



# STUDY SESSION

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**TO:** Mayor and Council  
**FROM:** Dan Poremba, John Voboril  
**DEPARTMENT:** Community Development  
**DATE:** June 7, 2021  
**SUBJECT:** Update on CityCenter Redevelopment and Rezoning Process

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**DESCRIPTION:**

Update on CityCenter redevelopment and rezoning process.

**RECOMMENDATION:**

Staff recommends that Council adopt Unified Development Code Amendments and the Englewood Transit Station Area (TSA) Specific Plan by ordinance, at regular City Council meetings to be held in July/August of 2021. Staff recommends that Council formally rezone the CityCenter Planned Unit Development (PUD) to MU-B-1 and adopt the Englewood TSA Overlay District for portions of the MU-B-1 zone district located roughly within a quarter and half-mile distance from the Englewood Light Rail Transit Station by ordinance, at regular City Council meetings to be held in July/August, 2021.

**PREVIOUS COUNCIL ACTION:**

Council began exploring the redevelopment of city-controlled portions of CityCenter in connection with the August 2018 foreclosure of the 3-square block retail and office portion of CityCenter previously developed and operated by Weingarten Realty. Council authorized a competitive master developer procurement process for the adjacent city-controlled property. Scanlon Kemper Bard (SKB) was selected as the preferred master developer.

On June 1, 2020, Council approved by motion a Preliminary Development Agreement (PDA) between the City of Englewood/Englewood Environmental Foundation (EEF) and SKB. This followed an Exclusive Negotiation Agreement (ENA) that Council approved by motion on February 18, 2020. As with the ENA, Council's approval of the PDA again followed the EEF Board's approval by motion of the PDA as well as a recommendation to Council to approve the PDA. The First Amendment to the PDA was approved by the EEF Board on April 9, 2021 and by City Council on April 19, 2021. Due to COVID-pandemic impacts, it extended the term of the PDA to November 15, 2021.

On October 12, 2020, Council provided authorization for staff to negotiate the terms of a Framework Agreement between the City/EEF and LNR Partners (LNR). LNR is the firm managing the former Weingarten property on behalf of the bond holders that had previously foreclosed on the property. Leading up to the October 10, 2020 Study Session, LNR representatives had indicated that, given their objectives for property disposition, the potential

decision of the City Council not to authorize the Framework Agreement negotiations would result in LNR proceeding with what was referred to as the “Status Quo Approach.”

Under the Status Quo Approach, LNR would have proceeded to lease the current vacancies, extend other leases and then sell the former Weingarten property in bulk to a single entity as an as-is income producing property (not a redevelopment opportunity). Contrary to Council’s previously defined objectives, this approach would have delayed redevelopment by many years, during which time the property would likely continue to decline in appearance and function. The Status Quo Approach would have also served as a substantial impediment to the redevelopment of the City Property by SKB. In contrast, the pending Framework Agreement, which should be ready for Council’s formal consideration in July, will facilitate a financially sustainable redevelopment of CityCenter through the inclusion of both the City Property and a portion of the former Weingarten property in the overall redevelopment strategy envisioned to be managed by the master developer.

The three key components of the Framework Agreement that Council authorized negotiating include the city’s/EEF’s commitment to the following:

- i. Terminating the 75-year ground lease affecting the former Weingarten property (54 lease years remaining) and facilitating the transfer of fee simple ownership to three separate parties, including SKB,
- ii. A city-initiated rezoning of CityCenter from the current PUD zoning to MU-B-1 (the downtown mixed-use zoning which existed on the property prior to the development of Cinderella City 20 years ago). This rezoning is the specific focus of this communication and the June 7 study session.
- iii. Preliminary endorsement of the concept of the development of a 350 +/- unit multi-family project on the south half of the Office Depot block.

## **SUMMARY:**

**CityCenter Redevelopment Context.** The recommended CityCenter rezoning is needed to prepare CityCenter for the type of larger scale, mixed-use, transit-oriented development (TOD) within the metro region and much of the US. In the Denver region, a significant amount of new development is taking place within TOD projects. The primary objective of the rezoning is to make CityCenter redevelopment opportunities as competitive as possible with other planned TOD developments in the region.

As a key part of the CityCenter redevelopment strategy and tactics formulated by staff and Council over the past two-and-a-half years, the proposed CityCenter rezoning is specifically required to support two critical third-party agreements, as summarized above: (1) the Preliminary Development Agreement with SKB, and (2) the pending Framework Agreement with LNR. Both of these agreements contemplate the completion of the recommended CityCenter rezoning as a critical obligation of the city and EEF. Without the rezoning, they will not be equipped to attract the multiple developers and investors needed to move the redevelopment forward.

**Recommended CityCenter Rezoning Strategy.** Community Development staff has worked with the Planning and Zoning Commission to develop a preferred CityCenter rezoning package

which also includes similar properties to the east including the dated Englewood Plaza and Englewood Marketplace retail centers. The rezoning package includes the following elements:

1. MU-B-1 Text Amendments. MU-B-1 text amendments to the Unified Development Code (UDC). It should be noted that procedurally the MU-B-1 zoning text needs to be amended before this base zoning is applied to the CityCenter area property, to replace the current PUD base zoning (#3 below).
2. Adoption of the Englewood Transit Station Area (TSA) Specific Plan. This element involves removing the existing but never used Transit Station Area base zone district and replacing it with the Englewood TSA Specific Plan, which will operate as an overlay district in addition to the underlying MU-B-1 base zone district, and include additional staff-administered regulations, standards, and design guidelines. The Englewood TSA Specific Plan incorporates an associated administrative development project approval process for areas roughly within one-quarter mile of the station platform and from one-quarter mile to one-half mile of the Englewood Station rail platform in order to facilitate modern transit-oriented development.
3. Rezone the CityCenter property from PUD to MU-B-1 and adopt the Englewood TSA Overlay District covering CityCenter and portions of the MU-B-1 zone district east of CityCenter to South Acoma Street.

Each of these elements of the CityCenter rezoning are addressed in more detail below. The text amendments to the Unified Development Code (#1 above) and the adoption of the Englewood TSA Specific Plan (#2 above) will be processed together as a first case. The formal rezoning of the CityCenter PUD to MU-B-1 and subsequent adoption of the Englewood TSA Overlay District (#3 above) will be processed as a second case, scheduled in a concurrent fashion, with each to be considered (public hearings) and voted on (first and, if approved, second readings) by Council sequentially at the same meeting.

**MU-B-1 Text Amendments.** SKB believes a hotel may be a viable redevelopment use in proximity to the Englewood LRT Station. Since visitor accommodation is not currently allowed within the MU-B-1 zone district, the Planning and Zoning Commission recommends adding visitor accommodation uses as allowed uses by right to the MU-B-1 zone district (hotel, hotel-extended stay, bed and breakfast).

The MU-B-1 zone district currently requires that 51 or more percent of the ground floor area of a building must be occupied by a commercial use. This provision is generally viewed as a positive regulation when applied to the historical South Broadway area. The ground floor commercial requirement has been the focus of a number of Board of Adjustment cases for properties that are not located on the Broadway corridor, where commercial uses are not seen as viable market alternatives to residential-only development. The ground floor commercial requirement is not likely to be achievable for the much larger parcel sizes located between Englewood Station and the historic South Broadway corridor. The ground floor commercial requirement would prevent the development of single use multi-unit residential developments that are critical to thriving transit-oriented development areas. The Planning and Zoning Commission, therefore, has recommended limiting the ground floor commercial requirement to the 3300, 3400, and 3500 blocks of Broadway frontage.

The Englewood Station TSA Specific Plan identifies key street frontages where active commercial ground floor frontages will be required or encouraged. However, specific percentages of the ground floor dedicated to commercial use will not be mandated.

**Replace TSA Base Zone District with Englewood TSA Specific Plan.** The Planning and Zoning Commission and staff recommend replacing the TSA base zone district with the TSA Specific Plan, which will serve as additional regulatory oversight on top of the MU-B-1 base zone district (to which the property is being rezoned). The Englewood TSA Specific Plan is premised on the concept of a two-tiered station area set of development intensity regulations that will control the size and scope of redevelopment projects within the Englewood TSA Overlay District, found in Figure 2-2, page 14 of the attached Englewood TSA Specific Plan. The Planning and Zoning Commission recommends the TSA Specific Plan development intensity regulations regarding minimum and maximum residential density, residential and commercial parking, and building height found in Table 2-1, page 14 of the attached Englewood TSA Specific Plan.

**Replace CityCenter PUD with MU-B-1 Base Zone District and Adopt Englewood TSA Overlay District.** As the third element of the rezoning package, the Englewood Planning and Zoning Commission and staff recommends rezoning the original CityCenter Planned Unit Development back to its previous MU-B-1 zone district designation (Mixed Use Central Business District), which would control the types of land uses that are allowed to be developed, and subsequently adopt the Englewood TSA Overlay District that would facilitate additional transit-oriented developments within CityCenter and the area east of CityCenter bordering the historic South Broadway area.

## **ANALYSIS:**

**Planning and Zoning Commission Process.** Through a series of six study sessions, the Englewood Planning and Zoning Commission and staff developed recommendations to rezone the original CityCenter Planned Unit Development back to its previous MU-B-1 zone district designation (Mixed Use Central Business District), which would control the types of land uses that are allowed to be developed. The MU-B-1 zone district allows retail (with the exception of drive-thru), office, and high-density residential housing. In addition to the MU-B-1 base district rezoning, the Commission recommends the establishment of a TSA Overlay District that would facilitate additional transit-oriented developments within CityCenter and the area east of CityCenter bordering the historic South Broadway area. The new Englewood Transit Station Area Specific Plan addresses key regulatory parameters (building heights, residential densities, parking, and design elements) that will allow the Englewood Station area to compete with other Denver Metro light rail station development areas.

Community Development staff worked with the Planning and Zoning Commission to develop a preferred rezoning and regulation plan for the CityCenter area, as well as similar areas to the east including Englewood Plaza and Englewood Marketplace, based on the following strategies:

- Analyze the MU-B-1 base zone district regulating provisions to identify impediments to modern transit-oriented development, and address these impediments through text amendments to the Unified Development Code (UDC).
- Remove the existing but never used Transit Station Area base zone district, and replace with the Englewood TSA Specific Plan, including an associated administrative development process for areas roughly within a quarter mile and half mile of the

Englewood Light Rail Transit (LRT) Station platform, as an additional layer of regulations, standards, and guidelines designed to facilitate modern transit-oriented development.

The Planning and Zoning Commission moved to conclude the Englewood Station/CityCenter rezoning study session series at the March 2, 2021 study session and directed staff to move forward with a community meeting designed to review the rezoning in the context of the overall redevelopment strategy, including related agreements with SKB and LNR, the state of current transit-oriented development practices in the Denver Metro Area, and the Commission's final rezoning recommendation.

The community meeting was held virtually on April 27, 2021. The community meeting was advertised by mail to all residents and property owners within 1,000 feet of the proposed rezoning area. The meeting was also advertised through various outlets by the city's Communications Department. Thirty-five community members attended the presentation. Community Development staff members conducted a question and answer session at the end of the presentation. Community concerns included pedestrian and bicycle safety, shopping choices, and RTD parking.

**Additional Detail Regarding the Englewood TSA Specific Plan.** The Englewood TSA Specific Plan was inspired by the Downtown Westminster Specific Plan. The City of Westminster is currently in the process of redeveloping the former Westminster Mall site. The City of Westminster developed a regulatory plan of development through the assistance of an architectural consulting firm, based on practices common in the western United States. Specific Plans are intended to complement general (comprehensive) plans by focusing on a smaller distinct district of particular importance to the city, that provide highly detailed parameters to guide development, as well as streamlined administrative approval processes if the proposed development conforms to the parameters defined within the Specific Plan.

The Englewood TSA Specific Plan also borrows from typical architectural and design standards and guidelines established in multiple City of Denver station area regulating plans. Adoption of architectural standards will ensure a high level of design quality for redevelopment projects within the Englewood Station area, will provide a greater level of certainty and predictability for developers, and allow the Englewood Station area to compete on a level playing field with other light rail station areas.

Specific Plans are intended to serve as comprehensive, self-contained, and generally self-executing regulatory documents for the governance, control and implementation of land uses and development within a designated overlay district. A Specific Plan establishes the distribution of generalized land uses, residential densities, and negotiable ranges for other development parameters such as building height and parking ratios based on deliberations and final recommendations of the Planning and Zoning Commission, with final approval authority vested in City Council. The Englewood TSA Specific Plan is considered to be a living document that can be amended continuously in an administrative fashion, as detailed physical planning elements emerge through the development planning and design process.

The Englewood TSA Specific Plan is designed to provide flexibility and predictability for city departments and private development entities engaged in redevelopment activities. The site development plan approval process authorizes city staff administrative approval if the site development plan is in conformance with the Englewood TSA Specific Plan regulating

document. The Englewood TSA Specific Plan administrative site plan approval process is designed to facilitate project approval in an expeditious manner, allowing private development entities to respond quickly to market conditions and reduce the amount of time to complete development projects.

#### **CONCLUSION:**

A Planning and Zoning Commission public hearing on the Englewood Station/CityCenter rezoning is tentatively anticipated for June 22, 2021. The Englewood Station/CityCenter rezoning package (two separate cases) is anticipated to be brought to City Council for a public hearing in late July, with first and second ordinance readings expected to occur the first and third weeks of August.

In summary, the CityCenter rezoning recommended by the Planning and Zoning Commission and staff is needed to facilitate the redevelopment of CityCenter and the two large, dated and increasingly-vacant retail centers located between CityCenter and the South Broadway retail corridor. The rezoning specifically supports two key agreements with SKB and LNR that are critical to implementing the much-needed redevelopment of CityCenter. Without rezoning the area to be comparable with the other TOD projects with which CityCenter is competing, the area will likely continue to languish as a comparably less-desirable TOD redevelopment opportunity.

#### **FINANCIAL IMPLICATIONS:**

There are no known direct financial costs associated with the adoption of the UDC text amendments or the Englewood TSA Specific Plan, and the subsequent rezoning from PUD to MU-B-1 and Englewood TSA Overlay District, by ordinances.

#### **CONNECTION TO STRATEGIC PLAN:**

The local economy outcome area of the strategic plan includes the following goal:

- Redevelop and densify CityCenter.

Enactment of the Englewood Station/CityCenter rezoning package will enable the pursuit of this goal to continue.

#### **OUTREACH/COMMUNICATIONS:**

##### **Englewood Station/CityCenter Redevelopment, Revitalization, and Reinvention Virtual Public Meeting (April 27, 2021)**

Required neighborhood meeting to discuss CityCenter redevelopment and rezoning.  
Attendance: 35

#### **ATTACHMENTS:**

June 7, 2021 PowerPoint  
April 27, 2021 Virtual Meeting PowerPoint  
UDC Text Amendment Blackline with Tables  
June 7, 2021 Draft TSA Specific Plan





# Englewood, Colorado



**Update on CityCenter Redevelopment and Rezoning Process**

**City Council Study Session**

**June 7, 2021**



# CityCenter Redevelopment, Revitalization, and Reinvention: CityCenter Redevelopment – Why

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## RECENT EVENTS AND TRENDS CONTRIBUTING TO DECLINE

- Personal shopping preference changes, trend toward online purchases.
- Not enough density or mix of uses to keep CityCenter viable.
- Many other newer TOD locations became available (competition).
- Former Weingarten Realty property foreclosed on in August of 2018.
- Long term vacancies fronting plaza and next to Harbor Freight.
- Fitness building vacated spring of 2020, Office Depot closed May 2021.
- Strategy: Make CityCenter zoning regulations comparable to other TOD stations.
- Rezoning supports two key tactics:
  1. Preliminary Development Agreement with SKB
  2. Framework Agreement with LNR



# CityCenter Redevelopment, Revitalization, and Reinvention: CityCenter Redevelopment – Why

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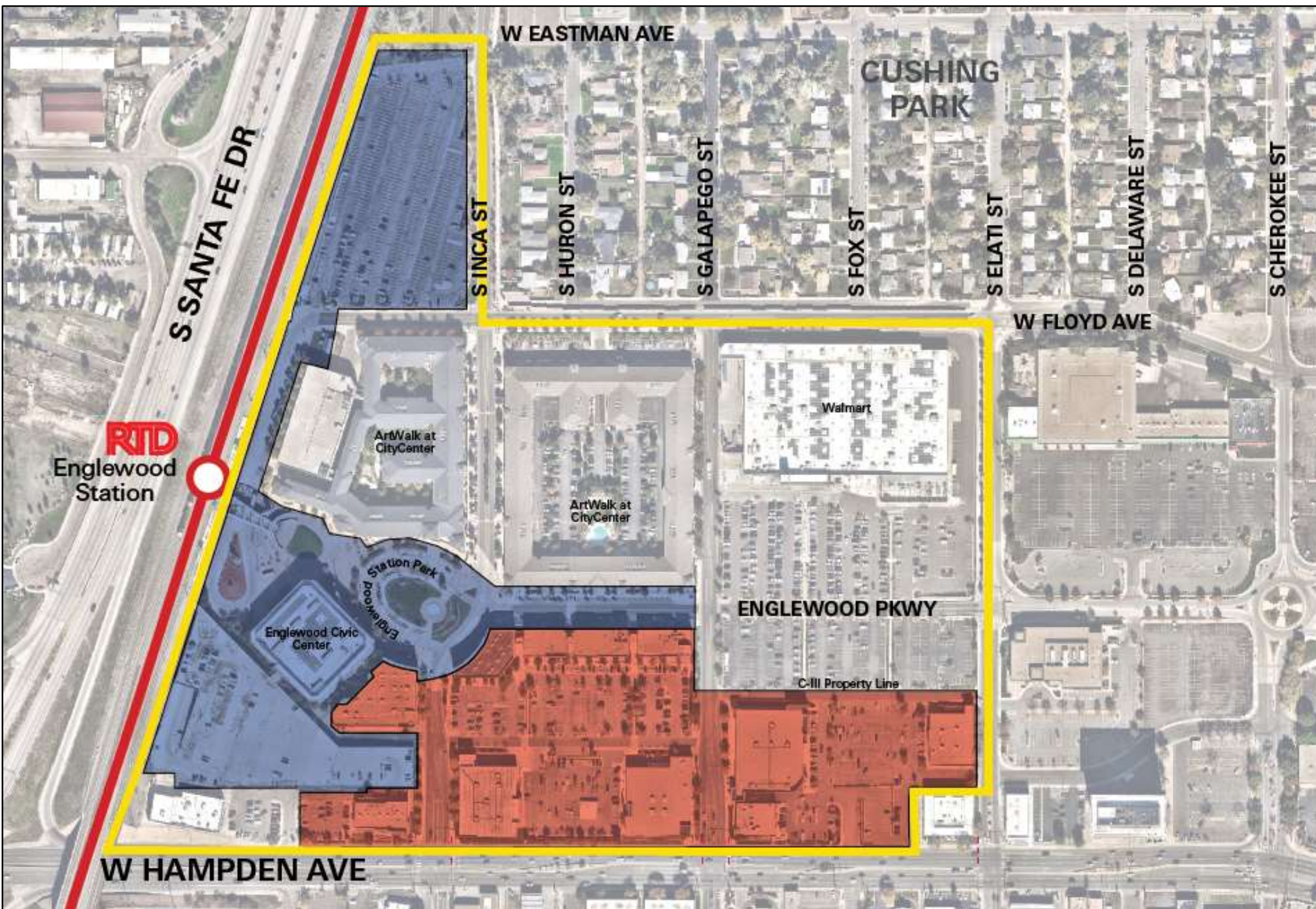


## REDEVELOPMENT GOALS

- Reverse the negative impacts of a downward-trending, dated, low-density, retail-focused center.
- Add hotel, office and residential uses and density to an under-developed area that has lost its appeal and financial sustainability.
- Support a revitalized Central Business District (in tandem with the new DDA).
- Increase sales and property taxes and generate other City revenues (City receives no current revenues for the value of its real estate interests).
- Help retain and attract Englewood employers, residents and downtown retailers and restaurants.



# CityCenter Englewood Redevelopment Planning and Zoning Regulations: Recent Steps Toward Redevelopment



## PRELIMINARY DEVELOPMENT AGREEMENT (PDA)

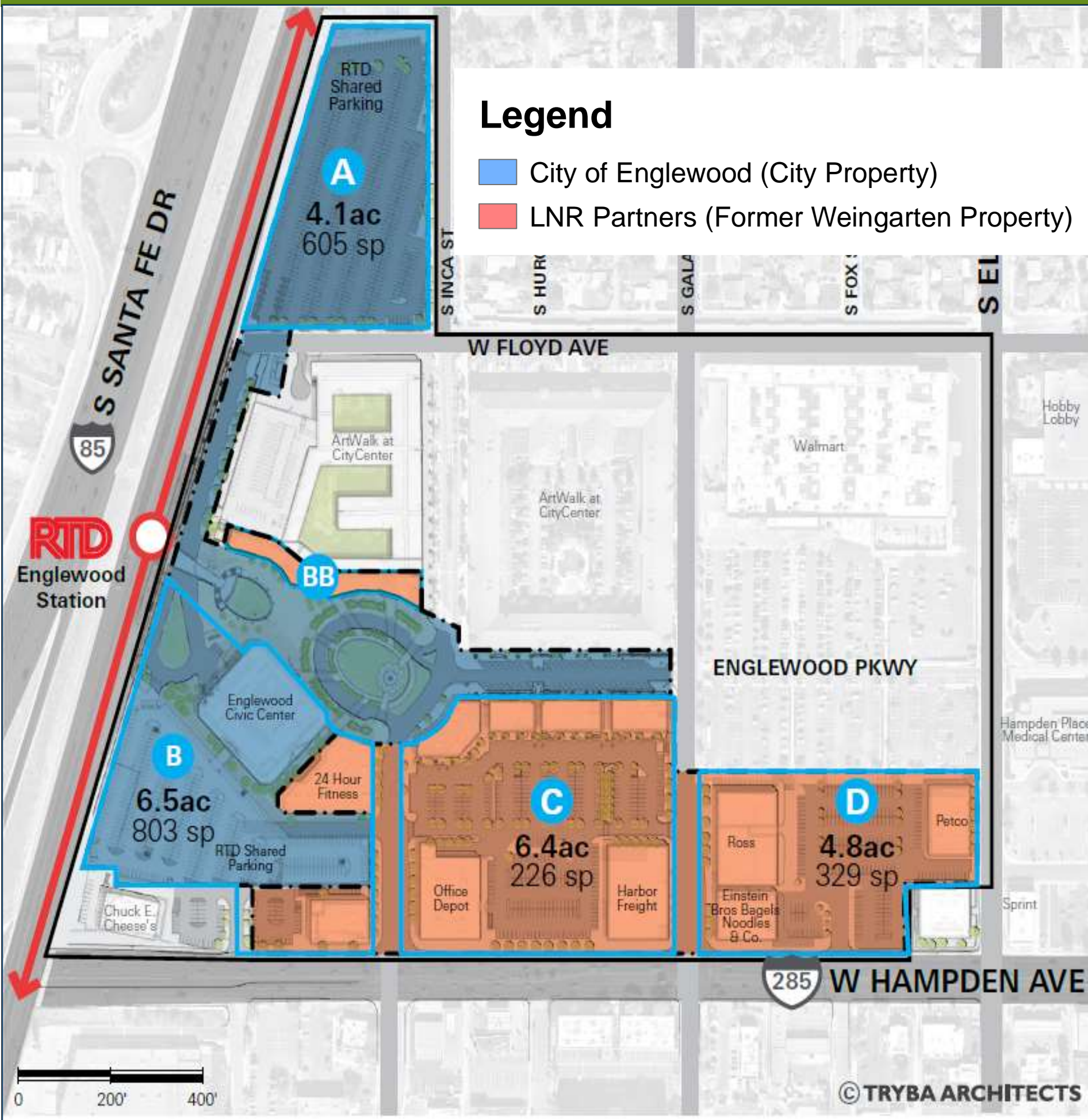
- Combined City Property and Former Weingarten Property = 22 acres.
- Weingarten property foreclosure, bond holders role - LNR Partners.
- Selection of SKB as the City's Master Developer for the "City Property" (Followed 1-year competitive selection process).
- Preliminary Development Agreement (PDA) approved by Council on June 1, 2020 and extended on April 19, 2021
- Working toward and overall redevelopment plan and Master Development Agreement

### Legend

- City of Englewood (City Property)
- LNR Partners (Former Weingarten Property)



# CityCenter Redevelopment, Revitalization, and Reinvention Project: Recent Steps Toward Redevelopment



## FRAMEWORK AGREEMENT

Council authorized staff (October 12, 2020) to begin drafting Framework Agreement between the City and LNR Partners (former Weingarten property). The Framework Agreement will address three key elements:

1. Termination of the underlying ground lease to facilitate the transfer of fee simple interest in the former Weingarten property to three future buyers, including SKB (4 key parcels).
2. Rezoning CityCenter from PUD to MU-B-1.
3. Council's preliminary endorsement of a 350+/- multi-unit residential project on the south half of Block C (Office Depot-Harbor Freight).
4. Framework Agreement supports City Council's vision for a larger-scale, coordinated redevelopment.



# CityCenter Redevelopment, Revitalization, and Reinvention Project: Recommended Rezoning Strategy

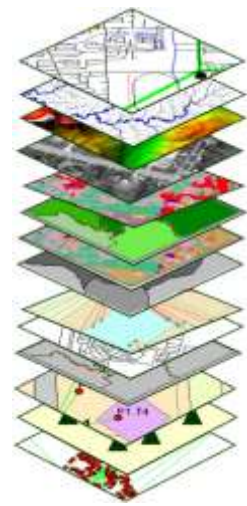


## 1. MU-B-1 Text Amendments

- Land Use – Hotel
- Land Use – Ground Floor Commercial Requirement

## 2. Englewood Transit Station Area (TSA) Specific Plan regulating document.

- Residential Density and Parking
- Commercial Parking
- Building Height
- Architectural Standards and Guidelines



## 3. Formal base district rezoning of CityCenter Planned Unit Development (PUD) to MU-B-1 and adoption of Englewood TSA Overlay District

Text amendments/TSA Specific Plan and formal MU-B-1/TSA Overlay District rezoning processed as two separate ordinances, with two separate public hearings and votes, back to back.



# CityCenter Redevelopment, Revitalization, and Reinvention Project: Recommended Rezoning Strategy: MU-B-1 Text Amendments

## **LAND USES – HOTEL**

- SKB interested in the possibility of a hotel
- MU-B-1 zoning does not permit hotels as an allowed use

### **Recommendation:**

- Add all types of visitor accommodation (Hotel, Hotel-Extended Stay, Bed and Breakfast) as allowed uses

## **LAND USES – COMMERCIAL GROUND FLOOR REQUIREMENT**

- 51% or more of the ground floor must be used for commercial purposes (retail or office). Significant barrier to residential-only development.
- Generally works well for historic Broadway frontage, but hinders development off of Broadway corridor.

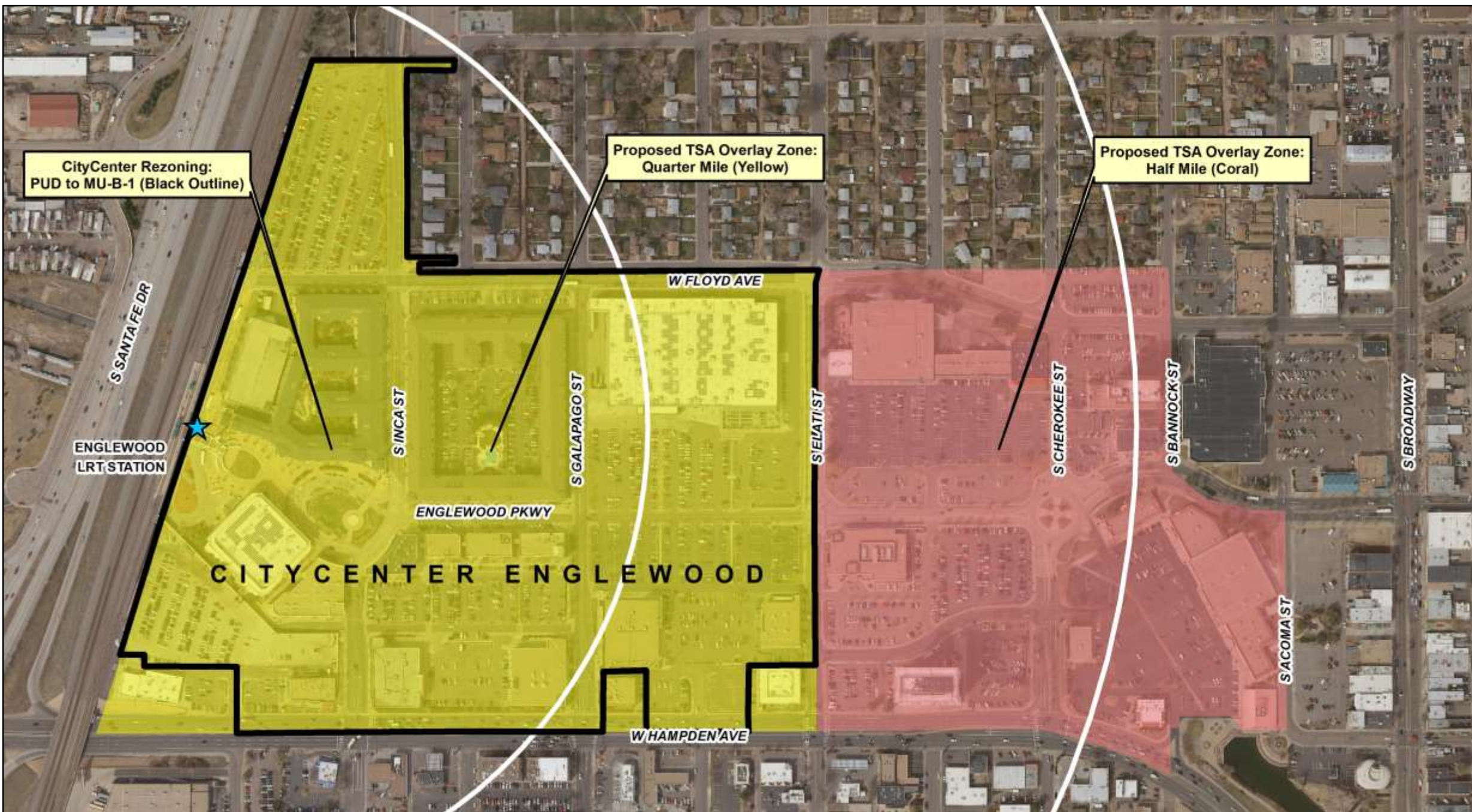
### **Recommendation:**

- Limit the commercial ground floor requirement to the historic Downtown Broadway Main Street area only (3300, 3400, 3500 blocks).



# CityCenter Redevelopment, Revitalization, and Reinvention Project: Recommended Rezoning Strategy: TSA Overlay Boundary Tiers

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## QUARTER MILE AND HALF MILE RADII

- Two areas roughly defined by the quarter mile and half mile radii distances from the station platform.
- Allow for greater development intensity closest to the station within the quarter mile radius.
- Establish regulations for residential density, parking, and building height for each tier.



# CityCenter Redevelopment, Revitalization, and Reinvention Project: Recommended Rezoning Strategy: Development Intensity Regulations

PARAMETER	AUTOMOBILE DEPENDENT STANDARD	HALF MILE ZONE	QUARTER MILE ZONE	QUARTER MILE ADJUSTMENTS	REGULATION TYPE
Residential Density - Maximum	Typically 50-70 Units/Acre	125 Units/Acre	125 Units/Acre*	May be negotiated higher through site plan approval process	Standard by Right
Residential Density - Minimum	None	75 Units/Acre	75 Units/Acre		Standard by Right
Building Height - Maximum	100 Feet	125 Feet	125 Feet*	May be negotiated higher through site plan approval process	Standard by Right
Building Height - Minimum	None	2 Stories	2 Stories		Standard by Right
Residential Parking - Market Rate	1.5 Spaces/Unit	1.0 Spaces/Unit	.75 Spaces/Unit	May be negotiated lower through site plan approval process	Standard by Right
Residential Parking - Income Restricted	1.5 Spaces/Unit	.75 Spaces/Unit	.5 Spaces/Unit	May be negotiated lower through site plan approval process	Standard by Right
Hotel Parking	1.0 Spaces/Room	Up to 25% reduction	Up to 50% reduction		Guideline for Negotiation
Office/Retail Parking	3.33 Spaces/1,000 SF	Up to 25% reduction	Up to 50% reduction		Guideline for Negotiation
Restaurant	5 Spaces/1,000 SF	Up to 25% reduction	Up to 50% reduction		Guideline for Negotiation

# CityCenter Redevelopment, Revitalization, and Reinvention Project: Recommended Rezoning Strategy: Anticipated Rezoning Schedule



June 22: Planning and Zoning Public Hearing

July 19: City Council Public Hearing

August 2: City Council 1<sup>st</sup> Reading

August 16: City Council 2<sup>nd</sup> Reading



# Englewood, Colorado



## **Englewood Station/CityCenter Redevelopment, Revitalization, and Reinvention Virtual Public Meeting**

**April 27, 2021**

# CityCenter Redevelopment, Revitalization, and Reinvention: Meeting Format and Instructions

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## **Format: Power Point Presentation (~60 min.) followed by Questions and Group Discussion**

Meeting is being recorded and will be posted on the City of Englewood Meetings Portal.

Meeting attendees may enter questions into the chat box at any time. Questions in the chat box will be addressed at the beginning of the Questions and Discussion segment. Staff will start by going through each of the questions asked in the chat box.

Staff will then open up the floor to allow the audience to give verbal feedback on the information presented this evening.

Please use the “Raise Hand” icon to signal to the meeting moderator that you would like to make a comment. Wait for the meeting moderator to call your name. Each audience speaker will be allocated three minutes of speaking time.

Please visit our project webpage for more information:

[www.engaged.englewoodco.gov/citycenter-redevelopment](http://www.engaged.englewoodco.gov/citycenter-redevelopment)

Questions can also be submitted anytime by phone or email:

John Voboril

303-783-6820

[jvoboril@englewoodco.gov](mailto:jvoboril@englewoodco.gov)



# CityCenter Redevelopment, Revitalization, and Reinvention: Meeting Agenda and Presenters

Introduction.....	Brad Power, CD Director
Site History.....	John Voboril, Sr. Planner
Site History – Planner/Architect’s Perspective.....	Bill Moon & Sarah Komppa, Tryba Architects
CityCenter Redevelopment - Why.....	Dan Poremba, Chief Redevelopment Officer
Local Transit Oriented Development – Planner/Architect’s Perspective.....	Bill Moon & Sarah Komppa, Tryba Architects
Recent Steps Toward Redevelopment.....	Dan Poremba, Chief Redevelopment Officer
Recent Steps Toward Redevelopment – Planner/Architect’s Perspective.....	Bill Moon & Sarah Komppa, Tryba Architects
Recommended Rezoning Strategy.....	John Voboril, Sr. Planner
Questions and Discussion.....	All



# CityCenter Redevelopment, Revitalization, and Reinvention: Introduction by Brad Power, Englewood Community Development Director





# CityCenter Redevelopment, Revitalization, and Reinvention: Site History

**ENGLEWOOD CITY PARK: ZONED R-1-A  
(SINGLE FAMILY)**



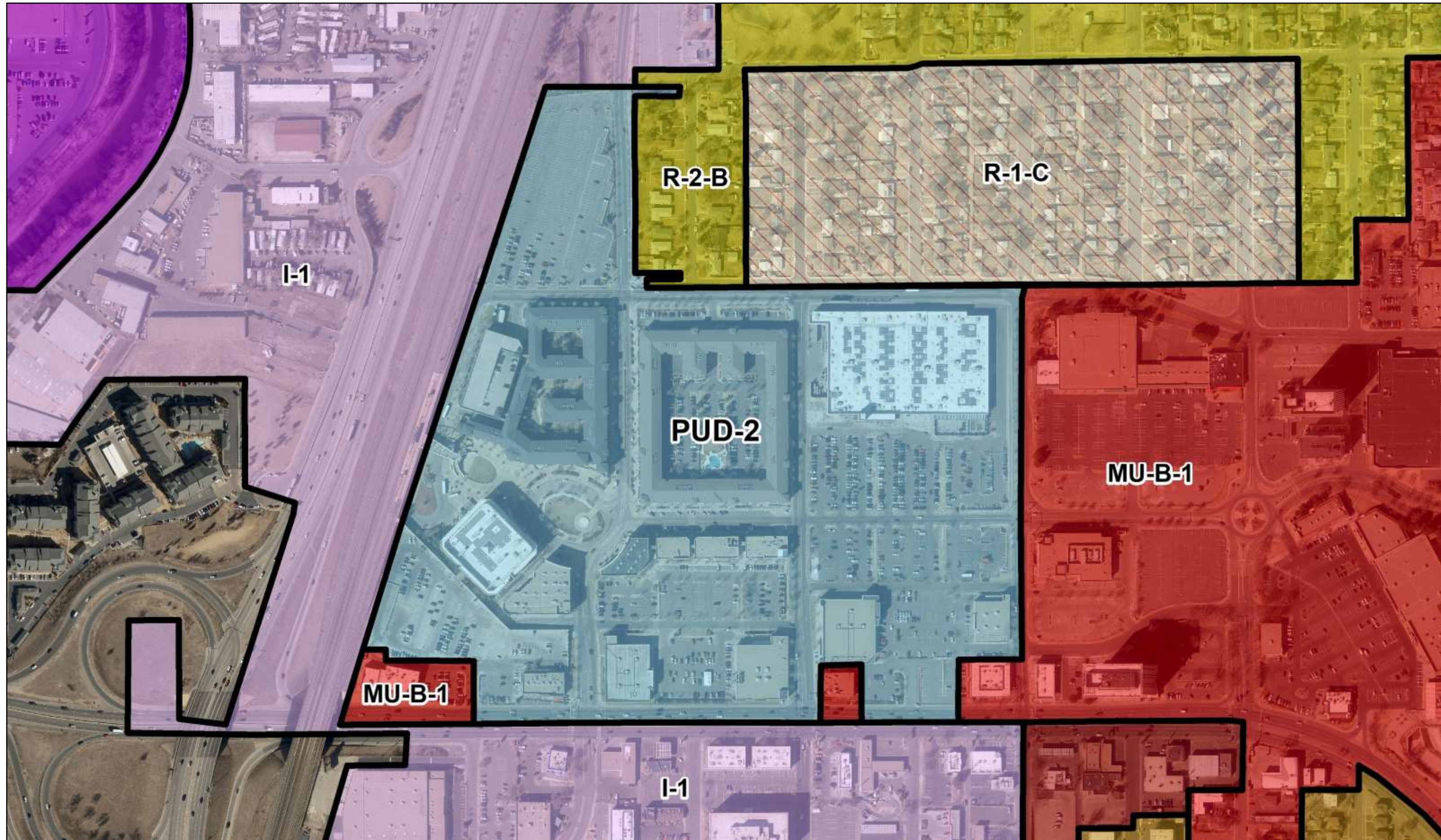
**CINDERELLA CITY MALL: ZONED B-1  
(BUSINESS)**





# CityCenter Redevelopment, Revitalization, and Reinvention: Site History

## ENGLEWOOD CITYCENTER: ZONED PUD (PLANNED UNIT DEVELOPMENT)





# CityCenter Redevelopment, Revitalization, and Reinvention: Site History



Opened in conjunction with the Southwest Light Rail Extension in year 2000

Metro Denver's first Transit-Oriented Development (TOD) ~ 1 M SF

- 438 residential units
- Civic Center: government offices, library, cultural arts
- Office
- Big Box Retail: Walmart, Ross, Office Depot, Petco, Sports Authority
- park-n-Ride: 910 shared spaces

## Special Features

- Public plaza featuring fountain, sculptures
- Small format retail/office Main Street



# CityCenter Redevelopment, Revitalization, and Reinvention: Site History – Planner/Architect’s Perspective

**SPECIAL GUEST  
PRESENTER:**

Tryba Architects

## 1. History of Englewood City Center



CINDERELLA CITY SHOPPING MALL, 1968



EARLY MASTER PLAN (NOT IMPLEMENTED)



HAND RENDERING STUDY, MUSEUM OF OUTDOOR ARTS



RTD TRANSIT FACILITY STUDY MODEL

Sunday, March 5, 2000 Denver Rocky

**WHAT'S GOING UP**

**CityCenter Englewood**  
**Location:** 1000 Englewood Parkway (former site of the Cinderella City Shopping Mall)  
**Size:** 55 acres, 850,000 square feet  
**Cost:** \$155 million  
**Scheduled completion:** Englewood Civic Center (June) and the RTD SouthWest Corridor Light Rail Line (July) with phased completion thereafter  
**Contractor:** Saunders Construction Co. (site infrastructure), Calcon Constructors (Englewood Civic Center) and Colorado Structures Inc. (Wal-Mart)  
**Architect:** David Owen Tryba Architects, Kaufman-Meeke, CLC and Calthorpe and Associates  
**Developer:** Miller Weingarten Realty (retail) and Trammell Crow Realty (residential)  
**Notable:** The 55-acre CityCenter Englewood project will replace an obsolete 1.3 million-square-foot regional shopping mall. The public/private project is planned as a mixed-use, transit-oriented development that focuses on a central public place connected to: civic and cultural uses, a light-rail transit station, retail and office space, residential condominiums, a public library and outdoor performance space accented with outdoor sculptures. The Englewood Civic Center — which will house city administrative offices, the Englewood Public Library, Englewood Municipal Court and The Museum of Outdoor Arts — is being renovated from the former Foley's department store building at Cinderella City.

Steve Green/News Staff Photographer

**New construction at CityCenter Englewood, on the site of the old Cinderella City Mall.**

THE ROCKY MOUNTAIN NEWS, MARCH 5, 2000



# CityCenter Redevelopment, Revitalization, and Reinvention: CityCenter Redevelopment – Why

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## RECENT EVENTS AND TRENDS CONTRIBUTING TO DECLINE

- Personal shopping preference changes, trend toward online purchases.
- As consumer tastes changed, there was not enough density or mix of uses to keep CityCenter viable as an attractive people place.
- Many other newer TOD locations became available (competition).
- Former Weingarten Realty property foreclosed on in August of 2018.
- Long term vacancies fronting plaza and next to Harbor Freight.
- Fitness building vacated spring of 2020, Office Depot closing April 2021.
- Englewood Marketplace and Englewood Plaza to the east also experiencing vacancy issues, (additional vacancies expected soon).





# CityCenter Redevelopment, Revitalization, and Reinvention: CityCenter Redevelopment – Why

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## REDEVELOPMENT GOALS

- Reverse the negative impacts of a downward-trending, dated, low-density, retail-focused center.
- Add hotel, office and residential uses and density to an under-developed area that has lost its appeal and financial sustainability.
- Support a revitalized Central Business District (in tandem with the new DDA).
- Increase sales and property taxes and generate other City revenues (City receives no current revenues for the value of its real estate interests).
- Help retain and attract Englewood employers, residents and downtown retailers and restaurants.



# CityCenter Redevelopment, Revitalization, and Reinvention: Local Transit Oriented Development – Planner/Architect’s Perspective

## SPECIAL GUEST PRESENTER:

Tryba Architects

## 2. Transit Oriented Development Potential

- Transit Oriented Development **catalyzes** neighborhood investment
- Vibrant mix of land uses support **placemaking, activity and energy**
- Density is needed to **activate** open spaces and **support** retail amenities





# CityCenter Redevelopment, Revitalization, and Reinvention: Local Transit Oriented Development – Planner/Architect’s Perspective

**SPECIAL GUEST  
PRESENTER:**

Tryba Architects

## 2. TOD Comparisons Alameda Station





# CityCenter Redevelopment, Revitalization, and Reinvention: Local Transit Oriented Development – Planner/Architect’s Perspective

**SPECIAL GUEST  
PRESENTER:**

Tryba Architects

## 2. TOD Comparisons

Broadway Station





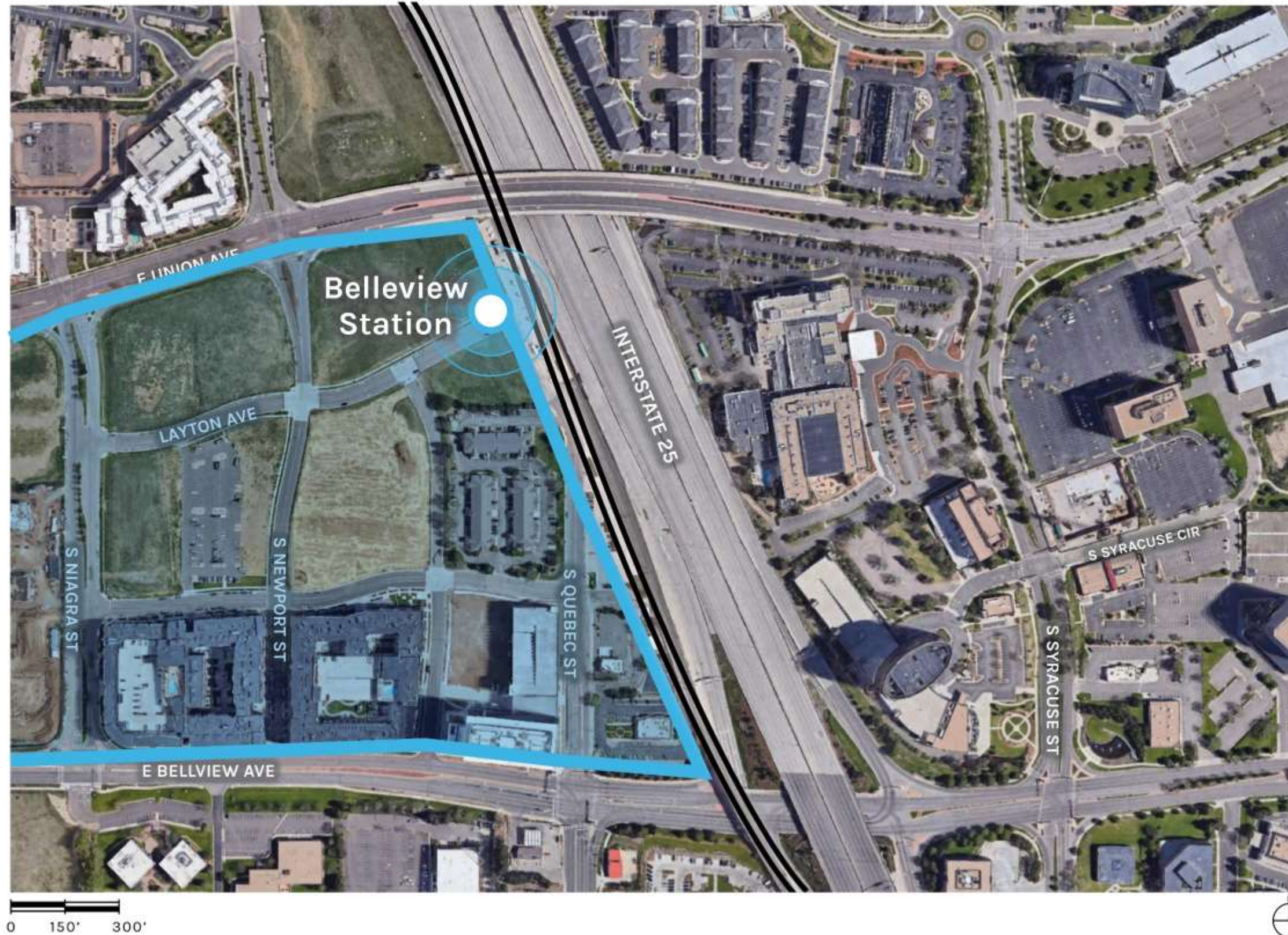
# CityCenter Redevelopment, Revitalization, and Reinvention: Local Transit Oriented Development – Planner/Architect’s Perspective

**SPECIAL GUEST  
PRESENTER:**

Tryba Architects

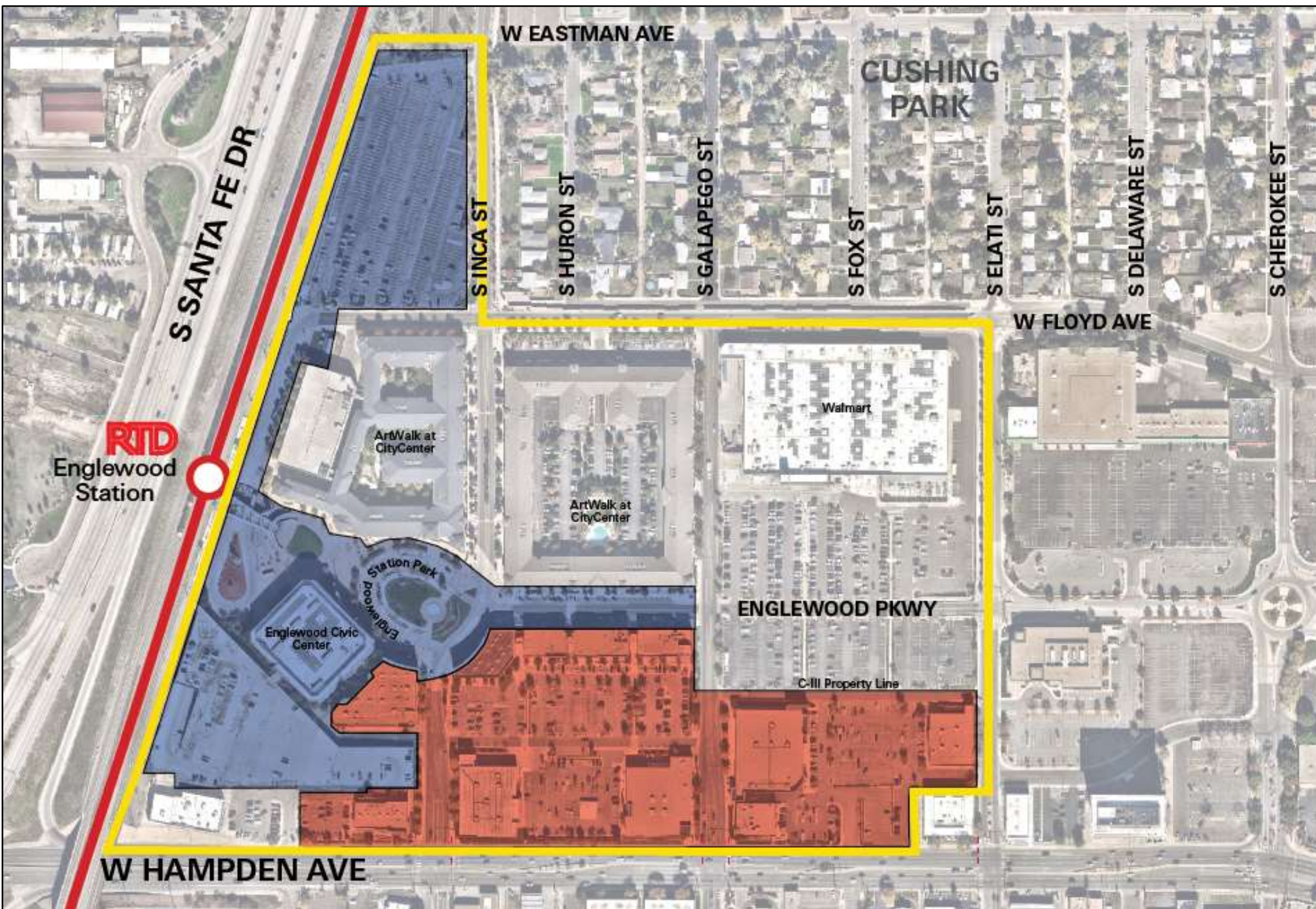
## 2. TOD Comparisons

### Bellevue Station





# CityCenter Englewood Redevelopment Planning and Zoning Regulations: Recent Steps Toward Redevelopment



## PRELIMINARY DEVELOPMENT AGREEMENT (PDA)

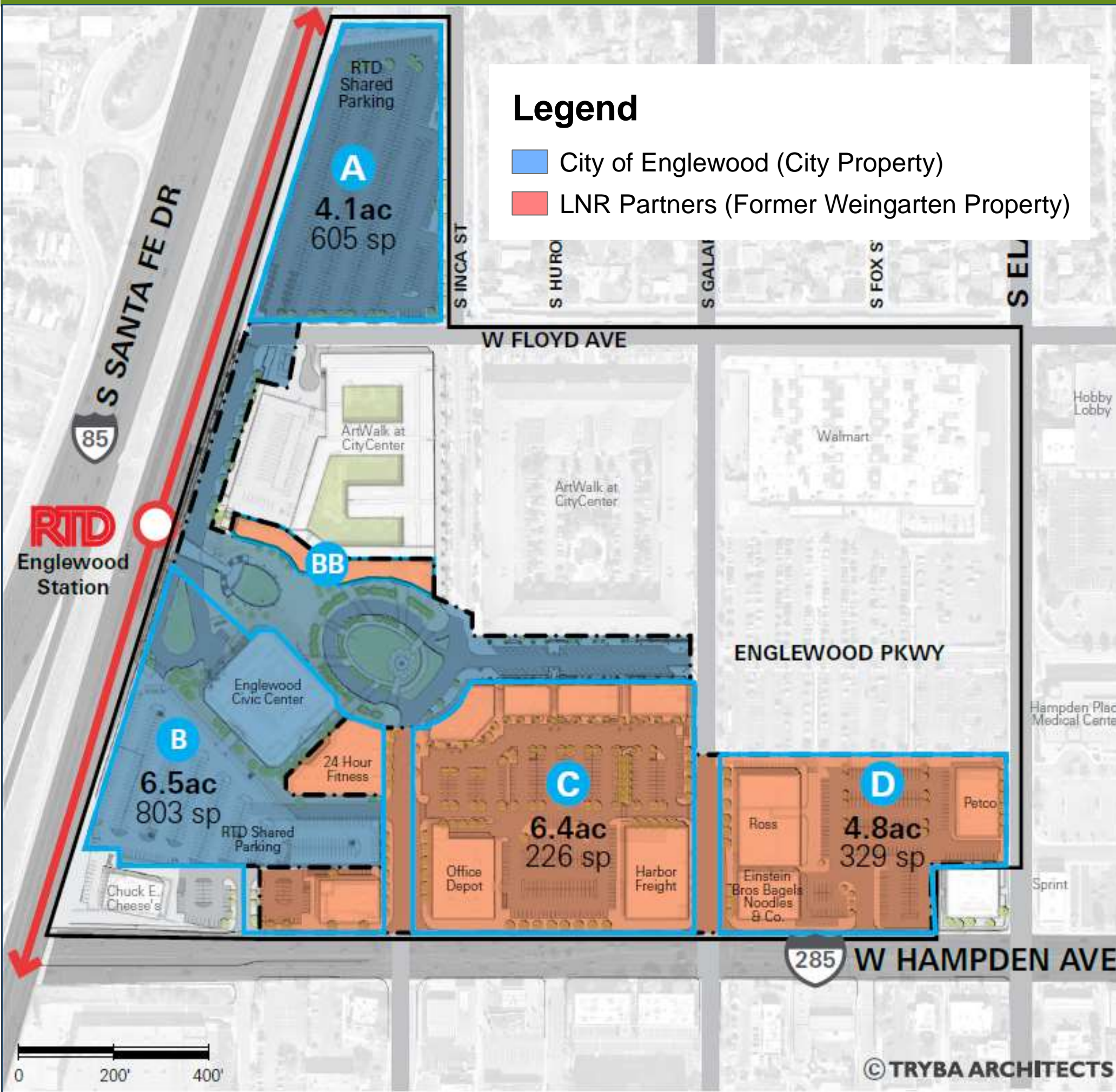
- Combined City Property and Former Weingarten Property = 22 acres.
- Weingarten property foreclosure, bond holders role - LNR Partners.
- Selection of SKB as the City's Master Developer for the "City Property" (Followed 1-year competitive selection process).
- Preliminary Development Agreement (PDA) approved by Council on June 1, 2020 and extended on April 19, 2021
- Working toward and overall redevelopment plan and Master Development Agreement

### Legend

- City of Englewood (City Property)
- LNR Partners (Former Weingarten Property)



# CityCenter Redevelopment, Revitalization, and Reinvention Project: Recent Steps Toward Redevelopment



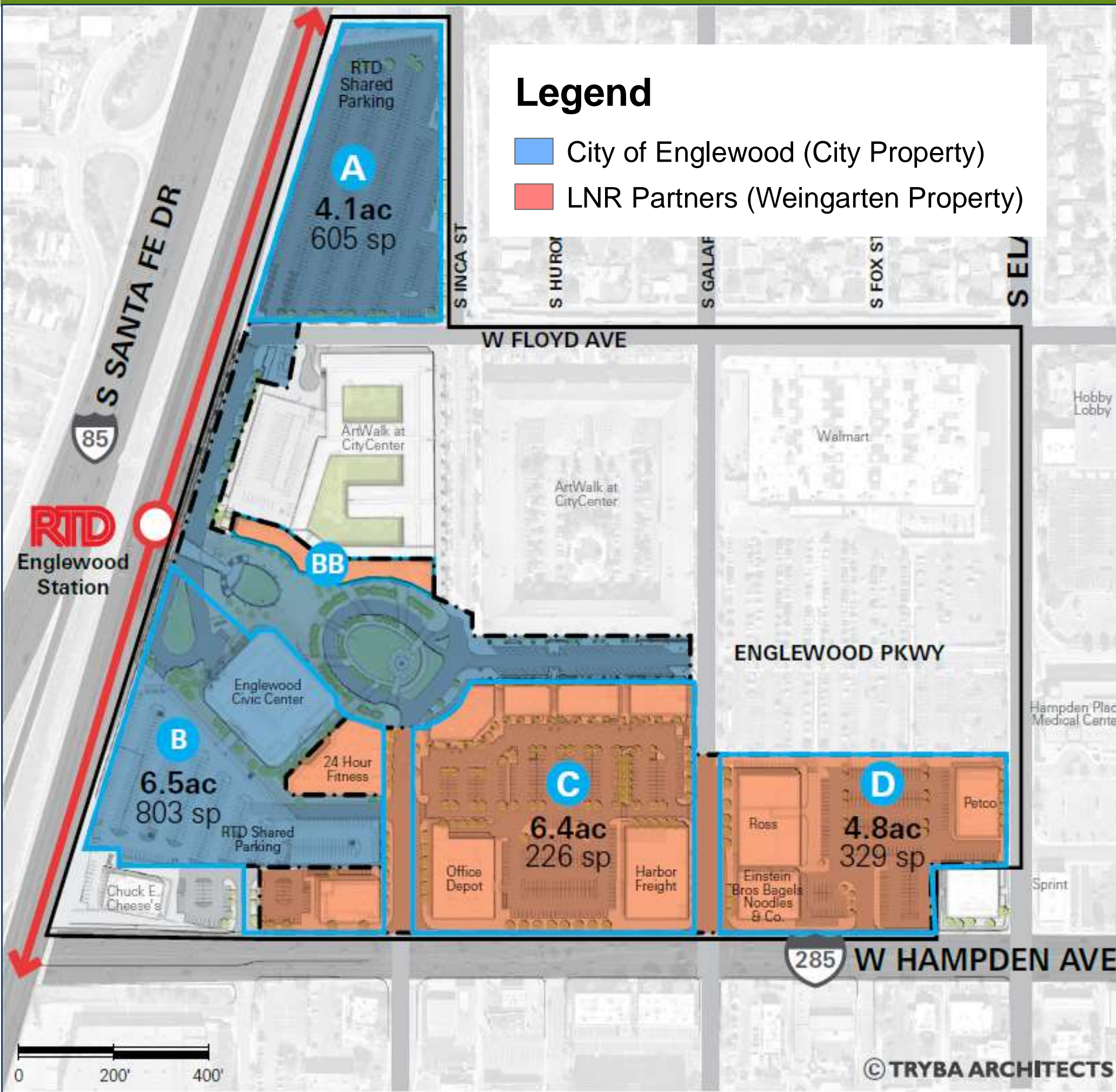
## FRAMEWORK AGREEMENT

Council authorized staff (October 12, 2020) to begin drafting Framework Agreement between the City and LNR Partners (former Weingarten property). The Framework Agreement will address three key elements:

1. Termination of the underlying ground lease to facilitate the transfer of fee simple interest in the former Weingarten property to three future buyers, including SKB (4 key parcels).
2. Rezoning CityCenter from PUD to MU-B-1.
3. Council's preliminary endorsement of a 350+/- multi-unit residential project on the south half of Block C (Office Depot-Harbor Freight).



# CityCenter Redevelopment, Revitalization, and Reinvention Project: Recent Steps Toward Redevelopment



## FRAMEWORK AGREEMENT

- Without the Framework Agreement commitment, LNR Partners would have attempted to lease current vacancies and then sell property as an as-is income property.
- The new leases would take the property out of play for redevelopment for 10-25 years and the City would have little control over this key property.
- The ground lease termination will encourage the redevelopment of a larger portion of CityCenter with an updated mix of uses and improvements.



# CityCenter Redevelopment, Revitalization, and Reinvention Project: Recent Steps Toward Redevelopment – Planner/Architect’s Perspective

**SPECIAL GUEST  
PRESENTER:**

Tryba Architects

## 3. Existing Site Plan





# CityCenter Redevelopment, Revitalization, and Reinvention Project: Recent Steps Toward Redevelopment – Planner/Architect’s Perspective

**SPECIAL GUEST  
PRESENTER:**

Tryba Architects

## 3. Site Redevelopment Potential





# CityCenter Redevelopment, Revitalization, and Reinvention Project: Recent Steps Toward Redevelopment – Planner/Architect’s Perspective

**SPECIAL GUEST  
PRESENTER:**

Tryba Architects

## 3. Future Vision





# CityCenter Redevelopment, Revitalization, and Reinvention Project: Recent Steps Toward Redevelopment – Planner/Architect’s Perspective

**SPECIAL GUEST  
PRESENTER:**

Tryba Architects

## 3. Future Vision Open Spaces





# CityCenter Redevelopment, Revitalization, and Reinvention Project: Recommended Rezoning Strategy

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## 1. MU-B-1 Text Amendments

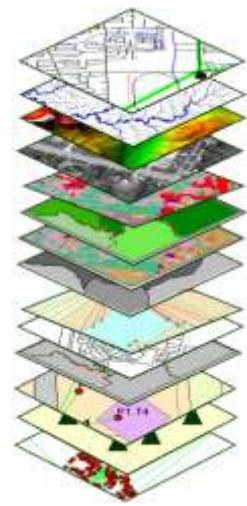
- Land Use – Hotel
- Land Use – Ground Floor Commercial

## 2. Formal base district rezoning from current Planned Unit Development (PUD) to MU-B-1

## 3. Create an evolving Transit Station Area (TSA) Overlay District that provides City representatives the flexibility to negotiate proposed site plans. Critical parameters needed to be specified:

- Residential Density and Parking
- Commercial Parking
- Building Height

Text amendments and formal base district rezoning/TSA overlay district processed as two concurrent cases.





# CityCenter Redevelopment, Revitalization, and Reinvention Project: Recommended Rezoning Strategy: MU-B-1 Text Amendments

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## LAND USES – HOTEL

- SKB interested in the possibility of a hotel
- MU-B-1 zoning does not permit hotels as an allowed use
- Review of past Englewood zoning codes reveal that hotel use regulations have varied considerably over time:

1940: R-3

1955: C-1, C-2

1963: R-3-B, B-1, B-2

1985: B-1, B-2

2004: MU-B-2, TSA, I-1, M-1 and M-2 (2009)

## Recommendation:

- Add all types of visitor accommodation (Hotel, Hotel-Extended Stay, Bed and Breakfast) as allowed uses in the MU-B-1 Zone District





## LAND USES – COMMERCIAL GROUND FLOOR REQUIREMENT

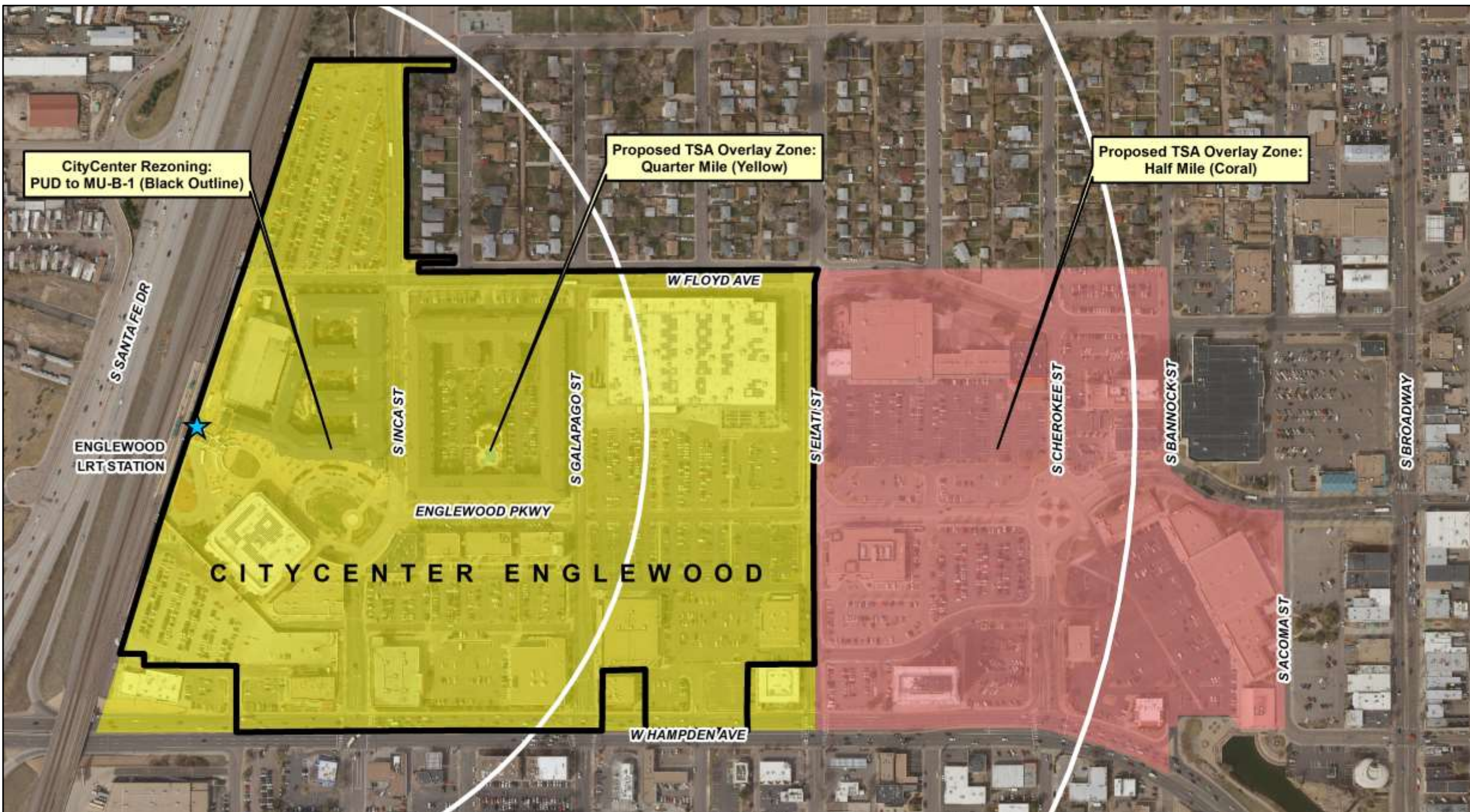
- The commercial ground floor requirement provision of the current zoning code has acted as a significant barrier to development.
- 51% or more of the ground floor must be used for commercial purposes (retail or office).
- Generally works well for historic Broadway frontage, but hinders development off of Broadway corridor.

### Recommendation:

- Limit the commercial ground floor requirement to the historic Downtown Broadway Main Street area only (3300, 3400, 3500 blocks).



# CityCenter Redevelopment, Revitalization, and Reinvention Project: Recommended Rezoning Strategy: TSA Overlay Boundary Tiers



## QUARTER MILE AND HALF MILE RADII

- Two areas roughly defined by the quarter mile and half mile radii distances from the station platform.
- Allow for greater development intensity closest to the station within the quarter mile radius.
- Establish regulations for residential density, parking, and building height for each tier.



# CityCenter Redevelopment, Revitalization, and Reinvention Project: Recommended Rezoning Strategy: Supportive Research

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## Residential Parking in Station Areas: A Study of Metro Denver



December 2020



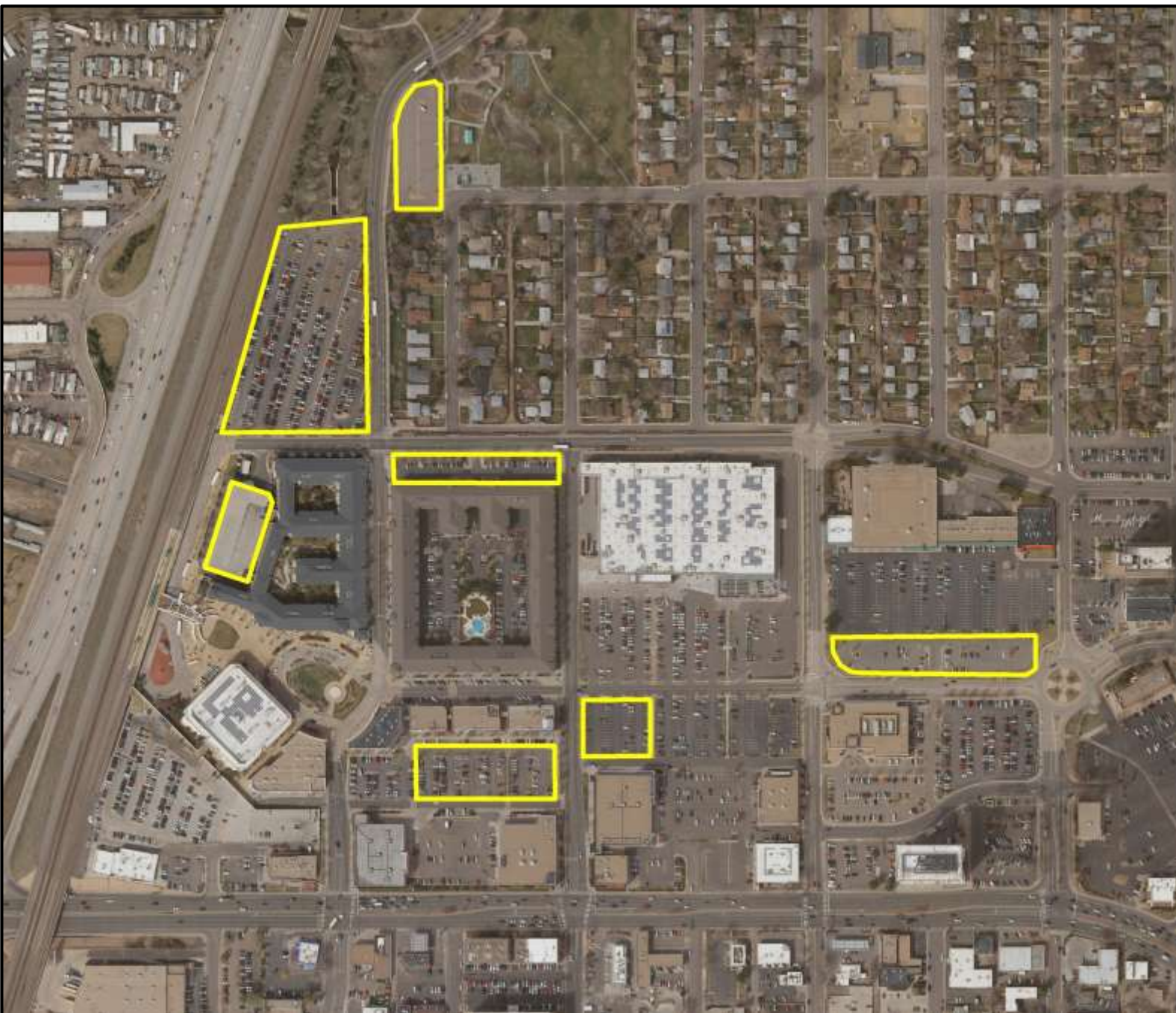
A recent RTD residential parking study offers very strong evidence that required residential parking near light rail stations is significantly underutilized.

- Parking counts conducted at 104 properties within ten minute walk of transit station, in April, 2020, during pandemic “Stay at Home Order”, Tuesday through Thursday, 10 AM to 3 PM.
- Market Rate: 40% of provided parking not utilized
- Market Rate: 1.23 spaces provided, .74 spaces utilized
- Income Restricted: 50% of provided parking not utilized
- Income Restricted: .72 spaces provided, .36 spaced utilized
- Follow up night time parking utilization counts conducted at 19 properties in September, 2020, for verification of April counts. September results were identical to April results.



# CityCenter Redevelopment, Revitalization, and Reinvention Project: Recommended Rezoning Strategy: Supportive Research

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## STRATEGIES EXPECTED TO BE EMPLOYED AT CITYCENTER

- Shared utilization of RTD park-n-Ride spaces with other uses that have compatible parking patterns.
- Expanding shuttle bus service (nights, weekends).
- Soliciting bike share companies to service Englewood Central Business Districts.
- Converting some free parking to reserved paid parking.
- Creating an Eco-pass Neighborhood.
- Utilization of un-used or under-used existing private parking spaces through parking agreements.



# CityCenter Redevelopment, Revitalization, and Reinvention Project: Recommended Rezoning Strategy: Supportive Research

## COMMERCIAL PARKING: COMPARISON WITH DENVER AND AURORA TOD PARKING REQUIREMENTS

<b>LAND USE</b>	<b>ENGLEWOOD EXISTING PARKING REQUIREMENT (No. of spaces)</b>	<b>DENVER TOD PARKING REQUIREMENT (No. of spaces)</b>	<b>AURORA TOD PARKING REQUIREMENT (No. of spaces)</b>	<b>% DIFFERENCE FROM ENGLEWOOD EXISTING PARKING REQUIREMENT</b>
Hotel (100 Units)	100	50	50	-50%
Office (10k)	34	13	10	-62 to -70%
Retail (10k)	34	13	15	-56 to -62%
Restaurant (10k)	100	20	30	-70 to -80%



# CityCenter Redevelopment, Revitalization, and Reinvention Project: Recommended Rezoning Strategy: Supportive Research

Colorado Center  
15 Stories, ~220 Feet



## BUILDING HEIGHT

- Conceptual images produced by LNR Partners show 5~6 story building.
- Current MU-B-1 maximum height is 100 feet, however, Chase and Wells Fargo Tower are ten stories, approximately 120 feet.
- Many local developers are choosing to build taller.



Belview Station  
15 Stories, ~190 Feet



Santa Fe Yards at Broadway Station  
10 Stories, ~130 Feet



DHA at 10<sup>th</sup> and Osage  
11 Stories, ~140 Feet



# CityCenter Redevelopment, Revitalization, and Reinvention Project: Recommended Rezoning Strategy: Supportive Research

## BUILDING HEIGHT: ENGLEWOOD BUILDING HEIGHT EXAMPLES



Waterford



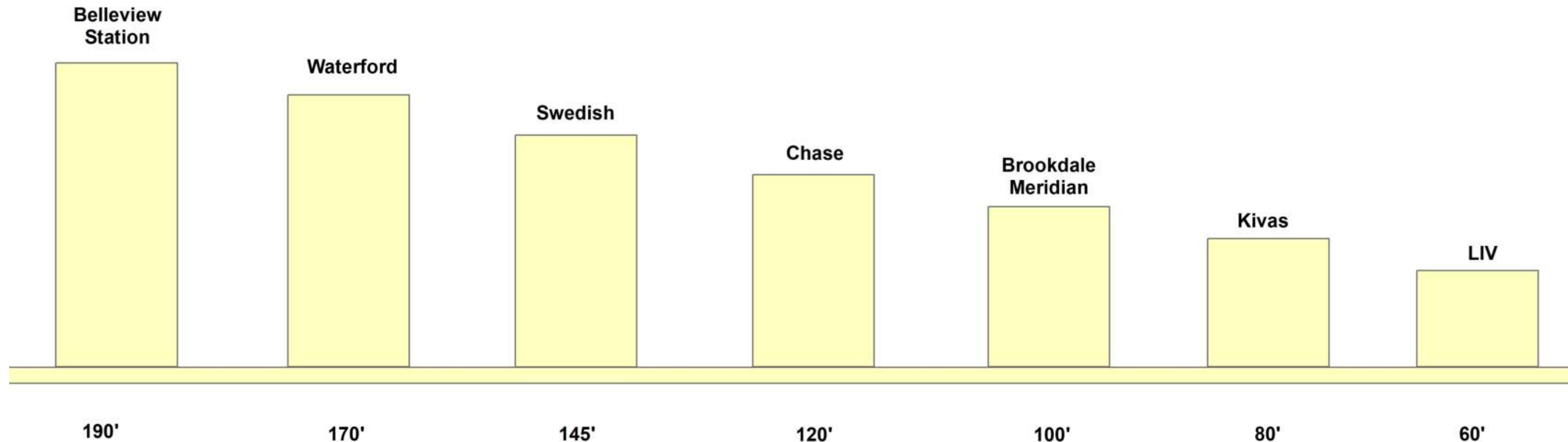
Chase Tower



Kivas



LIV Apartments





# CityCenter Redevelopment, Revitalization, and Reinvention Project: Recommended Rezoning Strategy: TSA Overlay Regulations



ArtWalk 801:  
47 units/acre



Bell Cherry Hills:  
72 units/acre



Oxford Station:  
70 units/acre



LIV Apartments:  
127 units/acre

## MULTI-UNIT RESIDENTIAL DENSITY AND PARKING

Englewood Light Rail Corridor Master Plan recommends a maximum residential density standard of 125 units/acre.

Recent apartment development projects typically feature 70 to 75 units/acre.

A maximum residential density of 125 units/acre would yield a total of 375 units on the potential LNR Partners parcel (3.0 acres).

Recommendation:

Minimum Residential Density: 75 units/acre

Maximum Residential Density: 125 units/acre



# CityCenter Redevelopment, Revitalization, and Reinvention Project: Recommended Rezoning Strategy: TSA Overlay Regulations

## MULTI-UNIT RESIDENTIAL DENSITY AND PARKING

Setting a TOD residential parking standard will create a high level of certainty.

City Council has endorsed a 350 +/- multi-unit residential project on the south half of the Office Depot block.

At the proposed maximum density of 125 units per acre, the 3 acre site would yield 375 units.

To achieve this number of units, a parking ratio of 1 space per unit is necessary.

A higher parking ratio would make a density of 125 units per acre extremely unlikely to be achieved.



Bell Cherry Hills  
Multi-floor Parking @ 1.5 spaces per unit  
Residential Density: 72 Units/Acre



LIV Apartments  
First Floor Parking @ 1.0 spaces per unit  
Residential Density: 127 Units/Acre



## MULTI-UNIT RESIDENTIAL DENSITY AND PARKING

Structured parking is more expensive than surface parking (\$10,000 versus \$35,000 per space)

The amount of required parking spaces will have a large impact on over all project cost.

- 375 units @ 1.0 spaces per unit = 375 spaces X \$35,000 = \$13,125,000
- 375 units @ 1.5 spaces per unit = 563 spaces X \$35,000 = \$19,705,000

Higher parking costs will render the CityCenter site as unattractive and uncompetitive.

A competitive and cost effective residential parking standard must be approved as part of the base rezoning.



# CityCenter Redevelopment, Revitalization, and Reinvention Project: Recommended Rezoning Strategy: TSA Overlay Regulations

## RESIDENTIAL DENSITY AND BUILDING HEIGHT

PARAMETER	EXISTING STANDARD	HALF MILE	QTR. MILE	QUARTER MILE ADJUSTMENTS	REGULATION TYPE
Residential Density - Maximum	Typically 50-70/acre	125/Acre	125/Acre*	May be negotiated higher through TSA Overlay	Standard By Right
Residential Density - Minimum	None	75/Acre	75/Acre		Standard By Right
Height	100 Feet	125 Feet	125 Feet*	May be negotiated higher through TSA Overlay	Standard By Right



# CityCenter Redevelopment, Revitalization, and Reinvention Project: Recommended Rezoning Strategy: TSA Overlay Regulations

## RESIDENTIAL PARKING

HOUSING TYPE	EXISTING STANDARD	HALF MILE	QTR. MILE	QUARTER MILE ADJUSTMENTS	REGULATION TYPE
Multi-unit Residential - Market Rate (100 Units)	1.5/unit (150 Spaces)	1/unit (100 Spaces)	.75/unit (75 Spaces)	May be negotiated lower through TSA Overlay	Standard By Right
Multi-unit Residential - Income Restricted (100 Units)	1.5/unit (150 Spaces)	.75/Unit (75 Spaces)	.5/Unit (50 Spaces)	May be negotiated lower through TSA Overlay	Standard By Right

## COMMERCIAL PARKING

LAND USE	EXISTING STANDARD	HALF MILE	QTR. MILE	REGULATION TYPE
Hotel (100 Units)	1/Unit (100 Spaces)	(-0-25%)	(-25-50%)	Guideline
Office/Retail (10k)	3.33/1,000 (34 Spaces)	(-0-25%)	(-25-50%)	Guideline
Restaurant (10k)	5/1,000 (50 Spaces)	(-0-25%)	(-25-50%)	Guideline



# CityCenter Redevelopment, Revitalization, and Reinvention Project: Recommended Rezoning Strategy: Anticipated Rezoning Schedule



- May: Final Planning and Zoning Study Session
- June: Planning and Zoning Public Hearing
- July: City Council Public Hearing
- August: City Council 1<sup>st</sup> and 2<sup>nd</sup> Reading



# CityCenter Redevelopment, Revitalization, and Reinvention: Questions and Discussions

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Staff will start by going through each of the questions asked in the chat box.

Staff will then open up the floor to allow the audience to give verbal feedback on the information presented this evening.

Please use the “Raise Hand” icon to signal to the meeting moderator that you would like to make a comment. Wait for the meeting moderator to call your name.

Each audience speaker will be allocated three minutes of speaking time.

Please visit our project webpage for more information:

[www.engaged.englewoodco.gov/citycenter-redevelopment](http://www.engaged.englewoodco.gov/citycenter-redevelopment)

Questions can also be submitted anytime by phone or email:

John Voboril  
303-783-6820  
jvoboril@englewoodco.gov







Preliminary Plat		✓	R	R	D		✓	✓	✓	6 months to submit Final Plat
Final Plat			R	R	D		✓	✓	✓	60 days to record
Simultaneous Review Preliminary Plat/Final Plat		✓	R	R	D		✓	✓	✓	60 days to record
Recorded Final Plat										None
Minor Subdivision	16-2-11									
Preliminary Plat		✓	D	A						6 months to submit Final Plat
Final Plat			D	A						60 days to record
Recorded Final Plat										None
Nonconforming Lots	16-9-4	✓	R	D	A		✓		✓	None
Nonconforming Structures	16-9-3	✓	D			A				
Official Zoning Map Amendments (Rezoning)	16-2-7	✓	R	R	D		✓	✓	✓	None
PUD and TSA Rezoning	16-2-7.8	✓	R	R	D		✓	✓	✓	None
<u>TSA Specific Plan Overlay</u>	<u>16-2-20</u>	✓	<u>R</u>	<u>R</u>	<u>D</u>		✓	✓	✓	<u>None</u>
Temporary Use Permits	16-2-14	✓	D	A						As stated in Permit
Unlisted Use Classifications	16-5-1.B	✓	D	A						None
Site Improvement Plan	16-2-9		D	A						180 days
Zoning Variances	16-2-16	✓	R			D	✓		✓	180 days
<b>CM/D = City Manager or Designee (Including the Development Review Team)</b> <b>PC = Planning and Zoning Commission</b> <b>CC = City Council</b> <b>BAA = Board of Adjustment and Appeals</b>										
<sup>1</sup> Notice Required: See Table 16-2-3.1 Summary of Mailed Notice Requirements										

### 16-2-3: Development Application Procedures

#### G. Notice Requirements.

1. *Published Notice.* Notice shall be by one (1) publication on the City's official website or in the newspaper designated by City Council as the City's official newspaper at least ten (10) days



before any hearing before the Council, the Commission, or the Board. The City shall be responsible for all required published notices, and for providing evidence of timely published notice at the time of the hearing or consideration.

2. *Posted Notice.* The property shall be advertised by posting for not less than ten (10) consecutive days prior to a hearing before the Council, the Commission, or the Board; provided, however, that where the case does not involve a specific property, no posted notice shall be required. A posted notice shall consist of a sign not less than twenty-two inches (22") by twenty-eight inches (28") in size, located not less than four feet (4') above ground level in a conspicuous place, with letters not less than one inch (1") in height in black paint, which letters can be read from the adjoining street right-of-way. Planned Unit Development applications shall post two (2) signs per frontage of the project. The sign must be red background with white letters following the dimensions as stated. The applicant shall be responsible for complying with posted notice provisions and for providing evidence of timely posted notice at the time of the hearing or consideration. All required posted notices shall remain in place until after the date of the hearing or consideration, and shall be removed by the applicant within seven (7) days after the hearing or consideration.
3. *Mailed Notice.*
  - a. *Mailed Notice to Applicant.* The City shall give written notice of the date, time, and place of any scheduled hearing to the applicant in person or by first class mail.
  - b. *Summary of Mailed Notice Requirements.* Table 16-2-3.1 below summarizes the mailed notice requirements of this subsection, and includes requirements for: Responsible party for mailing notice, the minimum deadline by which notice must be mailed, the intended recipients and the geographic scope of mailed notice, whether the applicant must provide a mailing list and receipt, and the type of mail service required.
  - c. *Mailed Notice of Neighborhood Meeting and Certain Public Hearings.* Whenever a mailed notice is required by Table 16-2-3.1, the applicant shall mail written notification of the neighborhood meeting or hearing at least ten (10) days prior to the meeting or hearing to occupants and property owners within one thousand feet (1,000') of the perimeter of the proposed development. Notification shall be sent to property owners of record from data available within thirty (30) days before the required mailing date from the Arapahoe County Assessor's office.
  - d. *Mailed Notice for Conditional Use Telecommunications Towers and Antenna(s).* At least ten (10) days prior to the first public hearing on any request for a conditional use permit for a telecommunications tower or antenna(s), the applicant shall provide written notice to all occupants and property owners within one thousand feet (1,000') of the property boundary of the site upon which the tower or antenna(s) are proposed to be located. Notification shall be sent to property owners of record from data available within thirty (30) days before the required mailing date from the Arapahoe County Assessor's office.
  - e. *Proof of Mailing Required.* Whenever mailed notice is required according to this subsection, the applicant shall provide a mailing list to staff and certify that letters were mailed via the U.S. Postal Service to the listed addresses within the time frame specified in Table 16-2-3.1 below prior to the meeting or hearing. A USPS receipt shall be attached to the certification.

TABLE 16-2-3.1: SUMMARY OF MAILED NOTICE REQUIREMENTS						
Type of Application	Notice Mailed by	When Mailing Must Occur - # of Calendar Days Prior to	Notice Shall be Mailed to:	Notification Area for Receipt of Mailed Notice	Mailing List and Mailing	Type of Mailing



		Meeting or Hearing:			Receipt Required?	
PUD, <u>TSA Specific Plan</u> , other Rezoning Neighborhood Meeting	Applicant	10 (prior to neighborhood meeting and Planning and Zoning Commission hearing)	Property owners of record [1] and Occupants	1,000 feet radius measured from boundary lines of subject parcel	Yes	1st Class Mail
Major Subdivision	Applicant	10 (prior to neighborhood meeting and Planning and Zoning Commission hearing)	Property owners of record [1] and Occupants	1,000 feet radius measured from boundary lines of subject parcel	Yes	1st Class Mail
Conditional Use for Telecommunication Facility	Applicant	10 prior to Planning and Zoning Commission hearing	Property owners of record [1] and Occupants	1,000 feet radius measured from boundary lines of subject parcel	Yes	1st Class Mail
<b>Notes to Table:</b> [1] Property owners of record at the Arapahoe County Assessor's office from data available within thirty days (30) before the required mailing date.						

4. *Contents.* Unless otherwise stated above, each required published, posted, or mailed notice shall contain:
  - a. The name of the applicant;
  - b. The date, time and location of the public hearing or consideration; or alternately, the date of the proposed decision by the City Manager or designee;
  - c. A brief summary of the proposed action;
  - d. A statement as to where the application and accompanying material may be reviewed;
  - e. Any other information required pursuant to this Title for a specific type of application; and
  - f. To assist in reaching any non-literate or non-English speaking populations, all posted and mailed notices shall include a prominent question mark symbol followed by the telephone number of the City.
5. *Errors in Notice.* If there has been a failure to comply with any applicable notice requirement, the public hearing or consideration may be continued and/or action on the application may be postponed until such time as the notice requirements are fulfilled.

#### 16-2-7: Official Zoning Map Amendments (Rezoning)

##### B. *Thresholds for Base District Rezoning:*

##### ~~1. Thresholds for Base District Rezoning:~~

- ~~1.~~ a. *General.* A base district rezoning results in the change of a property's existing base zoning district classification to a base zoning district classification identified in Table 16-3-1.1, other than a PUD or TSA district.



2. ~~b.~~ *Minimum District Size.* A base district rezoning application shall only be considered for properties greater than thirty-seven thousand five hundred (37,500) square feet of land area and contiguous to a compatible zone district.
3. ~~e.~~ For purposes of this Section, "compatible zone districts" are districts within the same base zoning district headings as identified in Table 16-3-1.1 (i.e. R-2-A and R-2-B are compatible zone districts within residential headings.) The contiguity to compatible zone district requirement does not apply if the rezoning request is consistent with and implements the Comprehensive Plan.

~~2.~~ *Thresholds for Transit Station Area (TSA) Rezonings:*

~~a.~~ *District Location.* The location of a Transit Station Area (TSA) district shall be consistent with the following criteria:

- ~~(1)~~ The location of the proposed TSA district shall be consistent with the locations described or depicted for transit-related and/or mixed-use development in the Comprehensive Plan.
- ~~(2)~~ The TSA district shall be located generally within a one-quarter ( $\frac{1}{4}$ ) mile radius of an existing, or a planned and approved light-rail rapid transit station.
- ~~(3)~~ The one-quarter ( $\frac{1}{4}$ ) mile radius may be augmented by an extended area which would include up to a one-half ( $\frac{1}{2}$ ) mile radius where the area is contiguous to the TSA district and that it can be demonstrated that the area creates a transitional zone when the Planning and Zoning Commission makes a finding that such an extension is a benefit to the adjoining zone districts.

~~b.~~ *Minimum District Size.*

- ~~(1)~~ An application to rezone to a TSA district shall include a minimum gross land area of three (3) acres.
- ~~(2)~~ The City may allow smaller incremental and contiguous additions to an existing TSA district, if the subsequent rezoning application:
- ~~(a)~~ Includes a minimum gross land area of twenty thousand (20,000) square feet;
- ~~(b)~~ Is consistent with the intent of the TSA district;
- ~~(c)~~ Provides uses or a mix of uses complementary to the mix of uses planned or developed in the adjoining, existing TSA district; and
- ~~(d)~~ Demonstrates site and building designs that will be compatible with, and integrated with, the adjoining, existing TSA district.

H. *Criteria.* Rezonings shall be made in the interest of promoting the health, safety, and general welfare of the community, and shall be consistent with the Comprehensive Plan. In addition, the review- or decision-making body shall only recommend approval of, or shall only approve, a proposed rezoning, if it finds that the proposed rezoning meets the criteria listed below.

1. For base district rezonings, the proposed rezoning shall meet at least one of the following criteria:
- a. That there has been a material change in the character of the neighborhood or in the City generally, such that the proposed rezoning would be in the public interest and consistent with the change; or
- b. That the property to be rezoned was previously zoned in error; or
- c. That the property cannot be developed, or that no reasonable economic use of the property can be achieved, under the existing zoning.



The criteria in subsections 1.a through c above shall not apply to the initial zoning of property annexed to the City or to rezonings that may occur incidental to a comprehensive City-initiated revision of the City's Official Zoning Map.

~~2. For TSA rezonings, the proposed development shall comply with all applicable use, and development standards set forth in this Title that are not otherwise modified or waived according to the rezoning approval; and the proposed rezoning shall meet at least one of the following criteria:~~

~~a. The proposed development will exceed the development quality standards, levels of public amenities, or levels of design innovation otherwise applicable under this Title, and would not be allowed or practicable under a standard zone district with conditional uses or with a reasonable number of Zoning Variances or Administrative Adjustments; or~~

~~b. The property cannot be developed, or no reasonable economic use of the property can be achieved, under the existing zoning, even through the use of conditional uses or a reasonable number of Zoning Variances or Administrative Adjustments.~~

~~2. 3.~~ All base district rezonings shall meet the following criterion:

a. The resulting rezoned property will not have a significant negative impact on those properties surrounding the rezoned area and that the general public health, safety and welfare of the community are protected.

I. *After Approval—Lapsing Period.*

~~1.~~ An approved rezoning shall not lapse, but shall remain in effect until and unless superseded by a later or inconsistent amendment to, or replacement of, the Official Zoning Map.

~~2. TSA rezoning. An approved TSA district rezoning shall not lapse, but shall remain in effect until superseded by a later or inconsistent amendment to, or replacement of, the TSA District Official Zoning Map.~~

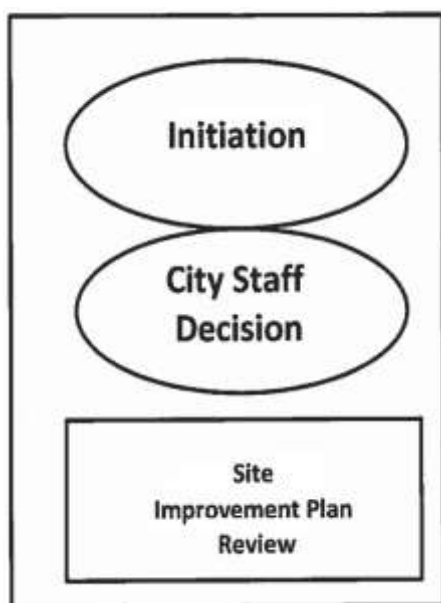
#### **16-2-9: Site Improvement Plan Review.**

A. *Applicability.* No land or structure shall be used, occupied, built, constructed upon, altered or developed for any use without complying with the Site Improvement Plan requirements and procedures provided in this Section, as applicable. A Site Improvement Plan shall be required for any of the following:

1. The commencement of any development, improvement, or construction requiring a building permit, except for interior remodel or interior tenant finish.
2. The construction or expansion of fences, walls, or accessory structures (e.g., garages, carports, storage sheds, decks) in any zone district, including decks and patios less than thirty inches (30") in height and residential accessory structures containing less than two hundred (200) square feet in floor area, or commercial accessory structures containing less than one hundred twenty (120) square feet that may not otherwise require a building permit.
3. Accessory uses, not including home occupations, marked as "A" in the applicable table cell in Table 16-5-1.1, "Table of Allowed Uses".
4. The construction, re-installation, expansion, alteration, removal, surfacing, paving, or resurfacing of a parking area, except for a residential driveway.
5. Site work, landscaping, grading, or excavation in excess of five thousand dollars (\$5,000.00) in value as determined by a reasonable contract or bid consistent with prices for such materials and services in the Denver metropolitan area.



6. Additions and exterior alterations of any structure resulting in a change equal to or greater than ten percent (10%) of the floor area of the structure.
  7. Any change that reduces the setback to a property line.
- B. *Initiation.* An application for a Site Improvement Plan may only be initiated by those parties identified in Section 16-2-3(A) EMC. The "Applicant" shall be the person, persons or legal entity that initiates the application for a Site Improvement Plan.
- C. *City Review.* The Applicant shall submit a plan of the proposed development or improvement showing the location of all property boundaries, the location and dimensions of all existing and proposed structures (including accessory structures such as garages, sheds, outbuildings, trash enclosures, shelters, etc.), the location and surface material of all parking areas, driveways and sidewalks, the location of all landscaping (including species and size), fences and retaining walls. Applicant shall also submit plans showing the location of all existing and proposed storm water detention facilities as required by Section 16-6-8 EMC. The Applicant shall submit copies of plans, including site plan, floor plans and elevations of all proposed structures. In addition, the applicant shall submit either as-built plans or photographs of all existing structures on the property.
1. *General Development Applications:*
    - a. *Development/Use Requiring a Building Permit.* The City Manager or designee shall review the proposed Site Improvement Plan as part of the building permit application process. Based on the results of that review, the City Manager or designee shall act to approve, approve with conditions, or deny the proposed Site Improvement Plan based on the review criteria stated in Section 16-2-9(D) EMC, below.



- b. *Development/Uses Not Requiring a Building Permit.* The City Manager or designee shall review the proposed Site Improvement Plan for compliance with applicable standards of this Title. Based on the results of that review, the City Manager or designee shall act to approve, approve with conditions, or deny the proposed Site Improvement Plan based on the review criteria stated in Section 16-2-9(D) EMC, below. A copy of the approved Site Improvement Plan shall be maintained by the City.
2. *Preliminary Review:* Applicants are encouraged to contact the City in advance of submittal for formal Site Improvement Plan Review or application for a Building Permit to obtain preliminary feedback on the proposed development.
3. *Plan Format:* The Site Improvement Plan shall meet the following requirements:



Sites <10,000 square feet:	Scale: 1" = 20' or 1" = 10'
	Sheet size: 24" x 36" or 8 ½" x 11" or 11" x 17"
Sites ≥10,000 square feet:	Scale: 1" = 10' or other increments of 10' as approved by the City of Englewood.
	Sheet size: 24" x 36" or 30" x 42" or 36" x 48"

Site plans shall depict the property corners and all permanent survey monuments. All plans shall clearly indicate the size of the site (in square feet and in acres), existing and proposed building areas (in square feet), building setbacks to property lines, and proposed building height. In addition, all existing and proposed exterior building materials shall be shown on the plan elevations. A landscaping plan shall accompany all site plans and shall include existing and proposed ground surfaces, location of all existing trees and other significant vegetation, as well as size, species and number of all proposed landscaping. (Exception: A landscaping plan shall not be required for development that does not involve the removal of existing landscaping, or the addition of new landscaping.)

- D. *Criteria.* All Site Improvement Plans shall be reviewed, and shall be approved, approved with conditions, or denied based on the following criteria:
1. *Consistency with Adopted Plans and Standards.*
    - a. Consistency with the spirit and intent of the City's Comprehensive Plan and this Title;
    - b. Compliance and consistency with any applicable Station Area Standards and Guidelines for property in the TSA district;
    - c. If approval of a conditional use is being requested as part of a Site Improvement Plan, compliance with all applicable conditional use standards and criteria listed in this Section and in Section 16-2-12 EMC; and
    - d. If approval of a limited use is being requested as part of a Site Improvement Plan, compliance with all applicable limited use standards and criteria listed in this Section and in Section 16-2-13 EMC; and
    - e. Compliance with all other applicable standards, guidelines, policies, and plans adopted by Council.
  2. *Impact on Existing City Infrastructure and Public Improvements.* The proposed development shall not result in undue or unnecessary burdens on the City's existing infrastructure and public improvements, or arrangements shall be made to mitigate such impacts.
  3. *Internal Efficiency of Design.* The proposed design of the site shall achieve internal efficiency for its users, provide adequate recreation; allow for safe public access; provide adequate storm drainage facilities, and promote public health and convenience. All sites shall be designed and constructed to safely accommodate pedestrians, bicyclists and automobiles.
  4. *Control of External Effects.* The proposed development shall reduce external negative effects on nearby land uses and movement and congestion of traffic. This shall include negative impacts from noise, lighting, signage, landscaping, accumulation of litter and other factors deemed to affect public health, welfare, safety and convenience.
- E. *Approval.*



1. The City shall approve the proposed Site Improvement Plan if the plan meets all requirements of this chapter or an applicable Planned Unit Development (PUD); complies with all required adopted plans, codes and standards; and any negative impacts on existing or planned City infrastructure have been mitigated.

Compliance with Site Improvement Plan Approval. The Site Improvement Plan shall limit and control the issuance and validity of all building permits and occupancy permits and shall restrict and limit the construction, location, use, and operation of all land and structures included within the Site Improvement Plan to all limitations and conditions set forth in the approved Site Improvement Plan. Failure to maintain a property in compliance with its approved Site Improvement Plan shall be a basis for enforcement action under this Title.

2. Lapse: General Development Applications. A Site Improvement Plan shall lapse and be of no further force and effect if a building permit, or City Manager or designee approval, as required, is not issued for the property subject to the Site Improvement Plan within one hundred and eighty (180) days from the date of approval of the Site Improvement Plan.

F. *Modification and Amendment of Site Improvement Plans.*

1. Any approved Site Improvement Plan may be modified or amended as provided in this subsection or entirely withdrawn by the Applicant if a building permit has not been issued. Once a building permit has been issued, the building permit and Site Improvement Plan shall control, unless both the building permit and Site Improvement Plan are thereafter amended or abandoned as identified in this Chapter.
- ~~2. The City Manager or designee may approve, or approve with conditions, an administrative modification to an approved TSA district Site Improvement Plan without notice to the public, if the proposed change does not produce any of the following conditions:~~
  - ~~a. An increase in residential density, nonresidential floor area ratio (FAR), or ground coverage of structures of more than ten percent (10%).~~
  - ~~b. An increase in external effects concerning traffic, circulation, safety noise, or provision of utilities.~~
  - ~~c. A reduction or increase in building setbacks that would violate the requirements of the TSA district standards by more than ten percent (10%).~~
  - ~~d. A reduction in the amount of required off-street parking.~~
  - ~~e. A reduction in the amount of required landscaping.~~
2. ~~3.~~ Any proposed amendment that does not qualify for review and approval as an administrative modification to a Site Improvement Plan shall be reviewed and approved in the same manner as an application for a new Site Improvement Plan, and shall be subject to the same approval criteria and appeal as a new application for a Site Improvement Plan.
3. ~~4.~~ An application for administrative modifications to an approved Site Improvement Plan shall subject to the administrative rules and regulations established by the City Manager or designee. Any proposed amendment shall comply with current regulations, standards, and guidelines for development in the zone district in which the property is located.

**16-2-20: Specific Plan Process, Requirements, and Review**

A. *Intent:* Specific Plans are intended to serve as comprehensive, self-contained, and generally self-executing regulatory documents for the governance, control and implementation of land uses and development within a Specific Plan District. A Specific Plan establishes the distribution of generalized land uses, residential densities, and negotiable ranges for other development parameters such as building height and parking ratios based on deliberations and final recommendations of the Planning and Zoning Commission, with final approval authority vested in City Council. Specific Plans are considered to be living documents that can largely be amended continuously in an administrative fashion, as detailed physical planning elements emerge through



the development planning and design process. Specific Plans are designed to provide flexibility and predictability for City development departments and private development entities engaged in redevelopment activities. The Specific Plan site development plan approval process is designed to facilitate project approval in an expeditious manner, allowing private development entities to respond quickly to market conditions and reduce the amount of time to complete development projects.

- B. *Specific Plan and Specific Plan Site Development Plan Requirement:* No property within a Specific Plan District may be used, improved or developed without the prior approval of a Specific Plan and a Specific Plan Site Development Plan for the property proposed to be developed.
- C. *Applicability of Municipal Code to Specific Plan Districts:* Municipal Code provisions related to land use and development in the City shall apply to land use and development in Specific Plan Districts, unless such provision is specifically negated or modified in an applicable Specific Plan.
- D. *Specific Plan Initiation:* A Specific Plan, or major amendments to a Specific Plan, shall be initiated by City Council.
- E. *Specific Plan Content:* A Specific Plan shall include, but not be limited to text and illustrations sufficient to specify the following subject matters in detail, if applicable to the plan area:
1. The distribution, location and extent of individual land uses, including open space, within the area covered by the plan;
  2. The proposed distribution, location, extent and intensity of major components of public and private transportation, wastewater, water, drainage, solid waste disposal, energy, parks, schools and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan;
  3. Land use regulations and development, design and performance standards that govern each use or physical area identified by the specific plan. These regulations and standards may include, but not be limited to the following:
    - a. A listing of allowable uses within each land use designation and applicable definitions, use classifications, supplemental standards (height, intensity, etc.) and requirements for discretionary entitlement application and other permits.
    - b. Standards governing site coverage, lot size and dimensions (where applicable), yard and setback requirements, usable open space, landscaping and related performance standards.
    - c. Site development standards that address adjacent zoning district and development, where applicable.
    - d. Standards and guidelines for the architectural, landscaping, streetscape and other urban design features for development within the specific plan area. Streetscape design shall include, but not be limited to, plant and materials palette, landscape design and placement, lighting, street furniture and equipment screening.
    - e. Supplemental illustrations establishing the basic architectural and environmental character to be attained throughout the specific plan area.
  4. A program of implementation measures, including regulations, programs, public works projects, financing measures and a statement of consistency with any existing master/capital improvements plan necessary to carry out subsections (1), (2) and (3) listed above.
  5. A statement of relationship of the specific plan to the Comprehensive Plan, including a statement of how the specific plan implements the goals and policies of the Comprehensive Plan.
  6. All necessary maps within the area covered by the proposed plan.
  7. Legal and physical descriptions of the site including boundaries, easements, existing topography, natural features, existing buildings, structures and utilities.



G. *Specific Plan Approval Process:* Specific Plan and major Specific Plan Amendments may be approved by either an ordinance or a resolution of the City Council, after review by the Planning Commission and City Council in accordance with the notification and public hearing requirements set forth in Section 16-2-3 of this Code. Minor Specific Plan Amendments may be approved administratively at the discretion of the City Manager, or designee. The City Manager, or designee may also elect to bring minor Specific Plan Amendments to the Planning and Zoning Commission and City Council by way of standard public hearing requirements.

Major Amendments:

- Major relocation of buildings, lot lines, right of ways, and easements.
- Changes to established land uses or building types.
- Increase in building height in areas where negotiation is not allowed.
- Increase in maximum allowed residential density by more than ten percent (10%).
- Introducing new allowed land uses that are not allowed by base zone district.
- Reduction in established residential and commercial parking range negotiation parameters.

H. *Specific Plans and Specific Plan Amendments Criteria for Approval:* Prior to the approval of a Specific Plan or Specific Plan Amendment, the City Council shall find all of the following:

1. The proposed plan or plan amendment is in conformance with the City's Comprehensive Plan and all City policies, standards and sound planning principles and practices.
2. The proposed plan advances and implements the objectives and policies set forth in Section 16-3-2 and the property's associated Neighborhood Area Assessment as set forth in the City's Comprehensive Plan.
3. There is either existing capacity in the City's streets, drainage and utility systems to accommodate the proposed plan or plan amendment, or arrangements have been made to provide such capacity in a manner and timeframe acceptable to City Council.
4. The proposed plan or amendment is in compliance with all applicable provisions of this Code.

I. *Specific Plan Site Development Plan Initiation:* An application for a Site Improvement Plan may only be initiated by those parties identified in Section 16-2-3(A) EMC. The "Applicant" shall be the person, persons or legal entity that initiates the application for a Site Improvement Plan.

J. *Specific Plan Site Development Plan Content:* Applicant shall submit for City review a minimum of two (2) hard copy sets and one (1) digital set of the proposed Specific Plan Site Development Plan. Applications shall be deemed complete only upon submittal information and payment of applicable fees. Review will not occur until the application is complete. The Specific Plan Site Plan shall be sufficiently detailed and shall contain such information and documentation to fully indicate the ultimate operation and appearance of the project and shall include, but not be limited to the following:

1. A boundary survey and legal description prepared by a Colorado registered Professional Land Surveyor.
2. Structure footprints, locations, gross floor areas, building heights and dimensioned setbacks from streets, as well as other structures and other features.
3. Sight lines and shadow studies.



4. Locations of major vehicular circulation system elements, including streets, curb cuts, and parking areas. Circulation systems shall be designed to connect with existing or planned street networks.
  5. Pedestrian circulation elements including sidewalks, pathways, bus stops, plazas, with materials indicated: pedestrian circulation systems shall be designed to connect with existing or planned sidewalks and pathways.
  6. Drainage features including retention and detention areas.
  7. Overall grading showing existing and proposed grades.
  8. Location, dimensions and descriptions of all existing utility easements on the property.
  9. Parking areas and a preliminary design of internal circulation for parking areas or structures.
  10. Location and amount of bicycle parking.
  11. Loading and trash areas.
  12. A schedule of dwelling units (if applicable) by building, and dwelling unit density based on units divided by acres of net lot area remaining after right-of-way dedications.
  13. Location and area of parks, open space and recreation facilities, including amounts and locations of play areas for children and other recreational areas generally depicted in the Specific Plan.
  14. Landscaping to include a material schedule listing quantities, plant types (e.g., deciduous street trees, evergreen shrubs, etc.), common name, minimum size at planting, area calculations for required and provided landscape area. A landscape irrigation plan shall also be submitted.
  15. Fences, walls or year-round natural screen planting and landscaping when necessary to shield adjacent residential areas from commercial, industrial and parking areas.
  16. Site lighting elements, including street lights, pedestrian lights and any other lighting elements.
  17. Areas subject to flooding from a major storm including five-year and 100-year storms, detention and retention areas and provisions for controlled release of water from detention or retention areas following a major storm.
  18. Site signage locations, and lighting of signs including specifically adopted sign standards where applicable.
  19. Public amenities that may be included in the development proposal, including public art.
  20. Conceptual building elevations that illustrate how the design standards established in the Specific Plan are being implemented, including architectural concepts, facade treatments, and exterior building materials, as necessary to establish how the proposed Specific Plan uses and structures relate internally and/or to the neighboring properties.
  21. Specific Plan Standards and Guidelines Compliance Analysis in a narrative format.
  22. Other information deemed necessary, reasonable, and relevant to evaluate the application as determined by City Manager or designee, Planning and Zoning Commission, or City Council.
- K. Specific Plan Site Development Plan Criteria for Approval: All Site Development Plans shall be reviewed, and shall be approved, approved with conditions, or denied based on the following criteria:
1. Consistency with Adopted Plans and Standards.
    - a. Consistency with the spirit and intent of the City's Comprehensive Plan and this Title.
    - b. Compliance and consistency with applicable Specific Plan Standards.



- c. Compliance with all other applicable standards, guidelines, policies, and plans adopted by Council.
2. Impact on Existing City Infrastructure and Public Improvements. The proposed development shall not result in undue or unnecessary burdens on the City's existing infrastructure and public improvements, or arrangements shall be made to mitigate such impacts.
  3. Internal Efficiency of Design. The proposed design of the site shall achieve internal efficiency for its users, provide adequate recreation; allow for safe public access; provide adequate storm drainage facilities, and promote public health and convenience. All sites shall be designed and constructed to safely accommodate pedestrians, bicyclists and automobiles.
  4. Control of External Effects. The proposed development shall reduce external negative effects on nearby land uses and movement and congestion of traffic. This shall include negative impacts from noise, lighting, signage, landscaping, accumulation of litter and other factors deemed to affect public health, welfare, safety and convenience.
- L. Specific Plan Site Development Plan Approval Process: The City Manager or designee shall administratively approve the Specific Plan Site Development Plan under the following conditions:
1. The City shall approve the proposed Specific Plan Site Development Plan if the plan meets all requirements of the Englewood Municipal Code; complies with all required adopted plans, codes and standards; and any negative impacts on existing or planned City infrastructure have been mitigated.
  2. Compliance with Specific Plan Site Development Plan Approval. The Specific Plan Site Development Plan shall limit and control the issuance and validity of all building permits and occupancy permits and shall restrict and limit the construction, location, use, and operation of all land and structures included within the Site Development Plan to all limitations and conditions set forth in the approved Specific Plan Site Development Plan. Failure to maintain a property in compliance with its approved Specific Plan Site Development Plan shall be a basis for enforcement action under this Title.
  3. Lapse: A Specific Plan Site Development Plan shall lapse and be of no further force and effect if a building permit, or City Manager or designee approval, as required, is not issued for the property subject to the Specific Plan Site Development Plan within one (1) year from the date of approval of the Specific Plan Site Development Plan.
- M. Modification and Amendment of Specific Plan Site Development Plans.
1. Any approved Site Development Plan may be modified or amended as provided in this subsection. Once a building permit has been issued, the building permit and Site Development Plan shall control, unless both the building permit and Site Development Plan are thereafter amended or abandoned as identified in this Chapter.
  2. The City Manager or designee may approve, or approve with conditions, an administrative modification to an approved Specific Plan Site Development Plan without notice to the public, if the proposed change does not produce any of the following conditions:
    - a. Major relocation of buildings, lot lines, right of ways, and easements.
    - b. Changes to established land uses or building types.
    - c. Increase in building height in areas where negotiation is not allowed.



- d. Increase in maximum allowed residential density by more than ten percent (10%).
- e. Introducing new allowed land uses that are not allowed by base zone district.
- f. Reduction in established residential and commercial parking range negotiation parameters.

3. Any proposed amendment that does not qualify for review and approval as an administrative modification to a Specific Plan Site Development Plan shall be reviewed and approved in the same manner as an application for a new Specific Plan Site Development Plan, and shall be subject to the same approval criteria (16-2-20 H.) and appeal (16-2-18) as a new application for a Specific Plan Site Development Plan.

4. An application for administrative modifications to an approved Site Development Plan shall be subject to the administrative rules and regulations established by the City Manager or designee. Any proposed amendment shall comply with the current regulations, standards, and guidelines for development in the zone district in which the property is located.

N. Subdivision: A Specific Plan Site Development Plan may be used as the basis for a subdivision and subsequent sale or transfer of land within a Specific Plan District provided that a Specific Plan has been approved and the Specific Plan Site Development Plan contains legally defined and described boundaries of the parcels being created by the subdivision.

**16-3-1: General Provisions.**

A. *Establishment of Base Zoning Districts.* The following base zoning districts are hereby established:

TABLE 16-3-1.1: BASE ZONING DISTRICTS	
Name	Description
<b>Residential One Dwelling Unit Districts</b>	
R-1-A	A large lot size, one dwelling unit residential district
R-1-B	A medium lot size, one dwelling unit residential district
R-1-C	A small lot size one dwelling unit residential zone district
<b>Residential One and Multi-Dwelling Unit Districts</b>	
R-2-A	A low-density one and multi-dwelling unit residential zone district
R-2-B	A medium-density one and multi-dwelling unit residential zone district
<b>Mixed-Use Residential/Limited Office-Retail Districts</b>	



MU-R-3-A	A low-density residential and limited office zone district
MU-R-3-B	A medium to high density residential and limited office zone district
MU-R-3-C	A high density residential and limited office zone district
<b>Mixed-Use Medical Districts</b>	
M-1	A mixed-use medical, office, and high density residential zone district
M-2	A mixed-use medical, office, high density residential and limited retail zone district
<b>Mixed-Use Commercial Districts</b>	
MU-B-1	A mixed-use central business zone district
MU-B-2	A general arterial business zone district
TSA	<del>A mixed-use district intended for land uses adjacent to light rail transit stations.</del>
<b>Industrial Districts</b>	
I-1	A light industrial zone district
I-2	A general industrial zone district
<b>Special Purpose Districts</b>	
PUD	Planned Unit Development

- B. *Relationship of Base Districts to Overlay Districts.* Lands within the City may be classified into one of the base zoning districts, as described above, and may also be classified as an overlay district. An overlay district is a land use classification that lies over the base zoning allowing for additional uses and development standards different from the base zoning. Where the property is classified in an overlay district as well as a base zoning district, then the regulations governing development in the overlay district shall apply in addition to the regulations governing development in the underlying district. In the event of an express conflict between the standards governing a base district and those governing an overlay district, the standards governing the overlay district shall control.

<b>TABLE 16-3-1.2: OVERLAY DISTRICTS</b>	
<b>Name</b>	<b>Description</b>
M-O-2	A medical overlay district covering a portion of the R-2-B base residential zone district.



NPO	A neighborhood preservation overlay district covering a portion of the MU-R-3-B base residential zone district.
TSA	<u>A transit station area overlay district, generally located within a quarter to one-half mile of a light rail station.</u>

### 16-3-2: District Characteristics.

One of the goals of the City is to encourage a variety of housing types to meet the needs of differing income levels and varying household structures. The regulations for these districts are designed to stabilize and protect the essential characteristics of the districts, to allow for certain conditional and limited uses that are controlled by specific limitations governing the impact of such uses, and to promote a compatible neighborhood environment.

- A. *Residential Districts.* The purposes of the residential base zoning districts are set forth below. The allowed uses and use-specific standards for each of the districts are set forth in Chapter 16-5. All uses shall comply with the general dimensional standards set forth in Section 16-6-1 EMC.
1. R-1-A, R-1-B, and R-1-C: One dwelling unit residential districts. The R-1 districts primarily consist of one dwelling unit residential neighborhoods. Each district is defined by its dimensional requirements for development of a single lot, such as lot size, lot frontage, setbacks, etc. Multi-unit dwellings are not allowed in these districts.
  2. R-2-A, R-2-B: One and Multi-Dwelling Unit Residential Districts. The R-2 districts provide a range of housing types between the low-density one-unit areas and the high-density multi-unit areas. The two (2) zone districts allow for a mixture of one-unit development with low and medium density multi-unit housing developments.
  3. MU-R-2-A, MU-R-3-B and MU-R-3-C: Mixed-Use Residential/Limited Office Districts. The MU-R-3 districts are composed of those areas that are conducive to low, medium, and high-density residential and limited office development of a character unlikely to develop a concentration of traffic and people. To these ends, these districts are protected against the encroachment of general industrial uses and certain commercial uses.
- B. *Mixed-Use Commercial Districts.* The uses in these districts are primarily commercial in nature, and the residential development is incorporated into the retail businesses, such as first floor retail, second floor residential. One-unit dwellings are not permitted in these districts.
1. MU-B-1: Mixed-Use Central Business District. This district is a mixed-use district that is applied to the central business section of Englewood. The district is designed to create an environment having urban characteristics within a relatively small area of land through the close proximity of activities and increased social and cultural opportunities. The uses within this district are those that provide retailing and personal services to residents of the City and the surrounding area, and are compatible with adjacent development. In order to make the central business district viable twenty-four (24) hours a day, and not just during the traditional business hours, medium and high-density residential units are permitted.
  2. MU-B-2: Mixed-Use Arterial Business District. This district is composed of certain land and structures used primarily to provide retailing and personal services to the residents of the City and surrounding area and urban residential uses. The MU-B-2 district is usually located on major access routes and is easily accessible from the surrounding residential area which it serves.
  3. ~~TSA: Transit Station Area. This district is a mixed-use district intended to ensure a diverse mix of uses within convenient walking distance to Regional Transportation District (RTD) light rail stations in the City of Englewood. The district encourages appropriate residential development patterns with sufficient density to support transit use and neighborhoods for residents, as well as commercial retail uses to serve the shopping and service needs of district residents, employees, and commuters.~~



3. 4. M-1: Mixed-Use Medical, Office, and High Density Residential District. This district allows hospitals and medical uses, as well as general office, high density residential, and hotels as primary land uses.
4. 5. M-2: Mixed-Use Medical, Office, High Density Residential and Limited Retail District. This district allows hospitals and medical uses as well as general office, high density residential, hotels, and limited retail as primary land uses.
- C. *Industrial Districts.* The industrial districts allow for certain uses that are inappropriate in other zone districts due to the impacts associated with their operation, such as noise, dirt, dust, hours of operation, unsightly conditions, traffic, and outdoor storage of equipment and materials. The I districts should be located near major roadways and truck routes so that traffic generated from the I districts will not negatively affect the residential streets in the area.
1. I-1: Light Industrial District. This district is intended to provide for light manufacturing and industrial uses, and for warehousing and wholesaling uses of a limited nature and size that do not create appreciable nuisances or hazards.
  2. I-2: General Industrial District. This district is intended to provide for industrial and manufacturing uses that are more intense in nature than those in the light industrial district.
- D. *Special Purpose Districts.*
1. *PUD: Planned Unit Development District.* The PUD district is intended as an alternative to conventional land use regulations. The PUD district combines use, density, design, and Site Improvement Plan considerations into a single process, and substitutes procedural protections for many of the substantive requirements of this Title. Designation of a PUD district shall comply with the procedural requirements of Section 16-2-7 EMC.
  2. *M-O-2: Medical Overlay District.* This overlay district covers a portion of the R-2-B base residential zone district and allows a property the option to develop under R-2-B regulations or under M-2 regulations when it is included as part of a larger adjacent M-2 zoned site with street frontage on Hampden Avenue. Retail use shall be prohibited in the M-O-2 overlay district.
  3. *NPO: Neighborhood Preservation Overlay District.* An overlay district covering a portion of the MU-R-3-B base residential zone district that is intended to preserve the existing character and balance of land uses within a mature residential neighborhood area. Existing multi-unit developments retain rights to redevelop at existing residential density levels and subject to all other MU-R-3-B zone district dimensional standards. Existing single unit homes may only be redeveloped as similar single and two unit developments.
  4. *TSA: Transit Station Area Specific Plan Overlay District.* The TSA Transit Station Area Specific Plan Overlay District is intended to be applied as a regulatory overlay for portions of a commercial base zone district or districts generally located within a half mile radius of a light rail transit station located on the Southwest Light Rail Transit (C and D Line) Corridor connecting to Downtown Denver. The TSA Transit Station Area Specific Plan Overlay District features development standards and guidelines designed to facilitate transit-oriented development (TOD) characterized by high density residential housing, employment, and commercial retail developments.

## 16-5-1: Table of Allowed Uses.

### C. Table of Allowed Uses.

**TABLE 16-5-1.1: TABLE OF ALLOWED USES**

P = PERMITTED USE C = CONDITIONAL USE A = ACCESSORY USE T = TEMPORARY USE L = LIMITED USE

C-A = ACCESSORY USE APPROVED CONDITIONALLY L-A = ACCESSORY USE APPROVED WITH LIMITED USE PROCEDURE







	public/institutional uses category																		
Library	Public									P	P	P	P	P					
Museum/Cultural	All uses						P	P		P	P	P	P	P					
Park and Open Space	Athletic field	C	C	C	C	C	C	C	C					C	P	P			
	Community garden	C	C	C	C	C	C	C	C	C	C			C					
	Park	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			
Religious Assembly	Religious institutions and associated accessory uses	P	P	P	P	P	P	P	P	P	P	L	L	L	L	L			
School	Education institution	P	P	P	P	P	P	P	P	P	P	P	P	C					
Telecommunication Facility <i>(See Chapter 16-7, "Telecommunications," for applicable use-related guidelines and standards)</i>	Alternative tower structure	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			
	Antenna(microwave antenna, sectorized panel antenna, whip antenna)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			
	Tower structure	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	P		
Transportation Facility	RTD maintenance facility													P	P				
	Transit center													P					
Utility Facility(not including Telecommunication Facility)	Major utility facility															P	P	16-5-2.B.1	
	Minor utility facility (as a principal use of land)	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C			
COMMERCIAL USES																			
Adult Use	All types as defined in Chapter 16-11													P		P			16-5-2.C.1
Agricultural Use	Greenhouse/nursery, raising of															P	P		16-5-2.C.2







	Office, type 2 (limited)							P	P	P	P	P	P	P	P	P	P	16-5-2.C.8	
Retail Sales and Service (Personal Service)	Crematorium																C		
	Dry cleaner, drop-off site only										P	P	P	P	P	P			
	Instructional service										P		P	P	P	P			
	Massage therapy								P	P	P	P	P	P	P	P			
	Mortuary										P		P						
	Personal care										P	P	P	P	P	P			
	Service: photography studio and photo lab, upholstery, printer, locksmith, tailor											P	P	P	P	P	P		
	Tattoo and body-piercing establishment																P	P	
	Temporary employment business																	C	C
Retail Sales and Service (Repair and Rental)	Equipment rental												L			P	P		
	Repair shop (not including auto)											P	P	P	P	P	P		
Retail Sales and Service (Sales)	Antique store										P	P	P	P	P	P			
	Art gallery										P	P	P	P	P	P			
	Auction house												P			P	P		
	Buy-back, second-hand, thrift, consignment stores, large											P		P		P	P		
	Buy-back, second-hand, thrift,											P	P	P		P	P		





	Automotive service station (gasoline facility)												L		P	P	16-5-2.C.5
	Car wash, auto detailing												L		L	L	16-5-2.C.6 16-5-2.C.4
	Commercial storage of operable vehicles														P	P	16-5-2.C.3
	Fuel dispensing												L		P	P	
	Parking facility, structure (operable vehicles), principal use						C	C		C	C	L	L	C	P	P	16-5-2.C.3 16-5-2.C.9
	Parking area, surface (operable vehicles), principal use						C	C		C	C	L	L	C	P	P	16-5-2.C.9 16-5-2.C.3
	Recreational vehicles and boats, sales or rental												L		P	P	
Visitor Accommodation	Bed and breakfast									P	P	<u>P</u>		P			
	Hotel									P	P	<u>P</u>	P	P	P		
	Hotel, extended stay									P	P	<u>P</u>			P		
	Short Term Rental	P	P	P	P	P	P	P	P	P	P	P	P				5-31
Wholesale	Sales and distribution														P	P	
<b>MANUFACTURING/INDUSTRIAL USES</b>																	
Industrial Service	Industrial service, light													C	P	P	16-5-2.D.3 (TSA only)
	Industrial service, heavy															P	
Manufacturing, Including Processing, Fabrication, or Assembly	Brewery									C	C	C			P	P	16-5-2.C.14
	Distillery									C	C	C			P	P	16-5-2.C.14









	Wholesale sales and distribution										A	A	A	A					16-5-4.C.6
TEMPORARY USES - See Section 16-5-5 for additional regulations																			
	Car wash	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	
	Expansion or replacement of existing facilities	T	T	T	T	T	T	T	T	T	T	T	T					T	T
	Farmers market										T	T	T	T	T	T			
	Food vendor carts									T	T	T	T	T	T	T			
	Mobile storage (with or without building permit)	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T			
	Real estate sales or leasing office (also model homes)	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T			
	Outdoor sales (e.g., tent sales, parking lot sales, seasonal sales, windshield repair, sales from retail vendor carts, etc.)										T	T	T	T	T	T			
	Special event (e.g., carnival, bazaar, fair)	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T			
	Tents, canopies	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T			
<b>USES NOT MENTIONED</b>		See 16-5-1.B for procedures and criteria for approving unlisted uses, including unlisted accessory and temporary uses.																	

**16-5-2: Use-Specific Standards.**

A. *Residential Uses.*

1. Group Living Facility. All group living facilities shall be subject to the following standards, except that, as noted, some of the standards below apply only to group living facilities approved as conditional uses:
  - a. A group living facility approved as a conditional use shall not be significantly different from adjacent uses in terms of appearance, site design, hours of operation, traffic generation,

noise, odor, dust, and other external impacts or, if the use is different, any adverse impacts resulting from the use will be mitigated to the maximum extent practicable.

- b. No group living facility shall be located closer than:
    - (1) Seven hundred fifty feet (750') from any state-licensed child care facility or any elementary, middle, or high school; or
    - (2) One thousand two hundred fifty feet (1,250') from another group living facility.
    - (3) Measurement of Distance. All distances in this Section shall be measured by following a straight line from the nearest point of the property line of the proposed group living facility to the nearest point of the property line of any existing group living facility, childcare facility or school. Measurements based on one inch (1") to one hundred feet (100') Arapahoe County Assessor maps shall be deemed acceptable for this purpose.
  - c. Twenty-four (24) hour supervision shall be provided by qualified staff.
  - d. Any group living facility whose residents include any individual who has been convicted by any court of more than one (1) misdemeanor or felony involving property damage or personal injury that was committed while he or she was a resident of the group living facility shall be deemed to be a public nuisance, and shall be subject to those enforcement actions and penalties applicable to other public nuisances within the City.
  - e. The operator of each group living facility shall submit to the City a photocopy of a valid and current certificate or license issued by the State of Colorado, if any such certificate or license is required for the operation of the facility. The certificate or license shall be submitted prior to initiating operations and on or before December 31 of each calendar year thereafter.
  - f. A group living facility approved as a conditional use shall be considered abandoned if active and continuous operations are not carried on for a period of twelve (12) consecutive months. The use may be reinstated only after obtaining a new conditional use approval.
  - g. As authorized by 42 U.S.C. 3604(f)(9), no group living facility shall provide housing to any individual whose tenancy would constitute a direct threat to the health or safety of other individuals or whose tenancy would result in substantial physical danger to the property of others.
  - h. A conditional use permit application for a group living facility shall include provisions for automobile access that will prevent traffic hazards and avoid traffic congestion on adjacent public streets and alleys.
  - i. Structures containing a group living facility shall be no taller than the average height of the three (3) principal structures on the same block located closest to the group living structure.
  - j. All group living facilities shall register with the City prior to commencing operation.
2. Live/Work Dwelling. Live/work dwellings are subject to the following standards:
- a. When the live/work dwelling includes a ground floor at street level, the commercial activity shall occur at least in part on the ground floor of the dwelling, and shall be directly accessible from an adjacent public street, public sidewalk, or Transit Station Area plaza.
  - b. Repair, assembly, or fabrication of goods is limited to the use of equipment appropriately scaled and operated to be reasonably compatible with adjoining live/work uses.
  - c. A live/work dwelling shall not be interpreted to be or include a home occupation, and shall not be subject to the limitations on home occupations stated in this Title.
3. Manufactured Home Park.
- a. *Procedure for Development of Manufactured Home Parks.*
    - (1) A Manufactured Home Park Development Plan is required. At the time the application is submitted for the manufactured home park planned development, either for the



expansion of an existing park or for a new park, the applicant shall submit twenty-five (25) copies of a development plan for the proposed park. This plan shall comply with all applicable City codes and with the provisions of this Chapter.

- (2) The procedure for processing the development plan shall be in accordance with the same steps and notice requirements as for a PUD rezoning (Section 16-2-7 EMC); however, where additional information or specific procedure is required herein, those provisions shall prevail.
- b. *Standards for Development of Manufactured Home Parks.*
- (1) **Manufactured Home Park Site Location.**
    - (a) The manufactured home park shall be located on a well-drained site, shall not be within the lines of a 100-year floodplain or flood hazard area, and the site shall be made free from marshes, swamps or other potential breeding places for insects or rodents. The site should not be exposed to undue chronic nuisances such as noise, smoke, fumes, or odors.
    - (b) The topography on the manufactured home park site should be favorable to minimum grading, manufactured home placement, and ease of maintenance. The longitudinal grade for the individual space shall not exceed five percent (5%) and an adequate crown or cross-gradient for surface drainage shall be provided.
  - (2) **Information to Accompany the Manufactured Home Park Development Plan.** A complete development plan for the purpose of obtaining a manufactured home park permit shall be submitted and shall include information and supporting materials as specified by the City Manager or designee.
  - (3) **Minimum Area of Manufactured Home Park.** Eight (8) acres.
  - (4) **Maximum Density.** Eight (8) manufactured home dwelling unit spaces per acre.
  - (5) **Maximum Lot Coverage.** The maximum coverage of the manufactured home lot shall be thirty-five percent (35%) except as provided herein:
    - (a) Where a roof area, such as a carport or outdoor recreation shelter, is open for fifty percent (50%) or more of its perimeter, its lot coverage shall be computed as one-half ( $\frac{1}{2}$ ) the area covered by the roof.
    - (b) Where the lot is adjacent and has access to improved common open space, other than vehicular areas, and not less than twenty feet (20') in width, an additional five percent (5%) of the lot may be occupied.
  - (6) **Minimum Lot Dimensions and Shapes.** Minimum lot widths and areas shall be as required to meet lot coverage and yard, manufactured home and building spacing, and other requirements as set forth herein. So long as these requirements are met, and the resulting layout of the lots is functional and provides for efficient provision of utilities and for convenient pedestrian and vehicular access, lot lines shall not be required to be perpendicular to streets or radial to curves, and lot shapes may take any form, provided, however, that in no case shall any area on the lot more than fifty feet (50') from the manufactured home, nor any portion of the lot less than ten feet (10') in minimum dimension between opposing lot lines, be included in required lot or open space area.
  - (7) **Perimeter Yards.**
    - (a) *Adjoining Public Streets.* Where one (1) or more boundaries of the manufactured home park planned development adjoin public streets, a yard of at least twenty-five feet (25') in depth shall be provided adjacent to such boundary.
    - (b) *Adjoining Alleys.* Where the boundary of a manufactured home park planned development adjoins an alley, a yard of at least ten feet (10') in depth shall be provided adjacent to such boundary.

- (c) *Adjoining a Residential District.* Where a manufactured home park planned development adjoins a residential district (R-1-A, R-1-B, R-1-C, R-2-A, R-2-B, MU-R-3-A, MU-R-3-B) without an intervening street or alley, a yard of at least twenty feet (20') in depth shall be provided adjacent to such boundary.
  - (d) *Adjoining a Business or Industrial District.* Where a manufactured home park planned development adjoins a business or industrial district (MU-B-1, MU-B-2, TSA, I-1, I-2) without an intervening street or alley, a yard of at least twenty feet (20') in depth shall be provided adjacent to such boundary.
  - (e) *Exceptions.* If determined necessary in order to provide protection to residents within a manufactured home park planned development from excessive traffic noise, lights or other adverse influences from outside of the development, a greater depth and/or approved screen planting, walls or fences may be required in a yard. Such determination shall be made by the Commission in conjunction with the consideration of the manufactured home park planned development plan.
  - (f) *Inclusion as Part of Individual Lots and Yards.* Except as otherwise may be specifically provided, the yard may be included in individual lots and used to meet yard or area requirements for the manufactured home thereon, if the yard is appropriately located and improved.
  - (g) *Limitations on Use of Yards Adjoining Residential Districts.* No group parking facilities and no active recreation facilities for common use shall be located in any required yard adjoining lots in a residential district.
- (8) **Livable Open Space on Lots.** Livable open space shall be provided on lots for manufactured homes in an amount equal to not less than ten percent (10%) of the lot area, provided that in no case shall the required livable space be less than three hundred (300) square feet. Such required livable space shall have a minimum dimension of not less than fifteen feet (15'). Such space shall be located for privacy, convenience, and optimum use and shall be walled, fenced or planted to assure reasonable privacy. Within such area, an area suitably surfaced for the placement of garden or lawn furniture shall be provided, which surfaced area shall be not less than one hundred (100) square feet in area with a minimum dimension of ten feet (10'). The surfaced area may be a movable element in order to permit maximum flexibility in providing for a variety of manufactured home widths, floor plans and locations on the lot. This area may be covered with a roof, creating a recreational shelter, subject to limitations on maximum lot coverage. Parking areas and driveways shall not be included in required livable open space.
- (a) *Yards, Open Space Abutting Manufactured Home Units and Spacing of Units.*
    - (1) **Intent.** Yards and other open spaces required herein in relation to the manufactured home dwelling units are intended to perform a variety of functions. Among these are to assure adequate privacy, and to provide usable outdoor living space, a desirable outlook from the principal living room exposure, natural light and ventilation, access to and around the units, off-street parking and spacing between the manufactured home dwellings and between the dwelling unit and other buildings for reducing potential adverse effects of noise, odor, glare or hazards from fire.

It is intended in these regulations to relate requirements to performance of these functions, allowing maximum flexibility in detailed site planning and use in so long as performance standards are met.
    - (2) **Dwelling Unit Exposure and Outlook.** For purposes of relating requirements to function, yards, and other open spaces around the manufactured home dwelling units, distances between dwelling units and other buildings shall be determined by exposures and outlooks from the portions of the dwelling units



involved. Exposures of portions of dwelling units and the minimum open space depth are defined and classified as follows:

*Class A.* Portions of walls containing principal living room exposure to outdoor living area through major windows and/or glassed doors. Prime consideration here is direct view of, and convenient access to, outdoor livable space. In cases where two (2) walls of the dwelling unit provide this type of exposure from the living room, either may be selected as the Class A exposure, and the other shall be considered Class C.

*Class A Exposures.* Minimum open space depth for Class A exposures shall be fifteen feet (15'). The Class A exposure shall be to livable space, required or other, on the lot, and not to parking area or driveway area.

*Class B.* Portions of walls containing the only windows for bedrooms, or principal windows and/or glassed doors for bedrooms, where privacy, moderate outlook, light, and air are principal considerations.

*Class B Exposures.* Minimum open space depth for Class B exposures shall be ten feet (10'). This may include livable open space, and parking and driveway areas on the lot.

*Class C.* Portions of walls containing secondary windows for bedrooms, windows for kitchens, bathrooms, utility rooms, and the like, secondary windows for living rooms, or exterior doors other than entries with Class A orientation, where windows involved do not involve privacy or are so located, shielded, or are of such a nature that necessary privacy is assured, and where light, air, and fire protection are principal considerations.

*Class C Exposures.* Minimum open space depth for Class C exposures shall be eight feet (8'). This may include the same types of open space as for B.

*Class D.* Portions of walls containing no windows, doors, or other openings, but not so constructed or safeguarded as to be suitable for attachment to other dwelling units or principal buildings. Principal concern in such cases is with fire protection.

*Class D Exposures.* Minimum open space depth for Class D exposures shall be five feet (5'). This may include the same types of open space as for B.

*Class E.* Portions of walls containing no windows, doors, or other openings, and so constructed or safeguarded as to provide at least one (1) hour fire protection if it were attached to another manufactured home dwelling unit or to a permitted building.

*Class E Exposures.* No minimum open space depth requirements.

- (9) Distance to Common Areas. Except as provided above, distance from any exposure to a street pavement or to the edge of a common driveway, a common parking area, a common walk, or other common area shall be at least eight feet (8'). For Class A exposure this distance shall be at least fifteen feet (15'). Carports open in a manner which assures compliance with the provisions of subsection (B)(5), "Maximum Lot Coverage," may extend to within four feet (4') of a common sidewalk abutting a street or common parking area, or to within four feet (4') of the street pavement or common parking area if no such sidewalk is involved; but the carport may not be in the required livable space or in any portion of the open space which constitutes a Class A exposure.
- (10) Carports, Individual Recreational Shelters, Storage Facilities in Required Open Space.

- (a) *Carport*. A carport enclosed for fifty percent (50%) or less of its perimeter, and with enclosure of ten percent (10%) or less of the portion of its perimeter opposite any Class B or C exposure, may be located in any portion of the open space on the lot which is not required livable space and does not constitute Class A exposure.
  - (b) *Individual Recreational Shelter*. An individual recreational shelter as described in subsection (B)(8), enclosed for fifty percent (50%) or less of its perimeter in a manner which does not constitute undesirable impediment to view or fire hazard may be located in any livable space on the lot.
  - (c) *Storage Facilities*. Storage facilities may be included as part of the enclosure for carports and recreational structures subject to the limitations set forth above. Independent storage structures containing not more than one hundred (100) cubic feet of storage space may be located in any portion of required open space on the lot, provided that as located and constructed such structures do not constitute undesirable impediments to view or fire hazards.
- (11) Spacing of Manufactured Home Dwelling Units on Abutting Lots. Minimum required distances between manufactured home dwelling units, or additions thereto enclosed for more than fifty percent (50%) of their perimeters, shall be the sum of the required distances for the exposures involved.
- (12) Equivalent Spacing Alternative. As an alternative to providing required open space between units or portions of units as the sum of adjoining open spaces on individual lots, where equivalent spacing can be assured in a form appropriate to the exposures involved by decreasing clearance from the lot line on one lot and increasing clearance from the lot line on the other, this arrangement may be permitted, provided that access for servicing and maintenance of units involved can be assured, and further, provided that minimum open space depth for Class A exposures shall be located on the same lot as the unit. Thus, for example, in a row of lots on which Class A exposures faced Class C exposures, calling for minimum open space depth of fifteen feet (15') on the lots with Class A exposure and eight feet (8') on the lots with Class C, the units could all be moved to the lot line on the Class C exposure side if the minimum depth on the Class A exposure side was increased to twenty-three feet (23').
- (13) Occupancy of Manufactured Homes.
- (a) No manufactured home shall hereafter be occupied unless it is parked in an approved manufactured home park.
  - (b) No manufactured home shall be occupied in a manufactured home park unless the manufactured home is situated within a designated space and on a HUD approved foundation or on a concrete slab of not less than four inches (4") in thickness and no smaller than the outside dimensions of the manufactured home to be accommodated.
  - (c) Jacks, or stabilizers, or precast concrete block with a base not less than sixteen inches (16") by sixteen inches (16") by four inches (4"), must be placed under the frame of the manufactured home to prevent movement on the springs while the home is parked for occupancy.
- (14) Skirting. All manufactured homes shall be permanently sited according to HUD standards or shall be completely enclosed from the floor to the ground with a noncombustible material. Enclosures shall be vented by the installation of two (2) openings not less than one (1) square foot each, located at diagonal corners from each other and covered with a corrosion-resistant screen or grill having openings not less than one-quarter inch ( $\frac{1}{4}$ ") or more than one-half inch ( $\frac{1}{2}$ ") in any dimension. One (1) access door, a minimum of eighteen inches (18") by twenty-four inches (24"), shall be installed in the skirting ahead of the front axle and one behind the rear axle of the manufactured home.



- (15) **Manufactured Home Wind Security.** Each manufactured home in a manufactured home park shall be protected against wind forces by the installation of overhead ties and frame ties anchoring the home securely to the ground, as follows:
- (a) *Required Number and Types of Ties.*
    - (1) Manufactured homes thirty feet (30') to fifty feet (50')—three (3) frame ties per side.
    - (2) Manufactured homes fifty feet (50') to seventy feet (70')—four (4) frame ties per side.
    - (3) Manufactured homes over seventy feet (70')—five (5) frame ties per side.
    - (4) Over-the-home ties as close to each end as possible with straps at stud end and rafter location.
    - (5) Posts for cabanas and awnings must be securely anchored to a concrete patio or equivalent footing.
  - (b) *Anchoring Specifications.*
    - (1) Auger or deadman type anchors, six inches (6") in diameter. Arrowhead type anchors, eight inches (8") in diameter.
    - (2) Auger or arrowhead anchors should be sunk to depth of four feet (4'). "Deadman" type anchors should be sunk to depth of five feet (5').
    - (3) Anchor rod, five-eighths inch ( 5/8 ") diameter with ends welded closed to form an eye. Must be hooked into concrete where used in deadman anchors.
  - (c) *Tie and Connector Specifications.*
    - (1) Ties shall be galvanized steel straps 1¼" x .035" or woven wire, galvanized or stainless steel cable three-eighths inch ( 3/8 ") diameter or one-quarter inch (¼") aircraft cable.
    - (2) Connectors shall be turnbuckles five-eighths inch ( 5/8 ") diameter of drop-forged steel with ends welded or forged closed to form an eye or other tensioning devices of similar strength.
- (16) **Standards for Street System.**
- (a) The street system within the park shall be so designed that access to all lots used for parking manufactured homes shall be from within the park. No lot shall be so laid out or improved as to permit direct access to any public street or highway.
  - (b) Streets leading into the park from public streets and highways shall be paved to a width of at least forty feet (40') for a distance of at least one hundred feet (100') from the public street or highway, and no parking shall be permitted on such streets within twenty-five feet (25') of the public street or highway.
  - (c) Other streets in the park shall be paved to a minimum width (curb to curb) of twenty-eight feet (28') for one-way streets, thirty-eight feet (38') for two-way streets, where parking is permitted. For each side of such streets on which parking is prohibited, minimum width may be reduced by eight feet (8').
  - (d) Curves on all access roads shall have a minimum inside radius of not less than twenty feet (20').
  - (e) Dead-end streets may be used, provided that no such street shall exceed four hundred feet (400') in length, and that such streets shall be provided at the closed end with a turn around of at least a forty-five foot (45') radius at the outside edge of the paving.

- (f) All streets within the park shall be built to City of Englewood construction specifications, and shall include curb and gutter.
  - (g) Signs shall be placed at street intersections within the park designating the manufactured home space numbers located along each street. The letters on such signs shall be a minimum of three inches (3") in height and shall be reflective.
- (17) Parking. In manufactured home parks, not less than two (2) parking spaces shall be provided for each manufactured home space. Parking spaces shall be conveniently located with respect to normal anticipated use by tenants and visitors and in relation to service facilities. Such parking spaces shall be not less than nine feet (9') by twenty feet (20').
- (18) Walkways. Concrete walkways not less than twenty-four inches (24") wide shall be provided from manufactured home spaces to streets, and all other concrete walkways shall be at least thirty inches (30") wide.
- (19) Screening. Adequate protection shall be provided the residents of the park from any undesirable off-site views or any adverse influence from adjoining streets and properties. To this end, the park shall be surrounded by a fence, wall, or planting screen on all sides abutting other private property, or an arterial street or highway. If a fence or wall is used, it shall be at least six feet (6') in height and of solid construction. If vegetation is used in place of a fence or wall, it shall be of a nature that provides equivalent protection to the property and to neighboring property. Notwithstanding other requirements of this provision, no fence, wall or vegetative screening shall be permitted to extend into any required exterior yard at a height or in a manner that materially impedes the visibility of a motorist exiting from the park onto a public street.
- (20) Recreational Area. For children's play and adult recreation, not less than eight percent (8%) of the gross area shall be set aside and appropriately improved, and this area shall not be used for any other purpose. The children's play area shall be so located and protected as to minimize danger from traffic. Recreation areas may include space for a community building and community use facility such as indoor recreation area, swimming pool, or hobby workshop.
- (21) Lighting.
- (a) Street and yard lights shall be provided in such number and intensity as to insure safe movement of vehicles and pedestrians at night.
  - (b) Each service building shall be adequately lighted inside, and shall have outside lights large enough to illuminate the immediate area, which lights shall be placed in such a manner that identifying signs are readable at night.
- (22) Clothes Drying Area Required. Adequate inside drying facilities adjacent to the washing facilities in the service building shall be provided. Umbrella-type drying facilities may be installed in the individual manufactured home space as a part of the basic facilities.
- (23) Fire Protection Requirements.
- (a) All portions of any park shall be within five hundred feet (500') of fire hydrant of size and design conforming to the fire code adopted by the City.
  - (b) Every park shall be equipped at all times with supplementary fire extinguishing equipment in accordance with the fire code adopted by the City.
  - (c) Each park shall have designated fire lanes, the location, dimensions and construction of which shall conform to the fire code adopted by the City.
- (24) Service Building Requirements.
- (a) *Service Building Requirements for Manufactured Home Parks.* Every manufactured home park shall provide adequate sanitary facilities for emergency use in a service



building or buildings. These facilities shall consist of at least one (1) flush type toilet and one (1) lavatory for each sex. Such facilities shall be maintained in a clean and sanitary condition and in working order at all time.

(b) *Additional Service Building Requirements.* Service buildings:

- (1) Shall be located at least fifteen feet (15') from any manufactured home space.
- (2) Shall be of moisture-resistant material on the inside, to permit frequent washing and cleaning and shall be adequately lighted.
- (3) Shall be of permanent construction of one-hour fire rating, complying with City of Englewood Building Codes.
- (4) Shall have adequate heating facilities to maintain a temperature of sixty-eight degrees (68°) Fahrenheit during cold weather, and to supply adequate hot water during peak hour demands.
- (5) Shall have all rooms well ventilated with all openings effectively screened.
- (6) Shall provide separate compartments for each water closet, adequately screening other compartments from view. The toilet and other sanitation facilities for males and females shall be either in separate buildings or shall be separated, if in the same building, by a soundproof wall. The sanitation facilities for males and females shall be distinctly marked to denote the sex for which they are intended.

(25) Water and Sanitary Sewer Service and Plumbing Regulations.

(a) *Water Supply.*

- (1) An accessible, safe, and potable supply of water, with a residual pressure of not less than twenty (20) PSI at each manufactured home site under normal operating conditions, shall be provided in each manufactured home park. Where a public supply of water is available, connection shall be made thereto and its supply shall be used exclusively except a private water supply may be used for irrigation purposes.
- (2) The development of an independent water supply to serve the park shall be made only after express approval has been granted by the City and plans and specifications for the water system have been approved by the City and State Department of Health.

(b) *Public Sewer System Connection Required.* Parks shall be connected to the public sewer system, and such connection shall be approved by the City. All sewage disposal apparatus, including appurtenances thereto, shall be provided, maintained, and operated so as not to create a nuisance or health hazard. The usage of the sewer shall conform to all City ordinances.

(c) *Plumbing Regulations.* All plumbing in the manufactured home park shall comply with state and City of Englewood Plumbing Codes and Regulations.

(26) Electrical Requirements.

(a) *Services.*

- (1) Electrical services in manufactured home parks shall comply with the requirements of the National Electrical Code, the Electrical Code of the State of Colorado, and the Municipal Code of the City of Englewood.
- (2) Electrical distribution systems in manufactured home parks shall be installed underground. Such installation shall be in conformance with the National Electrical Code.

- (3) Manufactured home spaces shall be provided with an approved rain tight power outlet panel with pedestal containing one hundred (100) amps. main disconnect, one 110V 20A GFI receptacle, and one (1) receptacle rated at fifty (50) amps. protected by a fifty (50) amp. circuit breaker. Each pedestal shall be installed within eighteen inches (18") of the manufactured home. The pedestal shall be permanently installed on a poured concrete post or approved metal frame secured in concrete set thirty inches (30") below grade. Bottom of pedestal housing shall have a minimum height of eighteen inches (18") above grade.
- (4) Lighting shall be in accordance with subsection (B)(21), "Lighting".
- (b) *Branch Circuits.* Extension cords shall terminate in a panel inside the manufactured home. Said panel shall be supplied by an approved cord fifty (50) amp, four (4) wire single phase.
- (27) Fuel Storage and Connections.
- (a) Manufactured homes using liquefied petroleum gas for cooking and heating units are subject to inspection for compliance with the State of Colorado law in liquefied petroleum gasses. These units may be converted to use natural gas. For the safety of occupants, it shall be the responsibility of the park owner or operator to ensure that no natural gas units in a manufactured home are connected or used until such gas units are inspected and approved by a gas utility company supplying the service. All rules and regulations of the gas utility company as filed with the Public Utilities Commission shall be adhered to prior to gas service being provided.
- (b) All piping from outside fuel storage tanks or cylinders to heating units in manufactured homes shall conform to applicable state law and applicable Englewood City ordinances. All fuel storage tanks or cylinders shall be securely fastened in place and shall not be located inside or beneath the manufactured home.
- (c) Oil storage shall conform to applicable state law and applicable City ordinances.
- (28) Refuse Disposal. The storage, collection and disposal of refuse in the manufactured home park shall be so managed as not to create health hazards, rodent harborage, insect-breeding areas, accident hazards, or air pollution. All refuse shall be stored in fly-tight, water-tight, rodent-proof containers, which shall be provided in sufficient number and capacity to accommodate all refuse from the park. Satisfactory container racks or holders shall be provided at permanent locations, convenient to the manufactured home spaces, in areas appropriately screened from view, and shall comply with all health regulations. Methods of storage, collection, and disposal are subject to approval by the City Manager or designee.
- (29) Additions to Manufactured Homes.
- (a) No additions shall be built onto or become a part of any manufactured home except:
- (1) Skirting of manufactured homes as set forth in subsection (B)(14).
  - (2) Cabanas, patios, or porches.
  - (3) An attached garage will be permitted if it does not damage the integrity of the manufactured home.
- (b) A building permit shall be required for any addition permitted in subsections (a)(2) or (a)(3) above.
- (30) Storage Space Required.



- (a) Each manufactured home space shall be provided with not less than one hundred (100) cubic feet of storage space. Such storage space may be provided within individual units located on each manufactured home space or in a central building no more than one hundred feet (100') from the manufactured home space for which the storage is provided. All such storage units and buildings shall be of weather resistant materials and one-hour fire resistant construction.
  - (b) No storage shall be permitted underneath any manufactured home.
- (31) Parking of Manufactured Homes.
- (a) No manufactured home shall be parked or permitted to stand upon any public street, highway, road, alley, or other such right-of-way for more than twenty-four (24) hours unless a special permit is obtained from the Police Department of the City.
  - (b) No manufactured home shall be maintained upon any private or public property in the City when the same is used for living purposes unless the property is registered as a manufactured home park. No manufactured home shall be stored within any required front, side, or rear yard as specified by this Title.
  - (c) Where an existing individual manufactured home is parked on a private lot and occupied as a dwelling on the effective date of this Section, it shall be registered with the City within ninety (90) days after the effective date of this Section.
- (32) Building Permit Required.
- (a) No person shall commence the development of land for a manufactured home park, or alter, install or remove any structural improvement in any manufactured home park without first securing a building permit from the Division of Building and Safety authorizing such alterations, installation, or removal.
  - (b) An application for a permit authorizing any structural installation, alteration or removal within an existing park or for the development of land for a manufactured home park shall set forth the following information, insofar as the same is applicable and is known or can be ascertained by the applicant through the exercise of due diligence. The application for a permit to develop land for a manufactured home park shall be accompanied by the approved development plan.
    - (1) A survey by a registered land surveyor showing the location, boundaries, dimensions, and area of the proposed manufactured home park.
    - (2) The number, location, and size of all manufactured home spaces.
    - (3) Names and right-of-way and roadway widths of adjacent streets.
    - (4) Zoning and land use of surrounding property.
    - (5) Proposed routes of access to and egress from the manufactured home park.
    - (6) The location and width of roadways and walkways, recreational areas, and off-street parking areas within the park.
    - (7) The location of service buildings and any other proposed structure, and the location, dimensions and plan for development of the required recreation area.
    - (8) The location, size, and type of water and sewer lines, traps, vents, and risers for water and sewer.
    - (9) Plans and specifications of all buildings and other improvements constructed or to be constructed within the manufactured home park.

- (10) Such other information as may reasonably be required.
  - (c) The permit shall be valid only for the plan submitted with the application and shall not be transferable to any person other than the permittee, nor to any other lot, tract, or parcel of land within the corporate limits of the City of Englewood.
  - (d) The permit shall expire six (6) months after the date of issuance if construction has not begun and is not diligently pursued.
  - (e) All buildings and utilities to be constructed, altered, or repaired in a park shall comply with all applicable codes and engineering specifications of the City of Englewood and State of Colorado, and all applicable permits shall be obtained.
- (33) Certificates of Occupancy.
- (a) It shall be unlawful to permit any person to occupy, maintain, or operate a manufactured home park within the corporate limits of the City of Englewood unless and until a valid certificate of occupancy has been obtained.
  - (b) No certificate of occupancy shall be issued unless and until all of the roadways are constructed within the park and not less than fifty percent (50%) of the park has been completed and is in compliance with the terms of this Title.
- (34) Existing Parks; Certificate of Occupancy.
- (a) The owner or operator of each existing manufactured home park shall be mailed forms on which to apply to the City for a certificate of occupancy. Application shall be, in writing, and shall contain such information as the City may require to determine wherein the park does not conform to all requirements of this Title.
  - (b) The City Manager or designee shall issue a certificate of occupancy to the owner or operator of legally existing parks. The certificate shall list the requirements of the Englewood Municipal Code with which the park does not conform. Nonconformance with health and safety requirements shall be listed separately from nonconformance with other requirements.
  - (c) It shall be unlawful to permit any person to occupy any manufactured home in any manufactured home park within the corporate limits of the City of Englewood until all facilities therefore have been inspected and approved by the Division of Building and Safety and a permit to occupy the unit has been issued.
- (35) Existing Parks; Alteration, Extensions. Any existing park that does not currently meet the requirements of this Section shall not be remodeled, reconstructed, redeveloped, altered, extended, or reduced in size, except in a manner that increases the degree of compliance with this Section.
- (36) Compliance with Regulations. The person to whom a manufactured home park occupancy permit is issued shall at all times operate the park in compliance with this Section and regulations issued hereunder, and shall provide adequate supervision to maintain the park, its facilities and equipment in good repair and in a clean and sanitary condition at all times.
- (37) Annual Inspections Required.
- (a) The City is hereby authorized and directed to inspect each manufactured home park located within the City of Englewood annually in order to determine the degree of compliance or noncompliance with the terms of this Section and to enforce compliance with the provisions of this Section. The inspector shall have the power to enter at a reasonable time, upon reasonable notice, any private or public property for the purpose of inspecting and investigating conditions related to the enforcement of this Section or any regulation that may be promulgated hereunder. The inspector shall make such additional inspections as may be necessary to assure compliance with this Section.



- (b) It shall be unlawful for any person to refuse the inspector access to a manufactured home park for the purposes of inspection.
4. Multi-Unit Dwelling. The conversion of any existing dwelling to two (2) or more dwelling units, if permitted in this Title, must be so carried out that separate kitchen and bath facilities are supplied for each dwelling unit.
  5. One-Unit Dwelling. The conversion of any existing dwelling to two (2) or more dwelling units, if permitted in this Title, must be so carried out that separate kitchen and bath facilities, and separate sewer, water and utilities are supplied for each dwelling unit.
  6. One-unit dwelling in the M-1 and M-2 Zone districts are permitted only as replacement uses for one-unit dwellings that existed on the effective date of this Title.
  7. *Boarding or Rooming House*. Boarding or rooming houses are subject to the following standards:
    - a. The use shall apply for and receive a Conditional Use Permit.
    - b. The use shall be limited to an owner occupied, one-unit dwelling.
    - c. The use shall submit a Site Improvement Plan for review by the City for compliance with all zoning and housing regulations.
    - d. The use shall be non-transferable.
    - e. The use shall have a City Sales Tax License if required.
    - f. The use shall comply with all applicable City Codes.
    - g. The use shall have no more than four (4) boarders per dwelling.
    - h. No signs shall be permitted except as specified in Section 16-6-13(B) EMC — (Incidental Signs Allowed Without Sign Permit).
- C. *Commercial Uses*.
1. Adult Use. An adult use shall be permitted so long as it complies with the following requirements:
    - a. *Distance Limitation*.
      - (1) No adult entertainment or service facility shall be located on any site unless such site is a minimum of one thousand feet (1,000') from the location of another such adult entertainment or service facility, whether inside or outside of the City of Englewood city limits; and
      - (2) No adult use shall be located on a site unless such site is located a minimum of five hundred feet (500') from the boundary line of:
        - (a) Any residential district defined in this Title, including, but not limited to, all "R" districts and the TSA district;
        - (b) A manufactured home park or similar residential zone district in an area adjoining the City of Englewood; or
        - (c) Any religious institution, public park, public library, community center, or educational institution, whether within or without the City of Englewood.
    - b. *Measurement of Distance*. All distances in this Section shall be measured by following a straight line from the nearest point of the property line of the proposed adult use, to the nearest point of the boundary of the residential districts noted above or nearest point of the property line of:
      - (1) Any existing adult use;
      - (2) Manufactured home park;
      - (3) Religious institution;

- (4) Public park;
- (5) Public library;
- (6) Community center; or
- (7) Educational institution.

Measurements based on one inch (1") to one hundred feet (100') Arapahoe County Assessor maps shall be deemed acceptable for this purpose.

- 2. Agricultural Use. Within a special flood hazard area, all uses allowed by the underlying zone district classification shall be permitted provided the use complies with the conditions set forth in Chapter 16-4 EMC — (*Floodplain Regulations*).
- 3. Automotive Sales, Rental; Commercial Storage of Operable Vehicles; Parking Area, Surface (Operable Vehicles); and Parking Facility, Structure (Operable Vehicles).
  - a. *Standards.*
    - (1) *Drainage, Surfacing and Maintenance.* Areas subject to wheeled traffic, whether for parking, sales, or storage, shall be properly graded for drainage, provide on-site detention of storm runoff, and be surfaced with a hard surface, pursuant to 11-3-5 EMC and the storm drainage criteria adopted by the City.
    - (2) *Screening.* An obscuring fence or wall, at least four (4) feet in height, shall be installed along any property line adjacent to a residentially zoned property. Fences may not be required at access points or where a building provides adequate screening.
    - (3) *Marking of Parking Lots, Structures, and Car Sales Lots.* Parking spaces shall be marked and maintained on the pavement, and any other directional markings or signs shall be installed as permitted or required by the City to ensure the approved utilization of space, direction of traffic flow, and general safety. Spaces designed and used for the display or storage of inventory in a sales lot shall not be required to be marked.
    - (4) *Bumper and Curb.* To ensure the proper maintenance and utilization of these facilities, parking areas shall be designed so that a parked vehicle does not overhang the public right-of-way, or public sidewalk. A permanent curb, bumper, or similar device shall be installed that shall be adequate to protect the public right-of-way or public sidewalk from vehicular overhangs and to protect any structure from vehicular damage.
    - (5) *Entrances and Exits.* Areas subject to wheeled traffic shall be provided with entrances and exits so located as to minimize traffic congestion. Vehicular ingress and egress to major or minor arterials from off-street parking shall be so combined, limited, located, designed, and controlled with flared and/or channelized intersections as to direct traffic to and from such public right-of-way conveniently, safely and in a manner which minimizes traffic interference and promotes free traffic flow on the streets without excessive interruption.
    - (6) *Lighting.* All lighting shall be designed and located so as to confine direct rays to the premises. Lighting facilities shall be so arranged that they neither unreasonably disturb occupants of adjacent residential properties nor interfere with traffic. Lighting facilities shall not exceed twenty-five (25) feet in height.
    - (7) *Proximity to Public Right-of-Way.* No equipment at filling stations or public garages for the service of gasoline, oil, air, water, etc., shall be closer to the public right-of-way line than fifteen (15) feet and shall not be located within the required sight triangle.
    - (8) *Restrictions on Use of Parking Area.* No public or required parking area shall be used for the sale, storage, repair, dismantling or servicing of any vehicles, equipment, materials, or supplies. This shall not preclude emergency repairs to a motor vehicle.



- (9) *Back-Out Parking.* Parking areas shall be designed so that vehicles are not permitted to back out of the parking area onto a public street.
  - (10) *Alley Improvements.* Whenever access to the parking lot or loading areas in any business or industrial district is by way of any alley, the developer shall improve such alley access to City specifications.
  - (11) *Lot Frontage.* There shall be a minimum of seventy-five (75) feet of frontage on a major collector or arterial roadway for any use established under 16-5-2(C)(3) EMC. Frontage is based on the most significant adjacent roadway. Frontage on more than one major collector or arterial shall not be combined to meet minimum frontage requirements.
  - (12) *Buildings.* Upon the establishment, development, or commencement of operation of an automotive sales or rental business use; new or existing buildings shall be brought up to the current specific codes adopted by the City, including but not limited to: building, electric, plumbing, mechanical and zoning, or the buildings must be removed prior to operating any use under this paragraph.
  - (13) Parking facilities, (structure) immediately adjacent to Hampden Avenue within the M-1 and M-2 zone districts shall incorporate leasable, ground floor commercial space to a minimum depth of twenty (20) feet along seventy-five percent (75%) of the entire width of Hampden Avenue frontage.
- b. *Implementation Periods for Automotive Sales or Rental Use Specific Standards.*
- (1) If an automotive sales and rental use has not existed since January 1, 1995, on the subject property, all Use Specific Standards of this paragraph 3 shall apply.
  - (2) If the owner of an automotive sales and rental use property documents that an automotive sales and rental use was licensed to operate by the State of Colorado on the subject property after January 1, 1995, but has not been licensed to operate an automotive sales or rental use for the five-year period prior to the date of application for limited use, then the property shall meet all the Use Specific Standards under this Subsection 3 except the requirement to provide seventy-five (75) feet of frontage set forth in 16-5-2(C)(3)(a)(11) EMC.
4. *Automotive Service and Repair, Not Including Body or Fender Work.* Such uses shall not include body or fender work, dismantling, or collision repair, and shall comply with the following standards. Examples of services include muffler repair, tune-ups, oil changes, tire and brake work.
- a. Motor vehicles being serviced or stored while waiting to be serviced or called for shall not be parked on streets, alleys, public sidewalks, or parking strips.
  - b. All work shall be performed within an enclosed structure.
  - c. No materials or parts are deposited or stored on the premises outside of an enclosed structure.
  - d. Any area subject to wheeled traffic or storage shall be screened from adjacent or adjoining residential districts by a closed-face wood fence, or block or brick wall.
5. *Automotive Service Station (Gasoline Facility).* Automotive service stations shall comply with the following conditions:
- a. *Uses Permitted.* An automotive service station shall be a retail place of business engaged in the sale of motor fuels and in supplying goods and services generally required in the operation and maintenance of automotive vehicles. Minor repair work, as permitted at automotive service and repair uses, shall be permitted. Major automotive repair, painting, body, and fender work is prohibited.
  - b. *Exterior Displays and Trash and Storage.* No displays or storage of merchandise, automobiles, parts or refuse shall be located closer than twenty feet (20') from the ultimate

street right-of-way line, and all trash and refuse shall be stored in a building or within an area enclosed by a wall or a solid fence, at least six feet (6') high.

- c. *Lighting.* All lighting shall be designed and located so as to confine direct rays to the premises.
  - d. *Outside Activity.* Outside activities may include the sale of motor fuels. All other activities, particularly auto repair, are prohibited outside of the main building.
  - e. *Screening.* A masonry wall shall be installed and maintained along property lines where the use abuts a residential area. Such wall shall have a total height of not less than six feet (6'), except within any sight distance triangles as designated by the traffic engineer.
  - f. *Landscaping.* Landscaping shall comply with the landscaping requirements of this Title.
6. *Car Wash, Auto Detailing.* Such uses shall comply with the use standards in subsection 16-5-2.C.3a(1)-(10) EMC, above, and with the following standards. In case of any conflict between the standards in subsection C.3, above, and in this Subsection, the most restrictive standard shall apply.
- a. *Parking.* A minimum of two (2) parking spaces, or stacking areas, shall be provided on the site for each washing stall.
  - b. *Paving.* The site shall be paved to the specifications of the City.
  - c. *Wastewater.* All wastewater shall be discharged into the sanitary sewer line after having been run through a sand trap.
  - d. *Lighting.* All lighting shall be designed and located so as to confine direct rays to the premises.
  - e. *Landscaping.* Landscaping shall comply with the landscaping requirements of this Title.
7. *Dependent Care Center (Less than 24-Hour Care, Any Age).*
- a. *Expansion of Dependent Care Center Facilities.* Any dependent care facility that was in existence on the date this Title applied to the property on which the dependent care facility is located, and which by this Title becomes a nonconforming use, may not expand to care for a larger number of dependents than the maximum licensed capacity as authorized by the State of Colorado on the effective date of this Title.
  - b. *Accessory Equipment/Structures.* Accessory equipment/structures shall be located behind the rear building line of the principal structure.
8. Office.
- a. *Office, Type 2 (Limited).*
    - (1) In the MU-R-3-A, MU-R-3-B, and MU-R-3-C districts, this includes administrative and professional offices where the following activities are prohibited:
      - (a) Sale of goods or merchandise;
      - (b) On-site storage of materials or equipment, except incidental to office operation;
      - (c) On-site storage of materials, equipment, or vehicles; and
      - (d) On-site dispatch of personnel or equipment.
- ~~9. *Parking Area, Surface (Operable Vehicles) (TSA District Only).* A surface parking area is allowed as a short-term, interim principal use of vacant parcels in the TSA district, subject to compliance with the following standards:~~
- ~~a. *Location.*
    - (1) Surface parking lots developed or used as a principal use shall be permitted in the TSA district, except within the transit station subarea.~~



~~(2) A surface parking lot developed or used as a principal use shall not be located adjacent to another surface parking lot use developed or used as a principal use.~~

~~(3) A surface parking lot developed or used as a principal use in the district shall be located at least fifty feet (50') away from the intersection of two (2) public streets.~~

~~b. *Parking Surfaces.* All surface parking lots shall not be surfaced with grass.~~

~~c. *Landscaping/Screening.* The perimeter and interior of all surface parking lots along a public street, public plaza, or other public open area or right-of-way, shall be screened and landscaped as stated in the Station Area Standards and Guidelines.~~

~~d. *Allowed As Interim Use Only.* In order to encourage more high-intensity and pedestrian-friendly development in the TSA district, principal commercial parking uses on surface lots shall be considered an interim use only. Accordingly, the City shall attach the following conditions to all conditional use approvals of any principal commercial parking/vehicle storage use in the TSA district:~~

~~(1) Such use shall automatically lapse and expire after three (3) years from the date of the City's approval action, unless otherwise expressly allowed by the City in the terms of conditional use approval, or unless the City approves an extension of time prior to the end of the three-year period.~~

~~(2) If the surface parking lot use is not converted to another permitted principal use within one (1) year after such use expires, the owner shall remove the paved surface and all appurtenant structures, re-vegetate the parcel with grass seed or other landscaping material approved by the City, and maintain such landscaping until such parcel is redeveloped.~~

~~(3) An applicant shall request an extension of the expiration period at least sixty (60) days prior to the end of the original three (3) year (or extended) expiration period. All such requests shall be reviewed according to the procedures for review of a conditional use, as set forth in Section 16-2-12 EMC. The City shall review such request according to the review criteria in Section 16-2-12 EMC, and considering the purpose of the TSA district and the status of existing and planned development activity in the district. The City shall act to either extend the conditional use approval for a specified term of years, but in no case longer than three (3) years, or allow the conditional use approval to expire.~~

9. ~~40.~~ Pawnbroker and Automobile Pawnbroker. Pawnbrokers and automobile pawnbrokers are required to be licensed by Title 5 EMC.

a. *Distance Limitation.* No pawnbroker or automobile pawnbroker use shall be located on any site unless such site is a minimum of five thousand feet (5,000') from the location of another pawnbroker or automobile pawnbroker.

b. *Measurement of Distance.* All distances in this Section shall be measured by following a straight line from the nearest point of the property line of the proposed pawnbroker or automobile pawnbroker use to the nearest point of the property line of any existing pawnbroker or automobile pawnbroker.

Measurements based on one inch (1") to one hundred feet (100') Arapahoe County Assessor maps shall be deemed acceptable for this purpose.

c. *Existing Pawnbrokers and Automobile Pawnbrokers.* Existing pawnbrokers or automobile pawnbrokers licensed and operating on the effective date of this Section shall be granted nonconforming use status and are subject to the nonconforming use regulations of this Title.

d. *Hours of Pawnbrokers.* Pawnbrokers may operate only during the following hours and on the following days:

(1) Eight o'clock (8:00) A.M. to ten o'clock (10:00) P.M., Monday through Saturday.

- e. *Sale and Display of Weapons.* If a pawnbroker sells and displays weapons, all use-specific standards shall comply with all applicable requirements of the Englewood Municipal Code in addition to the following:
- (1) It shall be unlawful for any pawnbroker or secondhand dealer, or any other person engaged in the wholesale or retail sale, rental or exchange of any of the weapons hereinafter named to display or place on exhibition in any show window facing upon any street, any pistol, revolver or other firearm with barrel less than twelve inches (12") in length, or any brass or metal knuckles, or any club loaded with lead or other weights, or any blackjack or billyclub.
  - (2) Every pawnbroker, secondhand dealer, or other person engaged in the sale, rental or exchange of any weapons described in this Section shall keep a record of each such weapon purchased, sold, rented or exchanged at retail. Said record shall be made at the time of the transaction, in a book kept for that purpose, and shall include the name of the person to whom or from whom such weapon is purchased, sold or rented, or with whom exchanged; his age, physical description, occupation, residence and if residing in a city, the street and number where he resides; the make, caliber and finish of the firearm, together with the number or serial letter thereof if any; the date of the purchase, sale, rental or exchange of such weapon; and the name of the employee or other person making such a purchase, sale, rental or exchange. Said record shall be open upon request at all reasonable times to the inspection of any duly authorized police officer of the City.
  - (3) It shall be unlawful for any person to purchase, sell, loan or furnish any gun, pistol or other firearm in which any explosive substance can be used, to any person under the influence of alcohol, or any narcotic drug, stimulant or depressant, or to any person in a condition of agitation or excitability or to any minor under the age of eighteen (18) years.

10. ~~44.~~ *Temporary Employment Business.* Temporary employment businesses, as defined by and which are required to be licensed under Title 5 EMC, shall comply with the following requirements in addition to the provisions of Section 16-2-12 EMC, "Conditional Use Permits."

- a. *Distance Limitations.* No temporary employment business shall be located on a site unless such site is located a minimum of one thousand feet (1,000') from the boundary line of:
  - (1) Any residential zone district defined in this Title, including, but not limited to all "R" districts and the TSA district;
  - (2) Any establishment selling alcohol by the package or drink; or
  - (3) Any public assembly or gathering facility.
- b. *Measurement of Distance.* With respect to the distancing requirements in this subsection between a business premises for which a temporary employment service is proposed and another use, the distance shall be measured by following a straight line from the nearest point of the property line of the business premises of the proposed temporary employment service to the nearest point of a residentially zoned district or the property line of the specific use listed.

Measurements based on one inch (1") to one hundred feet (100') Arapahoe County Assessor maps shall be deemed acceptable for this purpose.

11. ~~42.~~ *Trade or Business School.* Includes schools for training in occupational skills. Enrollment may be open to the public or limited, and such uses may not include dormitories for students and instructors. If dormitories are included, then a conditional use permit approval is required.

12. ~~43.~~ *Medical Marijuana.*

- a. All medical marijuana uses shall comply with State regulations and City of Englewood Licensing requirements.



- b. Facilities in MU-B-1, MU-B-2, and M-2 zone districts: Cultivation and infused product manufacturing uses are allowed only as accessory uses to a principal medical marijuana center provided the square footage of the total operation does not exceed five thousand (5,000) square feet.
- c. Medical marijuana optional premises cultivation operations shall not exceed five thousand (5,000) square feet.

13. 14. *Breweries, Distilleries, Wineries and Vintner's Restaurants.*

- a. Within the M-2, MU-B-1 and MU-B-2 districts, these uses shall be permitted only in conjunction with a restaurant, tavern, retail sales or sales room located on the same premises as the manufacturing of the beverage.
- b. Within the M-2, MU-B-1 and MU-B-2 districts, these uses shall not exceed ten thousand (10,000) square feet of gross floor area.
- c. An on-premises sales room may be a part of the principal use as long as the floor area utilized for the sales room is less than or equal to thirty percent (30%) of the total floor area of the facility or one thousand square feet (1,000), whichever is greater, subject to State and Federal regulations.
- d. These uses may include the sale of food for consumption on the premises, subject to State Liquor Code requirements.
- e. These uses shall be designed and operated in such a manner so as not to create nuisance impacts on surrounding uses.

D. *Manufacturing/Industrial Uses.*

- 1. *Automobile Wrecking/Salvage Yard.* Any automobile wrecking or salvage yard approved under the provisions of this Title shall have a minimum area of one and one-half (1½) acres, and shall comply with the provisions of Chapter 10, Title 5 EMC, as amended, Section 16-6-7 EMC, "Landscaping and Screening," and any other applicable codes or ordinances. An automobile wrecking or salvage yard does not include auto shredding or crushing uses.
- 2. *Hazardous Waste Handling.* Hazardous waste handling, including but not limited to the storage, processing, collection, or warehousing of hazardous waste, shall meet all of the conditions listed below.
  - a. Hazardous waste operations shall conform to all applicable State and Federal requirements necessary for the operation of a hazardous waste facility.
  - b. Hazardous waste operations shall conform to all applicable City regulations.
  - c. Processing of hazardous waste shall be conducted entirely within an enclosed structure. Storage of hazardous waste shall be contained entirely within an enclosed structure or within an approved aboveground storage tank.
  - d. Hazardous waste operations shall be located a minimum of five hundred feet (500') from the boundary line of any residential zone district, residential use, or park.
- 3. *Industrial Service, Light (I-1, TSA Specific Plan Overlay District Only).* Light industrial service is subject to the following standards in addition to the review criteria in Section 6-2-12.E EMC:
  - ~~a.~~ ~~The use is prohibited within the transit station subarea.~~
  - ~~b.~~ a. The use is contained completely in an enclosed building; no outdoor storage or activity is allowed.
  - ~~c.~~ b. The use does not produce any adverse noise, glare, odor, or vibration impacts that are discernable to a reasonable person beyond the property lines of the use.
  - ~~d.~~ c. The building housing the use shall be designed to be compatible in terms of scale, height, mass, and void-to-solid ratios with conventional commercial office design.

3. ~~4.~~ *Manufacturing, Light (I-1, TSA Specific Plan Overlay District Only)*. Light manufacturing is subject to the following standards in addition to the review criteria in Section 16-2-12.E EMC:

- ~~a.~~ ~~The use is prohibited within the transit station subarea.~~
- ~~b.~~ a. The use is contained completely in an enclosed building; no outdoor storage or activity is allowed.
- ~~c.~~ b. The use does not produce any adverse noise, glare, odor, or vibration impacts that are discernable to a reasonable person beyond the property lines of the use.
- ~~d.~~ c. The building housing the use shall be designed to be compatible in terms of scale, height, mass, and void-to-solid ratios with conventional commercial office design.

4. ~~5.~~ *Recycling Operation.*

- a. *General Applicability.*
  - (1) The use includes, but is not limited to, the processing of batteries, construction waste, food waste, glass, metals and/or alloys, papers, plastics and tires. Recycling operation uses do not include automobile shredding or crushing.
  - (2) Buyback centers that do not process recycled materials and store their materials within an enclosed structure or a roll-off container, semi-trailer, or similarly self-contained apparatus shall be exempt from this subsection.
- b. *Use Standards for Permitted By-Right ("P") Recycling Operations.* The processing of all materials shall occur within an enclosed structure. The storage of materials may occur outside of the structure provided said storage is in a roll-off container, semi-trailer, or similarly self-contained apparatus.
- c. *Use Standards for Conditional Use ("C") Recycling Operations.*
  - (1) All recycling operations established after the effective date of these use regulations shall be located on one (1) or more contiguous parcel(s) with a total area of at least one (1) acre.
  - (2) The manufacturing and storage of all processed and unprocessed materials shall be enclosed with a solid, opaque vertical wall or fence with a maximum height of eight feet (8') on the parcel's frontage and twelve feet (12') on the parcel's side and rear boundaries. Fences of woven plastic, wire, or chain link shall be prohibited.
  - (3) The stockpiling of all processed and unprocessed materials shall not exceed the height of the screening wall or fence.
  - (4) No more than seventy-five percent (75%) of the parcel's total area may be utilized for the storage of processed or unprocessed materials.

5. ~~6.~~ *Storage Yard for Vehicles, Equipment, Material, and/or Supplies.* A storage yard for vehicles, equipment, material, and/or supplies shall comply with all of the following conditions:

- a. The site shall not be surfaced with grass. The site shall comply with 11-3-5 EMC regarding storm drainage.
- b. The site shall be maintained in good condition, free of weeds, dust, trash, and debris.
- c. The site shall be screened by a solid fence.
- d. No materials or supplies shall be stored above the level of the screening fence.

E. *Neighborhood Preservation Overlay Uses.*

1. *Prohibited Uses.* The following uses are prohibited:

- a. Hospital.
- b. Clinic.



- c. Laboratory.
  - d. Office, type 1, (general).
  - e. Office, type 2, (limited).
  - f. Parking facility, structure, and principal use.
  - g. Parking area, surface, principal use.
  - h. Conversions as described in Section 16-6-1(C)(2)(b) EMC.
  - i. Multi-unit dwelling, except for two-unit dwellings.
2. *Prohibited Conditional Uses.* The following Conditional Uses are prohibited:
    - a. Group living facility, large/special.
    - b. Small treatment center.
    - c. Boarding or rooming house.
  3. *Limitation on Number of Units for New Multi-unit Residential Developments.* A maximum of two (2) residential units per fifty feet (50') of lot frontage are allowed for new multi-unit residential developments replacing existing single and two unit structures.
  4. Any multi-unit structure or Office Type 2 in existence at the time of the effective date of the ordinance creating this overlay district (insert date) shall be considered a legal conforming use. Should any such structures be destroyed or intentionally be demolished by more than sixty percent (60%) of its value, the structure shall be allowed to be reconstructed with up to a ten percent (10%) increase or the same number of units or less; or the same floor area for Office Type 2 in its previous location on the lot, regardless of whether or not the requirements of the underlying zone district are met, including but not limited to minimum lot area, maximum lot coverage, maximum height, minimum setbacks, parking and landscaping. Maximum lot coverage may be increased to eighty percent (80%).
  5. All other non-conforming uses and/or structures are subject to the non-conforming regulations of the Unified Development Code.

#### **16-5-4: Accessory Uses.**

##### **A. General Provisions.**

1. *Purpose.* This Section authorizes the establishment of accessory uses that are incidental and customarily subordinate to principal uses. The City's intent in adopting this Section is to allow a broad range of accessory uses, so long as such uses are located on the same site as the principal use, and so long as they comply with the performance criteria set forth in this Section in order to reduce potentially adverse impacts on surrounding properties.
2. *Approval of Accessory Uses.* A permitted accessory use may be approved in conjunction with approval of the principal use.
3. *Compliance with Code Requirements.* All accessory uses, shall be subject to the general, dimensional, operational, and use-specific regulations set forth in this Section. In the case of any conflict between the accessory uses and standards of this Section and any other requirement of this Title, the standards of this Section shall control.
4. *General Conditions.* All accessory uses shall comply with the following general conditions:
  - a. Be clearly incidental and customarily found in connection with the principal use; and
  - b. Be conducted and/or located on the same lot as the principal use; and
  - c. Be operated and maintained under the same ownership, or by lessees or concessionaires thereof, and on the same lot as the permitted principal use.

5. *Accessory Structures.* For regulations applicable to accessory structures, see Sections 16-6-1.H and 16-6-1.I EMC.
- B. *General Development and Operational Standards.* The following general standards shall apply to all accessory uses in all zoning districts, unless otherwise specified in this Title:
1. *Time of Establishment.* No accessory use shall be established or allowed on the subject parcel until all required permits and approvals for the principal use or activity have been obtained.
  2. *Temporary Accessory Uses.* Temporary accessory uses shall be governed by the standards and Temporary Use Permit procedures set forth in Sections 16-2-14 and 16-5-5 EMC.
- C. *Accessory Uses Permitted.* Table 16-5-1.1 includes accessory uses and shows in which zoning district a specific accessory use is permitted. If an accessory use is not listed in Table 16-5-1.1, but satisfies all the general standards set forth in subsection 16-5-4.B EMC, the City Manager or designee may allow its establishment according to the procedures and criteria in Section 16-5-1.B EMC, "Unlisted Uses." In addition, all unlisted accessory uses shall be subject to compliance with the general, dimensional, and operational standards set forth in this Section 16-5-4 EMC.
1. *Home Occupation.* Occupations which are secondary to the principal use as a residence may be allowed when conducted in the same dwelling, provided the following standards are met:
    - a. *Districts Allowed.* Home occupations are allowed in the following districts: R-1-A, R-1-B, R-1-C, R-2-A, and R-2-B, MU-R-3-A, MU-R-3-B, MU-R-3-C, M-1, M-2, and MO-2, ~~and~~ TSA. Home occupations may be permitted accessory to principal residential uses located in nonresidential districts (e.g., in a manufactured home park located in an industrial district, in a PUD that allows residential uses, or in any residential dwelling unit otherwise approved by the City) provided the home occupations comply with all requirements of residential district home occupations herein.
      - (1) *Additional Restrictions in the R-1-A District:*
        - (a) Within the R-1-A District, the following additional restrictions shall apply to Home Occupations:
          - (i) Commercial delivery services shall only be allowed between the hours of 7:00 a.m. and 9:00 p.m.
          - (ii) Only one (1) customer shall be allowed to visit at a time.
          - (iii) No exterior signage shall be allowed in the R-1-A District.
      - b. *Where Allowed on Site.* The home occupation shall be operated entirely within the dwelling unit and only by the person or persons maintaining a dwelling unit therein. The home occupation shall not have a separate outside entrance. The home occupation shall not be conducted in a detached accessory structure. A detached accessory structure may be used for incidental storage.
      - c. *Sales.*
        - (1) *On the Premises.* The sale on the premises of items that have been made, grown, or prepared on the premises shall be permitted. The sale on the premises of any item that has not been made, grown, or prepared on the premises shall be prohibited.
        - (2) *Off the Premises.* Sales off the premises of such items as personal or household goods such as those products offered by Avon, Amway, Fuller Brush, Watkins, etc., shall be permitted.
      - d. *Operational Requirements.*
        - (1) No more than one (1) assistant or employee that is not a resident of the principal dwelling unit shall work at the residence/dwelling unit.



- (2) The hours and manner of such uses and the impacts created thereby shall not interfere with the peace, quiet, or dignity of the neighborhood and adjoining properties which creates a nuisance under Title 15 of this Code.
  - (3) Incidental storage shall be allowed for items made on the premises and/or sold off the premises consistent with this Section. All storage shall be indoors, including all materials, equipment, inventory and supplies.
  - (4) The home occupation, including storage of materials, equipment, inventory, and/or supplies, shall not utilize more than fifty percent (50%) of indoor space of the dwelling unit; provided, however, that this does not apply to permitted home care accessory uses.
  - (5) Only one (1) exterior sign, up to a maximum of one (1) square foot in area, shall be allowed. The sign shall be affixed to the building, and shall be unlighted and unanimated. A Sign Permit shall be required.
  - (6) No window displays shall be allowed and no sample commodities shall be displayed outside the dwelling.
- e. *Prohibited Uses.* In no event shall any home occupation include the following business or commercial activities (except for the administrative or clerical functions related to these businesses, such as bookkeeping, marketing, and customer phone calls):
- (1) Animal hospital or kennel, animal daycare, breeders, except licensed canine and feline breeders.
  - (2) Asphalt paving business.
  - (3) Barbers, hairdressers, cosmetologists, beauticians or any activity involving the skin, hair or nails.
  - (4) Body, mechanical repair, or modification of motor vehicles.
  - (5) The sale, storage, manufacture, or assembly of guns, knives or other weapons or ammunition.
  - (6) Dump trucks.
  - (7) Restaurants.
  - (8) Towing business.
  - (9) Processes involving the dispensing, use, or recycling of hazardous or flammable substances and materials.
  - (10) Automotive vehicles sales requiring a state dealer's license.
  - (11) Medical Marijuana Centers.
  - (12) Medical Marijuana-Infused Products Manufacturers.
  - (13) Medical Marijuana Optional Premises Cultivation Operation.
  - (14) Manufacture of wine, distilled spirits, or malt beverages.
  - (15) Landscaping supplies, installation, maintenance or repair.

## 2. *Parking Area.*

- a. *Parking Area, (R-2-B District Only).* When an R-2-B district abuts or is adjacent to a MU-B-2 district, the parking area must be screened from the residential portion of the lot by a six foot (6') opaque fence. Side yard fences must also be provided to screen adjacent property. These fences shall also be six feet (6') in height except that, within ten feet (10') of the rear property line, the fences cannot exceed thirty inches (30") in height or be less than fifty percent (50%) open.

- (1) The parking area shall not have a grass surface.
  - (2) Parking stops or other devices allowing snowfall maintenance must be placed in the parking area to prevent damage to the fence by vehicles.
  - (3) Provisions must be made for the collection of trash as per City ordinance.
  - (4) The minimum width of the parking area shall be fifty feet (50').
- ~~b. *Parking Area, Surface (TSA District Only).* Surface parking areas, noncommercial and accessory to a principal use, are allowed subject to the following additional conditions:~~
- ~~(1) *General.* Such surface parking area shall be maintained as long as the principal permitted use is maintained, or until alternative parking is provided for such principal use.~~
  - ~~(2) *Location.*~~
    - ~~(a) An accessory surface parking area may be located within six hundred feet (600') of the lot containing the principal use, either within the TSA district or within a zone district that permits noncommercial parking lots, subject to a City-approved alternative parking plan and pursuant to the Station Area Standards and Guidelines, as applicable.~~
- ~~b. e. *Remote Parking Areas.* Pursuant to Section 16-6-4 EMC, required parking may be provided as an accessory use within four hundred feet (400') of the principal use, either within the same district or within a district that permits noncommercial parking lots. Such parking lots must be maintained as long as the principal permitted use is maintained, or alternate parking provided. Approval of an alternative parking plan is required (administrative process), pursuant to Section 16-6-4.D EMC. Such lots shall be paved, shall require a building permit, and shall be subject to the landscaping requirements of Section 16-6-7.M EMC.~~
3. *Satellite Dish Antenna.*
    - a. *Small Satellite Dish Antennas.* Satellite dish antennas of one (1) meter or less in diameter are permitted accessory uses in all residential and nonresidential zoning districts. Such dishes shall not be located within the public right-of-way.
    - b. *Large Satellite Dish Antennas.*
      - (1) Satellite dish antennas measuring one (1) meter or more are permitted accessory uses in all zoning districts. Any roof-mounted dishes shall submit an engineer's certificate to the City. Such dishes shall not be located within the public right-of-way.
      - (2) As applied only to large satellite dish antennas accessory to a principal residential use, to the maximum extent feasible, but only where there is no substantial impairment to acceptable signal quality, such antennas shall:
        - (a) Be located in the rear yard of the residential use; and
        - (b) Be screened from view from adjacent public rights-of-way; and
        - (c) Be of a color harmonious with their surroundings. There shall be no advertising in words or pictures, other than the manufacturer's name in small letters.
  4. *Service Unit or Facility.* Service units or facilities shall be allowed as accessory uses in the MU-R-3-B district. Such uses include, but are not limited to, barber or beauty shops, gift shops, coffee shops, and dining facilities for the convenience of the tenants. Such uses shall comply with underlying zone district requirements, including the dimensional requirements set forth in Section 16-6-1 EMC.
  5. *Swimming Pool.* Swimming pools are allowed as accessory uses in all districts. See Title 8 EMC.



6. *Wholesale Sales and Distribution.* Wholesale sales and distribution shall be allowed as an accessory use in MU-B-1 and MU-B-2 districts, provided the principal use maintains an active retail license and is open to the public for retail trade.
7. *Accessory Dwelling Units.*
  - a. *Purpose.* Accessory Dwelling Units (ADUs) are allowed in certain situations to:
    - (1) Provide flexibility for changing family situations;
    - (2) Provide alternative types of living space;
    - (3) Provide a supplemental source of income and assist with housing expenses;
    - (4) Provide opportunities to increase property value;
    - (5) Preserve neighborhood character.
  - b. *Definition.* An Accessory Dwelling Unit (ADU) is a smaller, secondary residential dwelling unit on the same lot as a principal one-unit dwelling. ADUs are independently habitable and provide the basic requirements of living, sleeping, cooking, and sanitation. Two (2) types of ADUs are permitted within the City:
    - (1) *Garden Cottages* are detached residential structures on the same lot as a principal detached one-unit dwelling.
    - (2) *Carriage Houses* are dwelling units above or attached to a detached garage or other permitted detached accessory structure, on the same lot as a principal detached one-unit dwelling.
  - c. *Eligibility.* Garden cottages and carriage houses may be developed on one-unit detached dwelling standard lots. Carriage houses may be developed on one-unit detached dwelling standard lots and one-unit detached small lots. ADUs are not permitted on any property with existing attached dwelling units (duplex, townhouse, etc.).
  - d. *Number.* One (1) Accessory Dwelling Unit (ADU) is permitted per detached one-unit dwelling lot.
  - e. *Creation.* An Accessory Dwelling Unit (ADU) may be created through new construction, or conversion of a qualifying existing house to a garden cottage while simultaneously constructing a new principal dwelling on the site.
  - f. *Approval.* Applications for Accessory Dwelling Units (ADUs) shall meet the following criteria:
    - (1) The applicant must demonstrate the ADU complies with all applicable development and design standards of this Title.
    - (2) The applicant must demonstrate the proposed design complies with applicable building and fire safety codes.
    - (3) Approval of application is dependent on City inspection of existing primary structure. All primary structure deficiencies and code violations documented in the City's pre-ADU permit inspection form must be brought into full compliance with City housing and building code standards for ADU properties.
    - (4) The applicant must provide a signed and notarized deed restriction in a form provided by the City. The deed restriction will be recorded as a legal document with the Arapahoe County Clerk and Recorder, and will serve as a permanent restriction upon the use and occupancy of both the primary structure and the ADU.
    - (5) A temporary moratorium on the approval of applications for ADUs, and any associated building permits, to be located within that portion of the MUR3B zoning district described in Ordinance 26-2012 pertaining to the establishment of a neighborhood preservation overlay zone district, is imposed to provide for additional time to review and determine the specific issues associated with allowing ADUs within Neighborhood Preservation

Overlay Districts. See Section 16-3-1 et seq., referencing restrictions upon Overlay Districts, including the provision that in the event of an express conflict between the standards governing a base district and those governing an overlay district, the standards governing the overlay district shall control. The temporary moratorium shall extend for six (6) months following the effective date of this ordinance.

- g. *Occupancy and Use.* Occupancy and use standards for an Accessory Dwelling Unit (ADU) shall be the same as those applicable to a principal dwelling on the same lot. An ADU shall be considered a separate and distinct dwelling from the principal dwelling on the property for the purposes of defining a "household" as determined by this code. The applicant agrees to provide annual documentation of compliance with the following regulations in order to continue the active rental use of one (1) structure located on the subject property:
- (1) *Occupancy.* An individual holding an ownership interest of fifty percent (50%) in the Principal Dwelling Unit must occupy either the Principal Dwelling Unit or the ADU as their legal permanent address as demonstrated by two (2) forms of proof of residency:
    - A. Vehicle Registration, Motor Vehicle License, or Voter Registration; and
    - B. Credit Card Statement, Mortgage Bill, or Property Tax Statement.
  - (2) *Annual verification of occupancy.* Owner shall verify on an annual basis that the owner continues to occupy either the Principal Dwelling Unit or the ADU as their legal permanent address through the City's Annual Conforming ADU Registered Use Mailing. Until an updated verification is filed with the City, all notices of compliance or violation shall be properly mailed to, or served upon, the owner who signed the verification at the verified legal permanent address.
  - (3) *Legally responsible agent.* If the primary dwelling is owned by a corporation, trust, or other entity, an individual may complete and sign the annual verification described in subsection (g)(2) above, thereby assuming all legal responsibility and liability for the property, and for assuring that all of the property remains in compliance with the City's codes. Additionally both the legal entity and the individual must sign a notarized document providing that the occupant of the property is an individual authorized to bind such entity in real estate matters.
  - (4) *Limitation on rental.* To maintain the nature of a one-unit detached dwelling standard lot the verified occupant (owner or legally responsible agent) may not rent that dwelling unit identified as such individual's permanent residence within the annual verification described in subsection (g)(2) above.
  - (5) Corporation and Corporations and For Profit Business Partnerships are prohibited from constructing accessory dwelling units on corporate or business partnership owned properties. Corporations and business partnerships are prohibited from separately renting a pre-existing accessory dwelling unit structure constructed after 2018 to a separate party as a separate unit from the principal structure.
- h. *Leave of Absence.* Accessory Dwelling Unit (ADU) Owners may apply to the City for an extended Leave of Absence due to the following situations:
- Temporary job assignments.
  - Military deployments.
  - Educational and research sabbaticals.
  - Formal voluntary service for a humanitarian organization.
  - Religious missionary service.
  - Long term hospital, nursing home, and assisted living facility stays due to adverse medical conditions.



- (1) Owner must reside on the subject property for at least one (1) year after construction of the ADU before applying to the City for a Leave of Absence.
  - (2) Owner may apply for a City-approved Leave of Absence of up to one (1) year. Owner must reapply for an additional year, with a maximum absence of two (2) years, dependent on a clean record with no code violations or nuisance or criminal activity. Owners called away on overseas military tours of duty may be granted additional years, dependent on a clean record with no code violations or nuisance or criminal activity.
  - (3) During approved Leave of Absence, owner may rent both the Principal Dwelling Unit and the ADU at the same time.
- i. *Design.* It is intended that the design of Accessory Dwelling Units (ADUs) be compatible with the design and quality of the principal structure on the lot. Elements of design include, but are not limited to, building material (wood siding, brick, stucco, etc.), color, window treatments, roof pitch, etc. Design standards for ADUs are stated in this section. If not addressed in this section, base district zone development standards shall apply.
- (1) *Size.* An ADU shall not exceed six hundred fifty (650) square feet of gross floor area or the size of the principal dwelling, whichever is less. The City Manager or designee may approve Administrative Adjustments as permitted within Section 16-2-17 of this code.
  - (2) *Exterior stairs.* Exterior stairs for access to an upper level accessory suite shall not be located on the side of the accessory structure parallel to the nearest side lot line.
  - (3) *Height.* The maximum height allowed for an ADU shall not exceed twenty-six (26) feet.
  - (4) *Lot coverage.* The lot coverage of an ADU shall be counted toward the maximum allowed lot coverage.
  - (5) *Lot placement.* ADU placement is restricted to the rear thirty-five percent (35%) of the lot.
  - (6) *Setbacks.* ADUs shall meet the minimum setbacks as required by Table 16-6-1.2 "Summary of Dimensional Requirements for Accessory Structures" unless the building or structure complies with setback exemptions available elsewhere in the code.
  - (7) *Bulk Plane.* Bulk Plane regulations in the Section 16-6-1-G of this Title shall apply to ADU structures.
- j. *Parking.* One (1) off-street parking space shall be provided for each Accessory Dwelling Unit (ADU), located within the rear thirty-five percent (35%) of the lot. Existing required off-street parking for the principal dwelling shall be maintained or replaced on-site.
- k. *Impact Fees.* All impact fees applicable to new construction shall also apply to Accessory Dwelling Units (ADUs) created after adoption of this ordinance.
- l. *Utilities.* Accessory Dwelling Units must connect to the water and sewer lines of the principal dwelling, subject to requirements and restrictions of the Englewood Water and Sewer Board.
- m. *No Subdivision Allowed.* An Accessory Dwelling Unit (ADU) shall not be subdivided or sold separately from the principal dwelling unit on a lot, unless all structures and lots meet the required dimensional standards upon completion of the subdivision, including but not limited to minimum lot area, minimum lot width, setbacks, bulk plane and other dimensional standards that may apply. A covenant restricting the future subdivision of the ADU shall be recorded with the Arapahoe County Clerk and Recorder, prior to issuance of a building permit.

## 16-6-1: Dimensional Requirements.

### C. Additional Dimensional and Development Standards.

1. *Multi-Unit Development Standards in R-2-A, R-2-B, MU-R-3-A and MU-R-3-B Districts.*
  - a. *Applicability.* The following standards apply to all multi-unit dwellings constructed or converted after the effective date of this Section.
  - b. Multi-unit dwellings existing on the effective date of this Section and which as of that date are not in compliance with standards established by this Section, shall not be considered nonconforming due solely to the dwelling's noncompliance with the standards of this Section. Such dwellings are "grandfathered," and shall be considered legal, conforming structures for the purposes of sale and development under this Title.
  - c. *Property having rear alley access.*
    - (1) Minimum lot width shall be twenty-five feet (25') per unit except in the MU-R-3-B District the minimum lot width shall be per Table 16-6-1.1 EMC.
    - (2) Driveway access from the public street shall be prohibited, except for:
      - (a) Corner lots where garage, carport or parking pad may be accessed from the side street.
      - (b) Dwellings with four (4) or more units may have one (1) driveway accessing the street.
    - (3) Parking pads within the front yard or front setback shall be prohibited.
  - d. *Property without rear alley access.*
    - (1) Minimum lot width shall be thirty feet (30') per unit; except in the MU-R-3-B District the minimum lot width shall be per Table 16-6-1.1 EMC.
    - (2) Garages, carports and parking pads shall be off-set behind the front building line of each unit by a minimum of five feet (5').
    - (3) Minimum separation between driveways or parking pads of attached units shall be twenty feet (20').
    - (4) Maximum driveway and/or parking pad width within front yard or front setback shall be ten feet (10') per unit.
    - (5) The maximum garage door width on the front facade of the structure shall be 9 feet (9') per unit.
    - (6) A parking pad may be located in the front yard or front setback only when a garage or carport is not provided.
    - (7) An opaque fence or wall shall be provided between driveways or parking pads on adjacent properties.
    - (8) Units that provide attached garages behind the rear building line of the principal structure may reduce the principal structure's rear setback to ten feet (10').
    - (9) It is recognized that because of the wide variety of multi-unit development options, the City Manager or designee may on a case-by-case basis consider minor deviations to d(2) through (7) above, whenever such deviations are more likely to satisfy the intent of this subsection.
2. *MU-R-3-B District.*
  - a. The minimum lot area standards set forth in Table 16-6-1.1 apply to parcels of land containing less than forty-three thousand five hundred sixty (43,560) square feet (one (1) acre). Parcels of land containing forty-three thousand five hundred sixty (43,560) square feet (one (1) acre) or more may be developed at a density of one (1) unit per one thousand eighty-nine (1,089) square feet.

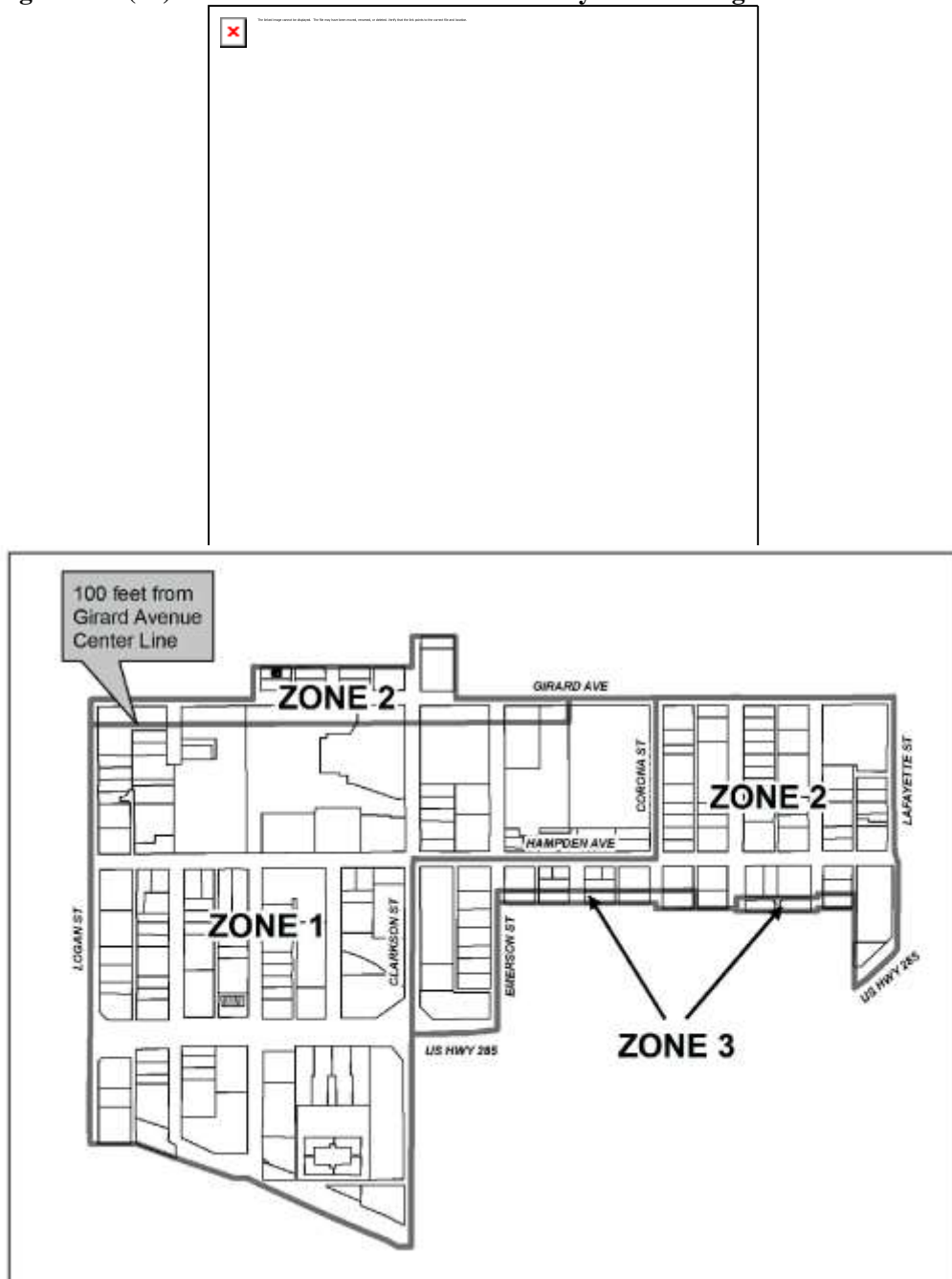


- b. The minimum lot area standards set forth in Table 16-6-1.1 for "office limited" and "all other allowed uses" shall not apply to an existing structure converted to accommodate an allowed nonresidential principal use on a lot having less than twenty-four thousand (24,000) square feet, provided the allowed conversion complies with district residential design standards and required off-street parking and landscaping requirements.
3. *MU-R-3-C District.*
  - a. The maximum office building floor area (as defined in 16-11-2 EMC) is limited to no more than thirty thousand (30,000) square feet.
4. *Residential Use in MU-B-1 (3300, 3400, and 3500 block frontages on South Broadway only) and MU-B-2 Districts.*
  - a. Dwelling units may be incorporated into the same building as the commercial use (not as a stand-alone use)
  - b. The commercial use occupies the majority of the ground floor of the building, and is directly accessible from an adjacent public street or sidewalk.
5. *MU-B-2 District.*
  - a. Relief from front setback requirements set forth in Table 16-6-1.1 may be provided in the situations listed below conditioned on the establishment of a strong development edge along the front property line.
    - (1) Addition to an existing building.
    - (2) Commercial lots with more than two hundred fifty (250) feet of commercial zoning and lot depth.
    - (3) Drive-thru uses.
    - (4) Outside dining.
6. *M-1, M-2, and M-O-2 Districts.*
  - a. *Minimum Lot Size Exemption:*

Lots less than six thousand (6,000) square feet in size in existence on the effective date of this Title are exempt from the minimum lot size requirements.
  - b. *Height Zones.*

Height Zone boundaries are depicted in Figure 16-6(2a).

**Figure 16-6(2a): Medical Zone and Medical Overlay District Height Zone Boundaries**

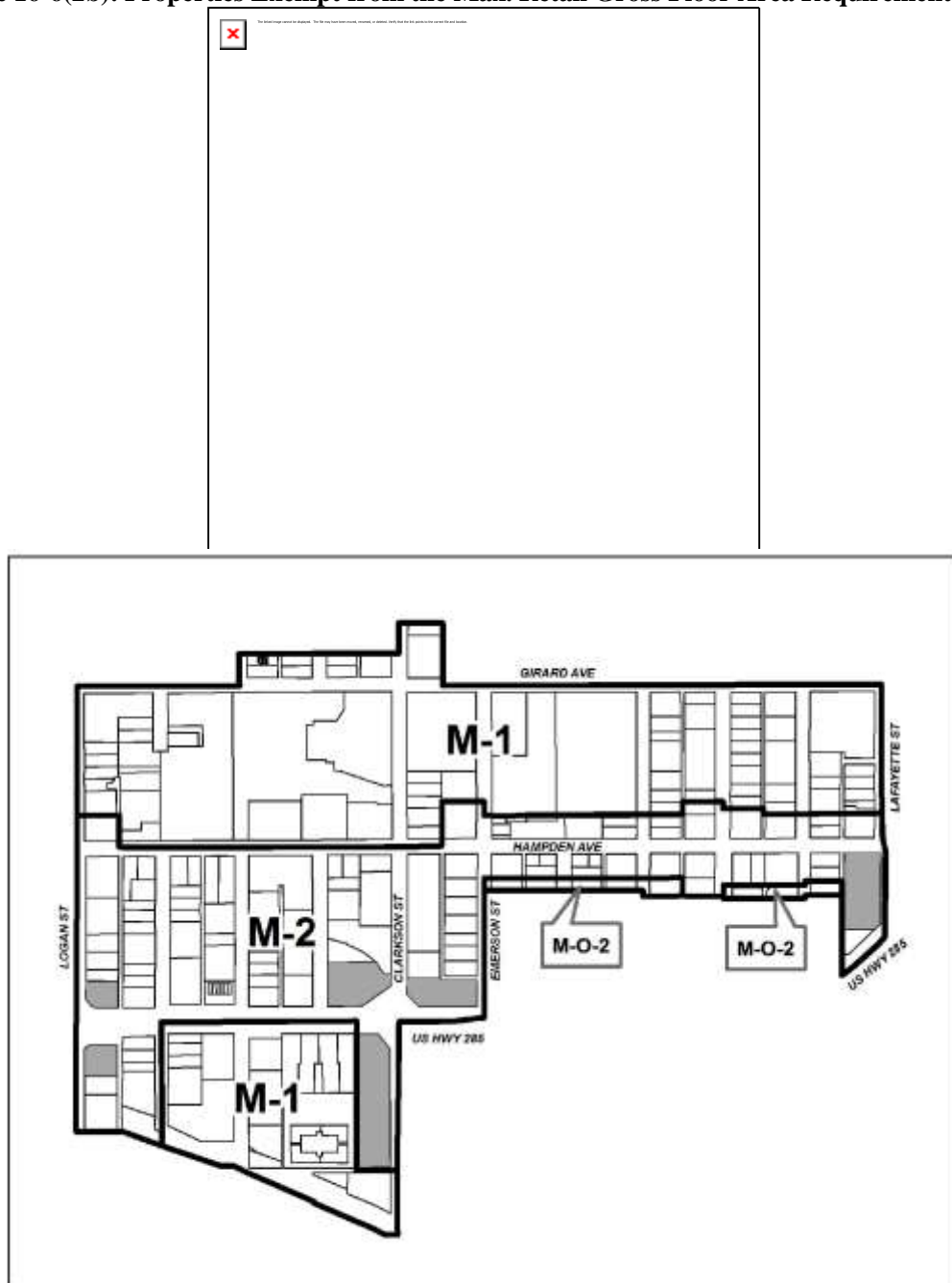


c. *Maximum Retail Gross Floor Area Exemption:*

Properties directly adjacent on two sides to an arterial street and a collector street as classified by the Department of Public Works are exempt from the maximum retail gross floor area restriction.



**Figure 16-6(2b): Properties Exempt from the Max. Retail Gross Floor Area Requirement (Gray)**

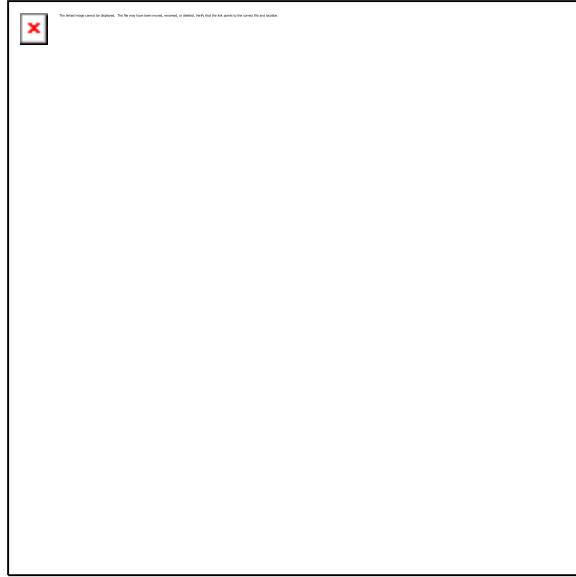


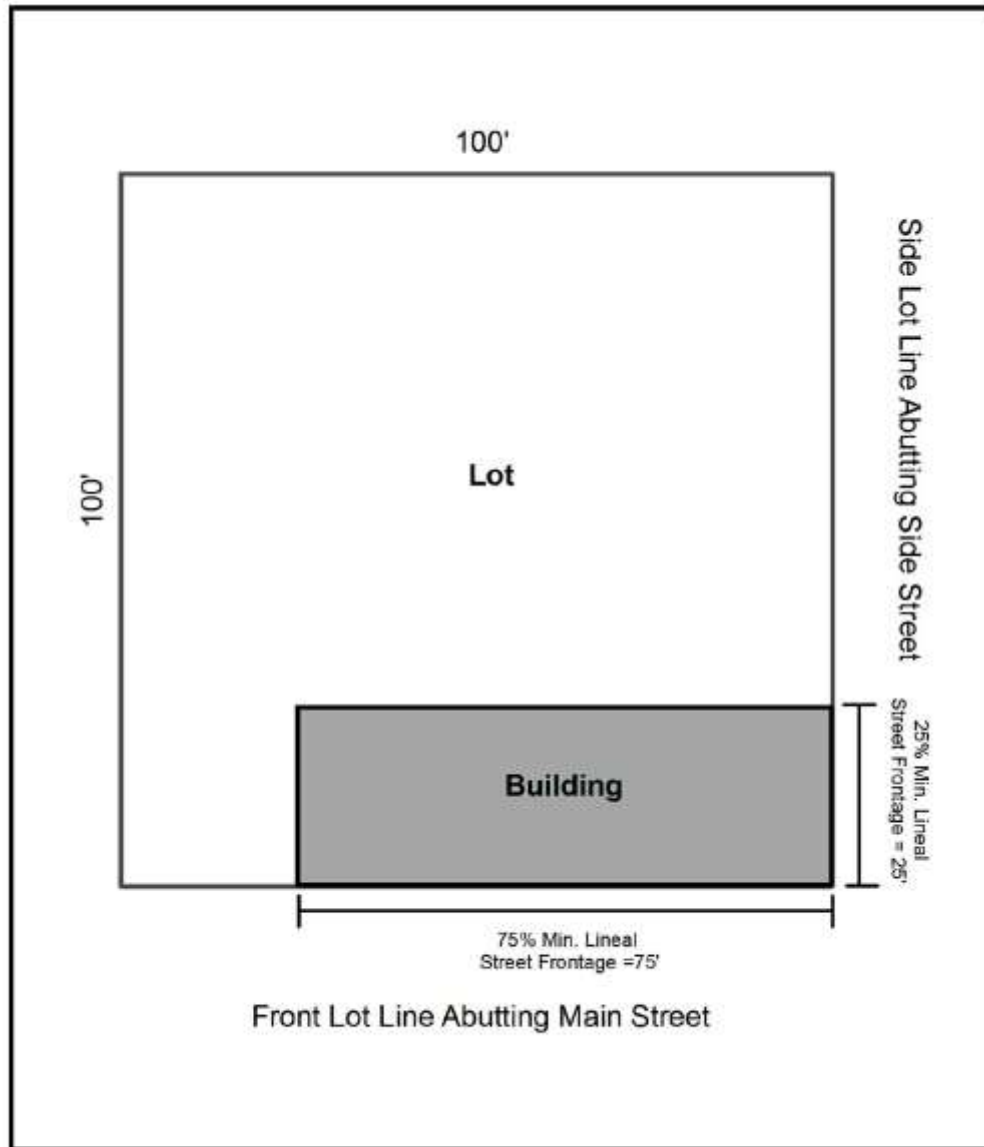
d. *Minimum Lineal Street Frontage:*

1. Building frontages are required to cover a minimum distance of seventy-five percent (75%) of the length of the front lot line, measured adjacent to and parallel with the front lot line.
2. Building frontages are required to cover a minimum distance of twenty-five percent (25%) of the length of the side lot line abutting a street, measured adjacent to and parallel with the side lot line.

**Figure 16-6(2c): Minimum Linear Street Frontage Example:  
100 x 100' Lot**







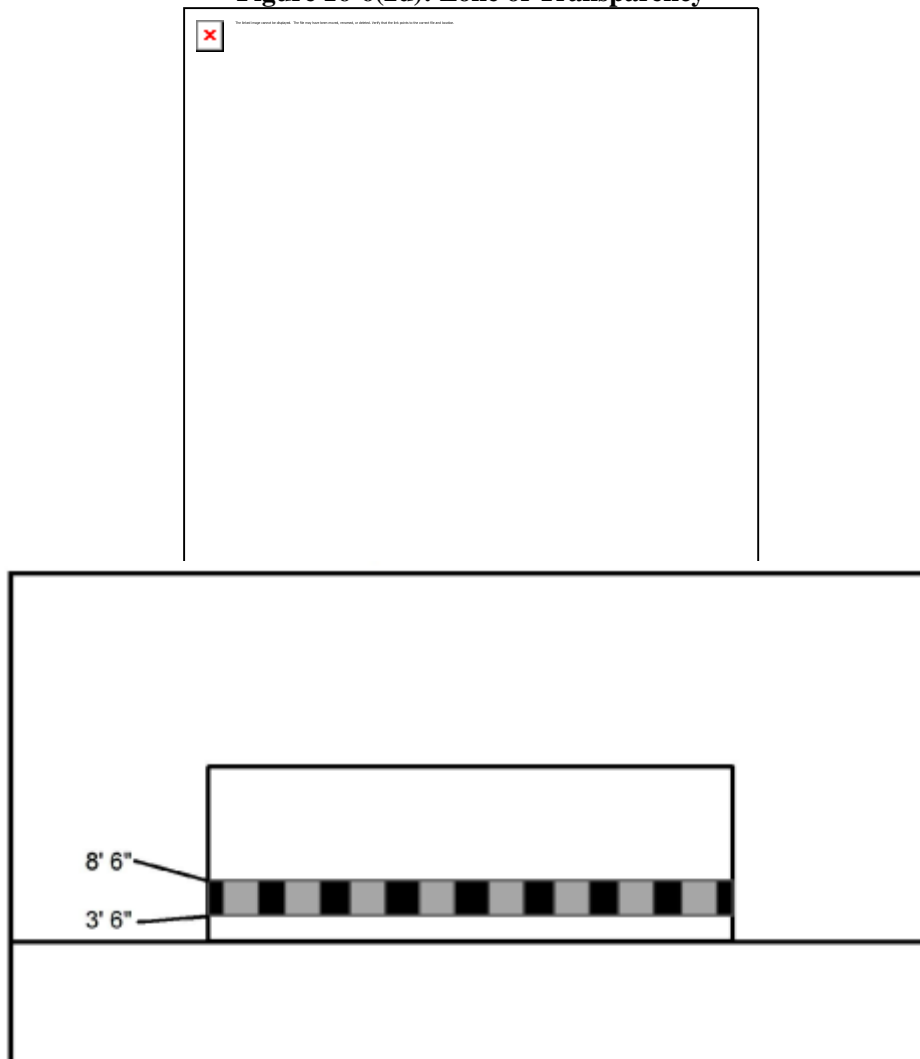
e. *Zone of Transparency:*

New construction and/or additions of ground floor retail space fronting on a public street, shall incorporate transparent glass for a percentage of the lineal street frontage of the first floor. These windows shall be a minimum of five feet (5') high and mounted not more than three feet six inches (3'6") high above the interior floor level for a total height of eight feet six inches (8'6").

1. A sixty percent (60%) minimum building lineal zone of transparency measured adjacent to and parallel with the front lot line is required.
2. A twenty-five percent (25%) minimum building lineal zone of transparency measured adjacent to and parallel with the side lot line fronting a public street is required.



**Figure 16-6(2d): Zone of Transparency**



f. *Required Building Entrances:*

All buildings shall have a primary ground floor entrance fronting a public street.

g. *Setback Requirements:*

1. Minimum side setback may be reduced to zero (0) feet to conform with an adjacent structure's zero (0) foot rear or side setback.
2. Minimum rear setback may be reduced to zero (0) feet for lots less than one hundred feet (100') deep.
3. Open air balconies may extend ten feet (10') into the upper story front setback.
4. Relief from front setback requirements set forth in Table 16-6-1.1 may be provided for outside dining areas on the establishment of a strong development edge along the front property line.

## ~~16-6-14: Development Standards for the TSA District.~~

### ~~A. Applicability and Conflicting Provisions.~~

- ~~1. Applicability. The standards in this Section shall apply to all applications for a rezoning to a TSA district, and to all proposed development within a TSA district.~~
- ~~2. Conflicting Provisions.~~
  - ~~a. If the provisions of this Section are inconsistent with one another, the more restrictive provision shall control.~~
  - ~~b. If the provisions of this Section conflict with provisions found in other parts of this Title or in other codes, ordinances, or regulations adopted by the City of Englewood, the provisions in this Section shall control unless otherwise expressly provided.~~
  - ~~c. If provisions found in other parts of this Title or in other codes, ordinances, or regulations adopted by the City of Englewood do not conflict with this Section's standards, those other provisions shall apply in the TSA district.~~

### ~~B. Related Plans, Standards, and Guidelines.~~

- ~~1. Consistency with the Comprehensive Plan. Development in the TSA district shall be consistent with the Comprehensive Plan and any applicable small area plan.~~
- ~~2. Compliance with Station Area Standards and Guidelines. The regulations in this Section complement detailed design and development standards and guidelines adopted by the City for each light rail station area (the "Station Area Standards and Guidelines"). Applicants for development in the TSA district shall reference these documents and all development in the TSA district shall comply and be consistent with all applicable standards and guidelines therein, which may address, among other things:~~
  - ~~a. Density and dimensional standards;~~
  - ~~b. Streets, blocks, and sidewalks;~~
  - ~~c. Building height, orientation, size, and design;~~
  - ~~d. Parking area design; and~~
  - ~~e. Landscaping; buffers, and screening.~~

~~C. District Location and Minimum Size. Specifications for TSA district location and minimum district size thresholds for rezoning are found in Section 16-2-7.B.3 EMC, "Thresholds for TSA Rezoning."~~

~~D. Prohibited Uses in the TSA District. Drive-in or drive-through uses, either as a principal use or as an accessory use, are prohibited in the TSA district.~~

### ~~E. Mix of Principal Uses Required.~~

- ~~1. Use Categories. For purposes of this subsection, each principal use allowed in the TSA district by Section 16-5-1 EMC, "Table of Allowed Uses," is grouped into one of the following five (5) general use categories:~~
  - ~~a. Residential uses;~~
  - ~~b. Commercial uses (other than limited offices);~~
  - ~~c. Commercial limited office uses;~~
  - ~~d. Light industrial uses; and~~
  - ~~e. Public/institutional/transportation uses.~~

~~2.—Applicability/Plan Requirement. A mix of land uses shall be required on any development site in the TSA district that is three (3) acres in gross land area or larger, and shall be depicted in the application for a Site Improvement Plan Review.~~

~~3.—Required Mix and Proportion of Land Uses.~~

~~a.—The Site Improvement Plan for the site shall include at least two (2) of the five (5) use categories listed in subsection E.1 above.~~

~~b.—No one use category listed in subsection E.1 shall comprise more than ninety percent (90%) of the Site Improvement Plan's net land area. "Net land area" for purposes of this provision means gross land area less dedicated public rights-of-way.~~

~~c.—All residential development provided as part of the required mix shall be provided at the minimum density required in subsection F. below.~~

~~d.—Subsequent Site Improvement Plans may include only one principal use, provided the applicant shall give assurances to the City's satisfaction, including but not limited to restrictive covenants, that subsequent phases of the development will include a mix of uses according to the approved Site Improvement Plan.~~

~~F.—Minimum Residential Density.~~

~~1.—Applicability. The minimum density requirement stated in this subsection shall apply to all new residential development in the TSA district, except for expansions of a nonconforming residential structure allowed by Chapter 16-9 EMC — (Nonconformities).~~

~~2.—Minimum Residential Density. Thirty (30) dwelling units per acre, unless otherwise specified in the applicable Station Area Standards and Guidelines.~~

~~3.—Calculation of Residential Density. Residential density in the TSA district shall be measured as the total number of dwelling units divided by the gross land area of the total development parcel shown in a Site Improvement Plan.~~

~~G.—Requirement for First Floor Active Uses Adjacent to Light Rail Station.~~

~~1.—Applicability. This subsection shall apply to the block frontages immediately adjacent to a RTD light rail passenger loading station (including adjacent public open space such as plazas), which is at least partially intended for development of retail or other commercial uses to serve light rail commuters.~~

~~2.—First Floor Active Uses Required. The first floor of all buildings, except transit station buildings and parking structures, developed within the applicable area described above shall comply with the following standard:~~

~~a.—The first (ground-level) floor shall be constructed to permit future occupancy by any of following principal uses:~~

~~(1) Live/work dwellings, provided the commercial activity in the dwelling is located primarily on the ground floor and the primary entrance to the commercial activity is oriented toward the light rail station or adjacent public plaza/open area.~~

~~(2) Commercial uses, except for parking and/or commercial storage of operable vehicles.~~

~~(3) Public/institutional uses, except for religious assemblies and educational institutions of any type other than trade or business schools for adults that operate on a year-round basis and offer day, evening, and weekend classes.~~

~~b.—While the City encourages immediate occupancy by the active uses listed in subsection (a) above, immediate occupancy of the first floor upon completion of construction may be for any of the principal uses allowed in the TSA district, except parking and/or commercial storage of operable vehicles. The City may condition zoning approval upon the applicant's good faith and best efforts to provide active ground-floor uses consistent with this subsection within a reasonable time period.~~



- ~~3.—Building Code Compliance Required. Typically, in order to meet the standard for active first floor uses in this subsection, first-floor construction will need to satisfy current building and fire code requirements for future occupancy by commercial uses, including eating and drinking establishments. An applicant shall meet with the City prior to submitting an application for Site Improvement Plan or other development planning approval, and again prior to submitting an application for the first building permit, to discuss and assure compliance with this subsection.~~

~~H.—Building Setbacks and Build-To Lines.~~

~~1.—Building Setbacks and Build-To Lines.~~

~~a.—Front Setback—Principal Buildings and Uses.~~

- ~~(1) Minimum Front Setback: Zero feet (0'), except for surface parking facilities. Surface parking facilities shall have a minimum front yard setback of ten feet (10').~~
- ~~(2) Maximum Front Setback—Applicability:~~
- ~~(a) The maximum front setback requirements of this subsection apply only to the lower thirty feet (30') or first two (2) stories, whichever is less, of a principal building, and higher portions of the building may be stepped back further from the lot line.~~
- ~~(b) The maximum setback standard shall not apply to a surface parking facility that is the principal use of a site.~~
- ~~(3) Maximum Front Setback: Fifteen feet (15'), measured from the front property line. To encourage pedestrian-friendly streets, the City encourages principal nonresidential buildings to be set back zero feet (0') from the back edge of the public sidewalk, except as necessary to allow room for outdoor seating and service areas, outdoor sales and displays, landscaping, and similar pedestrian and customer amenities.~~
- ~~(4) Side Setback—Principal Buildings and Uses:~~
- ~~(a) Minimum Side Setback: Zero feet (0'), except that where a side yard is provided from an interior lot line, the minimum shall be five feet (5').~~
- ~~(b) Maximum Side Setback Adjacent to a Street on Corner Lots: Ten feet (10').~~
- ~~(5) Minimum Rear Setback—Principal Buildings and Uses: Zero feet (0').~~

~~I.—Minimum Lot Frontage Requirements.~~

- ~~1.—Applicability and Measurement. These minimum frontage requirements apply to all buildings or structures developed on a single lot in the TSA district. The types of streets listed in this subsection relate to "primary" versus "secondary" streets within the district designated by the City at the time of rezoning.~~
- ~~2.—Minimum Lot Frontage Requirement.~~
- ~~a.—Lots Fronting on a "Primary Street".~~
- ~~(1) Except for lots occupied by an interim surface parking principal use, building wall shall occupy a minimum of seventy-five percent (75%) of the lot frontage. Such building wall shall be located no further from the front property line than the maximum front setback allowed. The building wall may be part of a principal building or an accessory building.~~
- ~~(2) The remaining twenty-five percent (25%) of each lot frontage may be occupied by any combination of building wall, decorative/screening wall or fence no higher than three feet (3'), a solid hedge, landscaped entryway signage or features, pedestrian amenities such as a public plaza or park, or breaks for necessary pedestrian and vehicle access ways.~~
- ~~b.—Lots Fronting on All Other (Secondary) Streets.~~

- ~~(1) Except for lots occupied by an interim surface parking principal use, building walls shall occupy a minimum of fifty-five percent (55%) of the lot frontage. Such building wall shall be located no further from the front property line than the maximum front setback allowed. The building wall may be part of a principal building or an accessory building.~~
  - ~~(2) The remaining forty-five percent (45%) of each lot frontage may be occupied by any combination of building wall, decorative/screening wall or fence no higher than three feet (3'), a solid hedge, landscaped entryway signage or features, pedestrian amenities such as a public plaza or park, or breaks for necessary pedestrian and vehicle access ways.~~
- ~~e. Lots Containing Surface Parking Facilities as a Principal Use. One hundred percent (100%) of the lot frontage shall be occupied by any combination of building wall, decorative/screening wall, or fence no higher than two and one-half (2½) feet, a solid hedge, landscaped entryway signage or features, pedestrian amenities such as a public plaza or park, or breaks for necessary pedestrian or vehicle access ways.~~

## **ENGLEWOOD TRANSIT STATION AREA SPECIFIC PLAN**

### **City Council**

Linda Olson, District II, Mayor  
Othoniel Sierra, District I, Mayor Pro Tem  
Joe Anderson, District III  
Dave Cuesta, District IV  
Rita Russell, At Large  
Steve Ward, At Large  
Cheryl Wink, At Large

### **Planning and Zoning Commission**

Michele Austin, Chair  
Judy Browne, Vice Chair  
Carl Adams  
Noel Atkins  
Meg Donaldson  
Kate Fuller  
Colin Haggerty  
Diane Lipovsky  
Cate Townley

### **City Staff**

J. Shawn Lewis, City Manager  
Tim Dodd, Assistant to the City Manager  
Tamara Niles, City Attorney  
Dugan Comer, Deputy City Attorney  
Brad Power, Community Development Director  
Dan Poremba, Chief Redevelopment Officer  
Wade Burkholder, Planning Manager  
John Voboril, Long Range Senior Planner





## 1.1: INTRODUCTION

In 1968, the Cinderella City Mall opened for business in the City of Englewood, Colorado (a first ring suburb of the Denver Metropolitan Area), at the northeast corner of the intersection of US Highways 285 (W Hampden Avenue) and US Highway 85 (S Santa Fe Drive). The Cinderella City Mall was at the time the largest indoor mall located west of Mississippi River, and would serve as a primary cultural identifier for the Englewood community. However, as time passed, and waves of development spread further south beyond Englewood's sphere of influence, regional mall competitors such as Southglenn, and Southwest Plaza, eroded the competitive position of the Cinderella City Mall in the market place. Sales tax receipts began to decline in the late 1980's and by the late 1990's, the mall had lost most of its major tenant anchors.

The City of Englewood gained control of the mall property and began to plan for the site's future by embracing the new Southwest Light Rail Transit extension along South Santa Fe Drive. The resulting development, constructed in 2001, was known as CityCenter Englewood. CityCenter Englewood represented the Denver region's first transit-oriented development. The CityCenter development included a new Englewood Civic Center and library within a repurposed department store building, a 438-unit multi-unit residential development, a town center piazza and small-scale retail street, a collection of big box retailers, and a park-n-Ride facility to serve light rail patrons.

At the twenty-year mark for the CityCenter Englewood development, it is evident that some features of the development have been less successful than others. The multi-unit residential apartments have been relatively successful with a high occupancy rate, and Walmart remains the greater community's preeminent shopping destination. At the same time, there have been concerns about the operational costs of occupying and maintaining a relatively large government presence within an aging former department store building. The existing piazza retail space has not lived up to the original vision of lively, active commercial space. Finally, the smaller big box retail properties, due to changes in the nature of the retail market, were recently unable to support the original development financing, which led to the foreclosure of these buildings. It is now clear that there is a strong impetus for the City to reinvent CityCenter. The reinvention of CityCenter requires the reinforcement of the transit-oriented development principles through an increased residential population, and intensification of employment and local neighborhood-serving retail.

## **1.2: PURPOSE AND SCOPE**

The Englewood Transit Station Area (TSA) Specific Plan regulates and guides new development within the Plan area. The Englewood TSA Specific Plan establishes the intended design character and regulations that implement the City's vision for a transit-oriented district positioned between the Englewood Light Rail Transit Station and the historic South Broadway Main Street corridor. The Englewood TSA Specific Plan establishes a series of policy and design principles, standards, and guidelines that will serve as a roadmap to inform the development of design concepts that effectively achieve the City's vision for a transit-oriented development district adjacent to Englewood Station.

## **1.3: PLAN ADMINISTRATION**

The Englewood TSA Specific Plan is a regulatory document that establishes and defines the Englewood TSA Specific Plan Overlay District. Development in the Plan overlay district area must comply with the policy design principles, standards, and guidelines of this Plan. The City Manager or designee shall have the discretion to determine whether alternative interpretations of these regulatory elements shall be permitted or will require a request for a variance.

## **1.4: PROJECT LOCATION AND CONTEXT**

The Englewood TSA Specific Plan Overlay area includes a significant portion of the CityCenter and South Broadway sub-districts of the Englewood Downtown Development Authority area, extending roughly one-half mile from the Englewood Station platform. Englewood Station is located on the Southwest Light Rail Transit line connecting the southwest suburbs of Denver with the major employment center of Downtown Denver. The Englewood Station platform is located at the intersection of US Highway 85 (S Santa Fe Drive) and US Highway 285 (W Hampden Avenue). US Highway 285 serves as the principal arterial for the south side of the Denver Metropolitan Area, in the form of a limited access freeway to the southwestern suburbs and the Rocky Mountains, and connecting eastward to the Denver Technological Center, a preeminent regional employment center.

The Englewood TSA Specific Plan Overlay District area includes the entirety of the CityCenter site, as well as similar supporting properties to the east, forming a continuous land area stretching west-east from the Englewood Station platform to the edge of the historic South Broadway Main Street corridor. The northern boundary of the site generally lies along West Floyd Avenue, while the southern boundary is formed by US Highway 285 (West Hampden Avenue).

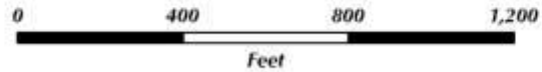




Figure 1-1: Englewood Transit Station Area (TSA) Overlay District Boundary

**Legend**

 Englewood TSA Overlay Boundary	 Original CityCenter Development Boundary
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## 1.5: SPECIFIC PLAN VISION

The vision for the Englewood TSA Specific Plan begins with Englewood Forward: The 2016 Englewood Comprehensive Plan. The vision outlined in the comprehensive plan is complemented by the vision laid out in the recently completed Englewood Downtown Matters Plan of Development.

### **Englewood Forward: The 2016 Comprehensive Plan**

The following strategies are laid out in the Englewood Station/CityCenter neighborhood assessment.

#### Off Broadway Corridor:

- Encourage more housing in and around Downtown and Englewood CityCenter by creating a minimum height and density. A greater critical mass of residents — including households that are not in family raising years – can support more retail and entertainment businesses and their presence contributes to lively street level activity.
- Develop a financing district such as a Downtown Development Authority; combination of TIF capability and mill levy without blight or eminent domain is ideal.

#### Englewood Station/CityCenter Area:

- Strengthen the retail “street at CityCenter by improving visual access from both Hampden Avenue and Englewood Station and adding additional supportive uses. Particularly pursue technology, entertainment, health, and pet related retailers that are expanding and highly desirable to Englewood’s demographic groups.
- Create a Master Plan for Englewood CityCenter and Downtown that looks to reconfigure vehicle access to transit & parking to increase user’s exposure to retail and enhance the streetscape.
- Attract a retail anchor with appropriate incentives that counterbalances the Historic Downtown.
- If City functions and offices are relocated, strive to place them in a more central position between CityCenter and Downtown, reinforcing the link between the two.

## **Downtown Development Authority: Downtown Matters Plan of Development**

Both the 2015 *Englewood Light Rail Corridor Next Step Study* and *Englewood Forward: The 2016 Englewood Comprehensive Plan* contained recommendations for the creation of a Downtown Development Authority for the purpose of planning and funding public improvements, programming, maintenance, and marketing activities for an area that included CityCenter, South Broadway, and Medical Districts. The 2020 Englewood Light Rail Corridor Next Step Study focused primarily on a public planning process and corresponding plan of development that led to a formal ballot proposal for the creation of the Downtown Development Authority District. The planning process and plan of development were branded as Downtown Matters.

The following strategies are described for the CityCenter Sub-area in the Downtown Matters Plan of Development.

### Economy and Jobs Considerations

- Attract a hotel for business visitors, hospital patrons and community members.
- Attract more multifamily residential homes near transit.
- Attract anchor employers to existing and new office space, leveraging CityCenter’s walkability and transit access as key amenities.
- Strengthen the retail “street” in CityCenter (Englewood Parkway) by improving visual access from the transit station, adding additional supportive uses, and using placemaking as an economic development tool.

### Public Space Enhancements and Placemaking

- Leverage DDA resources and collaborate with adjacent property owners to enhance and beautify the pedestrian experience along Englewood Parkway to encourage future, high-quality redevelopment and create a straight and visually accessible vehicular and primary pedestrian route between South Broadway and Englewood Station.
- Work with developers and the City to enhance and improve the piazza at Englewood Station.
- Create a high-quality and intuitive greenway link between the two existing sections of Little Dry Creek, through various place enhancing projects such as trail connections, linear parks, civic gathering places or “green streets.”
- Create a dedicated trail connection between the existing Dry Creek Park to the South Platte River trail connection point.
- Work with CDOT to improve the walkability, accessibility, and appearance of the Hwy 285 sidewalk edge.



### Mobility and Transportation

- Encourage the highest intensity of residential development on sites nearest Englewood Station.
- Protect and maximize views to the Rocky Mountain front range with building forms. Focus retail uses along Englewood Parkway and near Englewood Station.
- Utilize best practices of urban design to preserve views to Englewood Station and maximize a quality pedestrian environment.
- Create a visible connection between the commercial district and the Englewood light rail station.
- Enhance Englewood Parkway with dedicated pedestrian, bicycle, and greenway improvements.
- Implement managed curb lanes or other measures of right-of-way flexibility along Englewood Parkway to support mobility options relevant to future development conditions and densities.

### Land Use

- Encourage the highest intensity of residential development on sites nearest Englewood Station.
- Protect and maximize views to the Rocky Mountain front range with building forms.
- Focus retail uses along Englewood Parkway and near Englewood Station.
- Utilize best practices of urban design to preserve views to Englewood Station and maximize a quality pedestrian environment on all streets.

## **CHAPTER 2: REGULATING PLAN**

### **2.1: Regulating Plan Intent**

This chapter sets forth the overall development framework and use of land within the Specific Plan area. The regulating plan establishes the future street network, development blocks, and generalized land uses. In keeping with the vision of a vibrant, mixed-use, urban, and transit-oriented district, the regulating plan provides a large degree of flexibility. The regulating plan also establishes development intensity standards that are commensurate with immediate access to robust mass transit.

#### Principles

1. Establish a vibrant, mixed-use transit station area overlay district that acts as a community and regional destination.
2. Foster a synergistic mix of land uses that includes commercial, residential, employment and civic uses.
3. Encourage land uses to be vertically mixed to provide a range of activities and a diverse population.
4. Reinforce activity in key areas with active ground floor retail or office uses.
5. Encourage restaurants to provide outdoor dining along public plazas and greenspaces.
6. Provide neighborhood retail and services that meet the everyday needs of downtown's residents and workers and reduce car dependence.
7. Foster a diverse commercial environment that supports a range of affordability and businesses.
8. Provide a diversity of housing types and affordability. It is an important City Council objective that meaningful affordable housing opportunities be negotiated and implemented in future development approvals.

## **2.2: Land Use and Framework Plan**

The Englewood TSA Specific Plan establishes an overall framework for public ways and private uses within the Englewood TSA Overlay District. Figure 2-1: Land Use and Framework Plan delineates public ways and development blocks for public and private use. The public ways are based on a street network that establishes a fine grain street and block system to emphasize circulation for all modes of travel through the transit station area overlay district. The development blocks are sized to not only promote this ease of circulation but to also accommodate a wide variety of land uses and associated building types.

The Plan Framework is designed to integrate existing uses and parcels into the downtown street network and block system. Future street connections and development blocks shall follow the rights-of-way and block system established in this Plan as redevelopment of existing uses occurs and allows for completion of the street network.

### **2.2.1: Permitted Land Uses**

Development blocks shown in Figure 2-1: Land Use and Framework Plan have been assigned generalized land use designations. Individual land use categories are regulated by the Unified Development Code Table of Allowed Uses under the MU-B-1 zone district.

### **2.2.2: Activated First Floor Frontage Requirements**

The Englewood TSA Overlay District is envisioned as having a highly active public realm with city streets that are designed for substantial pedestrian activity. In order to support this vision, it is imperative that ground-floor uses in certain District areas provide spaces that activate and engage residents and visitors alike. The Plan identifies ground-floor frontages on which activated uses are required. The Plan also identifies locations where such activated frontages are strongly encouraged.

Ground-floor activated spaces shall be provided along street frontages where indicated in Figure 2-1: Land Use and Framework Plan. Where indicated, ground-floor activated spaces are strongly encouraged. Activated spaces shall have a minimum width of 25 feet and a minimum depth of 50 feet measured perpendicular to the property line from the exterior face of the building facing the street.





Figure 2-1: Land Use and Framework Plan

**Legend**

Multi-unit Residential	Commercial Mix	Required Activated First Floor Frontages
Multi-Unit Residential-Commercial Mix	Green Space	Encouraged Activated First Floor Frontages



### **2.3: Development Intensity Standards and Guidelines**

Development intensity regulations have been developed to establish appropriate transit-oriented development standards that meet the City's expectations regarding the level of acceptable development intensity. Varying development intensity standards have been established for areas within the quarter to one half mile radius of the Englewood LRT Station platform, and for areas within the quarter mile radius of the Englewood LRT Station platform. Boundaries of the quarter mile and half mile station areas are depicted in Figure 2-3: Transit Station Area Quarter Mile and Half Mile Zones.

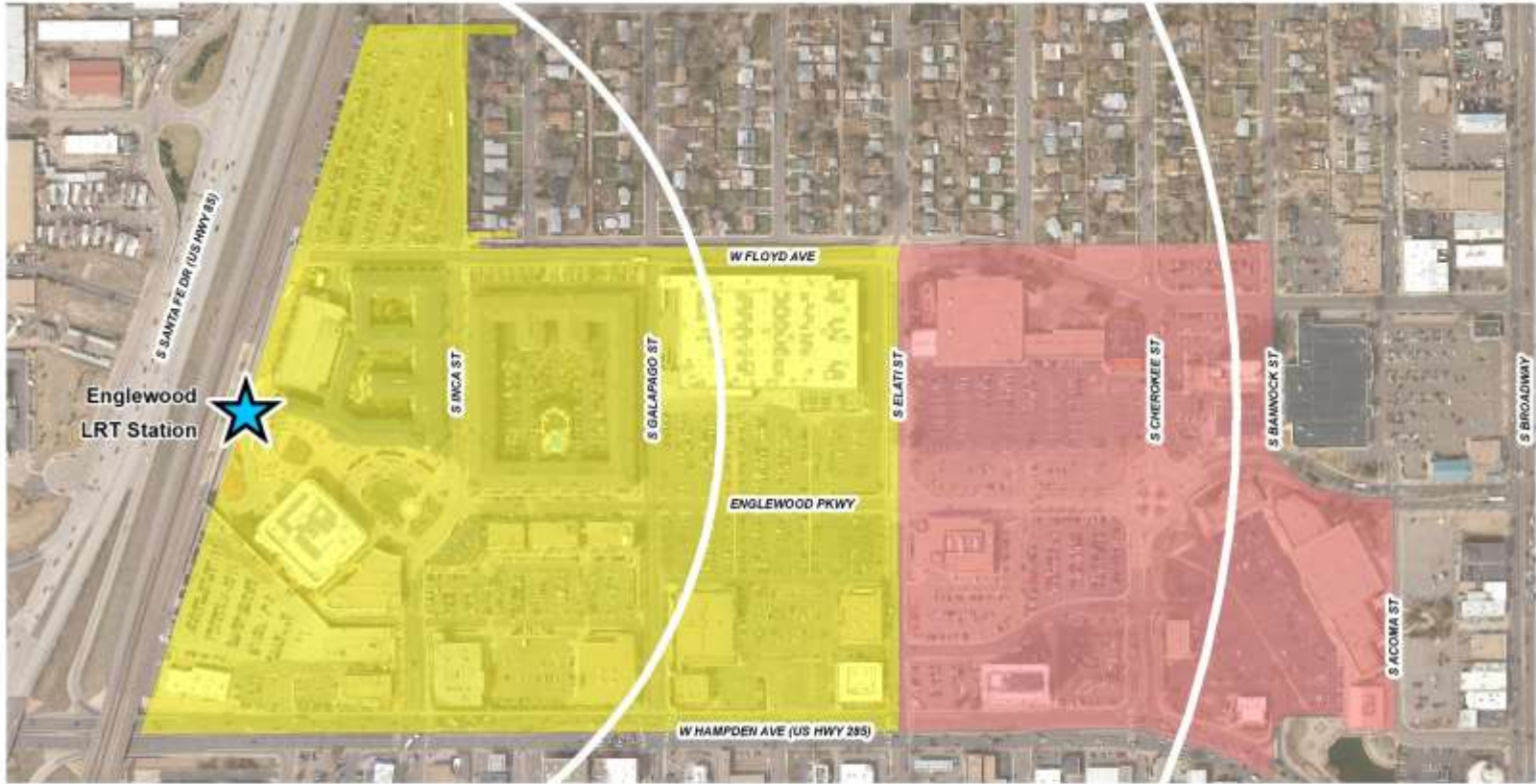
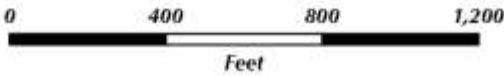


Figure 2-2: Transit Station Area Quarter Mile and Half Mile Zones





**Table 2-1: Development Intensity Regulations**

<b>PARAMETER</b>	<b>AUTOMOBILE DEPENDENT STANDARD</b>	<b>HALF MILE ZONE</b>	<b>QUARTER MILE ZONE</b>	<b>QUARTER MILE ADJUSTMENTS</b>	<b>REGULATION TYPE</b>
Residential Density - Maximum	Typically 50-70 Units/Acre	125 Units/Acre	125 Units/Acre*	May be negotiated higher through site plan approval process	Standard by Right
Residential Density - Minimum	None	75 Units/Acre	75 Units/Acre		Standard by Right
Building Height - Maximum	100 Feet	125 Feet	125 Feet*	May be negotiated higher through site plan approval process	Standard by Right
Building Height - Minimum	None	2 Stories	2 Stories		Standard by Right
Residential Parking - Market Rate	1.5 Spaces/Unit	1.0 Spaces/Unit	.75 Spaces/Unit	May be negotiated lower through site plan approval process	Standard by Right
Residential Parking - Income Restricted	1.5 Spaces/Unit	.75 Spaces/Unit	.5 Spaces/Unit	May be negotiated lower through site plan approval process	Standard by Right
Hotel Parking	1.0 Spaces/Room	Up to 25% reduction	Up to 50% reduction		Guideline for Negotiation
Office/Retail Parking	3.33 Spaces/1,000 SF	Up to 25% reduction	Up to 50% reduction		Guideline for Negotiation
Restaurant Parking	5 Spaces/1,000 SF	Up to 25% reduction	Up to 50% reduction		Guideline for Negotiation

## 2.4: Lot Standards

Division of platted blocks is anticipated as the Englewood TSA Specific Plan area develops. Subdivision of blocks into smaller lots is encouraged to create variation in development scale and building form. All lots created shall front onto a public street with a minimum lot frontage of 25 feet and minimum lot depth of 100 feet. Development comprising liner buildings of a parking structure or anchor building may be excluded from the minimum lot depth.

## 2.5: Setbacks

Setbacks will generally adhere to the following parameters:

Front Adjacent Street:	5 and no more than 15 feet
Side Adjacent Street:	5 and no more than 15 feet
Side Adjacent Alley or Easement:	5 feet
Side Adjacent Side:	0 feet
Rear:	5

## 2.6: Minimum Lineal Street Frontage

Building frontages are required to cover a minimum distance of 75% of the length of the front lot line, measured adjacent to and parallel with the front lot line. Building frontages are required to cover a minimum distance of 25% of the length of the side lot line adjacent to a street, measured adjacent to and parallel with the side lot line.

## CHAPTER 3: CIRCULATION DESIGN

### 3.1: Circulation Design Intent

The Englewood Light Rail Transit Station opened in the year 2000, in conjunction with the redevelopment of the former Cinderella City Mall into the Denver Region's first transit-oriented development, CityCenter Englewood. At the time of station development, it was generally assumed that the bulk of transit ridership would access the station by personal automobile, with parking provided through agreements between the City of Englewood and the Regional Transportation District. It was also assumed that the provision of parking for transit riders would be beneficial to the CityCenter development and the City as a whole, bringing potential shopping customers to the site. However, the design of the park-n-Ride facilities in relation to the location of CityCenter retailers allowed light rail park-n-Ride patrons to avoid walking past CityCenter retailers when making their way on foot from their car to the station and vice versa. It is now generally accepted that park-n-Ride patrons are less beneficial to the economic prospects of CityCenter retailers than actual residents living in close walking proximity to both light rail and nearby retail and service-providing businesses. It is the City's intention to work with RTD to reduce the amount of park-n-Ride spaces provided, more efficiently allocate the remaining park-n-Ride spaces throughout the area, looking at shared parking strategies, converting in some cases free parking to paid parking, and converting surface parking to structured parking, all in order to intensify the development level of the CityCenter site.

CityCenter was originally intended to be pedestrian-friendly with ample sidewalk widths, streetscape furnishings, landscaping, and art. However, the quality of pedestrian amenities often declined further away from the station. Dedicated bicycle facilities were limited to the development of the Little Dry Creek Trail connection between the Broadway main street and the Mary Carter Greenway/South Platte River Trail. The City added a shuttle bus route from Englewood Station to Swedish Medical Center and Craig Hospital a few years after the CityCenter development was completed.

The Englewood TSA Specific Area Plan incorporates a number of recommendations from previous Station Area Master Plan/Next Step Study planning efforts in order to more fully achieve a true multi-modal environment. These previous recommendations include improvements to transit, bicycle, pedestrian, and automobile access.

#### Principles

1. Highlight connections and foster access to transit throughout the transit station area.
2. Ensure bicycle and pedestrian mobility is safe, connected, and easy to navigate.
3. Utilize creative solutions and accommodations to support bike use.
4. Foster multi-modal connectivity between key destinations and activity areas, civic spaces, parks and transit through clearly-marked connections and wayfinding.
5. Facilitate connections to surrounding neighborhoods and developments with enhanced crossings and street connections.



6. Ensure the street network maximizes internal connections and circulation options, and that block sizes support the urban form and character of downtown.
7. Design streets to foster an active, engaging pedestrian environment.
8. Employ technologies that assist in wayfinding, parking access, and transit ridership.

### **3.2: Transit Access**

In order for the Englewood LRT Station to most effectively attract ridership, existing station conditions and connective access must be significantly improved.

#### **3.2.1: Connecting Bus Stop Bays**

The existing connecting bus stop bays located immediately adjacent to the station platform are envisioned to remain in this location. However, the existing one way in/out bus access and turnaround may potentially be fully reconnected to the street network grid to open the roadway up to automobile circulation and access in order to better accommodate and support surrounding commercial uses. Additional bus routing changes may also be instituted in consultation with the Regional Transportation District (RTD).

#### **3.2.2: Shuttle Bus (Englewood Trolley)**

The redevelopment of CityCenter and the establishment of a Downtown Development Authority will allow improvements to be made to the existing shuttle bus system. Improvements are envisioned to be made in terms of reduced headway waiting times, expansion of service hours to include nights and weekends, and vehicle and technology upgrades.

#### **3.2.3: Station Platform**

Improvements to the station platform will include wind shelters that will protect waiting transit riders from fierce winds and blowing rain and snow.

#### **3.2.4: park-n-Ride Facilities**

It is the City's intention to work with RTD to reduce the amount of park-n-Ride spaces provided, more efficiently allocate the remaining park-n-Ride spaces throughout the area, looking at shared parking strategies, converting in some cases free parking to paid parking, and converting surface parking to structured parking, all in order to intensify the development level of the CityCenter site.

#### **3.2.5: Connecting Bicycle and Pedestrian Infrastructure**

The City is moving forward with planning efforts to eventually construct the Englewood Rail Trail, including bicycle/pedestrian bridges over Hampden Avenue and Dartmouth Avenue, as well as a potential bicycle/pedestrian bridge over South Santa Fe Drive. The City should also

advocate for a South Santa Fe Drive flyover at Floyd Avenue to allow multi-modal access to the South Platte River area at ground level through future corridor planning processes.

### **3.3: Bicycle and Pedestrian Network**

Englewood Parkway will continue to serve as the primary retail spine and enhanced pedestrian route from the Broadway main street to Englewood Station. Major improvements are needed beginning at the Walmart property and continuing east to Broadway.

Bicycle routes identified in the Englewood Walk and Wheel Master Plan include Englewood Parkway and Floyd Avenue as east-west routes, and Elati Street as the primary north-south route. These routes will include enhanced forms of dedicated bicycle lanes.

Beginning at the Little Dry Creek Plaza located at South Acoma Street and West Hampden Avenue, the Little Dry Creek Trail continues in a zig-zag fashion along the grid street network before crossing underneath Santa Fe Drive and finally connecting with the Mary Carter Greenway along the South Platte River. The existing Little Dry Creek route through the grid street network may be redesigned in conjunction with the on-street bicycle network improvements.

### **3.4: Street Network**

New streets are envisioned to better connect the existing grid network in close proximity to the station. The Transit Station Area Plan envisions breaking the most southwestern block that includes the existing Civic Center into four smaller blocks through the development of new north-south streets, and a new east-west street.

To the east, the Transit Station Area Plan envisions road diet redesigns of portions of Floyd Avenue west of Elati Street, and Cherokee Street/Englewood Parkway. Englewood Parkway will be straightened when the existing Englewood Marketplace site is redeveloped.

## **CHAPTER 4: BUILT FORM DESIGN**

### **4.1: Built Form Design Intent**

The current CityCenter format represents the first generation of transit-oriented development within the Denver Metropolitan Region. The areas closest to the station featured residential apartments located on relatively large parcels, with residential densities, building heights, and parking standards that were more suburban than urban in nature. Second generation transit-oriented developments around the Denver Metropolitan Region are consistently being designed with residential densities and building heights that are decidedly more urban. The infill redevelopment approach that will be necessary to rejuvenate CityCenter will require a distinctly urban character. Special attention must be given to the design qualities of both private architectural buildings and public spaces in order to activate and program the new development sites.

#### Principles

1. Ensure building placement and frontage along the street reflects an urban downtown character.
2. Maintain a consistent street frontage or “street wall” throughout the downtown area.
3. Utilize building architecture to announce gateways, key intersections and public spaces.
4. Create architectural variation along a block face through diversity of massing, articulation and architectural detailing.
5. Create a built environment that emphasizes pedestrian scale and variety by activating ground floor frontages, using ample fenestration, awnings and frequent building entries.
6. Ensure that streets and spaces with high volumes of pedestrian traffic are comfortable, protected from the sun, and visually and physically engaging at the ground level.
7. Design parking structures so they do not dominate the built environment.
8. Encourage a variety of building and development types throughout the site.



## **4.2: Architectural Standards and Guidelines**

The architectural standards and guidelines address the massing, character, and composition of exterior building elements.

### **4.2.1: Building Massing and Scale**

#### Principles

1. Encourage a human-scaled urban environment that includes a varied and changing visual experience for pedestrians.
2. Maximize energy efficiency and create opportunities for effective sustainable design.

#### Design Standards

1. Wall surface planes larger than 15,000 square feet shall be provided with facets, recesses or projections that break the flat facade into visually separate parts and shall be of sufficient dimension to create depth and variation of light and shadow.
2. Vertical and horizontal articulation of buildings shall also be achieved by using scaling elements such as materials, color, and/or fenestration changes, variations in parapet walls, integrating balconies, terraces, or arcades, and/or employing upper story step backs.

#### Design Guidelines

1. Buildings should be designed using varied upper story step back heights and tower locations.
2. Additional step backs should be considered for buildings on the south or east sides of streets in order to provide more sun penetration to ground level.
3. Rooftop amenities, such as decks, pools, gardens, etc. should be designed and oriented in a direction that does not create noise disturbance to adjacent neighborhoods in excess of noise ordinance limits.
4. Through-block gaps and passageways in building mass above the podium levels should be used where they would provide visual interest and/or maximize views.

## 4.2.2: Activated Building Edges

### Principles

1. Promote activated building edges that encourage pedestrian activity along Englewood Parkway and at the corners of streets (minimum of 50 linear feet) intersecting with Englewood Parkway.
2. Promote boundary frontages to define the street edge on all other street frontages not included in principal 1 above.

### Design Standards

1. Generous ground floor to ceiling heights (14 ft. floor to floor height minimum, 20 ft. floor to floor height suggested) shall be provided to suit retail uses and promote visual prominence.
2. There shall be no ground floor parking structures between the street edge and buildings.

### Design Guidelines

Activated edges should:

1. Provide extensive ground floor glazing and frequent entrances.
2. Be composed of articulated, human-scaled facades.
3. Be 20-ft non-residential ground floor height where possible.
4. Include canopies and trellises to emphasize entrances. The design of awnings or canopies from one building to the next should be diverse, but also compatible with the architecture and streetscape design.
5. Awnings should be sized and located so as to minimize right-of-way tree impact.
6. Awnings should be self-supported without columns projecting into the sidewalk.
7. Include stoops, raised porches, terraces and small quasi-public open spaces.

Boundary frontages should:

1. Include building edges brought to the sidewalk with minimal setbacks.
2. Include scaling elements to break up the mass of buildings.
3. Be articulated and humanly scaled at the ground floor.



### **4.2.3: Building Materials**

#### Principles

1. Enrich the building facade with materials and finishes that are durable and sustainable.
2. Encourage the use of low maintenance materials.

#### Design Standards

The building shall be clad in, but not limited to, the following materials:

1. Brick, stone, clay tile, or terra cotta
2. Architectural precast concrete
3. Hard-coat stucco above the first floor
4. Architectural metal and cladding systems
5. Glass
6. Concrete masonry with an architectural finish
7. Durable synthetic materials such as cement board or composite cladding above the first floor as approved by design review committee

The following materials shall not be permitted:

1. Vinyl siding
2. Painted wood siding
3. Exterior insulation and finishing systems (EIFS)
4. Glass block

#### Design Guidelines

1. The compatibility of material combinations should be considered.

2. The incorporation of sustainable materials should be considered.
3. The use of highly reflective metal materials which cause glare is discouraged.
4. The use of highly durable materials on the first floor is encouraged.

#### **4.2.4: Building Fenestration**

##### Principles

1. Encourage transparency to activate the public realm at ground level.
2. Provide adequate light and ventilation for commercial and residential users.
3. Promote a healthier internal environment with adequate natural light.
4. Contribute to facade scaling and composition.
5. To limit glare from highly reflective glazing.
6. To encourage a visible link between interior functions and street activity.

##### Design Standards

1. Ground floor retail space fronting on a street shall incorporate transparent glass for a percentage of the lineal street frontage of the first floor. These windows shall be a minimum of five feet (5') high and mounted not more than three feet six inches (3'6") high above the interior floor level for a total height of eight feet six inches (8'6").
2. A sixty percent (60%) minimum building lineal zone of transparency measured adjacent to and parallel with the front lot line is required.
3. A twenty-five percent (25%) minimum building lineal zone of transparency measured adjacent to and parallel with the front lot line is required.
4. The minimum non-residential window/wall area above the first floor shall be 40%.
5. The minimum residential window/wall area above the first floor shall be 30%.
6. Windows above the first floor shall have a maximum reflectance of 19%.
7. Windows above the first floor shall have a minimum visible light transmittance factor of .6.
8. It is permitted to treat the glazing with fritting or translucence.

##### Design Guidelines

1. Glazed openings above the first floor greater than 40 sf should be subdivided by mullions.



2. The use of operable windows in both residential and commercial applications is encouraged.

#### **4.2.5: Building Composition**

##### Principles

1. Promote harmonious and compatible building facades.
2. Encourage building forms that respond to their context.
3. Encourage buildings that are responsive to sun and sky exposure.
4. Avoid large expanses of undifferentiated facade.

##### Design Standards

1. Wall surface planes larger than 15,000 square feet shall be provided with facets, recesses or projections that break the flat facade into visually separate parts and shall be of sufficient dimension to create depth and variation of light and shadow.

##### Design Guidelines

1. Buildings should be designed using varied upper story step back heights and tower locations.
2. Through-block gaps and passageways in building mass above the podium levels should be used where they would provide visual interest and/or maximize views.
3. Step-backs are encouraged on buildings on the south and east street frontage to promote sun exposure.

#### 4.2.6: Building Scaling Elements

##### Principles

1. Encourage a human-scaled urban environment that creates a varied and changing visual experience for pedestrians.
2. Create human-scaled elements through changes in plane, texture, and detail.
3. Discourage large expanses of undifferentiated facades.

##### Design Standards

1. Scaling elements shall occur both vertically and horizontally as part of a coherent facade composition.
2. Building facades facing the street, shall include at least three of the following elements:
  - A change in material.
  - A change in color.
  - A system of horizontal and vertical scaling elements.
  - A system of reveals of at least  $\frac{3}{4}$ " by  $\frac{3}{4}$ ".
  - Changes in plane of at least 24".
  - A repeating pattern or ornament or art.
  - An expression of the building structure representing columns and spandrels.

##### Design Guidelines

1. Scaling elements should support the emphasis of entries and corners.
2. Building structural elements, such as floors and columns, should be reflected in the façade design.
3. The use of sills, lintels, mullions and plane changes may be used to scale the building facade.

#### **4.2.7: Primary Pedestrian Entrances**

##### Principles

1. Provide clear and well-defined access to buildings that activates the streetscape.
2. Emphasize primary building entrances.

##### Design Standards

1. Primary building entries shall be articulated in a way that differentiates them from secondary entries.
2. Service entries shall be visually differentiated from primary and secondary entries.

##### Design Guidelines

1. Primary entries should be incorporated into the building form.
2. Primary entries may be emphasized with canopies, faade treatments, and massing to provide clear wayfinding for users and visitors.



#### **4.2.8: Tenant Pedestrian Entrances**

##### Principles

1. Encourage a clear distinction between primary and secondary access points and a hierarchy of entries to clarify way-finding.

##### Design Standards

1. Tenant and resident access points shall be treated as secondary entries.
2. Service access points shall appear distinct and less emphasized than secondary entries.
3. Each ground floor tenant space and residence fronting the street shall have an entrance on the street.

##### Design Guidelines

1. Tenant and resident entries should be integrated into the facade design.
2. Service entries should be de-emphasized.

#### **4.2.9: Vehicle Entrances**

##### Principles

1. Provide readily identifiable parking and service access.
2. Promote safe pedestrian encounters with entering and exiting vehicles.
3. Minimize the disruption of a pedestrian-centric streetscape by vehicles.

##### Design Standards

1. Pedestrian entries shall be a minimum of 20-ft from vehicle entries.
2. Pedestrian and vehicular entries shall not be combined.

##### Design Guidelines

1. Driveways that support single tenants or individual residences should be avoided.

#### **4.2.10: Accessibility and Universal Design**

##### Principles

1. Make all buildings usable to the broadest range of residents and visitors as possible, regardless of age and ability.

##### Design Standards

1. Accessible features shall be integrated into the building and facade design, in accordance with the Americans with Disabilities Act.



#### **4.2.11: Building Porches, Patios, and Stoops**

##### Principles

1. Integrate residential uses with the active public realm while maintaining a sense of privacy.
2. Activate the streetscape along residential frontages.
3. Ensure that patios, porches, and stoops are usable spaces.

##### Design Standards

1. Steps shall not extend into the public ROW.
2. Porches and patios shall be a minimum of 7-ft in width and 5-ft in depth.

##### Design Guidelines

1. Porches and patios should create a sense of defensible space while being visibly open to the streetscape.
2. Rooftop amenities, such as decks, pools, gardens, etc. should be designed and oriented in a direction that does not create noise disturbance to adjacent neighborhoods in excess of noise ordinance limits.

#### **4.2.12: Canopies, Shading Devices, and Trellises**

##### Principles

1. Provide focal points for entries and weather protection for visitors, tenants, and residents.
2. Integrate canopy and trellis design with the building facade.

##### Design Standards

1. Canopies/shading devices shall be permitted to be fabricated from the following materials:
  - Metal or metal panel systems
  - Glass
  - Fabric
2. Trellises shall be permitted to be fabricated from the following materials:
  - Wood
  - Metal shapes and metal fabrications
  - Masonry columns and posts
  - Columns or posts for trellises or canopies shall not be permitted in the public right of way

##### Design Guidelines

1. Canopies and trellises should be used as shading devices to reduce glare and shade pedestrians.
2. Canopies may be used to define entries and a hierarchy of building access.
3. Shading devices should be integrated with building design.
4. Canopies should be used to supplement tenant identity, not as primary signage.
5. The design of awnings or canopies from one building to the next should be diverse, but also compatible with the architecture and streetscape design. Awnings should be sized and located such as to minimize right-of-way tree impact. Awnings should be self-supported without columns projecting into the sidewalk.

#### **4.2.13: Balconies and Railings**

##### Principles

1. Encourage the integration of balconies and railings into the building design.
2. Promote balconies that encourage active use, providing “eyes on the street”.

##### Design Standards

1. Balconies shall have a minimum depth of 5-ft and a minimum width of 5-ft.
2. Balconies shall be recessed, projecting, or rooftop.
3. Balcony railing materials above ground floor shall be permitted to be:
  - Metal shapes or fabrications
  - Glass

##### Design Guidelines

1. Balconies should be a functional size to encourage regular use.
2. Railings should be integrated into the overall facade design.
3. Design consideration should be given to balcony soffits to encourage an attractive façade when viewed up from the street.



#### **4.2.14: Solar or Wind Power Equipment**

##### Principles

1. Limit the negative visual impact of solar and wind power equipment.
2. Further the City's sustainability plan energy goal.

##### Design Standards

1. Rooftop solar panels and wind power equipment shall be screened from view from the street.
2. Facade-mounted solar panels shall be integrated into the building design and comply with the requirements for composition, materials, and scaling.

##### Design Guidelines

1. Solar and wind power equipment should be located to minimize impact to adjacent property.
2. Explore shared, area-wide geothermal heating and cooling opportunities.
3. Encourage solar roof top gardens.

#### **4.2.15: Satellite Dishes and Antennas**

##### Principles

1. Minimize the visual impact of antennas and satellite dishes.

##### Design Standards

1. To the extent permitted by law, satellite dishes, antennas, and similar external communication equipment shall not be installed on street-facing facades.

##### Design Guidelines

1. Antennas and satellite dishes should be located on roofs and not visible from the public street.
2. Antennas and satellite dishes should be screened from view or located within penthouses on the roof.

#### **4.2.16: Service Areas of Trash Loading and Recycling**

##### Principles

1. Minimize the visual and auditory impact of service areas on the public way.
2. Create durable and easily maintained areas.

##### Design Standards

1. Exterior service areas shall not face streets or public open spaces.
2. Outdoor service areas shall be screened by masonry or metal solid enclosures no less than 6-ft tall.
3. Outdoor service area screens shall be masonry or an approved alternate.
4. Wood gates or enclosures are not allowed.

##### Design Guidelines

1. Service areas should be enclosed within the building to the extent possible.
2. Service areas should not be visible from adjacent residential buildings.
3. Screening for outdoor trash enclosures should be integrated into the building design.
4. Trash receptacles, loading docks and service areas should be combined and located midblock and mid alley and shared between buildings when possible.



#### **4.2.17: Utility Spaces and Mechanical Equipment**

##### Principles

1. To minimize the visual impact of utility equipment.
2. To integrate equipment screening into the building design.

##### Design Standards

1. Meters and electrical equipment shall be architecturally screened or located out of view of public streets.
2. Rooftop mechanical equipment shall be screened from view from the street.
3. Mechanical equipment screens shall incorporate the same materials and design as the building facade.

##### Design Guidelines

1. Locate utility equipment to facilitate access to multiple properties.
2. Locate utility equipment to not be visible from the street.
3. Mechanical louvers and vents shall be of consistent materials and design with fenestration.

#### **4.2.18: Parking Structures**

##### Principles

1. Minimize the visual impact of structured parking on the public street.
2. Integrate the parking structure facade into buildings to minimize negative impacts to the public realm.
3. Discourage large undifferentiated expanses in the facade.

##### Design Standards

1. Facades visible from the public right of way, shall be opaque for a minimum of 36" above the garage deck to restrict the passage of light from vehicle headlamps.
2. Facade screening shall limit light trespass from the garage interior lighting.
3. Top deck light fixture shall be low cut-off type and less than 20-ft tall.
4. Facades visible from the street shall comply with the standards for building character fenestration, composition, and scaling elements.
5. Facades visible from the street shall utilize vertical scaling elements no more than 12-ft on center.
6. Mechanical garage ventilation grills shall not be located at the street facade.
7. Ground floor of a parking structure visible from the public way shall have a minimum vertical clearance of 9-ft to any structure.

##### Design Guidelines

1. Scaling elements on the parking structure should be consistent with the primary building.
2. Exterior facades should replicate the window pattern and architectural elements of adjacent buildings.
3. Decorative screening on the garage facade is encouraged.
4. Screening or cutoff fixtures should be used with internal garage lighting along the perimeter to limit glare on public spaces.

## CHAPTER 5: LANDSCAPE AND OPEN SPACE DESIGN

### 5.1: Landscape and Open Space Design Intent

Due to physical site constraints and land ownership patterns, passive green space needs must be met through high quality trees, shrubs, and flower gardens incorporated into public right of ways. Active recreational spaces will need to be met through existing park spaces (Cushing Park) to the north of the main development site. The City should plan for significant facility upgrades to Cushing Park to serve the needs of both long-established residential neighborhoods as well as future residents living at CityCenter.

### 5.2: General Landscape Requirements

#### Principles

1. Provide high quality public realm places that encourage recreation and social interaction.
2. Provide creative site design elements.
3. Utilize sustainable site features and site design practices throughout the project, as practical.
4. Link transportation and land use activities by using the public realm and open space systems as the connective tissue of the project.
5. Provide accessible, high quality, character giving, external spaces that enhance the pedestrian experience and provide a unique character to the overall Transit Station Area.
6. Ensure that pedestrian oriented streetscapes slow down automobile and bike users, and to encourage social interaction and safety within the public realm.
7. Allow for additional publicly accessible plaza spaces and private courtyards shaped by adjacent buildings that will accommodate special amenities such as cafés, public art and unique plantings that are an important part of the overall open space network.
8. Provide streetscape, courtyards and plaza spaces that can be utilized during all four seasons.
9. Encourage, on each development block, some form of outdoor space that is connected to the public realm either directly or by a publicly accessible walkway.
10. Create a variety of distinct places, providing memorable experiences that add to place making and activate the street level.
11. Provide open spaces such as plazas, courtyards, and small parks as an extension of the work environment or community rooms into an outdoor environment.



### Design Standards

1. Grass areas, except for tree lawns, shall only be placed where they provide for active community use and interaction.
2. Visual cues and gateway elements shall be used to welcome and direct transit and community users.
3. Plazas shall provide for safe and easily accessible multi-modal transit connections and connect to publicly accessible walkways.
4. Materials and patterns shall be used that will visually connect the plazas and streetscapes throughout the project.
5. Special paving, crosswalk markings, lights or corner bulb-outs shall be used to achieve traffic calming at intersections and crosswalks.
6. Areas within the public ROW shall be subject to Public Works review and approval.
7. Publicly accessible plazas may include urban gardens and outdoor rooms, but shall not include off-street loading areas, driveways, permanent off-street parking areas, utility boxes, or service access.
8. Walkways abutting or within publicly accessible plazas shall be a minimum of 8 feet wide.
9. Publicly accessible, privately maintained open space shall be located outside of the ROW or build-to zone.

### Design Guidelines

1. Plazas should be shaped by and reinforce the ground floor uses and entrance points of adjacent buildings.
2. Public plazas and private courtyards should incorporate elements and materiality from the surrounding buildings such as low walls, canopies, trellises, balconies, roof top terraces, roll up doors and overhangs to frame and create unique and comfortable exterior spaces and enjoyment of the outdoors.
3. Each development parcel should look for ways to increase open space connectivity throughout the project.
4. Visual connections across two sides of a street should be encouraged unless there is an undesirable view.
5. A special amenity or urban design element should be incorporated every 300 feet along major pedestrian circulation routes to give relief and interest. For example, public art, water features, or a small pocket park.
6. Public plazas, private courtyards, and streetscapes should consider the ease and storage of snow removal.

7. Plazas shall provide a balance of hard and softscape elements that help provide shade, soften and buffer appropriate areas of the plazas.
8. Plazas should be enhanced with site amenities such as public art, water features, unique site furnishings, trellis structures, and made of durable materials.
9. Tree planting areas in plazas should strive to be 7' wide min. for root and canopy growth.
10. Landscape materials should be selected for each plaza's unique micro-climate.
11. Building access, either public or secure, should be located on each plaza to encourage regular use.
12. Private courtyards immediately adjacent to public walkways should be at least 10 feet deep x 20 feet long.

### 5.3: Festival Street Public Plaza Area

#### Principles

1. Enhance pedestrian and bicycle connections and retail activation of storefronts along the public plaza area.
2. Create a unique, iconic civic plaza that provides tree canopy and artistic shade elements, pedestrian amenities, seating areas, and gathering spaces in close proximity to the light rail station platform.
3. Promote community gathering through pedestrian-scaled special paving, lighting, landscaping, furnishings and the creation of areas to congregate.
4. Preserve or redesign iconic light rail station pedestrian bridge as a defining gateway element.

#### Design Standards

1. The main plaza area shall be a minimum of 1 acre, straddling both sides of Englewood Parkway and including the street right-of-way.
2. The plaza shall incorporate publicly accessible gathering, seating, and landscaping areas into the space.
3. The plaza shall be designed to promote ease of access between Englewood Station and adjacent neighborhoods for both pedestrians and cyclists.
4. The plaza shall be design to accommodate community events and functions such as farmers markets, art shows, holiday events, etc.

#### Design Guidelines

1. Decorative hardscape, landscape, furnishings, shade structures, and lighting elements should be used to enliven the plaza during times of less active use.
2. Creative lighting and decorative design elements should be used to create visual interest from Englewood Station, the adjacent office and residential buildings, and along Englewood Parkway.
3. Sustainable design features should be included where possible, including innovative storm water management, permeable pavements, energy efficient lighting, and drought-tolerant landscaping.



## 5.4: Englewood Parkway

### Principles

1. Create Englewood Parkway as the signature parkway street throughout the Transit Station Area that connects Englewood Station through the Transit Station Area and beyond to the historic South Broadway Main Street area.

### Design Standards

1. A 50-foot-wide minimum greenway median shall be provided as the primary public open space system for the Transit Station Area where feasible.

## **5.5: Landscape Plant Materials**

### Principles

1. Respect the native Colorado environment and low water use requirements in the landscape materials selected, with a preference for native grasses.
2. Utilize low water use irrigation systems, technologies and applications throughout the project to manage and conserve water use.
3. Provide high quality and well-maintained landscape and irrigation throughout the project that enhances overall property values and a sense of project pride and identity.
4. Utilize plant material that is adaptable to recycled grey water standards.
5. Select plant materials that create links between open spaces and urban areas and provide a number of benefits including improved air and water quality and habitat enhancement.

### Design Standards

1. Plant material shall conform to the American Standard for Nursery Stock and shall be of specimen quality.
2. Plant material shall be delivered to the site and installed in a healthy condition without significant damage and need for pruning.
3. Soil tests of planting media shall be performed to identify necessary soil amendments.
4. Landscape areas shall be tested for soil percolation and provide remediation drainage as determined by test.
5. Mulch shall be provided within all planting beds and shall be placed directly on the soil without weed barrier fabric.
6. All areas utilizing turf shall be sodded and not seeded.
7. Enhance water protection efforts with runoff and irrigation systems.
8. Rain and soil moisture sensors shall be installed with all irrigation systems.
9. Irrigation in public parks shall be subject to review and approval by Englewood Parks and Recreation.
10. Single stem trees shall be used within public ROW.

11. Plants treated with neonicotinoids or other bee killing chemicals at any stage in their germination shall not be used.
12. Plant selection shall place an emphasis on the creation of pollinator garden habitats.
13. Minimum plant material size shall be as follows:
  - Deciduous trees shall be 2.5-inch caliper minimum
  - Ornamental trees shall be 2.5-inch caliper minimum
  - Large evergreen trees shall be 8 feet in height minimum
  - Small evergreen trees shall be 6 feet in height minimum
  - Upright shrubs shall be 3 feet in height minimum
  - Shrubs shall be 5-gallon container minimum
  - Perennials shall be 1-gallon container minimum
  - Grasses shall be 1-gallon container minimum
  - Groundcover shall be 4-inch pots minimum

#### Design Guidelines

1. Installation of irrigation flow meters should be encouraged to help detect leaks in the irrigation system.
2. The use of spray irrigation should be limited to turf areas only.
3. Plant diversity and the use of pollinator friendly plant species should be encouraged.
4. Internal garage lighting along the perimeter to limit glare on the public spaces.



## **5.6: Hardscape Component Standards**

### Principles

1. Encourage a logical, hierarchical system of standard and decorative paving within designated open space areas.
2. Provide paving materials which are safe, durable and easy to maintain.

### Design Standards

1. All sidewalk paving shall meet City standards and where required, be part of a Maintenance District.
2. Any paving within the public right of way must be approved by the Department of Public Works.
3. Improvements to the public right of way, such as corner bulb outs, handicapped curb ramps, curb and gutter and sidewalks shall be consistent with the Department of Public Works standards and Community Planning & Development approval.

### Design Guidelines

1. Special paving systems are encouraged within Englewood Parkway, the central plaza, and to identify special areas of the streetscape such as intersections, pedestrian building entrances, and other plazas and passageways.
2. Special paving systems used in private spaces should be coordinated with paving systems in public areas where they are both visible from the street.
3. Special paving systems should be appropriate for heavy urban traffic. Colored concrete, brick, concrete unit pavers, and unpolished stone are recommended.
4. The use of permeable pavement systems is encouraged.

## 5.7: Site Furnishing Standards

### Principles

1. Select a palette of unique and consistent site furnishings to unify and reinforce the overall character and identity of the public realm throughout the project through repetition of product materials, forms and colors.
2. Select and locate site furnishings to encourage pedestrian activity and community gathering in the public realm and streetscape areas.
3. Provide adequate pedestrian and bicycle furnishing to encourage non-vehicular modes of transportation to and around the site.

### Design Standards

1. Pedestrian site lighting shall create an environment that in both day and night is unique and pleasing to the eye and encourages pedestrian activity and a sense of safety at night.
2. RTD lighting standards for transit facilities shall be met for the station platform and dedicated or shared station parking areas.
3. Street furnishing elements shall be high quality and include a consistent palette of benches, trash receptacles, bike and scooter racks, pedestrian street lights, trench drains, game tables, planter pots, bollards, public signage features, site railings, tree grates and seat walls to provide pedestrian comfort and convenience.

### Design Guidelines

1. The placement of site furnishings should be adequate in number, provide consistency and be coordinated with the overall organization, context and placement of all building and site elements.
2. Trash receptacles that allow for a separate recycling container should be used to promote sustainability.

## **5.8: Lighting, Screening, Fencing, Walls, and Railings**

### Principles

1. To provide safe and well-lit pedestrian walkways and public realm environments.
2. To provide unique pedestrian scaled light fixtures throughout the Englewood TSA Specific Plan Overlay District creating a distinct pedestrian environment both day and night.
3. To minimize light pollution and impacts on building occupants and adjacent developments.
4. To utilize architectural and landscape screening elements that help mitigate undesirable utility and service use functions.
5. To locate service and utility areas away from main entry points into buildings.

### Design Standards

1. Building entries shall be well lit.
2. All exterior lighting fixtures to be utilized on the project shall be LED or high efficiency.
3. Exterior lighting shall be designed to provide consistent coloration and uniform light distribution without hot or dark spots and shall utilize cutoff or downward focused fixtures to minimize glare on adjacent properties.
4. All private exterior lighting shall be low wattage or LED fixtures.
5. Street roadway lighting along all public rights of way shall meet City and Xcel standards.
6. Unique pedestrian light fixtures on signature streets shall be used as a thematic element.
7. Architectural walls, screens and railings shall be consistent with the design and materials of the building to which they are connected or adjacent.
8. Where landscaping is utilized for screening it shall be layered sufficiently to screen the undesirable view from the streetscape and adjacent properties.
9. Landscape screening shall incorporate evergreen plant material or deciduous plant material with dense branching habit to provide effective screening during the winter.
10. Plant installation size and spacing shall be sufficient to provide 75% screening of the intended object within 2 years of installation.



11. The periphery of all surface parking lots shall be screened with a hedge of at least 3 feet high, a decorative low 3-foot architectural wall, or a 3-foot-high decorative metal screen fence, and shall be consistent with City parking lot screening standards.
12. Flood-type light distribution to illuminate large areas of landscaping shall not be allowed.

#### Design Guidelines

1. Building lighting should be used to enhance important architectural features such as main entrances. Lighting sensors for occupancy usage should be encouraged for private lighting areas.
2. Illumination sources that are low to the ground such as bollards, step and walkway lighting are encouraged.
3. Landscape screening should be utilized in conjunction with screen walls to provide varied screening and avoid a hard-monotonous treatment.

## **CHAPTER 6: ENGLEWOOD STATION TRANSIT AREA SPECIFIC PLAN IMPLEMENTATION**

### **6.1: Specific Plan Implementation Intent**

Specific Plans are intended to serve as comprehensive, self-contained, and generally self-executing regulatory documents for the governance, control and implementation of land uses and development within a Specific Plan Overlay District. A Specific Plan establishes the distribution of generalized land uses, residential densities, and negotiable ranges for other development parameters such as building height and parking ratios based on deliberations and final recommendations of the Planning and Zoning Commission, with final approval authority vested in City Council. The Englewood TSA Specific Plans is considered to be a living document that can largely be amended continuously in an administrative fashion, as detailed physical planning elements emerge through the development planning and design process. The Englewood TSA Specific Plan is designed to provide flexibility and predictability for City departments and private development entities engaged in redevelopment activities. The Englewood TSA Specific Plan site plan approval process is designed to facilitate project approval in an expeditious manner, allowing private development entities to respond quickly to market conditions and reduce the amount of time to complete development projects.

### **6.2: Relationship to Other Plans**

The foundational documents for the Englewood TSA Specific Plan include Englewood Forward: The 2016 Englewood Comprehensive Plan and the Englewood Downtown Matters Plan of Development. The Englewood TSA Specific Plan conforms to the visioning statements and strategies identified in Englewood Forward: The 2016 Englewood Comprehensive Plan for the Englewood Station/CityCenter neighborhood. The Englewood Forward vision was further refined through the evolution of the Englewood Downtown Matters Plan of Development. The Englewood TSA Specific Plan incorporates these strategies throughout the Englewood TSA Specific Plan document.

### **6.3: Relationship to the Englewood Municipal Code**

The Englewood Municipal Code prescribes standards, rules, and procedures for all development within the City. The Englewood TSA Specific Plan sets forth additional land use and development regulations for the Englewood Station area and will be incorporated by reference in the Englewood Municipal Code. In cases of conflicts between the Englewood Municipal Code and the Englewood TSA Specific Plan, the Englewood TSA Specific Plan shall prevail. In cases where the Englewood TSA Specific Plan is silent, Englewood Municipal Code regulations shall apply.

### **6.4: Development and Review Process**

This section outlines the development review and approval process for all development within the Englewood TSA Specific Plan Overlay District. All general improvements to a site within the Englewood TSA Specific Plan Overlay District will require submittal of a Specific Plan site development plan for review. The development review process for projects proposed within the Englewood TSA Specific Plan Overlay District is streamlined based on required consistency with the principle, standards, and guidelines established within the Englewood TSA Specific Plan. Conformance with the Englewood TSA Specific Plan ensures that a proposed Specific Plan site development plan is consistent with the vision and intent of the Englewood TSA Specific Plan, allowing applicants to begin at the technical level of the review process.

The technical review process for projects located within the Englewood TSA Specific Plan Overlay District and in general conformance with the Englewood TSA Specific Plan shall follow the submittal requirements for a Specific Plan site development plan as described in the Englewood Municipal Code section 16-2-?.

Approval of a Specific Plan site development plan is contingent upon the proposed Specific Plan site development plan meeting the standards of approval of a Specific Plan site development plan as described in Englewood Municipal Code section 16-2-? K. The Specific Plan site development plan must also demonstrate conformance with the principles, standards, and guidelines set forth within the Englewood TSA Specific Plan.

#### **6.5: Variances**

Property owners may apply for a variance from the standards and requirements set forth in this Plan of up to ten percent of the standard. The City Manager or designee may approve the variance subject to finding that the intent of the standard in question is met and that surrounding development or the public realm is not negatively impacted. For variances that exceed ten percent of any standard in this Plan, the regular Englewood Municipal Code variance process and procedures shall apply.

#### **6.6: Impact Fees and Recovery Costs**

Development fees established by City Council shall apply to projects within the Englewood TSA Specific Plan Overlay District, and will be determined through the Specific Plan site plan development review and approval process. Recovery costs for infrastructure may also apply at the City's discretion.