

## ORDINANCE NO. 2025-\_\_\_\_\_

A BILL

FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO,  
AMENDING SECTIONS 146-4.3.4, 146-5.2, 146-5.3, 146-5.4.1, 146-5.4.2, and 146-5.4.3 OF  
THE UNIFIED DEVELOPMENT ORDINANCE PERTAINING TO SUBDIVISIONS OF  
LAND AND SITE PLANS

WHEREAS, Section 146-5.4.1.C.3 of the Uniform Development Ordinance provides that all applications for ordinance text amendments shall be presented for a public hearing, both to the Planning and Zoning Commission, who shall render a recommendation to City Council, and to the City Council for final decision; and

WHEREAS, on \_\_\_\_\_, following a public hearing, the Planning and Zoning Commission voted to recommend the ordinance text amendment to City Council.

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

Section 1. All references to Major or Minor Site Plans in the Unified Development Ordinance shall be removed and replaced with Site Plan(s), with all numbering corrected as needed. All references to Preliminary Plat shall be removed and replaced with Neighborhood Plan, unless otherwise indicated in this Ordinance.

Section 2. Section 146-5.2 Table 5.2-1 of the Unified Development Ordinance of the City of Aurora, Colorado, is hereby amended as follows:

| Table 5.2-1<br>Summary Table of Procedures  |          |                 |        |        |              |                              |   |                           |                          |                                   |              |
|---|----------|-----------------|--------|--------|--------------|------------------------------|---|---------------------------|--------------------------|-----------------------------------|--------------|
| <div><div></div> =Notice Required R=Review D= Decision A=Appeal C=Call-up &lt; &gt; = Public Hearing Required</div> |          |                 |        |        |              |                              |   |                           |                          |                                   |              |
|   | Sec 146- | Notice Required |        |        |              | Meeting<br>Required          | Review, Decision, and Appeal<br>Authority |                           |                          |                                   |              |
|   |          | Published       | Mailed | Posted | City Website | First Review<br>Neighborhood | Director                                  | Adjustment and<br>Appeals | Historic<br>Preservation | Planning and<br>Zoning Commission | City Council |
| Plan, Ordinance, and Map Changes  |          |                 |        |        |              |                              |   |                           |                          |                                   |              |

|  |  |   |     |  |  |  |     |  |     |     |            |
|--|--|---|-----|--|--|--|-----|--|-----|-----|------------|
| Comprehensive Plan Adoption or Amendment                       | <a href="#">5.4.1.A</a>                          |   |     |  |  |  | R   |  |     | <R> | <D>        |
| Annexation and Disconnection                                   | <a href="#">5.4.1.B</a>                          |   |     |  |  |  | R   |  |     |     | <D>        |
| Ordinance Text Amendment                                       | <a href="#">5.4.1.C</a>                          |   |     |  |  |  | R   |  |     | <R> | <D>        |
| Zoning Map Amendment   | <a href="#">5.4.1.C</a>                          |   |     |  |  |  | R   |  |     | <R> | <D>        |
| Historic Landmark/District Designations or Loss of Designation | <a href="#">5.4.1.D</a>                          |   |     |  |  |  | R   |  | <R> |     | <D>        |
| Master Plan, Subareas A and B                                  | <a href="#">5.4.1.E</a>                          |   |     |  |  |  | R   |  |     | <D> | <A><br><C> |
| Master Plan, Subarea C   | <a href="#">5.4.1.E</a>                          |   |     |  |  |  | D   |  |     |     | <A><br><C> |
| <b>Subdivision of Land</b>                                     |  |   |     |  |  |  |     |  |     |     |            |
| Major Subdivision  | <a href="#">5.4.2.A.2.b</a>                      |   |     |  |  |  |     |  |     |     |            |
| Final Plat   | <a href="#">5.4.2.A.2.b</a>                      |   |     |  |  |  | D   |  |     |     | <A><br><C> |
| Preliminary Plat, Subareas A and B                             | <a href="#">5.4.2.A.2.b</a>                      |   |     |  |  |  | R   |  |     | <D> | <A><br><C> |
| Neighborhood Plan Preliminary Plat, Subarea C                  | <a href="#">5.4.2.A.2.a</a><br><a href="#">b</a> |   |     |  |  |  | D   |  |     |     | <A><br><C> |
| Minor Subdivision — All Plats Final Plat                       | <a href="#">5.4.2.A.2.b</a><br><a href="#">a</a> |   |     |  |  |  | D   |  |     |     | <A><br><C> |
| Vacation of Plat without Established Streets                   | <a href="#">5.4.2.B.2</a>                        |   |     |  |  |  | D   |  |     |     | <A><br><C> |
| Vacation of Established Street                                 | <a href="#">5.4.2.B.3</a>                        |   |     |  |  |  | R   |  |     |     | D          |
| <b>Development Applications</b>                                |  |   |     |  |  |  |     |  |     |     |            |
| Conditional Use  | <a href="#">5.4.3.A</a>                          |   |     |  |  |  | R   |  |     | <D> | <A><br><C> |
| Major Site Plan, Subareas A and B                              | <a href="#">5.4.3.B.2</a>                        |   |     |  |  |  | R   |  |     | <D> | <A><br><C> |
| Major Site Plan, Subarea C                                     | <a href="#">5.4.3.B.2</a>                        |   |     |  |  |  | D   |  |     |     | <A><br><C> |
| Minor Site Plan or Redevelopment Plan                          | <a href="#">5.4.3.B.3</a>                        |   | [1] |  |  |  | D   |  |     | <A> | <A><br><C> |
| Floodplain Development Permit                                  | <a href="#">5.4.3.C</a>                          | See Article <a href="#">70</a> , Aurora City Code |     |  |  |  |     |  |     |     |            |
| Historic Landmark/District Development Application             | <a href="#">5.4.3.D</a>                          |   |     |  |  |  | D   |  | R   |     | <A><br><C> |
| Temporary Use Permit   | <a href="#">5.4.3.E</a>                          |   |     |  |  |  | [2] |  |     |     | <A><br><C> |
| Creative Sign Program  | <a href="#">5.4.3.F</a>                          |   |     |  |  |  | D   |  |     |     | <A><br><C> |
| Sign Permit  | <a href="#">5.4.3.G</a>                          |   |     |  |  |  | D   |  |     |     | <A><br><C> |

|  |                         |  |  |  |  |  |     |        |     |        |            |
|--|-------------------------|--|--|--|--|--|-----|--------|-----|--------|------------|
| Fence Permit   | <a href="#">5.4.3.H</a> |  |  |  |  |  | [3] |        |     |        | <A><br><C> |
| Administrative Activity Center Designation   | <a href="#">5.4.3.I</a> |  |  |  |  |  | D   |        |     |        | <A><C>     |
| Commercial Mineral Designation   | <a href="#">5.4.3.J</a> |  |  |  |  |  | D   |        |     |        | <A><C>     |
| <b>Flexibility and Relief</b>  |                         |  |  |  |  |  |     |        |     |        |            |
| Hardship Variance  | <a href="#">5.4.4.A</a> |  |  |  |  |  | R   | <D>    |     |        |            |
| Single-Family Dwelling Variance  | <a href="#">5.4.4.B</a> |  |  |  |  |  | R   | <D>    |     |        |            |
| Historic Landmark/District Adjustments   | <a href="#">5.4.4.C</a> |  |  |  |  |  | R   |        | <R> |        | D          |
| Major Adjustments  | <a href="#">5.4.4.D</a> |  |  |  |  |  | R   |        |     | <D>    | <A><br><C> |
| Federal Fair Housing Adjustment  | <a href="#">5.4.4.E</a> |  |  |  |  |  | D   |        |     |        | <A><br><C> |
| Administrative Adjustment  | <a href="#">5.4.4.F</a> |  |  |  |  |  | D   | <A>[4] |     | <A>[4] | <A><br><C> |
| Notes:   |                         |  |  |  |  |  |     |        |     |        |            |
| [1] Mailed notice pursuant to Section <a href="#">146-5.3.7.A</a> is required for Redevelopment Plans, but not for other Minor Site Plans.   |                         |  |  |  |  |  |     |        |     |        |            |
| [2] Decision is made by City Manager's Office and City Clerk.  |                         |  |  |  |  |  |     |        |     |        |            |
| [3] Decision is made by Chief Building Official.   |                         |  |  |  |  |  |     |        |     |        |            |
| [4] An appeal of an Administrative Adjustment related to matter an existing single-family dwelling shall be heard by the Board of Adjustment and Appeals, and thereafter may only be appealed to the courts. An appeal from other types of Administrative Adjustment shall be heard by the Planning and Zoning Commission and may thereafter be heard by City Council. |                         |  |  |  |  |  |     |        |     |        |            |

Section 3. Section 146-5.3 Table 5.3-1 of the Unified Development Ordinance of the City of Aurora, Colorado, is hereby amended as follows:

| Table 5.3-1<br>Permit and Approval Lapsing Table               |  |
|--|--|
| Type of Approval   | Period of Validity   |
| Plan, Ordinance, and Map Changes                               |  |
| Comprehensive Plan Adoption or Amendments                      | Do not lapse   |
| Annexation and Disconnection                                   |  |
| Ordinance Text Amendments                                      |  |
| Zoning Map Amendments  |  |
| Historic Landmark/District Designations or Loss of Designation |  |
| Master Plan  |  |
| Subdivision of Land  |  |
| Subdivision Preliminary Plat with outstanding conditions       | 1 year   |
| Subdivision Preliminary Plat with no outstanding conditions    | 3 years, unless final plat for part of the preliminary plat area is filed within that time |
| Neighborhood Plan  | Does not lapse, unless inactive for a period of more than 3 years                          |

|  |  |
|--|--|
| Subdivision Final Plat (unrecorded)  | 1 year   |
| Subdivision Final Plat (recorded)  | Does not lapse   |
| Vacation of Plat without Established Streets   | Does not lapse   |
| Vacation of Established Street   | Does not lapse   |
| Development Applications   |  |
| Conditional Use  | Conditional use in existing structure: 1 year from date of approval, unless of certificate of occupancy is issued within that time<br>Conditional use in new building: 3 years from date of approval, unless a certificate of occupancy is issued within that time |
| Major Site Plan  | 5 years, unless a building permit for the primary building is issued within that time  |
| Minor Site Plan  |  |
| Floodplain Development Permit  |  |
| Historic Landmark/District Development Application   | 1 year, unless development consistent with the approval is begun within that time  |
| Temporary Use Permit   | As stated in approved permit   |
| Creative Sign Program  | 1 year, unless development consistent with the approval is begun within that time  |
| Sign Permit or Fence Permit  | 1 year, unless development consistent with the approval is begun within that time  |
| Administrative Activity Center Designation   | Do not lapse   |
| Commercial Mineral Designation   |  |
| Flexibility and Relief   |  |
| Hardship Variance  | 1 year, unless development consistent with the approval is begun within that time  |
| Single-family Dwelling Variance  |  |
| Historic Landmark/District Adjustments   |  |
| Major Adjustments  |  |
| Administrative Adjustments   |  |
| Federal Fair Housing Adjustment  | Do not lapse   |
| Note:<br>One or more of the approvals listed above may result in the creation of a vested right pursuant to Section 146-5.3.16. Lapsing and extension of a vested right are addressed in Section 146-5.3.16. |  |

Section 4. Section 146-5.4.1.E of the Unified Development Ordinance of the City of Aurora, Colorado, is hereby amended as follows:

A. *Master Plan.* All applicable provisions of Section 146-5.3 (Common Procedures) apply unless specifically modified by the provisions of this Section 146-5.4.1.E.

1. *Applicability.*

- a. A Master Plan shall be approved pursuant to this Section 146-5.4.1.E when an application is filed for any of the following:
  - i. Any area proposed for subdivision of land under common or related ownership ~~in Subareas A or B or C;~~

- ii. Any area proposed for development in phases;
    - iii. Any area where new streets or regional infrastructure will be required to connect the City's existing systems;
    - iv. Any area where multiple parcels of adjacent land require that internal circulation, infrastructure, and open space systems be coordinated to reduce traffic or other impacts on the surrounding area.
  - b. The Planning Director shall determine the geographical extent and the required components of the various types of Master Plans as defined in any applicable planning development manuals.
  - c. The Planning Director may authorize simultaneous processing of a Master Plan and other types of approvals required by this UDO if the Director determines that:
    - i. Compliance with all standards of this UDO and related development manuals can be adequately addressed during simultaneous review; and
    - ii. It is unlikely that required changes to the Master Plan will require revisions to applications for other types of approvals that would require additional rounds of staff review and inefficient use of staff resources
  - d. After a Master Plan is approved, all Site Plans and later development approvals and permits shall only be approved if they are consistent with the Master Plan (except for renovations of existing buildings that do not add gross floor area to the building, and except for additions to existing buildings that add less than 2,000 square feet of gross floor area, unless and until that Master Plan is amended under Section 146-5.3-15 (Amendments of Existing Approvals)).
2. *Procedure.*
- a. ~~Subareas A and B.~~
    - i. The Planning Director shall review the application and forward a recommendation to the Planning and Zoning Commission pursuant to all applicable provisions of Section 146-5.3 (Common Procedures).
    - ii. The Planning and Zoning Commission shall conduct a public hearing on the application and shall make a decision on the application pursuant to all applicable provisions of Section 146-5.3.
  - b. ~~Subarea C. The Planning Director shall review the application and make a decision on the Master Plan.~~
3. *Criteria for Approval.* A Master Plan shall only be recommended for approval, and shall only be approved, if:
- a. It is consistent with the Comprehensive Plan, the purpose statement for the zone district(s) where the property is located, the use regulations in Article 146-3 for the zone district(s) where the property is located, and all other adopted plans and policies of the City Council;
  - b. It will allow future development of the property to comply with all applicable standards in this UDO;
  - c. It will result in a coordinated system of streets, trails, sidewalks, open spaces, and infrastructure systems that do not create significant adverse impacts on the

surrounding area, or any significant adverse impacts have been mitigated to the degree practicable;

- d. It will improve or expand multi-modal connections with adjacent sites, neighborhoods, and urban centers; and
- e. If the property is located in Subarea C, and the Master Plan includes over 160 acres of land designated for residential development, the Master Plan must include at least one area to be zoned MU-N or MU-C or designated for development pursuant to MU-N or MU-C zone district standards pursuant to Section 146-5.4.3.I (Administrative Activity Center Designation).

Section 5. Section 146-5.4.2.A of the Unified Development Ordinance of the City of Aurora, Colorado, is hereby repealed and replaced as follows:

A. *Initial Subdivision of Land.* All applicable provisions of Section 146-5.3 (Common Procedures) apply unless specifically modified by the provisions of this Section 146-5.4.2.A.

1. *Applicability.*

a. *General Applicability and Exceptions.* See Section 146-4.3.1 (Applicability and Exceptions). All applicable provisions of Section 146-5.3 (Common Procedures) shall also apply unless otherwise stated in this Section 146-5.4.2.A.

- i. Any subdivision application must include an approved Neighborhood Plan or be accompanied by a Site Plan application prior to the issuance of building permits or construction acceptance.

b. *Subdivisions of Land.*

i. *Neighborhood Plan.* A Neighborhood Plan is a voluntary process used to preliminarily lay out the division of land into lots for sale or development that are not listed as exempt in Section 146-4.3.1 (Applicability and Exceptions) that creates a streamlined process by:

(a) Allowing for the demonstration of the lot layout in combination with phased infrastructure improvements for residential, commercial, industrial, and mixed-use development; and

(b) Once approved, common area improvements within the Neighborhood Plan may proceed directly to a civil submittal process. Any infrastructure required for the development of an individual lot must still submit a site plan application prior to civil plan submission per Section 146-5.4.3.B.1.

ii. *Final Plat.* A Final Plat is any division of land into lots for sale or development that is not listed as exempt in Section 146-4.3.1 (Applicability and Exceptions).

(a) Individual lots or pad sites for commercial, industrial, or multi-family development must follow the Final Plat process and submit a Site Plan prior to construction; and

2. *Procedure.*

a. *Neighborhood Plan.*

- i. The Planning Director shall review and make a decision on the application or shall notify the applicant of the modifications to the Neighborhood Plan needed to comply with conditions on approval or the requirements of this UDO and other adopted City ordinances and regulations.
- ii. Neighborhood Plans shall remain in effect for any constructed area of the plan or any areas with active applications. City staff may expire a neighborhood plan if the applicant fails to submit a final plat or civil plan application for more than a three year period after approval of the neighborhood plan or approval of a prior phase within that plan.

b. *Final Plat.*

- i. The Planning Director may refer the application to the City Engineer for early identification of any issues regarding the availability of lot access, infrastructure, and utilities, and drainage.
- ii. The Planning Director shall review the application and make a decision on the application pursuant to all applicable provisions of Section 146-5.3 (Common Procedures) or shall notify the applicant of any modifications to the Final Plat needed to comply with conditions on approval or the requirements of this UDO and other adopted City ordinances and regulations.

c. *Recording.* Following approval of a Final Plat, the City Clerk shall record the Final Plat with the Clerk and Recorder of the county where the property is located.

d. *Civil Engineering and Construction Drawings.*

- i. The applicant shall submit civil engineering construction plans for all required streets, utilities and other public improvements to the City Engineer, and the City Engineer shall approve those plans before a building permit or a public improvement permit will be issued for any property shown on the final plat.
- ii. Upon receipt of civil engineering construction plans, the City Engineer shall review and approve or reject the plans and shall provide the applicant written notice of the action. If the City Engineer rejects the civil engineering construction plans, the City Engineer shall provide a written explanation of the modifications necessary for approval.
- iii. In acting on civil engineering construction plans, the City Engineer shall consider all of the following:
  - (a) Whether the plans comply with the standards of this UDO;
  - (b) Whether the plans comply with all applicable City construction standards and specifications; and
  - (c) Whether the proposed construction schedule is reasonably designed to ensure completion of the necessary public

improvements as required by the City, the property owners, and the residents of the subdivision, giving due consideration to topography, existing public improvements, size of the subdivision, traffic demands in the vicinity, adequate emergency access, the needs and requirements of property owners and residents in the subdivision and any other pertinent matters.

3. *Criteria for Approval.*

a. *Neighborhood Plan.* A Neighborhood Plan shall only be approved by the Planning Director if:

- i. It is consistent with the Comprehensive Plan and all other adopted plans and policies of the City Council, including any approved Master Plans that include the property, and any conditions specifically applied to development of the property by the Planning and Zoning Commission or City Council in a prior decision affecting the property;
- ii. It allows for all future development of the property to comply with all applicable standards in this UDO;
- iii. It shows a coordinated system of infrastructure and public improvements, including but not limited to street, trail, open spaces, and sidewalk systems that do not create significant adverse impacts on the surrounding area, or any significant adverse impacts have been mitigated; and
- iv. It shows how the development will coordinate multi-modal connectivity with adjacent sites, neighborhoods, and urban centers.

b. *Final Plat.*

- i. The Planning Director shall only approve the Final Plat if:
  - (a) It is consistent with the Comprehensive Plan and all other adopted plans and policies of the City Council;
  - (b) The application complies with the applicable standards in this UDO (including but limited to the standards of Sections 146-4.2 (Dimensional Standards), 146-4.3 (Subdivision Standards), and 146-4.5 (Access and Connectivity);
  - (c) The application complies with other adopted City regulations, any approved Master Plan that includes the property, and any conditions specifically applied to development of the property by the Planning and Zoning Commission or City Council in a prior decision affecting the property; and
  - (d) The City's existing infrastructure and public improvements, including but not limited to its street, trail, and sidewalk systems, have adequate capacity to serve the proposed development, and any burdens on those systems have been mitigated to the degree practicable.



- ii. If an approved Neighborhood Plan exists, the Planning Director shall only approve the Final Plat if it is generally consistent with the approved Neighborhood Plan and meets any applicable conditions on the Neighborhood Plan approval.

Section 6. Section 146-5.4.2.B.4 of the Unified Development Ordinance of the City of Aurora, Colorado, is hereby amended as follows:

4. *Other Changes to Approved Final Plats.* All changes to approved final plats that do not qualify as Minor Plat Amendments or a partial or complete vacation of a plat without public streets, or vacation of an established street, and all changes to approved final plats that include the relocation of roads, will require re-subdivision pursuant to Section [146-5.4.2.A](#) (~~Major~~ **Initial Subdivision of Land**).

Section 7. Section 146-5.4.3.B of the Unified Development Ordinance of the City of Aurora, Colorado, is hereby repealed and replaced as follows:

B. *Site Plans.* All applicable provisions of Section [146-5.3](#) (Common Procedures) apply unless specifically modified by the provisions of this Section [146-5.4.3.B](#).

1. *General Requirement.*

a. A ~~Minor or Major~~ Site Plan complying with this Section [146-5.4.3.B](#) is required before a building permit may be issued for all development in the City except those listed below:

- i. Single-family detached homes on lots in a subdivision of three or fewer lots and that are not a part of land for which a Master Plan has been approved.
- ii. Permitted additions to existing single-family detached dwellings.
- iii. Non-habitable accessory structures (not including Telecom Facilities and Major Utilities facilities) that have no significant external effects on adjacent lands as determined by the Planning Director.
- iv. Minor changes in architectural façade treatments, or architectural changes to buildings approved without architectural elevations, that qualify as administrative adjustments under Section [146-5.4.4.F](#).
- v. Park facilities that are developed pursuant to a parks master plan approved by the City.
- vi. Facilities owned or operated by the City that do not include habitable structures and do not require any personnel on site to operate or provide services from the facility (except for maintenance or repairs of the facility).
- vii. Interior improvements and tenant finish.

**viii. Single-family detached, two-family and single-family attached homes within an approved Neighborhood Plan and Final Plat.**

- b. In those circumstances where a Master Plan approval is required pursuant to Section [146-5.4.1.E](#) (Master Plan), no Site Plan may be approved before a Master Plan is approved for the proposed Site Plan area.
- c. Approved Site Plans, as amended, shall be binding upon the owner, successors, and assigns. The Site Plan shall limit and control the issuance and validity of all building permits, and shall restrict and limit the construction, location, use, occupancy, and operation of all land and structures within the plan to all conditions, requirements, locations, and limitations set forth in the adopted Site Plan.

2. *Site Plan with No Major Adjustments.*

- a. *Applicability.* The Site Plan with no major adjustments procedures and criteria apply to applications for a permitted use in the zone district where the property is located if the application is not exempt from the Site Plan process pursuant to Section 146-5.4.3.B.1.a and the application does not require any major adjustments.
- b. *Procedure.* The Planning Director shall review and make a decision on the application.
- c. *Criteria for Approval.* A Site Plan with no major adjustments shall be approved only if the application complies with the applicable standards in this UDO, other adopted City regulations, any approved Master Plan that includes the property, and any conditions specifically applied to development of the property by the Planning and Zoning Commission or City Council in a prior decision affecting the property. If the application does not comply with those standards, the Planning Director will notify the applicant of what other permits, approvals, or changes to the application are required for compliance.

3. *Site Plan with Major Adjustments.*

- a. *Applicability.* The Site Plan with major adjustments process and criteria apply to all applications for a permitted use in the zone district where the property is located if the application is not exempt from the Site Plan process pursuant to Section 146-5.4.3.B.1.a and the application requires major adjustments.
- b. *Procedure.*
  - i. The Planning Director shall review the application and forward a recommendation to the Planning and Zoning Commission pursuant to all applicable provisions of Section [146-5.3](#) (Common Procedures).
  - ii. The Planning and Zoning Commission shall conduct a public hearing on the application and shall make a decision on the

application pursuant to all applicable provisions of Section [146-5.3](#).

c. *Criteria for Approval.*

i. *General.* A Site Plan with major adjustments shall be approved only if:

- (a) The application complies with the applicable standards in this UDO, other adopted City regulations, any approved Master Plan that includes the property, and any conditions specifically applied to development of the property by the Planning and Zoning Commission or City Council in a prior decision affecting the property.
- (b) The City's existing infrastructure and public improvements, including but not limited to its water, wastewater, street, trail, and sidewalk systems, have adequate capacity to serve the proposed development, and any burdens on those systems have been mitigated to the degree practicable.
- (c) Site Plans shall be designed to preserve and protect natural areas, ridgelines, swales, natural landforms, water quality and wildlife habitat of riparian corridors, wetlands, and floodplains affected by the proposed development and to integrate those areas into site design where practicable.
- (d) The application will improve or expand multi-modal connections with adjacent sites, neighborhoods, and urban centers.
- (e) The application is compatible with surrounding uses in terms of size, scale and building façade materials.
- (f) The application mitigates any adverse impacts on the surrounding area to the degree practicable.

4. *Additional Criteria for Site Plans in the MU-FB District.*

- a. Multifamily residential uses shall provide appropriate amenities, including recreational facilities, pedestrian facilities, unique aesthetic features, and quality design.
- b. All listed uses shall have connections to a pedestrian system serving the neighborhood, Fitzsimons, and surrounding areas.
- c. Where abutting parcels of land exist under single ownership, no Site Plan shall be approved for any portion of such parcels until a Master Plan that includes all such abutting parcels has been approved.
- d. Normal maintenance or minor repairs do not need to conform to the building and site design standards in Section [146-2.4.5](#) (Mixed-Use -- Fitzsimons Boundary District (MU-FB)) except for the following:
  - i. Replacement of 25 percent or more of a building's total façade area shall not be considered normal maintenance and repair work. Such improvements shall be considered a site modification and shall

require that the entire building's façade open to public view be subject to the applicable design requirements of this Section.

- ii. Exterior painting and the replacement or addition of signs and awnings for any reason shall be considered site modifications and shall be subject to the applicable design requirements of this Section.
  - e. Alterations or additions of less than 2,000 square feet to existing buildings for conforming uses shall conform to the building and site design standards in Section [146-2.4.5](#) (Mixed-Use -- Fitzsimons Boundary District (MU-FB)) as follows:
    - i. New construction, replacement construction, and modifications to existing parking lots and landscape areas on sites with existing development shall comply with the applicable requirements unless prevented by existing physical site conditions.
    - ii. Proposed changes to areas adjacent to street frontages shall require compliance with applicable right-of-way improvements, dimensional standards, and other development standards in this UDO.
  - f. New buildings and alterations or additions of 2,000 square feet of gross floor area to existing buildings shall comply with the building and site design standards of Section [146-2.4.5](#) (Mixed-Use -- Fitzsimons Boundary District (MU-FB)).
5. *Additional Criteria for Site Plans in the MU-TOD District.*
- a. Any new exterior construction or landscaping, or any exterior changes to existing development including changes to building façades, signage, streetscape, landscaping, public rights-of-way, parking areas, drives, or other Site Plan changes shall meet the building and site design standards of Section [146-4.8](#) (Building Design Standards) subject to the Touch Rule defined in Section [146-5.4.4](#).
  - b. To allow greater intensity in the MU-TOD district over time:
    - i. Buildings and surface parking (if allowed) shall be located on the lot so that the layout will accommodate future structured parking garages.
    - ii. Drives within commercial parking lots shall be located so they can conform to urban street standards in the future.
    - iii. Both sides of major pedestrian streets shall be developed to establish the streetscape character and pedestrian connections.
    - iv. Important public parks and plazas shall be constructed in the initial phase of development to establish a public amenity and the area's identity.
6. *Additional Standards for Redevelopment Plan/Adaptive Reuse.* Notwithstanding the provisions of Section [146-1.4.3](#), standards apply to the reuse or modification of buildings that do not have existing site plans where such reuse or modification

is within the limits of the “touch rule” described in Section [146-5.4.4](#). If there is conflict between the provisions of this section and Section [146-5.4.4](#), the provisions of this section shall apply. Applications for reuse or modifications beyond the limits of that touch rule are considered new construction and shall comply with all standards applicable to new construction rather than the standards in this section. Additionally, the following standards apply for a redevelopment plan/adaptive reuse:

- a. The proposed adaptive reuse must be a permitted use or must be approved as a conditional use in which the building is located, as shown in Table 3.2-1 (Permitted Use Table).
- b. *Purpose.* The purpose of these adaptive reuse standards is to encourage and facilitate the reuse of existing buildings that are underutilized or underperforming by modifying site development standards that would otherwise make the reuse of existing buildings, structures and sites impracticable. Enhancements to the exterior of an adaptive reuse building should focus on elements that improve ground floor design of the building. Ground floor designs should support a pedestrian-friendly environment, define the main entry, provide visual interest and enhance the public realm.
- c. *Setbacks.* Any additions or façade changes involving greater than 25 continuous linear feet of exterior wall facing a public right-of-way shall comply with zoning setbacks.
- d. *Height.* The heights of buildings existing on the effective date shall be exempt from building height limits established by Section [146-5.4.4](#) or Section [146-4.2](#) (Dimensional Standards). The addition of parapets or roof structures, equipment or other enclosures or nonhabitable space is allowed. Any new or additional habitable spaces or floors shall comply with the height limits established in the zone district where the property is located.
- e. *Design Standards.* When an adaptive reuse project includes the alteration, reconstruction or remodeling of the exterior walls or façades of a building, the design standards shall apply to the façades being altered or reconstructed to the maximum extent practicable.
- f. *Access and Infrastructure.*
  - i. Existing access points and driveways may remain in use.
  - ii. Developments with access on CDOT Highways will be referred to the Colorado Department of Transportation (CDOT) for review, and a CDOT access permit will be required prior to construction in the CDOT right-of-way.
  - iii. Sidewalks adjacent to an adaptive reuse project shall be improved to the maximum extent practicable.

- iv. Adaptive reuse projects shall provide site furnishings, sidewalks, landscaping, screening and lighting to the maximum extent practicable.
- g. *Landscaping.*
  - i. Dead or missing landscaping in designated landscape areas existing before the effective date shall be replaced or installed as part of an adaptive reuse project.
  - ii. Trees and other landscaping shall be provided in tree openings, tree grates, planters or planting beds along the adjacent street frontages to the maximum extent practicable.
  - iii. Where the scale or character of the proposed adaptive reuse differs significantly from the scale and character of development on abutting properties, as determined by the Director, the Director may require the installation of fences, walls, or vegetation to mitigate impacts of the proposed adaptive reuse on the abutting property to the maximum extent practicable given the size and dimensions of the adaptive reuse property.
- h. *Parking.*
  - i. Additional parking spaces shall not be required for an adaptive reuse project; provided, that any existing on-site parking spaces are not removed, or unless the existing parking spaces to be removed are not needed to meet the minimum parking standards of Section 146-4.6.
  - ii. The location of new parking areas for an adaptive reuse project shall comply with Section 146-4.6.5.A (Location and Use of Parking Facilities) to the maximum extent practicable.

Section 8. Severability. The provisions of this Ordinance are hereby declared to be severable. If any section, paragraph, clause, or provision of this Ordinance shall, for any reason, be held to be invalid or unenforceable by a court of competent jurisdiction, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance.

Section 9. Pursuant to Section 5-5 of the Charter of the City of Aurora, Colorado, the second publication of this Ordinance shall be by reference, utilizing the ordinance title. Copies of this Ordinance are available at the Office of the City Clerk.

Section 10. Repealer. All orders, resolutions, or ordinances in conflict with this Ordinance or with any of the documents hereby approved, are hereby repealed only to the extent of such conflict. This repealer shall not be construed as reviving any resolution, ordinance, or part thereof, heretofore repealed.

INTRODUCED, READ AND ORDERED PUBLISHED this \_\_\_\_ day of \_\_\_\_\_, 2025.

PASSED AND ORDERED PUBLISHED this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
MIKE COFFMAN, Mayor

ATTEST:

\_\_\_\_\_  
KADEE RODRIGUEZ, City Clerk

APPROVED AS TO FORM BY CITY ATTORNEY PETE SCHULTE:

BY: \_\_\_\_\_  
(LENA MCCLELLAND, Assistant City Attorney)