples of the types of heavy retail that are permitted in the industrial district:
 - i. Permanent retail operations that are located outside of enclosed buildings;
 - ii. Lumber and other building materials;
 - iii. Lawn, garden equipment, and related supplies stores;
 - iv. Heavy truck or recreational vehicle leasing or sales;
 - v. Manufactured home sales; and
 - vi. Industrial or construction equipment leasing or sales.
- c. The following types of heavy retail are not allowed in the Industrial district: warehouse clubs, super stores, and home centers.

2. *General Commercial District.*

- a. Required Access: The premises shall abut and draw access from an arterial or collector street.
- b. The following types of heavy retail are not allowed in the General Commercial District: heavy truck or recreational vehicle leasing or sales; manufactured home sales; industrial equipment leasing or sales; and lumber and other building materials sales if the outdoor storage or display area is larger than 30 percent of the footprint of the principal building.

E. **Kennel.** Kennels are permitted in the CG district if it is demonstrated that:

1. For kennels that are more than 300 feet from property that is zoned or used for residential purposes:

- a. There are no outdoor dog runs on parcels that are less than one acre in area.
 - b. Dog runs will be used only during daylight hours.
 - c. Fences that enclose dog runs are not less than six feet in height, nor higher than the maximum permitted fence height for the underlying zone district.
2. For kennels that are within 300 feet of property that is zoned or used for residential purposes:
 - a. There are no outdoor dog runs; and
 - b. The building is soundproofed such that no noise generated by the use is perceptible from the property line.

F. Gasoline Station/Convenience. Gasoline Station/Convenience uses in the CG, BP, and I districts are subject to the design standards set out in Section 12-4-203, *Convenience Stores and Gas Stations*. In addition, Gasoline Station/Convenience uses in the Central Arapahoe Road Corridor are subject to the requirements of Section 12-4-208, *Central Arapahoe Road Corridor Design Standards*.

F. Mixed Use. Mixed Use is permitted in the CG district if it is demonstrated that:

1. If the development includes residential uses:
 - a. The residential uses are located above nonresidential uses in the same building;
 - b. If there are more than five dwelling units in the development, shared recreational amenities and/or landscaped outdoor area is provided for the use of the residents, as follows:
 - i. 6 to 50 units: 100 sf. per unit.
 - ii. 51 to 100 units: 5,000 sf., plus 50 sf. per unit in excess of 50 units.
 - iii. More than 100 units: 7,500 sf., plus 25 sf. per unit in excess of 100 units, but not less than three percent of the residential floor area.
2. If the development includes uses that are indicated as "limited" or "conditional," the applicable limited or conditional use standards are met.

G. Office. Office is permitted in the I district if it is associated with the conduct or administration of another use that is permitted in the district.

H. Restaurant, No Drive-In or Drive-Through.

1. Restaurant, No Drive-In or Drive-Through is permitted in the I district if it is demonstrated that the restaurant is intended to serve employees within the I zoning district or an adjacent BP zoning district, and does not have signage that is visible from Arapahoe Road, Jordan Road, Yosemite Street, Broncos Parkway, Parker Road; or Peoria Street.
2. *24-Hour Restaurants without Drive-In or Drive-Through.* 24-hour restaurants without drive-in or drive-through facilities are permitted where indicated in Table 12-2-303, *Commercial, Recreation, and Amusement Uses*, as a "C," if it is

demonstrated that, in addition to other applicable standards of this Section, the lights and illuminated signs are dimmed by 50 percent at 11:00 PM and the standards of Section 12-14-601(C.), *Conditional Use and Temporary Conditional Use Procedures*, are met. The evaluation of subsection C.9., of Section 12-14-601 shall include an evaluation of lighting, noise, and deliveries in addition to other potential disruptive impacts.

I. Restaurant, Drive-In or Drive-Through.

1. *General Commercial and Business Park Districts.* Restaurant, Drive-In or Drive-Through uses are permitted in the CG and BP districts, subject to the requirements of Section 12-4-208, *Central Arapahoe Road Corridor Design Standards* and the design standards set out in Section 12-4-202, *Drive-In or Drive-Through Restaurants*.
2. *Industrial Districts.* Restaurant, Drive-In or Drive-Through is permitted in the I district subject to the requirements of Section 12-4-208, *Central Arapahoe Road Corridor Design Standards*, provided that the restaurant is intended to serve employees within the I zoning district or an adjacent BP zoning district, and does not have signage that is visible from East Arapahoe Road, East Broncos Parkway, South Parker Road, South Peoria Street, or South Jordan Road.
3. *24-Hour Restaurants with Drive-In or Drive-Through.* 24-hour restaurants with drive-in or drive-through facilities are permitted where indicated in Table 12-2-303, *Commercial, Recreation, and Amusement Uses*, as a "C," if it is demonstrated that, in addition to other applicable standards of this Section, all lights and illuminated signs are dimmed by 50 percent at 11:00 PM and the standards of Section 12-14-601(C), *Conditional Use and Temporary Conditional Use Procedures*, are met. The evaluation of 12-14-601(C)(9) shall include an evaluation of lighting, noise, and deliveries in addition to other potential disruptive impacts.

J. Vehicle Sales, Vehicle Rental, and Vehicle Service/Repair Uses.

1. *Existing Vehicle Sales Uses.* The following shall apply to a lawfully established and existing automobile or vehicle sales operations located as of December 11, 2016:
 - a. Section 12-2-408(J) shall not apply to an increase in the size of the existing operation provided that *either*:
 - i. Such increase in the size of the operation is clearly described or identified within an approved Development Order approved prior to December 11, 2016; or
 - ii. Such increase in the size of the operation would not enlarge the overall land area of such existing operation by more than 10 percent and such expansion is approved by amendment of the Development Order, as may be required by the LDC.
 - b. Section 12-2-408(J) shall not apply to any Existing Vehicle Sales Uses in a manner that would:

a. New Vehicle Sales Uses in the CG zone district are considered a Conditional Use and subject to the criteria of Section 12-14-601, *Conditional Use and Temporary Conditional Use Procedures*.

b. New Vehicle Sales Uses are subject to Section 12-4-207, *Non-Residential Design Standards* and Section 12-4-208, *Central Arapahoe Road Corridor Design Standards*.

4. *New Vehicle Service/Repair Uses*. The following shall apply to all new Vehicle Service/Repair uses established after **December 11, 2016** located within the Central Arapahoe Road Corridor (“New Vehicle Service/Repair Uses”):

a. New Vehicle Service/Repair Uses are prohibited on parcels directly adjacent to Arapahoe Road and are subject to Section 12-4-208, *Central Arapahoe Road Corridor Design Standards*.

K. **Vehicle Wash**. The following shall apply to new Vehicle Wash Uses established after **December 11, 2016** in the CG, BP, and I zoning districts (“New Vehicle Wash Uses”):

1. New Vehicle Wash Uses (Principal Use) are prohibited within the Central Arapahoe Road Corridor. All other New Vehicle Wash Uses (Principal Use) are subject to the standards in Section 12-4-204, *Vehicle Wash Facilities*.

2. New Vehicle Wash Uses (Accessory Use) are subject to the standards in Section 12-4-204, *Vehicle Wash Facilities* and Section 12-4-208, *Central Arapahoe Road Corridor Design Standards*.

Section 5. Section 12-4-202, *Drive-In or Drive-Through Restaurants* is amended to repeal the Section in its entirety, and replace as follows:

Sec. 12-4-202 Drive-In or Drive-Through Restaurants

A. **Design Requirements**. The following requirements shall be met for all new or redeveloped drive-in or drive-through restaurants. Parcels located within the Central Arapahoe Road Corridor shall be governed by Section 12-4-208, *Central Arapahoe Road Corridor Design Standards*. To the extent of conflict between this Section and Section 12-4-208, *Central Arapahoe Road Corridor Design Standards*, Section 12-4-208 shall apply.

B. **Access, Circulation and On-Site Parking**.

1. Access points and driveways shall be planned and shared among abutting properties to the greatest extent possible, and appropriate access easements shall be recorded.

2. Sidewalks to accommodate pedestrian activity shall be provided. Pedestrian access shall be provided from the perimeter of the parcel proposed for development to the principal buildings. Sidewalks along the front façade and the sides of all principal buildings with public entrances shall be no less than seven feet in width.

3. Customer / employee parking shall be separated from driving activities and customer parking shall be located in the area with the highest accessibility to dining or sales areas.

C. Architectural Design.

1. Drive-in and drive-through restaurants shall maintain a consistent style and architectural theme. Architectural design, building materials, colors, forms, roof style and detailing should all work together to express a harmonious and consistent design.
2. 360-degree architectural treatment is required. Building design shall incorporate variation in building height, building mass, roof forms and changes in wall planes so as to avoid large expanses of flat, uninterrupted building walls.
3. Building elements shall not function as signage. Incorporation of franchise or business design elements unique or symbolic of a particular business shall be secondary to the overall architectural design.
4. Drive-in displays, ordering areas and parking canopies are permitted, but shall not serve as the singularly dominant feature on the site or as a sign or an attention-getting device.
5. Site furnishings shall be provided, including: bicycle racks, outdoor eating areas, trash receptacles, and benches. The style of the site furniture shall complement the overall design of the principal building and be of high quality.

D. Lighting Requirements. In addition to general lighting requirements specified in Division 6-7, *Exterior Lighting Standards*, the following specific lighting requirements apply:

1. Lighting for drive-in and drive-through restaurants shall be adequate only to facilitate the activities taking place in such locations and shall not be used to attract attention to the business.
2. The maximum level of illumination shall not exceed 20 foot candles anywhere on the site;
3. Where a drive-in or drive-through restaurant abuts property zoned or used for residential purposes, lights illuminating drive-in lanes, vehicle stacking areas, or the order / pick-up windows shall be shielded from residences and extinguished at the close of business.

E. Landscaping / Hardscaping.

1. *Landscaping*. All landscaping shall comply with Article 8, *Development Landscaping and Tree Protection*, which shall be minimum requirements. Additional landscaping may be required by the City to achieve the following purposes:
 - a. To buffer or enhance views;
 - b. To create or enhance entryways and public street appearance; and / or
 - c. To enhance the overall appearance of the drive-in or drive-through restaurant.
2. *Hardscaping*. Large expanses of concrete or asphalt are not permitted. The amount of unrelieved uninterrupted asphalt or pavement area shall be limited through the use of landscaping, contrasting colors and banding or pathways of

alternative paving material. Points of vehicle and pedestrian conflict shall be clearly defined with textured and colored pavement or brick pavers or in another appropriate manner as determined by the City.

F. Operational Requirements.

1. *Trash Receptacles*. Trash receptacles shall be emptied on a regular basis so as to maintain a clean and orderly appearance.
2. *Ordering Systems / Speakers*. Drive-through ordering systems / speakers shall only be utilized for the purpose of communications between employees and customers and shall not negatively impact adjacent residential uses. Such systems shall be designed to direct the sound away from adjacent residential properties. No speaker shall be operated within 100 feet from an adjacent residentially zoned or used property.

Section 6. Article 4, *Form and Design Standards*, is amended to include a new Section 12-4-208, *Central Arapahoe Road Corridor Design Standards*, for enhanced design standards for development along the Central Arapahoe Road Corridor, to read in full as follows:

Sec. 12-4-208 Central Arapahoe Road Corridor Design Standards

A. Generally. The standards of this Section apply to all development and redevelopment within the Central Arapahoe Road Corridor, as depicted in the Central Arapahoe Road Corridor Map (**Appendix G**), unless exempted by subsection B below.

1. For properties zoned Activity Center (AC), the Enhanced Design Standards of Division 4-4, *Form Standards for the AC District*, shall be used as a supplement to this Section and in the event of a conflict, the standards of this Section shall apply.
2. For properties zoned Urban Center (UC), the standards of this Section shall apply unless expressly addressed by an approved Regulating Plan.

B. Exemptions. The following are exempt from the requirements of this Section:

1. Routine maintenance and repair;
2. Interior remodeling of existing buildings;
3. Projects within an area covered by an approved Development Order provided that no amendment (other than an administrative amendment) to the Development Order is necessary; and
4. Projects for which a development application deemed complete by the City has been submitted prior to **December 11, 2016**.

C. Building Design.

1. *Building Placement*. Buildings shall be located as follows.
 - a. All principal buildings (excluding those within the AC and UC zone districts):
 - i. Shall be built to the Build-to Zone along East Arapahoe Road as listed in Table 12-4-208(C). This requirement may be varied by the

Director for buildings over 50 feet in height on the south side of East Arapahoe Road to reduce shading on East Arapahoe Road.

Table 12-4-208(C) Build-To Zone Frontage Requirements				
Primary Street Frontage (Arapahoe Road)				
Lot Width (Primary Street Frontage)	0'-200'	201-400'	401'-600'	601'-+
Linear Portion of the Build-To Zone That Must Contain Building Façade (Minimum)	40 percent	35 percent	30 percent	25 percent
Linear Portion of the Build-To Zone That Must Contain Building Façade (Maximum)	80 percent	70 percent	60 percent	50 percent
For a development site with more than one (1) building, Build-To Zone requirements may be met by a future phase. In such case, a conceptual rendering for the future condition may be required as part of the site plan for the first building.				
For a development site with more than one (1) parcel, Build-To Zone requirements may be met by using an aggregate of all parcels facing the Primary Street, subject to approval by the Director.				

- ii. For corner lots, principal buildings shall comply with the Build-to Zone requirement in subsection (1)(a)(i) and Table 12-4-208(C) (above), and in addition a portion the principal building shall be built to the setback line along the secondary street forming the corner of the lot.
 - iii. Accessory Buildings and Structures shall not be located between the principal building and East Arapahoe Road.
- b. For properties zoned UC and AC, the setback requirements of Division 4-3, *Form Standards for the UC District* and Division 4-4, *Form Standards for the AC District*, shall govern building placement.
2. *Building Materials*. Within the Central Arapahoe Road Corridor the following design standards shall apply:
- a. All buildings in the Central Arapahoe Road Corridor must incorporate three (3) substantially different building materials.
 - b. Materials shall appear authentic in their application.
 - c. Materials traditionally considered massive shall not float above light materials. Light materials shall be used only above heavier, darker and larger materials. Building massing and form shall be modulated to reduce bulk and create interest.
 - d. Masonry shall be wrapped around corners adequately to give the material depth and the appearance of a structural function.
 - e. Apply four-sided building design (see 12-4-207(C)(1), *Four-sided Design*).
 - f. Apply base, body and top compositional strategy (see 12-4-207(C)(3), *Vertical Articulation*).

- g. A building material classification system will be implemented to require a specified minimum amount of quality materials.
 - i. **Class I.** A minimum of 50 percent (average) of all building facades must contain Class I materials (75 percent for facades facing Arapahoe Road), including:
 - 1. Fired clay brick;
 - 2. Natural stone;
 - 3. Natural wood; and/or
 - 4. Glass (transparent).
 - ii. **Class II.** A maximum of 50 percent (average) of all building facades may contain Class II materials (25 percent for facades facing Arapahoe Road) to serve as an architectural accent, including:
 - 1. Split-face or ground-face block;
 - 2. Manufactured stone or tile;
 - 3. Cementitious stucco;
 - 4. Architectural metal; and/or
 - 5. Other similar materials, as approved by the Director.
 - iii. **Class III.** A maximum of 10 percent (average) of all building facades may contain Class III materials (not permitted on facades facing Arapahoe Road) to serve as an architectural accent, including:
 - 1. Exterior Insulation Finishing System (EIFS);
 - 2. Fiber cement board;
 - 3. Reflective glass;
 - 4. Textured architectural concrete; and/or
 - 5. Other similar materials, as approved by the Director.
 - iv. **Class IV.** Materials prohibited on commercial buildings, including:
 - 1. Untextured tilt-up or poured-in-place concrete
 - 2. Vinyl siding or other plastic material
 - 3. Materials not otherwise a Class I, II, or III, as determined by the Director.
- 3. *Design Elements.* Sites must provide mitigation for unappealing design elements to protect and enhance the aesthetics of the Central Arapahoe Road Corridor.
 - a. Drive-through lanes. Drive-through lanes associated with a commercial use must be screened from East Arapahoe Road as follows:
 - i. Placed on the interior side of the principal building (opposite of East Arapahoe Road); or

- ii. Screened with a 40 percent opacity landscape bufferyard, a minimum of three (3) feet in height at the time of planting (above the height of the drive-through lane), to adequately screen the lane from public view from East Arapahoe Road. Vegetation used as a landscape bufferyard shall provide year-round screening.
- b. Drive-In canopies. In addition to the standards contained in Section 12-4-202, *Drive-On and Drive-Through Restaurants*, all canopies associated with a Drive-In use in the Central Arapahoe Road Corridor shall be placed on the interior side of the principal building (opposite of East Arapahoe Road).
- c. Trash containers. Trash containers shall not be visible from East Arapahoe Road. In addition:
 - i. All trash containers shall be fully enclosed by an opaque wall constructed to match or complement the building, to a height of at least one foot above the top of the dumpster;
 - ii. All trash enclosures shall contain gates that are not visible from East Arapahoe Road, or gates that face away from East Arapahoe Road, which shall remain closed at all times except when the dumpster or garbage bins are being serviced; and
 - iii. All trash enclosures not located behind the principal building shall be screened with a 40 percent opacity landscape bufferyard, a minimum of three (3) feet in height at the time of planting.
- d. Mechanical Equipment Screening. All rooftop and grade-level mechanical equipment shall be screened from grade-level view. Soft water tanks, gas meters, venting, heating and air conditioning units, and electrical meters shall also be screened from public view. Screening shall be part of the articulation of the building and integrated into the building design. All vents greater than eight (8) inches in diameter shall also be screened. Screens shall be at least as high as the equipment they hide, and shall be constructed to match or complement the building.
- e. Vehicle Sales and Vehicle Rental inventory. Along the East Arapahoe Road frontage, vehicles cannot be located between the street and the principal building. Vehicle inventory must be displayed or stored beside or behind the principal building in relation to East Arapahoe Road and screened with a 40 percent opacity landscape bufferyard a minimum of three (3) feet in height at the time of planting.
- f. Gasoline canopies. In addition to the standards contained in Section 12-4-203, *Convenience Stores and Gasoline Stations*, all canopies associated with a Gasoline Station/Convenience use in the Central Arapahoe Road Corridor shall be placed on the interior side of the principal building (opposite of East Arapahoe Road).

- g. Vehicle Wash and Vehicle Service/Repair bays. Vehicle access bays associated with a Vehicle Wash or Vehicle Service/Repair use must be screened from East Arapahoe Road as follows:
 - i. Placed on the interior side of the principal building (opposite of East Arapahoe Road); or
 - ii. Screened with a continuous plant row, a minimum of three (3) feet in height at the time of planting (above the height of the drive-through lane), to adequately screen the bay(s) from public view from East Arapahoe Road. Vegetation used as a landscape bufferyard shall provide year-round screening.
- h. Parking lots. Surface parking lots, both stand alone or associated with a commercial use, must be screened from East Arapahoe Road as follows:
 - i. Placed on the interior side of the principal building (opposite of East Arapahoe Road); or
 - ii. Screened with a 40 percent opacity landscape bufferyard, a minimum of three (3) feet in height at the time of planting, to adequately screen parked vehicles from public view from Arapahoe Road. Vegetation used as a landscape bufferyard shall provide year-round screening.
- i. Parking structures. Parking structures, both standalone or associated with a commercial use, must be screened from East Arapahoe Road as follows:
 - i. Placed on the interior side of the principal building (opposite of East Arapahoe Road);
 - ii. Placed beside the principal building and screened from abutting property and public rights-of-way by a 40 percent opacity bufferyard installed next to the parking structure, except at points of access and along areas that are screened by the principal building. The buffer opacity requirement may be combined with the required opacity of a district boundary bufferyard where the parking structure is located within 15 feet of the boundary of the required bufferyard (*i.e.*, if a 30 percent district boundary bufferyard is required and a side of the parking structure is located within 15 feet of the bufferyard, the bufferyard opacity may be increased to 50 percent along the side of the parking structure instead of providing two separate bufferyards).
 - iii. If a standalone parking structure is the principal building, said structure shall be screened from abutting property and public rights-of-way by a 40 percent opacity bufferyard installed next to the parking structure, except at points of access and along areas that are screened by the principal building. The buffer opacity requirement may be combined with the required opacity of a district boundary bufferyard where the parking structure is located within 15 feet of

the boundary of the required bufferyard (*i.e.*, if a 30 percent district boundary bufferyard is required and a side of the parking structure is located within 15 feet of the bufferyard, the bufferyard opacity may be increased to 50 percent along the side of the parking structure instead of providing two separate bufferyards).

- j. Monument signage. In addition to the standards contained in Section 12-6-402, *Detached Signs*, all permanent monument signs associated with a property or use in the Central Arapahoe Road Corridor shall be designed to mimic or complement the principal building. If no principal building exists, all monument signs shall be comprised solely of Class I or Class II materials. See 12-4-208(C)(2) for acceptable building materials.
4. *Enhanced Design Standards for Newly Established Vehicle Sales Uses.* The following shall apply to Vehicle Sales Uses established after **December 11, 2016** (“New Vehicle Sales Uses”), and to all redeveloped Vehicle Sales Uses in the Central Arapahoe Road Corridor:
- a. New Vehicle Sales Uses cannot be located on any parcels less than five (5) acres in size, unless the parcel proposed for development/redevelopment contained a lawfully established Vehicle Sales Use prior to **December 11, 2016**.
 - b. New Vehicle Sales Uses shall contain principal buildings designed as follows:
 - i. All primary building facades (facades adjacent to a public street) shall be a minimum 30 feet in height;
 - ii. All primary building facades (facades adjacent to a public street) shall contain only Class I materials, with a minimum of 75 percent glass (fully transparent); and
 - iii. All secondary building facades (facades not adjacent to a public street) shall contain only Class I and Class II materials, with a minimum of 75 percent of each secondary facade containing Class I materials (no more than 25 percent of each secondary facade shall contain Class II materials). Class III and Class IV materials are prohibited.
 - c. New Vehicle Sales Uses may only contain accessory buildings designed as follows:
 - i. All primary building facades (facades adjacent to a public street) shall be a minimum 20 feet in height, except where restricted so as not to exceed the height of the principal building;
 - ii. All primary building facades (facades adjacent to a public street) shall contain only Class I materials, with a minimum of 75 percent glass (fully transparent);
 - iii. All secondary building facades (facades not adjacent to a public street) shall contain only Class I and Class II

materials, with a minimum of 75 percent of each secondary facade containing Class I materials (no more than 25 percent of each secondary facade shall contain Class II materials); and

- iv. Class III and Class IV materials are prohibited.

Section 7. Article 16, *Definitions*, shall be amended to include in alphabetical order the following definitions inserted in the existing definitions section:

Central Arapahoe Road Corridor is defined by properties along East Arapahoe Road from South Quebec Street to South Parker Road, as depicted in the Central Arapahoe Road Corridor Map (**Appendix G**).

Build-to Zone is applicable to those properties within the Central Arapahoe Road Corridor. The Build-to Zone means the area within 25 feet of the front building setback (e.g. for CG and BP zone districts the Build-to Zone would be between 25 feet and 50 feet from the front property line).

Passenger Vehicle means a motor vehicle designed to carry ten (10) persons or less including the driver. Passenger Vehicle also includes motor vehicles designed to carry ten (10) persons or less that are constructed either on a truck chassis or with special features for occasional off-road use. Passenger Vehicle is intended to include the vehicles defined as passenger cars and multipurpose passenger vehicles by the National Highway Traffic Safety Administration, but not to include Commercial Vehicles (e.g. moving trucks).

Section 8. Article 16, *Definitions*, shall be amended to repeal and replace in alphabetical order the following definitions to read in full as follows:

Auto Repair means the repair and/or servicing of automobile or motor vehicle, including trailers, recreational vehicles, campers, motor homes, mobile homes, and motorcycles:

1. **Minor.** Repairs consisting of a minor nature, such as: tune up, oil change, chassis lubrication, tire change or repair, wheel alignment, muffler repair or installation that meet the following:
 - a. Repairs are made in fully enclosed bays;
 - b. Repairs are of a type that is typically completed in less than two hours (e.g., oil changes, brake service, tire rotation and balancing, glass repair, tire replacement, fluid checks and replacement, muffler service, spark plug replacement, and comparable services); and
 - c. Vehicles are generally not stored on-site, and on the occasion when overnight storage is necessary, vehicles are stored indoors.
2. **Major.** Vehicle repair consisting of assembly or disassembly of engine parts, body parts, transmission, chassis, axles, and/or the process of painting or upholstering and shall be considered a Heavy Industry use.

Gasoline Station/Convenience means:

1. Gasoline service stations (including gasoline service stations that are associated with grocery stores and warehouse clubs);
2. Gasoline convenience marts (a gasoline service station with a convenience store); or
3. Any combination of 1-or 2 above.

Heavy Industry means:

1. Primary processing or manufacturing or repair operations not specifically defined elsewhere in this Section, which involve:
 - a. An outside storage area that is larger than the area of the first floor of buildings on the same lot;
 - b. A material risk of environmental contamination, explosion, or fire;
 - c. Perceptible ground vibration;
 - d. Excessive noise or dust;
 - e. Emission of objectionable odors; or
 - f. More than 12 trips by semi-trailer trucks per day; or
2. Processing of minerals (except precious and semi-precious stone cutting for jewelry or precision instruments such as lasers or watches), ores, or fossil fuels; or
3. Industries that are required to undergo New Source Review under the Federal Clean Air Act, or are subject to construction or operation permits pursuant to the Colorado Stationary Sources Program or Title V of the Federal Clean Air Act.
4. For illustrative purposes, heavy industrial uses include, but are not limited to:
 - a. Coal cleaning plants with thermal dryers; coke oven batteries; carbon black plants (furnace process); petroleum refineries; petroleum storage and transfer units (except retail gasoline stations); and bulk fuel dealers;
 - b. Facilities used in the primary or secondary production of metals (e.g., primary zinc, copper, or lead smelters; primary aluminum ore reduction plants; iron and steel mills; sintering plants; secondary metal production plants; and blacksmith shops);
 - c. Portland cement plants;
 - d. Sawmills and pulp mills;
 - e. Incinerators with the capacity to charge more than 250 tons of refuse per day;
 - f. Lime plants; phosphate rock processing plants; sulfur recovery plants; and hydrofluoric, sulfuric, or nitric acid plants;
 - g. Fossil fuel combustion (boilers or electricity generation) totaling more than 250 million BTUs per hour of heat input;
 - h. Fabrication of building materials such as countertops, drywall, and cut stone;
 - i. Fabrication of vehicles, manufacturing equipment, durable goods, or pre-fabricated homes or home components;
 - j. Auto Repair, Major;
 - k. Drycleaner processing plants that use PERC or comparable petrochemical solvents;
 - l. Meat or seafood processing plants;

- m. Manufacture of glass products (e.g., window panes, bottles and jars), except hand-blown products;
- n. Manufacture of plastic products (except assembly of parts that are manufactured elsewhere);
- o. Plasma arc welding, cutting, gouging, surfacing, or spraying; gas welding (but not brazing); arc welding with equipment that is rated at more than 200 amps; TIG welding; and other heavy welding procedures (e.g., for structural steel, automotive body, or heavy equipment manufacture or repair);
- p. Hot mix asphalt plants;
- q. Regional wastewater utilities;
- r. Fossil fuel power plants, waste-to-energy plants, and biomass plants that produce more than 100 megawatts of electricity; and
- s. Fossil fuel peaker power plants.

Vehicle Wash means any area or business using self-service, in-bay automatic, or conveyor equipment for cleaning and washing motor vehicles, whether as a part of another business operation (e.g., as an accessory use to a Gasoline Station/Convenience Use, a Vehicle Sales Use, a Vehicle Rental Use or a Vehicle Service/Repair Use), or as a standalone operation, of any type, on a commercial basis. The definition includes fleet and municipal in-bay automatic and conveyor vehicle wash facilities.

Section 9. Article 16, *Definitions*, the existing definition for Vehicles Sales, Rental and Service shall be repealed and replaced with three (3) separate definitions to read in full as follows:

Vehicle Rental means uses that rent automobiles, light trucks, boats, and motorcycles, where the inventory is stored for any length of time on-site.

Vehicle Sales means uses that sell, purchase or lease automobiles, light trucks, boats, and motorcycles, where the inventory is stored for any length of time on-site.

Vehicle Service/Repair means uses that perform service on automobiles, light trucks, boats, motorcycles, or other similar vehicles, where the inventory is stored for any length of time on-site. The phrase includes Auto Repair, Minor, as defined, but does not include Auto Repair, Major, which is defined as Heavy Industry.

Section 10. Article 16, *Definitions*, the existing definition for Auto Broker shall be repealed in its entirety.

Section 11. Minor Edits, Corrections and Additions. The Community Development Director shall be authorized to make minor typographical, immaterial or grammatical corrections or additions to the Land Development Code, including but not limited to correcting spelling errors and adding, removing or supplementing materials that do not materially change the meaning or intent of the Land Development Code, without City Council approval, provided that

the Community Development Department shall maintain full and complete records of all such edits, additions and corrections made to the Land Development Code.

Section 12. Severability. Should any one or more sections or provisions of this Ordinance be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance, the intention being that the various sections and provisions are severable.

Section 13. Repeal. Any and all ordinances or codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such ordinance or code or part thereof shall not revive any other section or part of any ordinance or code heretofore repealed or superseded and this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this Ordinance.

Section 14. Effective Date. Except as otherwise expressly provided herein, the provisions of this Ordinance shall become effective thirty (30) days after publication following final passage.

INTRODUCED, READ, AND ORDERED PUBLISHED BY THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD ON THE ___ DAY OF _____, 2016.

CITY OF CENTENNIAL

By: _____
Cathy A. Noon, Mayor

Approved as to Form:

For City Attorney's Office

I hereby certify that the above Ordinance was introduced to the City Council of the City of Centennial at its meeting of _____, 2016 and ordered published one time by title only in *The Villager* newspaper on _____, 2016, and in full on the City web site in accordance with Section 2-1-110 of the Municipal Code.

ATTEST:

SEAL

By: _____

City Clerk or Deputy City Clerk

FINALLY ADOPTED, PASSED, APPROVED WITH AMENDMENTS, IF ANY, AND ORDERED PUBLISHED BY TITLE ONLY, IN *THE VILLAGER* NEWSPAPER AND IN FULL ON THE CITY WEB SITE IN ACCORDANCE WITH SECTION 2-1-110 OF THE MUNICIPAL CODE BY THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS MEETING HELD ON THE ____ DAY OF _____, 2016, BY A VOTE OF ____ IN FAVOR AND _____ AGAINST.

CITY OF CENTENNIAL

By: _____
Cathy A. Noon, Mayor

I hereby certify that the above Ordinance was finally adopted by the City Council of the City of Centennial at its meeting of _____, 2016, and ordered published by title only, one time by *The Villager* newspaper on _____, 2016 and in full on the City web site in accordance with Section 2-1-110 of the Municipal Code.

SEAL

ATTEST:

By: _____
City Clerk or Deputy City Clerk