

EFFECTIVE DATE: 9-26-09

ORDINANCE NO. 2009-38

A BILL

**FOR AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF AURORA,
COLORADO, AMENDING ARTICLE 8 OF CHAPTER 146 OF THE CITY CODE OF
THE CITY OF AURORA, COLORADO, BY ENACTING SECTIONS 146-886
THROUGH 146-892 RELATING TO THE HAVANA STREET OVERLAY DISTRICT**

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

Section 1. That the City Code of the City of Aurora, Colorado, is hereby amended by adding several subsections to Article 8, to be numbered Section 146-886 through Section 146-892, which sections shall read as follows:

SEC. 146-886. INTRODUCTION TO THE HAVANA STREET OVERLAY DISTRICT

- A. *THE HAVANA OVERLAY DISTRICT.* THE HAVANA OVERLAY DISTRICT INCLUDES ALL PROPERTIES CONTIGUOUS WITH EITHER SIDE OF HAVANA STREET BETWEEN 6TH AVENUE AND DARTMOUTH AVENUE, IN THE CITY OF AURORA.
- B. *PURPOSE.* THE HAVANA STREET OVERLAY DISTRICT IS INTENDED TO ENCOURAGE IMPROVEMENT IN STREETScape, LANDSCAPING, AND THE GENERAL AESTHETICS OF THE STREET EDGES ALONG HAVANA STREET FROM 6TH AVENUE TO DARTMOUTH AVENUE. THE VISION OF HAVANA STREET AS A TREE-LINED BOULEVARD WITH TREE LAWNS AND DETACHED SIDEWALKS IS THE LONG TERM GOAL FOR THIS DISTRICT. INTERIM OPTIONS ARE OFFERED FOR THE SHORTER TERM. THESE INTERIM OPTIONS ADDRESS THE EXISTING ATTACHED SIDEWALKS AND REDUCED PROPERTY DEPTHS RESULTING FROM PAST STREET WIDENING EFFORTS. THE INTERIM OPTIONS ARE INCLUDED TO ENCOURAGE IMPROVEMENTS IN THOSE SITUATIONS THAT DO NOT INCLUDE DEVELOPING VACANT LAND, REDEVELOPMENT THAT INVOLVES CLEARING THE LAND BEFORE ADDING NEW CONSTRUCTION, OR EXPANSION OF EXISTING BUILDINGS BY 25% OF THE FOOT-PRINT OR MORE THAN 2,000 SQUARE FEET, WHICHEVER IS LESS. STREET TREES REMAIN A REQUIREMENT IN ALL OPTIONS.
- C. *GOALS.* THE GOALS SET FOR ACHIEVING THE PURPOSE STATED ABOVE ARE TO:
1. ENCOURAGE HIGH-QUALITY STREET EDGES BY REQUIRING A FLEXIBLE SCHEDULE OF IMPROVEMENTS PROPORTIONATE TO THE LEVEL OF DEVELOPMENT PROPOSED ON PROPERTIES ABUTTING HAVANA STREET; AND
 2. PROVIDE LANDSCAPE AND STREETScape OPTIONS THAT RESPOND FLEXIBLY TO A VARIETY OF EXISTING CONDITIONS ON LOTS ALONG THE CORRIDOR; AND
 3. STRIVE FOR CONSISTENCY OF APPEARANCE AND MATERIALS SO THAT THE HAVANA STREET CORRIDOR BUILDS A DISTINCTIVE CHARACTER OVER TIME; AND

4. PROVIDE FOR READILY IDENTIFIABLE AMENITIES SPECIFIC TO HAVANA STREET THAT ARE ATTRACTIVE AND USEFUL.

SEC. 146-887. APPLICABILITY OF REGULATIONS

- A. ALL PROPERTY DEVELOPMENT IN THE HAVANA STREET OVERLAY DISTRICT SHALL COMPLY WITH ORDINANCES OR RULES AND REGULATIONS GENERATED BY THE CITY. THE HAVANA STREET OVERLAY DISTRICT DOES NOT CHANGE REQUIREMENTS FOR SITE PLANNING PROCESSES OR REMOVE THE POSSIBILITY OF WAIVER RELIEF WHEN APPROPRIATE. THE HAVANA STREET OVERLAY DISTRICT REQUIREMENTS SET FORTH IN THIS DIVISION 8 SUPERSEDE THE GENERAL LANDSCAPING REQUIREMENTS OF ARTICLE 14 OF THIS CHAPTER 146 IN THOSE INSTANCES WHERE THE PROVISIONS CONFLICT.
 1. SPECIFIC LANDSCAPE REQUIREMENTS FOR EACH OPTION MAY BE FOUND IN TABLE 1, *LANDSCAPE REQUIREMENTS FOR HAVANA STREET FRONTAGE OPTIONS*. ALL PLANT MATERIAL SHALL BE SELECTED FROM THE *HAVANA OVERLAY DISTRICT PLANT LIST* AND IS SUBJECT TO SIZE REQUIREMENTS AT INSTALLATION PER SEC. 146-1426 *PLANT MATERIAL REQUIREMENTS*. REPLACEMENT OF DEAD OR MISSING PLANT MATERIAL SHALL BE IN ACCORDANCE WITH THE *HAVANA STREET OVERLAY DISTRICT PLANT LIST*.
 2. LANDSCAPE DESIGN SHALL COMPLY WITH SECTION 146-891 *PLANTING IN THE HAVANA STREET FRONTAGE AREAS*.
 3. TREE PLANTING SHALL CONFORM TO RULES FOUND IN SECTION 146-890 *TREE USAGE IN HAVANA STREET PROPERTY FRONTAGE AREAS*.
 4. FIGURES 8.13 – 8.20 HAVE BEEN PROVIDED FOR ILLUSTRATIVE PURPOSES. ACTUAL LANDSCAPE DESIGN MAY VARY DUE TO EXISTING SITE CONSTRAINTS AS LONG AS THE DESIGN MEETS ALL OF THE REQUIREMENTS FOUND IN THESE STANDARDS.
- B. *EXISTING LAND USES*. NOTHING IN THESE OVERLAY DISTRICT REGULATIONS SHALL REQUIRE A CHANGE OF A LAWFULLY EXISTING LAND USE. THE EXISTING AND FUTURE LAND USES OF ALL LOTS IN THE OVERLAY DISTRICT SHALL BE GOVERNED BY THE REGULATIONS OF THE UNDERLYING ZONE IN WHICH THE USES ARE LOCATED.
- C. *EXISTING PROPERTY WHERE NO CHANGES ARE MADE OR PROPOSED*. NO NEW LANDSCAPE OR STREET-EDGE IMPROVEMENTS ARE REQUIRED, BEYOND THOSE NECESSARY TO SATISFY THE CURRENT CODE OR SITE PLAN APPLICABLE TO THAT PROPERTY, FOR THOSE PROPERTIES NOT EXPERIENCING DEVELOPMENT CHANGES.
- D. *EXEMPTIONS FROM IMPROVEMENTS*. IF DEVELOPMENT CHANGES FOR A PROPERTY FULLY MEET THE CRITERIA ESTABLISHED IN SECTION 146-405(H) *AMENDMENTS*, THAT PROPERTY IS EXEMPT FROM THE REQUIREMENT FOR STREET FRONTAGE AND LANDSCAPE IMPROVEMENTS.

E. *PROPERTY CONDITIONS AND TRIGGER MECHANISMS.* IN EACH OF THE PROPERTY CONDITIONS, ANY ONE OF THE ACTIONS BELOW WILL TRIGGER HAVANA STREET STREETScape AND LANDSCAPE REQUIREMENTS:

TABLE 1: TRIGGER MECHANISMS BY CONDITION TYPE

| CONDITION 1 | CONDITION 2 | CONDITION 3 |
|--|---|---|
| <p>DEMOLITION/CLEARANCE OF EXISTING BUILDINGS OR DEVELOPMENT ON VACANT GROUND</p> | <p>ALL DEVELOPMENT THAT OCCURS ON PROPERTIES WITH AN EXISTING FIVE-FOOT OR WIDER ATTACHED SIDEWALK AND AN EXISTING BUILDING(S)</p> | <p>PROPERTIES WHERE THE EXISTING BUILDINGS ARE CLOSE TO THE STREET AND HAVE NO PARKING OR PAVED ACCESS BETWEEN BUILDINGS AND RIGHT-OF-WAY OR STREET FRONTAGE PROPERTY LINE</p> |
| <p>TRIGGERS:</p> | <p>TRIGGERS:</p> | <p>TRIGGERS:</p> |
| <p>ALL DEVELOPMENT THAT OCCURS ON VACANT GROUND, ON REDEVELOPMENT SITES, OR THAT INCLUDES EXPANSIONS OF EXISTING BUILDINGS BY 25% OF THE FOOTPRINT OR 2,000 SQUARE FEET, WHICHEVER IS LESS</p> | <ul style="list-style-type: none"> -SIGNIFICANT ARCHITECTURAL ELEVATION REMODELING REQUIRING A PERMIT SUCH AS STUCCO, MASONRY, AWNINGS, STOREFRONT ALTERATIONS INCLUDING REBRANDING (AS REBRANDING IS UNDERSTOOD IN THE INDUSTRY) OF ARCHITECTURE AND SIGNAGE -ACCESS ALTERATIONS FROM HAVANA STREET -SIGNS WITHIN THE LANDSCAPE BUFFER REQUIRING WAIVERS -ANY PROPOSED OR UNAUTHORIZED REMOVAL OF REQUIRED STREET (FRONTAGE AREA) TREES FROM THE PROPERTY -ANY NEW SINGLE USE OR CHANGED CONDITIONAL USE FOR AUTOMOBILE OR LIGHT TRUCK SALES, RENTALS OR SERVICE; CAR WASHES; FUEL DISPENSING; RECREATIONAL VEHICLE, TRAILER, BOAT, MOTOR HOME RENTAL OR SALES; PLANT OR TREE NURSERIES; GREENHOUSES; KENNELS; AND RECYCLING COLLECTION FACILITY -ANY REDESIGN IN A LANDSCAPE PLAN OTHER THAN ROUTINE LANDSCAPE MAINTENANCE IN | <ul style="list-style-type: none"> -SIGNIFICANT ARCHITECTURAL ELEVATION REMODELING REQUIRING A PERMIT SUCH AS STUCCO, MASONRY, AWNINGS, STOREFRONT ALTERATIONS INCLUDING REBRANDING (AS REBRANDING IS UNDERSTOOD IN THE INDUSTRY) OF ARCHITECTURE AND SIGNAGE -ACCESS ALTERATIONS FROM HAVANA STREET -SIGNS WITHIN THE FRONTAGE REQUIRING WAIVERS -ANY PROPOSED OR UNAUTHORIZED REMOVAL OF REQUIRED STREET (FRONTAGE AREA) TREES FROM THE PROPERTY - ANY NEW SINGLE USE OR CHANGED CONDITIONAL USE FOR AUTOMOBILE OR LIGHT TRUCK SALES, RENTALS OR SERVICE; CAR WASHES; FUEL DISPENSING; RECREATIONAL VEHICLE, TRAILER, BOAT, MOTOR HOME RENTAL OR SALES; PLANT OR TREE NURSERIES; GREENHOUSES; KENNELS; AND RECYCLING COLLECTION FACILITY -ANY REDESIGN IN LANDSCAPING OTHER THAN ROUTINE LANDSCAPE MAINTENANCE IN |

| | CONFORMANCE WITH AN APPROVED LANDSCAPE PLAN | CONFORMANCE WITH AN APPROVED LANDSCAPE PLAN |
|---|---|--|
| REQUIRED IMPROVEMENTS | MINIMUM REQUIRED IMPROVEMENTS | MINIMUM REQUIRED IMPROVEMENTS |
| SHALL PROVIDE A TREE LAWN, DETACHED SIDEWALK, AND LANDSCAPE BUFFER PER FIGURE 8.13 OF THIS SECTION AND SECTION 146-889(A) | SHALL PROVIDE STREETScape AND LANDSCAPING PER FIGURE 8.14 OF THIS SECTION AND SECTION 146-889(B) OR MAY PROVIDE STREETScape BUFFER PER FIGURE 8.13 OF THIS SECTION AND SECTION 146-889(A) | SHALL PROVIDE STREETScape AND LANDSCAPING PER FIGURES 8.15 TO 8.18 OF THIS SECTION AND SECTION 146-889(C) OR MAY PROVIDE STREETScape BUFFER PER FIGURE 8.13 OF THIS SECTION AND SECTION 146-889(A) |

- F. *LANDSCAPE REQUIREMENTS*. THE INDIVIDUAL DESIGN STANDARD AND DESIGN GUIDELINE SUBSECTIONS IN SECTION 146-889 CONTAIN THE LANDSCAPE REQUIREMENTS FOR EACH OF THE THREE PROPERTY CONDITIONS LISTED IN THIS SECTION.
- G. *NON-TRIGGERING ACTIONS*. ACTIONS THAT WILL NOT TRIGGER HAVANA STREET STREETScape AND LANDSCAPE IMPROVEMENTS ARE:
1. DEFERRED MAINTENANCE SUCH AS: PAINTING, STRIPPING, GLAZING, PATCHING PAVEMENT, RESURFACING PAVEMENT, REPLACING DEAD OR MISSING PLANTS, ROOF REPAIRS. REPLACEMENT OF DEAD OR MISSING TREES SHALL BE IN ACCORDANCE WITH THE *HAVANA STREET OVERLAY DISTRICT PLANT LIST*.
 2. TENANT FINISH – WHERE ALL CONSTRUCTION IS WITHIN AN EXISTING STRUCTURE AND THERE IS NO EXTERNAL IMPACT.
 3. INDIVIDUAL COMMERCIAL SPACE WITHIN A MULTI-TENANT BUILDING REQUIRING A CONDITIONAL USE.
- H. *PLACE-MAKING MARKER INSTALLATION SHALL BE ALLOWED WITH AN ADMINISTRATIVE APPROVAL BY THE DIRECTOR OF PLANNING OR HIS OFFICIAL DESIGNEE*. SUCH APPROVAL SHALL COMPORT WITH CRITERIA PROMULGATED BY THE DIRECTOR OF PLANNING AND BE KEPT WITHIN THE PLANNING DEPARTMENT. PLACE-MAKING MARKERS SHALL NOT BE CONSTRUED AS SIGNAGE. PLACE MAKING MARKERS SHALL BE OF THE DESIGN ESTABLISHED AND APPROVED BY THE DIRECTOR OF PLANNING OR HIS OFFICIAL DESIGNEE AND THEY SHALL CONTAIN NO INDIVIDUAL BUSINESS ADVERTISING OR LOGOS. PLACE-MAKING MARKERS ARE STREETScape ELEMENTS THAT CARRY THE MESSAGE "ON HAVANA." THE INTENT OF PLACE-MAKING MARKERS IS TO IDENTIFY THE HAVANA DISTRICT.
- I. *STREETScape ELEMENTS*, SUCH AS LIGHTING POLES AND FIXTURES, BENCHES, BUS STOPS, TRASH RECEPTACLES, AND OTHER STREET FURNISHINGS SHALL BE ALLOWED WITH AN ADMINISTRATIVE APPROVAL BY THE DIRECTOR OF PLANNING OR HIS OFFICIAL DESIGNEE.

SEC. 146-888. DEFINITIONS

- A. *FRONTAGE*. THE LINEAR MEASUREMENT OF THE LENGTH OF PROPERTY LINE/RIGHT OF WAY PARALLEL TO THE STREET BETWEEN THE TWO LOT SIDE PROPERTY LINES PERPENDICULAR TO THE STREET.
- B. *FRONTAGE AREA*. A FRONTAGE AREA IS DEFINED AS THE AREA BETWEEN THE CURB FACE AND BUILDING FACE BETWEEN THE TWO SIDE PROPERTY LINES PERPENDICULAR TO THE STREET.
- C. *HAVANA STREET OVERLAY DISTRICT PLANT LIST*. THE APPROVED SPECIES ARE SET FORTH IN THE HAVANA STREET OVERLAY DISTRICT DESIGN MANUAL.
- D. *STREETSCAPE ELEMENTS*. MARKERS, BANNERS, AND OTHER ELEMENTS THAT ESTABLISH THE HAVANA STREET OVERLAY DISTRICT.
- E. *STREET FURNISHINGS*. BENCHES, LIGHTS, AND OTHER AMENITY ELEMENTS INCORPORATED INTO THE HAVANA STREET EDGE WITHIN THE HAVANA STREET OVERLAY DISTRICT.
- F. *STREETSCAPE AND LANDSCAPE DEPTH DIMENSIONS*: DIMENSIONS ARE MEASURED INWARD FROM FACE OF CURB.

SEC. 146-889. HAVANA STREET EDGE TREATMENT REQUIREMENT

A. REGULATORY SECTION ELEMENTS:

- 1. *INTENT*: THE INTENT LANGUAGE FOR EACH SECTION IS THE BASIS FOR THE REGULATORY DESIGN STANDARDS AND THE ADVISORY DESIGN GUIDELINES.
- 2. *DESIGN STANDARDS*: COMPLIANCE WITH THE DESIGN STANDARDS IN EACH SECTION IS REQUIRED. STREETSCAPE AND BUFFER REQUIREMENTS DESCRIBE THE TOTAL AMOUNT OF APPLICABLE ELEMENTS INCLUDING CURB, ATTACHED WALK, TREE LAWN, DETACHED WALK, HARDSCAPE OR LANDSCAPED AREA, AND LANDSCAPE BUFFERS.
- 3. *DESIGN GUIDELINES*: DESIGN GUIDELINES ARE PRESENTED AS POSSIBLE ALTERNATIVE METHODS OF MEETING THE GOALS SET IN THE INTENT LANGUAGE. DESIGN GUIDELINES ARE ADVISORY RATHER THAN REGULATORY AND MAY BE ACCEPTED AS ALTERNATIVES TO THE DESIGN STANDARDS ONLY IN THOSE INSTANCES WHERE THE APPLICATION OF THE GUIDELINES:
 - A. MEETS OR EXCEEDS THE GOALS SET OUT IN THE INTENT LANGUAGE; OR
 - B. MEETS THE INTENT WHERE THE DESIGN STANDARD WOULD NOT; OR
 - C. MEETS THE INTENT GOALS IN THOSE CASES WITH EXISTING SITE CHARACTERISTICS THAT MAKE APPLICATION OF THE DESIGN STANDARD EXTREMELY DIFFICULT OR NOT PRACTICAL.

B. CONDITION 1: STANDARD RIGHT-OF-WAY STREETSCAPE AND LANDSCAPING REQUIREMENTS FOR THE HAVANA STREET OVERLAY DISTRICT

INTENT: TO IMPLEMENT THE VISION OF HAVANA STREET AS A TREE-LINED BOULEVARD WITH TREE LAWN, DETACHED SIDEWALK, AND

LANDSCAPE BUFFERS THROUGH IMPROVEMENTS REQUIRED WITH NEW DEVELOPMENT OR REDEVELOPMENT. SEE FIGURE 8.13.

DESIGN STANDARDS: ALL DEVELOPMENT THAT OCCURS ON VACANT LAND, REDEVELOPMENT THAT INVOLVES CLEARING THE LAND BEFORE ADDING NEW CONSTRUCTION, OR EXPANSION OF EXISTING BUILDINGS BY 25% OF THE FOOT-PRINT OR MORE THAN 2,000 SQUARE FEET, WHICHEVER IS LESS, SHALL PROVIDE AT A MINIMUM THE FOLLOWING:

1. **STREETSCAPE:** PROVIDE A 10-FOOT WIDE TREE LAWN WITH ONE STREET TREE PER 40 LINEAR FEET OF TREE LAWN AS REQUIRED, AND A 10-FOOT WIDE DETACHED SIDEWALK. SEE FIGURE 8.13.
2. **LANDSCAPE BUFFER:** PROVIDE A MINIMUM NINE-FOOT WIDE LANDSCAPE BUFFER AND LANDSCAPING AT A MINIMUM OF TWO TREE EQUIVALENTS (TE) PER 40 LINEAR FEET OF BUFFER LENGTH.

DESIGN GUIDELINES:

1. **LANDSCAPE BUFFER DEPTH:** THE STANDARD LANDSCAPE BUFFER DEPTH REQUIRED IN THE CITY MAY BE REDUCED TO A NINE-FOOT MINIMUM ALONG HAVANA STREET IN RESPONSE TO THE STREET WIDENING PROJECTS DONE IN THE PAST.
2. **STREETSCAPE AND LANDSCAPE BUFFER:** THE STANDARD MINIMUM DEPTH IS 29-FEET AS MEASURED INTO THE PROPERTY FROM CURB FACE INCLUDING THE CURB-HEAD, TREE LAWN, DETACHED WALK, AND THE MINIMUM NINE-FOOT LANDSCAPE.
3. **LANDSCAPE BUFFER WITH EXCEPTIONS:** BUFFER WIDTH MAY BE LESS THAN NINE-FEET WHEN EITHER A 2.5-FOOT HIGH MASONRY WALL OR A 2.5-FOOT HIGH CONTINUOUS LANDSCAPE HEDGE IS PROVIDED. THE MINIMUM LANDSCAPE BUFFER DEPTH WITH ONE OF THESE EXCEPTIONS IS FIVE FEET.

C. CONDITION 2: PROPERTIES WITH EXISTING ATTACHED SIDEWALKS - STREETSCAPE AND LANDSCAPING REQUIREMENTS FOR HAVANA STREET FRONTAGE IN PROPERTIES WITH AN EXISTING ATTACHED SIDEWALK IN THE HAVANA STREET OVERLAY DISTRICT

INTENT: TO ALLOW AN INTERIM STREETSCAPE AND LANDSCAPE CONDITION NOT REQUIRING A 10-FOOT TREE LAWN, 10-FOOT DETACHED SIDEWALK AND NINE-FOOT LANDSCAPE BUFFER WITH NEW DEVELOPMENT. SEE FIGURE 8.14. THE INTERIM CONDITION IS INTENDED TO ADDRESS THE PHYSICAL DIFFICULTIES AND COSTS THAT INHIBIT REDEVELOPMENT OF EXISTING PROPERTIES.

DESIGN STANDARDS: ALL DEVELOPMENT THAT OCCURS ON PROPERTIES WITH AN EXISTING ATTACHED SIDEWALK AND EXISTING DEVELOPMENT SHALL PROVIDE STREETSCAPE AND LANDSCAPE BUFFER. SEE FIGURE 8.14.

1. **STREETSCAPE AND LANDSCAPE BUFFER:** REQUIRED STREETSCAPE IN THIS CONDITION CONSISTS OF THE EXISTING

ATTACHED SIDEWALK AND THE ADJACENT LANDSCAPE BUFFER ON THE PROPERTY SIDE OF THE SIDEWALK.

2. LANDSCAPE BUFFER: MINIMUM OF ONE TREE AND 10 SHRUBS PER EVERY 40 LINEAR FEET OR A TOTAL OF TWO TREE EQUIVALENTS PER EACH 40 LINEAR FEET OF FRONTAGE RATHER THAN THE FULL STANDARD STREETScape AND LANDSCAPE BUFFER REQUIRED IN SECTION 146-889(A) ABOVE.

DESIGN GUIDELINES:

IN THE PRESENCE OF AN ATTACHED SIDEWALK ON THE SUBJECT PROPERTY, THE REQUIRED STANDARD NINE-FOOT WIDE LANDSCAPE BUFFER MAY BE REDUCED IN WIDTH WHEN ONE OF THE FOLLOWING ARE PROVIDED WITHIN THE LANDSCAPE BUFFER:

1. 2.5-FOOT HIGH MASONRY WALL; OR
2. 2.5-FOOT HIGH CONTINUOUS LANDSCAPE HEDGE.

D. CONDITION 3: PROPERTIES WHERE THE EXISTING BUILDING(S) ARE CLOSE TO THE STREET AND HAVE NO PARKING OR PAVED ACCESS BETWEEN BUILDING(S) AND RIGHT-OF-WAY OR STREET FRONTAGE PROPERTY LINE.

INTENT: TO ALLOW AN INTERIM STREETScape AND LANDSCAPE BUFFER CONDITION NOT REQUIRING A 10-FOOT TREE LAWN, 10-FOOT DETACHED SIDEWALK AND NINE-FOOT LANDSCAPE BUFFER WITH NEW DEVELOPMENT. THE APPLICABLE STANDARD FOR THE HAVANA STREET FRONTAGE IN CONDITION 3 IS THE URBAN STREET FRONTAGE SECTION 126-36.5 CONSISTING OF EDGE, FURNISHINGS, AND THROUGHWAY ZONES. SEE FIGURES 8.15 – 8.18 FOR ILLUSTRATIONS ON HOW THESE ZONES APPLY. THE INTERIM CONDITION IS INTENDED TO ADDRESS THE PHYSICAL DIFFICULTIES AND COSTS THAT INHIBIT REDEVELOPMENT OF EXISTING PROPERTIES.

DESIGN STANDARDS: ALL DEVELOPMENT THAT OCCURS ON PROPERTY WHERE EXISTING BUILDINGS HAVE NO PARKING OR ACCESS DRIVES BETWEEN THE BUILDINGS AND THE HAVANA STREET RIGHT-OF-WAY OR THE FRONT PROPERTY LINE SHALL PROVIDE STREETScape AND LANDSCAPING ALONG THE HAVANA STREET FRONTAGE AS FOLLOWS:

1. STREETScape: ONE TREE PER 40 LINEAR FEET OF FRONTAGE.
2. LANDSCAPE BUFFER XERIC OPTION: 2.0 TREE EQUIVALENTS PER 40 LINEAR FEET.
3. LANDSCAPE BUFFER PLAZA OPTION: 1.5 TREE EQUIVALENTS PER 40 LINEAR FEET.

DESIGN GUIDELINES: STREETScape AND LANDSCAPE REQUIREMENTS MAY BE MET BY UTILIZING A COMBINATION OF STREET TREES WITHIN TREE GRATES OR PLANT BEDS WITHIN THE FRONTAGE AREA, A THROUGHWAY ZONE SIDEWALK, AND ADJACENT LANDSCAPING CONSISTING OF EITHER A XERIScape LANDSCAPE BUFFER OR INTEGRAL SIDEWALK/PLAZA. PLAZA LANDSCAPING SHALL CONSIST OF PLANT BEDS OR PLANT CONTAINERS, RAISED PLANTERS, AND TREES

BETWEEN THE BUILDING AND THE HAVANA STREET RIGHT-OF-WAY OR THE FRONT PROPERTY LINE.

1. THE MINIMUM DEPTH OF THE LANDSCAPING BUFFER MAY VARY WITH EXISTING BUILDING SETBACK FROM THE FRONTAGE PROPERTY LINE.
2. ELIMINATING THE XERISCAPE LANDSCAPE BUFFER AND SUBSTITUTING A HARDSCAPE PLAZA WITH PLANTERS IS ONE POSSIBILITY IN CONDITION 3 DEPENDING ON THE EXISTING PHYSICAL CONDITION AND THE SETBACK DEPTH OF THE EXISTING BUILDING.

SECTION 146-890. TREE USAGE IN HAVANA STREET PROPERTY FRONTAGE AREAS

A. *INTENT*: TREES SHALL BE USED TO DEFINE THE STREET EDGE, FRAME VIEWS, DEFINE POINTS OF ACCESS, SOFTEN BUILDING ARCHITECTURE, DEFINE BUILDING ENTRANCES, DIRECT ATTENTION TO SIGNAGE, AND PROVIDE SHADE FOR BENCHES AND RTD STOPS. FLEXIBILITY IN THE PLACEMENT OF TREES WITHIN THE FRONTAGE AREA IS ONE OF THE PRINCIPLES INCLUDED IN THIS SECTION.

B. *DESIGN STANDARDS*: ALL DEVELOPMENT THAT OCCURS ALONG THE HAVANA STREET OVERLAY DISTRICT STREET EDGES HAS A TREE REQUIREMENT REGARDLESS OF THE DEVELOPMENT OPTION APPLIED. RULES FOR TREE USAGE ARE:

1. TREES SHALL BE SELECTED FROM THE HAVANA STREET OVERLAY DISTRICT PLANT LIST.
2. TREE SIZES SHALL CONFORM TO REQUIREMENTS FOUND IN SEC. 146-1426 PLANT MATERIAL REQUIREMENTS.
3. TREES SHALL BE USED IN ALL HAVANA STREET FRONTAGES AS REQUIRED IN TABLE 1.
4. STREET TREES IN CONDITION 1 ARE REQUIRED WITHIN THE TREE LAWN AT ONE TREE PER EACH 40 LINEAR FEET LENGTH OF FRONTAGE.
5. TREES IN CONDITION 2 SHALL BE LOCATED ON THE PROPERTY SIDE OF THE EXISTING SIDEWALK WITHIN THE LANDSCAPE BUFFER WHEN IT IS FIVE-FOOT WIDE OR GREATER. PROVISION OF A NUMBER OF TREES EQUAL TO, BUT NOT LESS THAN, ONE TREE PER EACH 40 LINEAR FEET OF FRONTAGE IS REQUIRED. BUFFERS LESS THAN FIVE FEET WIDE WILL REQUIRE INCENTIVE FEATURES FOUND IN TABLE 1.
6. TREES IN CONDITION 3 SHALL BE PROVIDED AT ONE TREE FOR EACH 40 LINEAR FEET OF FRONTAGE WITHIN THE FURNISHING ZONE.
7. TREES IN CONDITION 3, LOCATED IN PAVED AREAS, SHALL BE WITHIN TREE GRATES OR PLANT BEDS. TRAFFIC SIGHT LINES SHALL NOT BE OBSTRUCTED.
8. CUT-OUTS FOR TREE GRATES SHALL BE A MINIMUM OF 5' X 5'. CUT OUTS FOR PLANT BEDS WITH TREES SHALL BE A MINIMUM OF 5' X 10', WITH A PREFERRED SIZE OF 5' X 15' WHERE POSSIBLE, AND DESIGNED TO ACCOMMODATE TREE GROWTH.

C. *DESIGN GUIDELINES*: ALTERNATIVES TO THE DESIGN STANDARDS MAY INCLUDE:

1. IN CONDITIONS 1, 2 AND 3, WHENEVER A SINGLE TREE CONFLICTS WITH SIGHT LINES TO A FREE-STANDING OR BUILDING-MOUNTED SIGN, ONE TREE IN THE WHOLE OF THE FRONTAGE AREA MAY BE CONVERTED TO EQUIVALENTS FOR AN EQUAL NUMBER OF SHRUBS, PERENNIALS, OR ORNAMENTAL GRASSES.
2. TREES WITHIN HAVANA FRONTAGE AREAS SHALL NOT BE LOCATED CLOSER THAN 40 FEET FROM AN EXISTING TREE ON AN ADJACENT SITE.
3. A BENCH OR RTD STOP MAY BE SUBSTITUTED FOR ONE TREE PER SITE WITHIN EACH INDIVIDUAL HAVANA FRONTAGE.
4. EXISTING TREES LOCATED WITHIN HAVANA STREET FRONTAGE AREAS DETERMINED TO BE IN GOOD CONDITION MAY BE COUNTED TOWARD TREE REQUIREMENTS.
5. TREES MEETING REQUIREMENTS FOUND IN THE CITY'S CURRENT *POLICY ON PRESERVATION OF EXISTING TREES* SHALL BE PROTECTED IN PLACE, RELOCATED, REMOVED, OR MITIGATED ACCORDING TO REQUIREMENTS FOUND IN THAT POLICY.
6. SIGHT TRIANGLES AT ACCESS POINTS SHALL BE MAINTAINED AS REQUIRED IN SECTION 146-1100(I).
7. TREE LOCATIONS AND LIGHTING LOCATIONS SHALL BE COORDINATED SO THAT BOTH ARE EFFECTIVE.

SECTION 146-891. PLANTING IN HAVANA STREET FRONTAGE AREAS

A. *INTENT*: THE FOLLOWING PLANTING CONCEPT SHALL APPLY TO ALL AREAS TO BE LANDSCAPED WITHIN THE HAVANA STREET OVERLAY DISTRICT FRONTAGE AREAS. THE CONCEPT IS REPRESENTATIVE OF A REPEATABLE SEQUENCE OF PLANT PLACEMENT BEGINNING WITH TALLER PLANT MATERIAL SPECIES THAT TRANSITIONS TO MEDIUM HEIGHT SPECIES TO LOW SPREADING SPECIES AND BACK TO MEDIUM HEIGHT SPECIES AND ENDING WITH TALLER SPECIES. APPLICABLE PLANTS MAY BE FOUND IN THE *HAVANA OVERLAY DISTRICT PLANT LIST*. THIS LIST HAS BEEN ORGANIZED BY HEIGHT AND OTHER GROWTH AND VISUAL CHARACTERISTICS. SEE FIGURES 8.19 AND 8.20.

B. *DESIGN STANDARDS*: THE LANDSCAPE AREA DEPICTED BELOW IN FIGURES 8.19 AND 8.20 MAY BE WITHIN A BUFFER NEXT TO A SIDEWALK, NEXT TO A STREET OR WITHIN A PLANT BED WITHIN A HARD SURFACED AREA.

C. *DESIGN GUIDELINES*: ALTERNATIVES MUST INCLUDE STREET TREES FOR HAVANA STREET. THE ALTERNATIVES MAY INCLUDE INTEGRATING A SIGN, BENCH, OR RTD STOP INTO THE LANDSCAPING IN LIEU OF ONE TREE IN THE FRONTAGE REQUIREMENT, AND MAY BE CONSIDERED A VARIATION OF THE PLANTING SEQUENCE PRESENTED IN FIGURES 8.19 AND 8.20.

SECTION 146-892. STREET FURNISHINGS, PLACE MAKING MARKER PROGRAM, AND HAVANA STREET OVERLAY DISTRICT PLANT LIST

A. *INTENT*: CITY OF AURORA STAFF, HAVING OBTAINED PUBLIC INPUT DEVELOPED THE HAVANA STREET OVERLAY DISTRICT DESIGN MANUAL. THIS MANUAL CONTAINS THE APPROVED STREET FURNISHINGS AND STREETScape ELEMENTS (KIT OF PARTS), THE APPROVED PLACE MAKING MARKER TYPES

Fig. 8.13. Condition 1. Detached Sidewalk, Tree Lawn, and Minimum 9' Landscaped Buffer – Perspective View

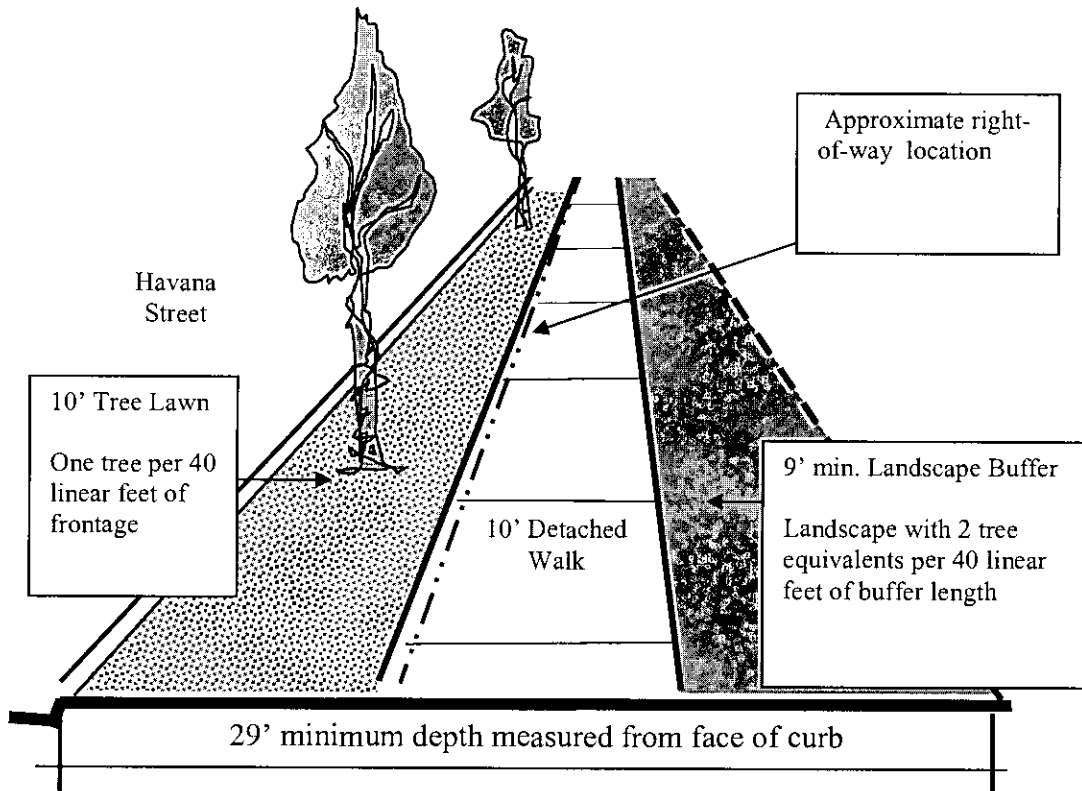


Fig.8.14. Condition 2. Existing Attached Sidewalk and Landscape Buffer – Perspective View

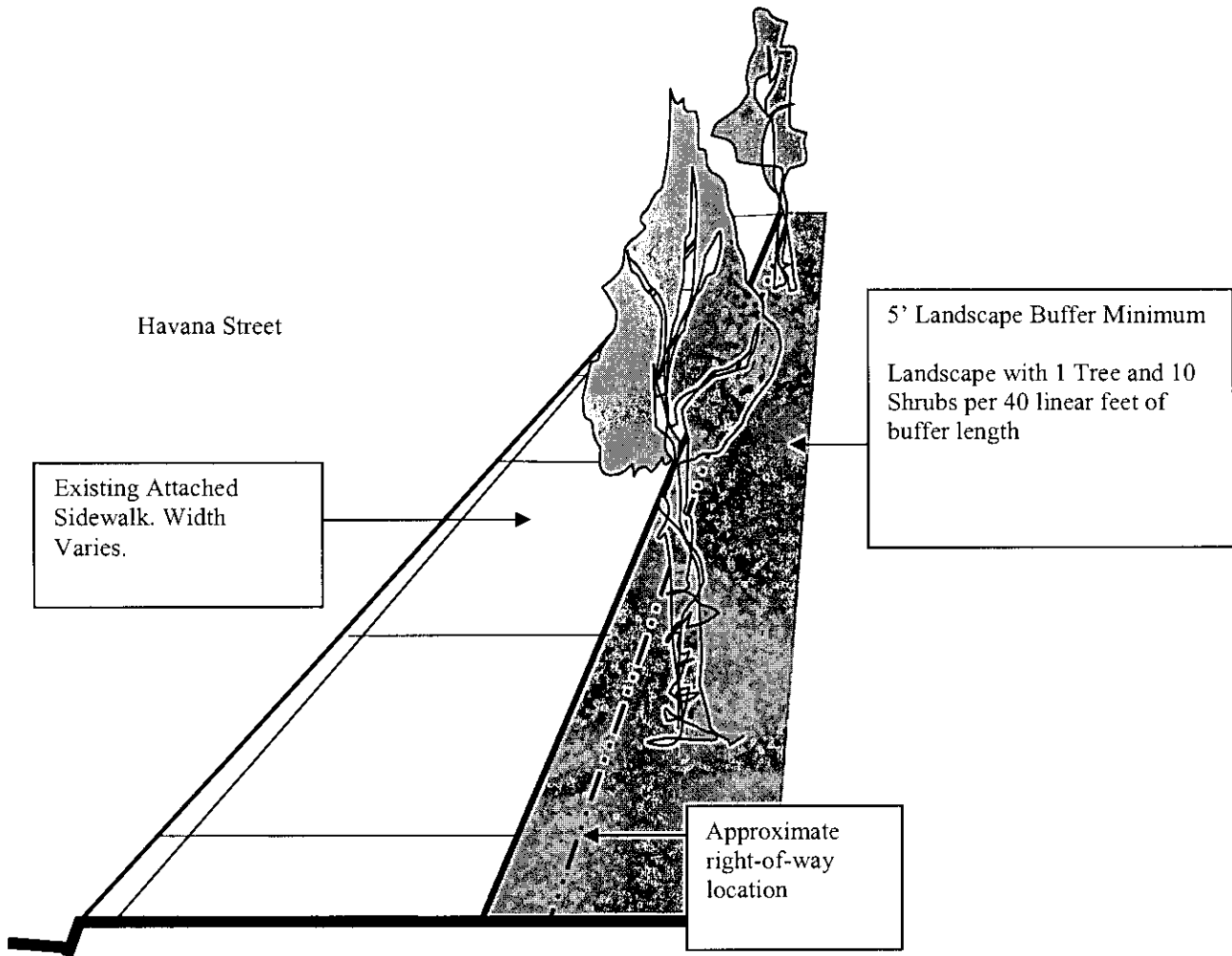
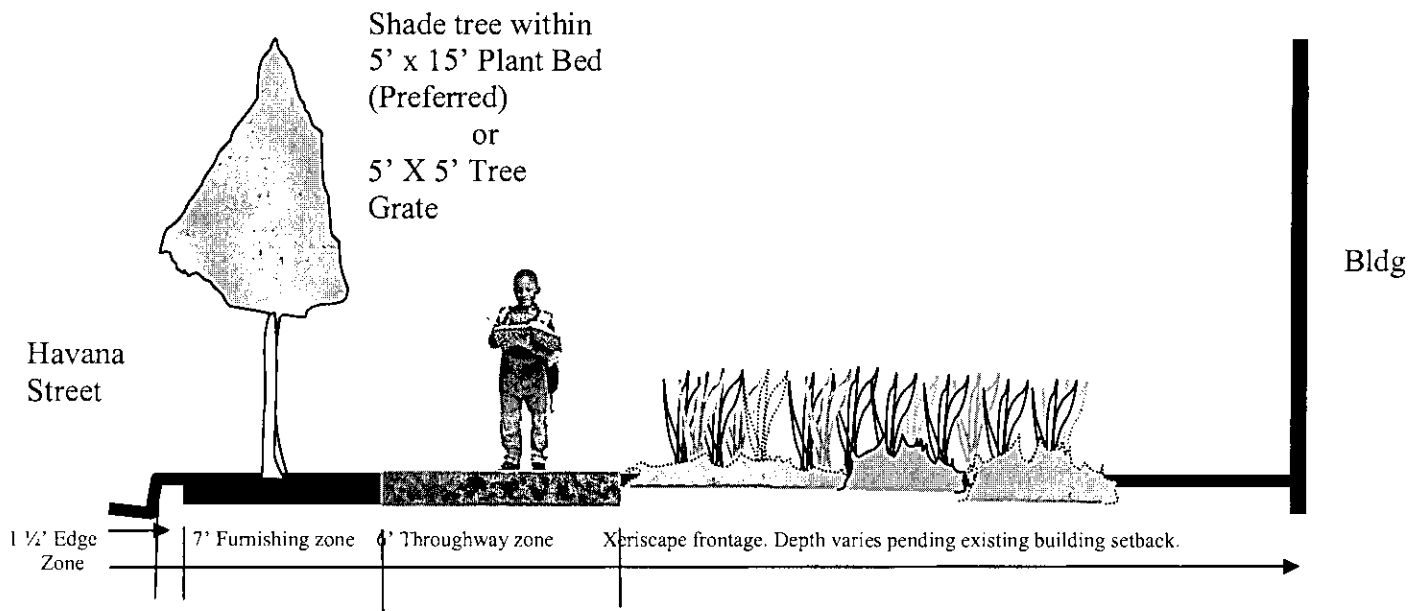
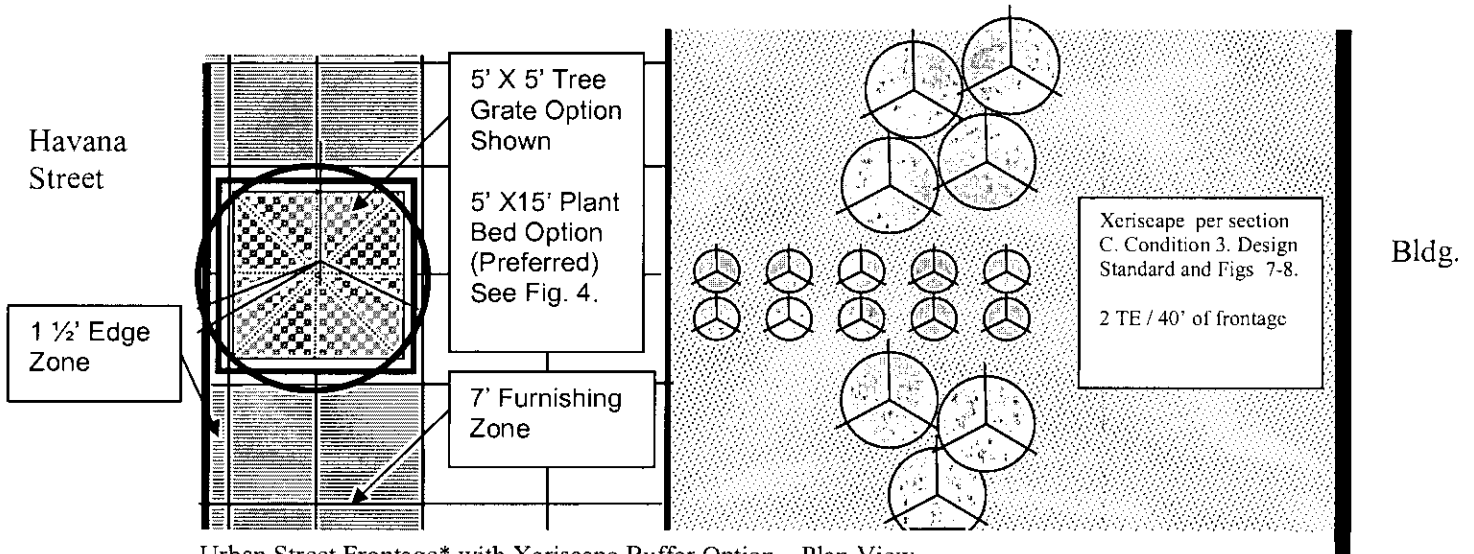


Figure 8.15. Condition 3. Urban Street Frontage with Xeriscape Buffer Option – Elevation and Plan Views



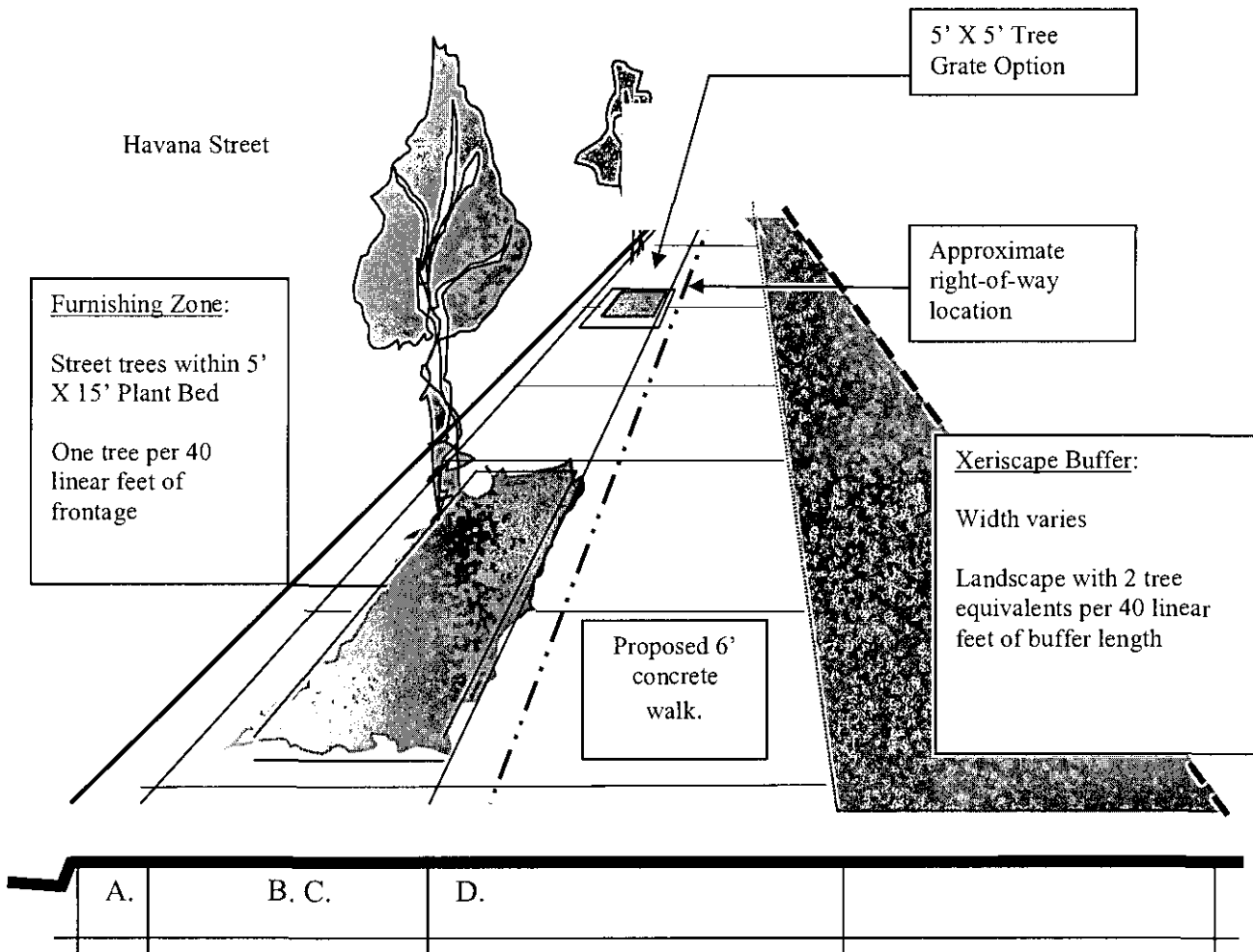
Urban Street Frontage* with Xeriscape Buffer Option – Elevation View



Urban Street Frontage* with Xeriscape Buffer Option – Plan View

*Urban Street Standards consisting of Edge, Furnishings, and Throughway zones per Sec. 126-36.5.

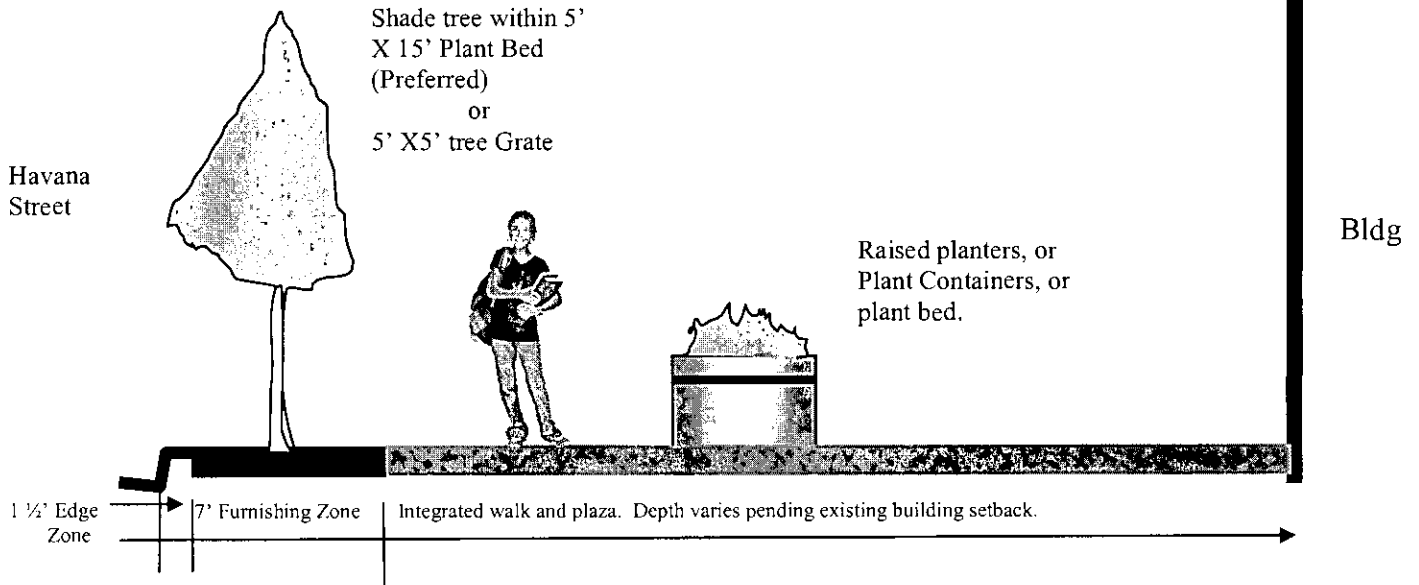
Fig.8.16 Condition 3. Urban Street Frontage with Xeriscape Buffer Option – Perspective View



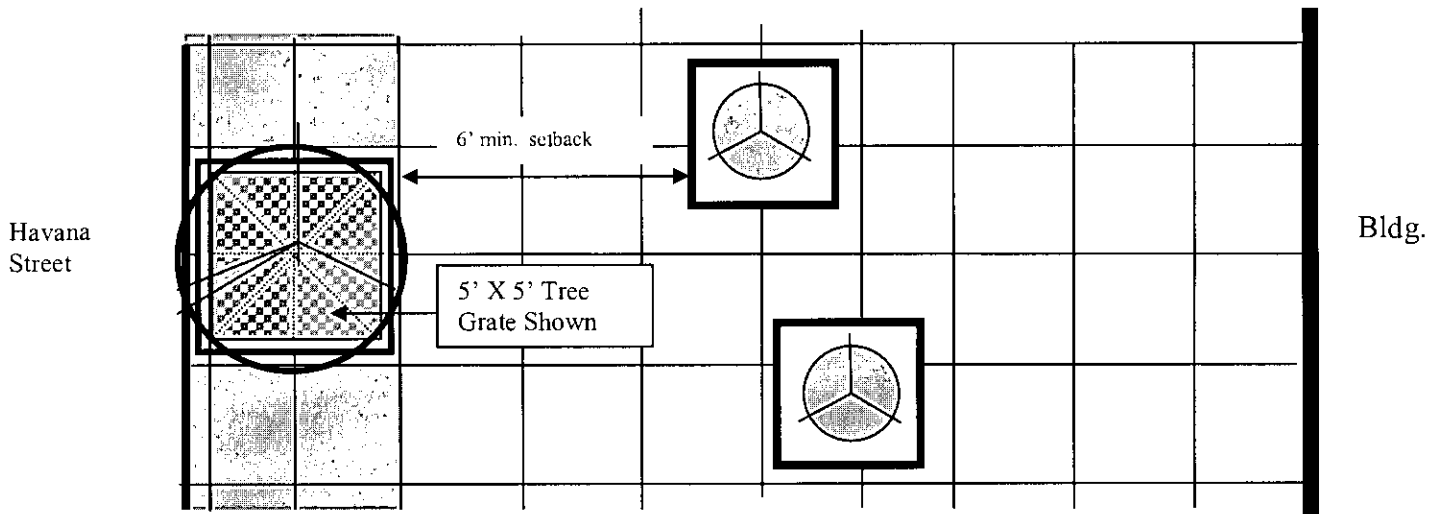
Streetscape consisting of:
Urban Street Standards* and Xeriscape Buffer:
(A) 1 ½' Edge Zone
(B) 7' Furnishings Zone,
(C) 6' Throughway Zone, and
(D) Xeriscape Buffer, Width Varies

*Urban Street Standards consisting of Edge, Furnishings, and Throughway Zones per Sec. 126-36.5.

Figure 8.17. Condition 3. Urban Street Frontage with Plaza Buffer Option – Elevation and Plan Views



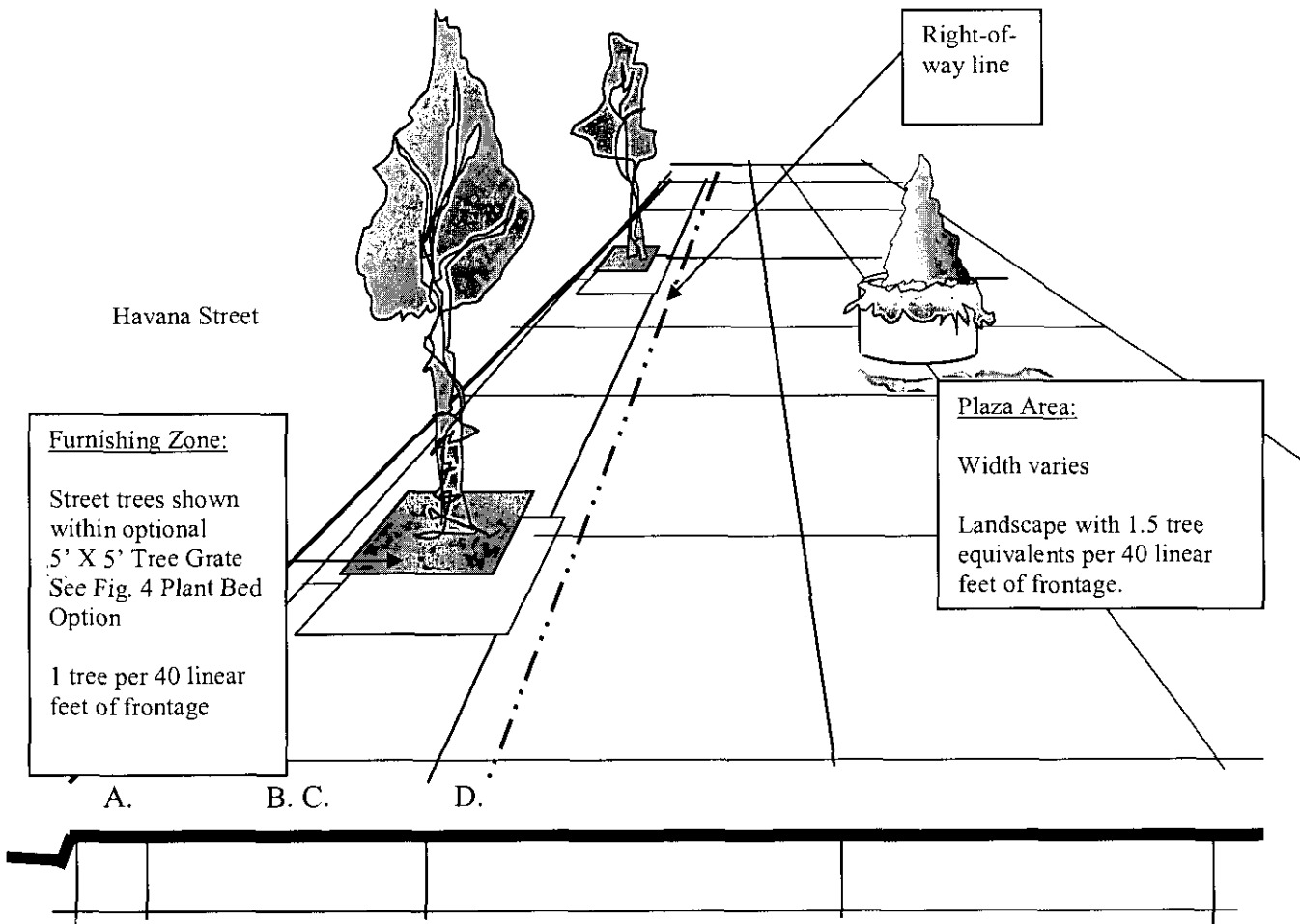
Urban Street Frontage* with Plaza Buffer Option - Elevation View



Urban Street Frontage* with Plaza Buffer Option - Plan View

*Urban Street Standards consisting of Edge, Furnishings, and Throughway Zones per Sec. 126-36.5.

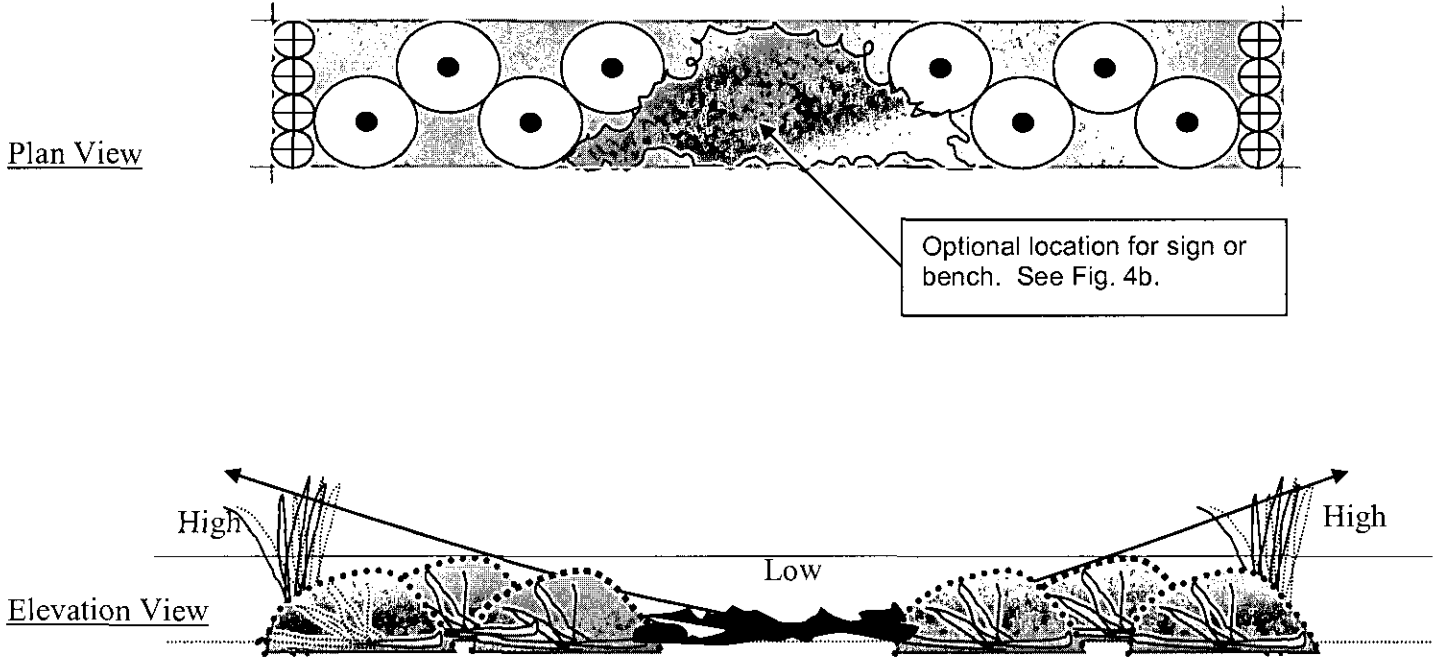
Fig. 8.18. Condition 3. Urban Street Frontage with Plaza Buffer Option – Perspective View.



Streetscape consisting of:
Urban Street Standards* and Plaza Buffer:
(A) 1 ½' Edge Zone
(B) 7' Furnishings Zone,
(C) 6' Throughway Zone, and
(D) Xeriscape Buffer, Width Varies

*Urban Street Standards consisting of Edge, Furnishings, and Throughway Zones per Sec. 126-36.5.

Figure 8.19. Planting Sequence



LEGEND


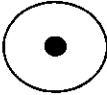

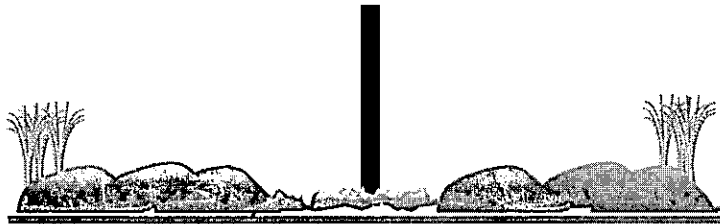
| | |
|---|--|
|  | <p>Tall upright species such as perennials, ornamental grasses, and deciduous shrubs. Height Range: 36 inches to 42 inches and higher</p> |
|  | <p>Medium height species such as deciduous and evergreen shrubs, and some perennial species. Height Range: 18 inches to less than 36 inches</p> |
|  | <p>Low spreading deciduous, evergreen, and perennial species noted for their use as groundcovers. To be used primarily as infill plants that provide not only coverage but also increase contrasts in texture and color. Height Range: 6 inches to less than 18 inches</p> |

Fig. 8.20. Integrating a Sign or Bench with Landscaping.

With Sign:



Plan View



Elevation View

With Bench:

Bench and Trash Receptacle on 5' wide concrete pad within landscape area.



Plan View



Elevation View

AND LOCATIONS (PLACE MAKING MARKER PROGRAM), AND THE PLANT SPECIES LIST FOR THE HAVANA STREET OVERLAY DISTRICT (HAVANA STREET OVERLAY DISTRICT PLANT LIST). THE INTENT OF ESTABLISHING AND MAINTAINING THIS MANUAL IS TO APPLY ITS CONTENTS SO THAT COMMON ELEMENTS AND DESIGN STANDARDS APPEAR IN IMPROVEMENTS ALONG THE LENGTH OF HAVANA STREET WITHIN THE DISTRICT. THESE STANDARDS SHALL BE USED BY THE CITY OF AURORA PLANNING DEPARTMENT FOR REVIEW AND DECISION MAKING. THAT MANUAL IS HEREBY ADOPTED SUBJECT TO UPDATING AND FUTURE AMENDING BY THE DIRECTOR OF PLANNING OR HIS OFFICIAL DESIGNEE.

B. *DESIGN STANDARDS*: STREETScape ITEMS SUCH AS LIGHTING POLES AND FIXTURES, BENCHES, BUS STOPS, TRASH RECEPTACLES, PLACE-MAKING MARKERS, AND OTHER STREET FURNISHINGS SHALL BE ALLOWED WITH AN ADMINISTRATIVE APPROVAL BY THE DIRECTOR OF PLANNING OR HIS OFFICIAL DESIGNEE, PROVIDED THEY ARE OF THE DESIGN ESTABLISHED IN PUBLICATIONS OR LISTS KEPT IN THE CITY OF AURORA PLANNING DEPARTMENT (“KIT OF PARTS” OR “PLACE MAKING MARKER PROGRAM”).

THE CITY OF AURORA PLANNING DEPARTMENT MAINTAINS A CURRENT LIST OF PLANT SPECIES (HAVANA STREET OVERLAY DISTRICT PLANT LIST) APPROVED FOR USE IN LANDSCAPING IMPROVEMENT WITHIN THE HAVANA STREET OVERLAY DISTRICT. ONLY THESE SPECIES SHALL BE USED WITHIN THE DISTRICT.

C. *DESIGN GUIDELINES*: ADMINISTRATIVE APPROVAL OF ANY PROPOSED ALTERNATIVE TO EITHER THE HAVANA BUSINESS IMPROVEMENT DISTRICT APPROVED KIT OF PARTS, PLACE MAKING MARKER PROGRAM, OR THE HAVANA STREET OVERLAY DISTRICT PLANT LIST SHALL BE REQUIRED. ADMINISTRATIVE APPROVAL OF PROPOSED ALTERNATIVES MUST BE OBTAINED FROM THE DIRECTOR OF PLANNING OR HIS OFFICIAL DESIGNEE AND SHALL BE GRANTED IF, IN THE EXERCISE OF SOUND DISCRETION, THE PROPOSALS ARE DETERMINED TO FORWARD THE INTENT OF THE DISTRICT.

Section 2. That all ordinances, or parts of ordinances, of the City Code of the City of Aurora, Colorado, in conflict herewith are expressly repealed.

Section 3. That, pursuant to Section 5-5 of the Charter of the City of Aurora, Colorado, the second publication of this ordinance shall be by reference, utilizing the ordinance title.

INTRODUCED, READ AND ORDERED PUBLISHED this 27th day of July, A.D. 2009.

PASSED AND ORDERED PUBLISHED BY REFERENCE this 17th day of August, 2009.

Edward J. Tauer
EDWARD J. TAUER, Mayor

ATTEST:

Debra Johnson
DEBRA JOHNSON, City Clerk

APPROVED AS TO FORM:

[Signature] BE