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Chapter 1—Zoning Regulations
Part 3600 ~~Areas and Activities of Special Interest~~

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~~Section 11.1.3601 General Provisions and Procedures~~

~~A. Applicability~~

~~The following regulations pertain to areas and activities of special interest which have been identified or as may be identified as such in the City Comprehensive Plan.~~

~~B. Procedural Requirements~~

- ~~1. Anyone wishing to begin development of an activity of special interest or development in an area of special interest shall submit to the platting process as outlined in the City Subdivision Regulations and shall further submit all other evidence as required by the applicable special area or activity regulations included in this Section of these Regulations. No person shall engage in any special development activity or develop in any area of special interest without approval of a Final Plat and/or Final and Master Development Plan, Location and Extent or Use by Special Review Plan, whichever may be applicable.~~
- ~~2. Hearings conducted for the purpose of approving development activities or development in areas of special interest shall be held in public following public notice of such meetings.~~
- ~~3. Any development activity which is to take place in an area not currently zoned for such activities shall also submit to the rezoning procedures outlined in these Regulations.~~

- ~~C. The provisions of this Section shall not apply to any nonconforming use existing prior to the date the area is identified or subjected to these Regulations, provided that when such nonconforming use shall be discontinued for six months or more or a nonconforming structure is damaged or destroyed to the extent of at least fifty percent (50%) of the appraised value, any reuse, reconstruction or replacement of such structure shall be deemed a new use and shall be subject to the provisions of these Regulations, unless the City Council grants an extension of time.~~
- ~~D. Any alteration, addition or repair to any nonconforming structure or significant change in land use permitted pursuant to various sections of this regulation shall be designed to minimize, mitigate or avoid the significant adverse impact of specific hazards or specific resource utilization.~~
- ~~E. Additional regulations regarding nonconforming uses may be further delineated in specific special area and activity regulations to follow.~~

~~Section 11.1.3602 Relationship to Other Requirements~~

- ~~A. Nothing in these Regulations shall be construed as exempting an applicant from any other requirements of the City of Centennial or other state or federal laws and regulations.~~
- ~~B. To the extent that the requirements of these Regulations differ from any other applicable requirements, the more restrictive requirements shall apply.~~

~~Section 11.1.3603 Application Fee~~

~~An application fee shall be established by the City Council and paid to the Land Use Services Department.~~

~~Section 11.1.3604 Regulations for Areas of Special Interest – Mineral Resource Areas~~

~~A. Purpose and Intent~~

~~The purpose and intent of the regulations contained in this section shall be to:~~

- ~~1. Protect and administer mineral resource areas in such a manner as to permit the extraction and exploration of minerals therefrom, unless extraction and exploration would cause significant danger to public health and safety.~~
- ~~2. Permit development in mineral resource areas which will not interfere with the extraction and exploration of minerals.~~
- ~~3. Give preference to existing or requested uses other than mineral extraction if the economic value of the minerals present is of less value than those of other uses.~~

- ~~4. Administer areas containing sand, gravel, quarry, aggregate or limestone used for construction purposes according to §34-1-301, et seq., C.R.S., as amended.~~
- ~~5. Administer areas containing coal, oil and natural gas deposits.~~
- ~~6. Accomplish extraction and exploration of minerals from any area in a manner which causes the least practicable environmental disturbance and reclaim such surface areas disturbed thereby in accordance with the provisions of §34-32-101, et seq., or §34-40-101, et seq., C.R.S., as amended, whichever is applicable.~~
- ~~7. Prevent landslides, floods or erosion due to mineral extraction operations.~~
- ~~8. Preserve access to and extraction of mineral resources according to a rational plan for extraction of such resources.~~
- ~~9. Provide, during the mining process and after the mining operations have been completed, for the reclamation of land subjected to surface disturbance by mining and thereby conserve natural resources, aid in the protection of wildlife, aquatic, historic and archaeological resources and establish recreational, residential and industrial sites.~~
- ~~10. Extract commercial mineral deposits according to a rational plan, calculated to avoid waste of such deposits and cause the least practicable disruption of the environment and quality of life of the citizens of the City of Centennial.~~
- ~~11. Protect and perpetuate the taxable value of property.~~
- ~~12. Protect and promote the health, safety and general welfare of the people of the City of Centennial.~~

~~B. Permitted Uses in Identified Mineral Resource Areas~~

- ~~1. Agricultural uses such as general farming, grazing, truck farming, forestry, sod farming and wild crop harvesting.~~
- ~~2. Public and private recreational uses requiring only accessory, but not permanent structures such as parks, natural swimming areas, golf courses, driving ranges, picnic grounds, wildlife and nature preserves, game farms, shooting preserves, target ranges, trap and skeet ranges and hunting, fishing and hiking areas.~~

~~C. Prohibited Uses in Identified Mineral Resource Areas~~

- ~~1. No use shall be allowed which would interfere with the present or future extraction of such deposits by an operator, provided that uses may be allowed which do not permit~~

~~erection of permanent structures upon or otherwise permanently preclude the extraction of commercial mineral deposits by an operator from land subject to said uses, unless such is allowed by approval of the City Council.~~

- ~~2. Uses that create a significant impact on the surrounding area, unless mitigated pursuant to Section 11.1.3604(e)(3), below:~~
- ~~3. Land uses which will create a significant impact on the surrounding area and which are generally prohibited in an identified mineral resource area may be allowed if it is determined that those impacts will be alleviated through the use of mitigation techniques. These include but are not limited to:
 - ~~a. Measures which will lessen potential dangers to health, safety, economy or resources to an acceptable level.~~
 - ~~b. Measures which will offset increased costs of providing any governmental services.~~
 - ~~c. Measures which will insure that air and water pollution resulting from development will meet applicable federal and state standards.~~
 - ~~d. Measures which will restrict noise and/or obnoxious odors to within the development.~~
 - ~~e. Measures which will prevent hazardous traffic patterns resulting from development of the site.~~~~
- ~~4. To the extent that a proposed use is not covered by Section 11.1.3604(e)(3) above, the provisions of § 34-1-301 et seq., C.R.S., as amended, or §34-32-101 et seq., C.R.S., as amended, shall apply.~~

~~D. Description of Identified Mineral Resource Areas~~

- ~~1. The City of Centennial hereby declares that the areas identified or to be identified, upon application for development within these areas, shall be subject to these Mineral Resource Regulations.~~
- ~~2. One copy of all maps of identified mineral resource areas in the City of Centennial shall be sent to the Colorado Geological Survey.~~

~~E. Submittal Requirements~~

~~All applicants seeking to engage in development in a mineral resource area shall submit the following documents:~~

- ~~1. When applicable, the name, address and phone number of the corporation's registered agent.~~
- ~~2. Ownership of the mineral rights affected.~~
- ~~3. Aerial photographs of reasonable scale and date which reasonably portray the current condition of the area to be covered by the development application. The area covered by the development shall be outlined on the aerial photographs.~~
- ~~4. Type and location of mineral resources on or under the property.~~
- ~~5. An analysis of the commercial feasibility of extracting the mineral resources.~~
- ~~6. A map or maps portraying the geologic conditions of the area with particular attention given to the appropriate identified mineral resource deposit. If appropriate or needed, subsurface cross sections shall also be utilized to portray such conditions at depth. If possible, the maps shall be at the same scale and in the same format as the development plan maps.~~
- ~~7. An analysis of the fiscal impacts on local services and facilities.~~
- ~~8. A statement that the applicant will comply with all relevant federal, state and local requirements existing at the time the plan is to be implemented.~~
- ~~9. Descriptive material showing the relationship of the proposed development to existing master plans for the area involved.~~
- ~~10. Applicants seeking to engage in development of a mineral resource area without the intention of exploration or extraction of minerals also shall submit to the Land Use Services Department the number of copies requested as determined by referral needs containing the following information, maps, reports and/or data:~~
- ~~11. If the development is a subdivision, data equivalent to that required for a Preliminary and/or Final Plat by the City Subdivision Regulations.~~
- ~~12. Evidence that the development plan will present no obstacle to extraction of the mineral resource on or under the subject property or evidence that the proposed development will be of a greater economic value than the minerals present.~~

~~F. Exhibit Requirements~~

~~Applicants seeking to engage in development of a mineral resource area with the intention of exploration or extraction of minerals shall also submit to the Land Use Services Department the number of copies requested as determined by referral needs containing the following information, maps, reports and/or data:~~

- ~~1. When applicable, the name, address and phone number of the corporation's registered agent.~~
- ~~2. Ownership of the substance to be mined.~~
- ~~3. The source of the applicant's legal right to enter and mine on the land affected.~~
- ~~4. Method of extraction and processing.~~
- ~~5. Plan for transportation of extracted material.~~
- ~~6. Time and duration of extraction.~~
- ~~7. Number of permanent and temporary employees anticipated.~~
- ~~8. The size of the area or areas to be worked at any one time.~~
- ~~9. The timetable which will be required for the various stages of the operations.~~
- ~~10. Anticipated traffic volumes and directional distributions related to the development.~~
- ~~11. An analysis of any potential health and/or safety hazards occasioned by the development, and a plan for mitigation thereof.~~
- ~~12. A description of wildlife occurrence on and in the vicinity of the application area including a narrative that describes:
 - ~~a. Wildlife occurrence in the area.~~
 - ~~b. Seasonal occurrence of the major species.~~
 - ~~c. The presence of threatened/endangered species listed on either federal or state lists.~~
 - ~~d. The impact of the operation on the wildlife with regard to displacement of wildlife and extent of replacement of suitable habitat for the post operational wildlife that might inhabit the area.~~~~
- ~~13. A narrative, supplemented with diagrams and text, of the water resources on and in the vicinity of the application area shall be submitted. Such narrative shall include:
 - ~~a. Both surface and subsurface resources.~~~~

- ~~b. A description of the impact of the operation on the quality and quantity of water resources.~~
 - ~~c. Demonstration of water right ownership to supply any necessary water requirements for operations or impoundment's, whether temporary or permanent.~~
 - ~~d. Data acquired for other permits which would fulfill these requirements may be submitted in lieu of the above.~~
- ~~14. Accompanying the development plan, every operator shall submit a reclamation plan and map.~~
- ~~a. The reclamation plan shall be based upon provisions for, or satisfactory explanation of, all general requirements for the type of reclamation proposed to be implemented by the operator. The plan shall be based upon the advice of technically trained personnel experienced in that type of reclamation on mined lands and upon scientific knowledge from research in reclaiming and utilizing mined lands. Reclamation shall be required on all the affected land.~~
 - ~~b. The reclamation plan shall include a narrative describing:~~
 - ~~c. Which of the approved uses the operator proposes to achieve in the reclamation of the affected land; why each use was chosen; and the amount of acreage accorded to each.~~
 - ~~d. How the reclamation plan will be implemented to meet performance standards.~~
 - ~~e. A proposed timetable indicating when and how the various stages of the mining and reclamation plan shall be implemented.~~
 - ~~f. How the reclamation plan shall rehabilitate the surface disturbances affected by the mining operation. The narrative shall include, but not be limited to, the following factors: natural vegetation, wildlife, water, air and soil resources.~~
- ~~15. The map accompanying the reclamation plan shall include all of the land to be affected by all phases of the mining operation. It shall indicate the following:~~
- ~~a. The expected physical appearance of the area to be mined and the area of land affected, correlated to the timetable.~~
 - ~~b. Portrayal of the proposed reclaimed land use for each portion of the affected lands.~~
 - ~~c. The applicant's estimated costs of each of the following segments of the reclamation process, including where applicable: backfilling, grading, highwall~~

~~reduction, topsoiling (if done), planting, revegetation management and protection prior to vegetation establishment, and administrative costs.~~

~~16. The application shall also include maps showing the following information:~~

- ~~a. Identification of adjacent underground mining and adjacent surface owners.~~
- ~~b. Wells, roads, railroads, buildings, oil and gas wells and lines, and power and communication lines in the area of affected land and within two hundred feet of all boundaries of such area.~~
- ~~c. Total area involved in the operation, including the area to be mined.~~
- ~~d. Topography of the area with contour lines of sufficient detail to portray the direction and rate of slope of the land covered in the application.~~
- ~~e. General type, thickness and distribution of soil over the area covered by the development application.~~
- ~~f. Type, character and density of present vegetation occurring in the area covered by the development application.~~
- ~~g. Depth and thickness of the mineral resource to be mined and the thickness and type of overburden to be removed.~~
- ~~h. Topography of any aquifers in the area to be covered by the development application, both before and after the mining operation occurs, shall be shown by cross sections.~~
- ~~i. Applications for development in identified mineral resource areas shall include additional information if required by the City of Centennial.~~
- ~~j. At the discretion of the City Council, favorable recommendation from appropriate state agencies regarding development in mineral resource areas may be considered sufficient evidence for waiving portions or all of the extra submission requirements imposed by these Regulations.~~
- ~~k. When two or more mineral resource areas overlap, the recommendations of the State Oil and Gas Conservation Commission shall have precedence over those of other agencies if the area has been previously identified as an oil or gas resource area.~~

~~17. Map requirements unless otherwise specified above, the following map standards will be adhered to:~~

- ~~a. All data shall be drawn on 24" x 36" sheets.~~
- ~~b. Maps will be in compliance with national map accuracy standards.~~
- ~~c. Topographic maps shall have a contour interval of two feet (2') or less.~~
- ~~d. Map scale shall be sufficiently detailed to meet the objectives of this regulation, but in no case less detailed than 1 inch = 100 feet.~~
- ~~e. All maps shall show a true north arrow, section corners, and the appropriate land grid, the name of the person who prepared the map, the map scale and the date the map was prepared.~~
- ~~f. One of the copies of each map shall be in reproducible form.~~

~~18. Qualification of investigators:~~

- ~~a. All geologic maps and reports required under the requirements of this regulation shall be prepared by or under the responsible direction of and signed by a professional geologist as defined by §34-1-201, et seq., C.R.S., as amended.~~
- ~~b. All engineering work required under the requirements of this regulation shall be prepared by or under the responsible charge of a registered professional engineer as defined in §12-25-101, et seq., C.R.S., as amended. Such engineer shall also be experienced and competent in the engineering specialty required to meet the objectives of this Regulation.~~

~~Section 11.1.3605 Geologic Hazard Areas~~

~~A. Purpose and Intent~~

~~The purpose and intent of this section is:~~

- ~~1. To minimize significant hazards to public health, safety or property in an identified geologic hazard area.~~
- ~~2. To promote safe use of geologic hazard areas.~~
- ~~3. To reduce the impact of geologic hazards on life and property by:~~
 - ~~a. Prohibit certain land uses that are dangerous to life or property in geologic hazard areas.~~

- ~~b. Restrict the land uses that would be hazardous to the public health, safety or property in geologic hazard areas.~~
 - ~~c. Restrict the land uses that are particularly vulnerable to geologic hazards so as to reduce the demands for public expenditures for relief and protection.~~
 - ~~d. Require land uses permitted in geologic hazard areas, including public facilities which serve such uses, to be protected from geologic hazards by providing for investigation and avoidance or mitigation of such hazard impacts at the time of initial construction.~~
 - ~~e. Protect geologic hazard area occupants or users from the impacts of geologic hazards by regulating the area or manner in which structures designed for human occupancy may be constructed so as to prevent danger to human life or property.~~
 - ~~f. Protect geologic hazard area occupants or users from the impacts of geologic hazards by identifying, delineating and describing areas that could be adversely affected by geologic hazards so as to protect individuals from purchasing or improperly utilizing lands for purposes which are dangerous to human life or property.~~
 - ~~g. Protect the public from the burden of excessive financial expenditures from the impacts of geologic hazards and relief by:~~
- ~~4. Regulating land uses within geologic hazard areas so as to produce a pattern of development of a soundly engineered manner of construction which will minimize the intensity and/or probability of damage to property and loss of life or injury to the inhabitants or users of geologic hazard areas.~~
 - ~~5. Regulating the cutting, filling or drainage changes and other man-made changes which could initiate or intensify adverse conditions within geologic hazard areas.~~
 - ~~6. Encouraging non-conflicting uses such as agriculture, grazing, greenbelt, open space and recreation within geologic hazard areas.~~

~~B. Permitted Uses in Identified Geologic Hazard Areas~~

~~The following uses shall be permitted within identified geologic hazard areas unless they are prohibited in a particular area by these Regulations or other regulations. However, no such use shall be regarded as a use by right:~~

- ~~1. Agricultural uses such as general farming, grazing, truck farming, forestry, sod farming and wild crop harvesting.~~

- ~~2. Industrial or commercial uses such as loading areas, parking areas not requiring extensive grading or impervious paving, and storage yards for equipment or machinery easily moved or not subject to geologic hazard damage.~~
- ~~3. Public and/or private recreational uses not requiring permanent structures designed for human habitation such as parks, natural swimming areas, golf courses, picnic grounds, driving ranges, wildlife and nature preserves, game farms, shooting preserves, target ranges, trap and skeet ranges, and hunting, fishing and hiking areas, if such uses do not cause concentrations of people in areas during periods of high hazard probability.~~

~~C. Prohibited Uses in Identified Geologic Hazard Areas~~

- ~~1. Land uses which are dangerous to life or property in identified areas of geologic hazard.~~
- ~~2. Any type of development in an identified area of moderate and/or extreme expansive soil potential, unless mitigation techniques are incorporated into the design of the proposed development.~~

~~D. Conditional Uses in Identified Geologic Hazard Areas~~

- ~~1. Land uses which are generally prohibited in an identified area of moderate and/or extreme expansive soil potential may be permitted if the following mitigation techniques are carried out:~~
- ~~2. Mitigation techniques shall correct adverse conditions within moderate and/or extreme expansive soil and rock areas through engineered design and construction. These methods should include:~~
 - ~~a. Engineered foundation design.~~
 - ~~b. Planned site drainage or moisture control.~~
 - ~~c. Landscaping to enhance drainage.~~
 - ~~d. Proper interior construction design.~~

~~E. Description of Identified or Regulated Geologic Hazard Areas~~

~~The City of Centennial hereby declares that the areas identified or to be identified as Geologic Hazard Areas, upon application for development within these areas, shall be subject to these Geologic Hazard Regulations.~~

~~F. Submittal Requirements~~

- ~~1. Anyone wishing to develop land in an identified expansive soils area shall be required to submit a thorough soil engineering study conducted by a registered professional soil engineer to determine expansive soil potential at the time of the Preliminary Plat submittal as described in the City Subdivision Regulations.~~
- ~~2. The soils study shall include a minimum of one (1) test boring for every ten (10) lots or three (3) acres in the development with a minimum of one (1) sample per boring tested for swell. Some test borings may be deferred until later; however, the above requirements shall be met by the time of Final Plat submittal.~~
- ~~3. The report shall also include a description of the engineering design and construction mitigation techniques that will correct the adverse conditions within moderate and/or extreme expansive soil areas.~~

~~**Section 11.1.3606 Flood Hazard Areas: Flood Damage Prevention Regulations**~~

~~A. Statement of Purpose~~

- ~~1. It is the purpose of this ordinance to promote the public health, safety, and general welfare, and to lessen public and private losses due to flood conditions to specific areas by provisions designed:~~
- ~~2. To protect human life and health;~~
- ~~3. To reduce expenditure of public money for costly flood control projects;~~
- ~~4. To reduce the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;~~
- ~~5. To reduce prolonged business interruptions;~~
- ~~6. To reduce damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in areas of special flood hazard;~~
- ~~7. To help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to reduce future flood blight areas;~~
- ~~8. To provide a means to respond to requests from potential developers for information supporting a determination regarding whether property is in an area of special flood hazard; and,~~

- ~~9. To provide that those who occupy the areas of special flood hazard assume responsibility for their actions.~~

~~B. Methods of Reducing Flood Losses~~

~~In order to accomplish its purposes, these Regulations include methods and provisions for:~~

- ~~1. Restricting or prohibiting uses which are dangerous to health, safety, and property due to flood water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;~~
- ~~2. Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;~~
- ~~3. Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;~~
- ~~4. Controlling filling, grading, dredging, and other development which may increase flood damage;~~
- ~~5. Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas; and,~~
- ~~6. Preventing all new construction or installation of residential or non-residential structures, and preventing all substantial improvement (defined in Section 11.2.3400) to all existing legal nonconforming structures or facilities, in any area of special flood hazard, including F Zone properties.~~

~~C. It is the intent of the City Council that these Regulations be jointly administered and enforced by the Floodplain Administrator and the Zoning Administrator, as set forth in these Regulations. Generally speaking, the Zoning Administrator shall be responsible for determining whether a proposed development requiring a building permit is located within or without a designated flood hazard zone and for collecting and maintaining certain records related thereto. The Floodplain Administrator shall be responsible for determining this information for all other developments, and shall be responsible for coordinating the enforcement of the construction and floodproofing requirements for all developments (including those for which a building permit is required) located in flood hazard zones.~~

~~D. Effective with the adoption of these Regulations, all development (as defined in Section 11.2A.400) shall be required to apply for a Floodplain Determination prior to beginning any work, for the sole purpose of determining whether, and the extent to which, the floodplain regulations restrict or regulate development on the applicant's property. Development that requires a building permit shall obtain this determination from the~~

~~Zoning Administrator in connection with the building permit application process. All other development shall obtain this determination from the Floodplain Administrator upon such forms and in accordance with such policies as may be developed by the City's Engineering Division. All persons obtaining a Floodplain determination shall pay the fee established by the City Council for that service in addition to such other fees as may be required in the processing of the particular development application.~~

~~E. All development proposed within a flood hazard area and all development constructed, installed, commenced, improved or maintained within a flood hazard area after the effective date of these Regulations, to the extent permitted by these Regulations, shall be required to obtain a Floodplain Development Permit from the Floodplain Administrator in accordance with the procedures established in these Regulations and shall pay the fee established by the City Council.~~

~~F. A floodplain determination is only intended to guide the City of Centennial in its application of the Floodplain Regulations and cannot be relied upon for any other purpose. Property owners who wish for a reliable determination of whether their property is affected by the floodplain or exposed to flood risks must obtain their own determination from licensed or qualified professionals. No City employees are authorized to make floodplain determinations that may be relied upon by any person for any purpose other than a determination of the extent to which the Floodplain Regulations shall restrict or regulate development on parcels of property.~~

~~Section 11.1.3607 General Provisions~~

~~A. Lands to which these Regulations Apply~~

~~These Regulations shall apply uniformly to all areas of special flood hazard within the jurisdiction of the City of Centennial.~~

~~B. Basis for Establishing the Areas of Special Flood Hazard~~

~~The areas of special flood hazard identified in the most recent Flood Insurance Study (FIS) and accompanying Flood Insurance Rate Map (FIRM) approved by the Federal Emergency Management Agency (FEMA) and adopted by the City of Centennial City Council, and the Flood Hazard Area Delineation (FHAD) studies produced by the Urban Drainage and Flood Control District are hereby adopted by reference and declared to be a part of these Regulations. The Flood Insurance Study and FIRM are on file at the mapping office.~~

~~C. Compliance~~

~~No structure or land shall hereafter be constructed, located, extended, have fill placed upon, converted or materially altered without full compliance with the terms of these Regulations and other applicable regulations.~~

~~D. Abrogation and Greater Restrictions~~

~~These Regulations are not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where these Regulations and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.~~

~~E. Interpretation~~

~~In the interpretation and application of these Regulations, all provisions shall be:~~

- ~~1. Considered as minimum requirements;~~
- ~~2. Liberally construed in favor of the governing body; and,~~
- ~~3. Deemed neither to limit nor repeal any other powers granted under State Statutes.~~

~~F. Warning and Disclaimer of Liability~~

~~The degree of flood protection required by these Regulations is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur, and many of the consequences of floods cannot be predicted with reliability. Flood heights may be increased by man-made or natural causes. These Regulations do not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damages. Neither the City of Centennial nor FEMA can assure any person subject to or relying upon these Regulations that compliance will reduce or eliminate all risk of flooding and flood damage. These Regulations are intended only to address some of the effects that can be predicted and remedied in part. No part of these Regulations shall create liability on the part of the City of Centennial, any officer or employee thereof, or the Federal Emergency Management Agency for any flood damages that result from reliance on these Regulations or any administrative decision lawfully made thereunder. The City Council does not intend to create, and hereby disclaim any intention to create, any private right of action, for damages or otherwise, against the City of Centennial, its officers, employees, agents, or contractors, related in any way to the promulgation, administration or enforcement of these Regulations.~~

~~Section 11.1.3608 Administration~~

~~A. Establishment of Floodplain Development Permit~~

- ~~1. A floodplain development permit shall be obtained from the Floodplain Administrator before construction or development begins within any area of special flood hazard established in Section 11.1.3606.F.~~

2. ~~Application for a floodplain development permit shall be made on forms furnished by the Floodplain Administrator and may include but not be limited to:~~
 - a. ~~Plans in triplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities, and the location of the foregoing. The Floodplain Administrator may also require any additional information as specified in the City of Centennial Storm Drainage Design and Technical Criteria manual. Specifically, the following information is required for each application unless waived by the Floodplain Administrator.~~
 - b. ~~Elevation, certified by a licensed professional land surveyor using U.S.G.S. datum, in relation to mean sea level of the lowest floor (including basement) of any structure.~~
 - c. ~~Elevation, certified by a licensed professional land surveyor using U.S.G.S. datum, in relation to mean sea level to which any structure has been floodproofed;~~
 - d. ~~Certification by a registered professional engineer or architect that the floodproofing methods for any non residential structure meet the floodproofing criteria in Section 11.1.3610.F.2.~~
 - e. ~~Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.~~
 - f. ~~Three copies of one or more typical valley cross sections (as determined by the Floodplain Administrator), showing the channel of the stream, the elevation of the land adjoining the channel, the cross-sectional areas to be occupied by the proposed development, and the base flood elevations. This plan shall include a description of the extent to which any watercourse will be altered or relocated as a result of development.~~
 - g. ~~Three copies of a plan view showing the elevations or contours of the ground; all existing and proposed structures (size, location and spatial arrangement); embankment or structural fill or storage elevations; location and elevations of streets, water supply and sanitary facilities; and soil types.~~
 - h. ~~Photographs showing existing land uses and vegetation on site, and upstream and downstream of the site.~~

~~B. Designation of the Floodplain Administrator~~

~~The Program Manager, Stormwater Management Program, in the City's Engineering Division is hereby appointed to administer and implement these Regulations by granting~~

~~or denying floodplain development permit applications in accordance with its provisions. The Floodplain Administrator shall designate an alternate in the City's Engineering Division to perform the functions of the Administrator during any period of unavailability. The Zoning Administrator shall be responsible for implementing and enforcing these Regulations with respect to building permit applications, and shall comply with all reasonable rules and policies of the Floodplain Administrator related to this duty. The Zoning Administrator shall designate an alternate in the Zoning Division to perform the functions of the Administrator during any period of unavailability.~~

~~C. Duties, Responsibilities, and Authority of the Floodplain Administrator and Zoning Administrator~~

- ~~1. Duties of the Floodplain Administrator shall include, but not be limited to review of all applications for development permits, except building permits which shall be reviewed by the Zoning Administrator, to determine if the proposed development is located in the special flood hazard area and require compliance with the permit requirements of these Regulations.~~
- ~~2. The Zoning Administrator shall review all applications for building permits for compliance with the Zoning Regulations, which shall include a review to determine if the proposed development is located in a special flood hazard area. If located within the floodplain, the Zoning Administrator shall require the prior approval of the Floodplain Administrator before determining compliance with these Regulations.~~
- ~~3. Approval of floodplain development permits shall be based upon compliance with the general and specific standards set forth in "PROVISIONS FOR FLOOD HAZARD REDUCTION" (Section 11.1.3609) and this Section 11.1.3608 herein, as interpreted and applied by the Floodplain Administrator, with due consideration given to the factors set forth in Sections 11.1.4900 through 11.1.5700.~~
- ~~4. In addition to the remedies available for enforcement of zoning violations, the City of Centennial shall be entitled to enforce these Regulations by all legal and equitable means allowed by law, including injunctive relief.~~
- ~~5. Whenever the Floodplain Administrator determines that a violation of these Regulations has occurred, may occur, or is threatened, the Floodplain Administrator shall be responsible for placing a temporary or permanent hold on further development permits, approvals and actions (including building permits, rezoning actions, subdivision actions, grading permits, and the like) to the extent necessary to prevent or remedy the violation, and for notifying affected City departments of this action. The hold shall remain in place until the property owner complies with these Regulations.~~

~~6. Use of Other Base Flood Data.~~

~~When base flood elevation data has not been provided in accordance with BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD, the Floodplain Administrator shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from any Federal, State, UDFCD or other source as criteria for requiring that new construction, substantial improvement (defined in Section 11.2A.400), or other development in any flood hazard zone are administered in SPECIFIC STANDARDS. The applicant shall be responsible for generating any base flood elevation data and survey data requested by the Floodplain Administrator relating to the site and proposed development. In cases where there is conflicting base flood elevation data, the data which is most protective of flood hazard areas and which restricts development will be used.~~

~~7. Information to be Obtained and Maintained for Remodeling and Nonstructural Development in Flood Hazard Areas~~

- ~~a. No new structures or substantial improvement (defined in Section 11.2A.400) of existing structures shall occur in any area of special flood hazard~~
- ~~b. The Zoning Administrator shall, in accordance with policies and rules of the Floodplain Administrator which may require completion of a FEMA Elevation Certificate, obtain and record the actual elevation, certified by a licensed professional land surveyor using U.S.G.S. datum (in relation to mean sea level), of the lowest floor (including basement) of all such existing legal nonconforming structures proposed to be remodeled, and whether or not the structure contains a basement.~~
- ~~c. For all permitted remodeling, the Zoning Administrator shall, in accordance with policies and rules of the Floodplain Administrator require verification of, and record, the actual elevation, certified by a licensed professional land surveyor using U.S.G.S. datum (in relation to mean sea level), to which the structure has been floodproofed.~~

~~8. Alteration of Water Courses~~

- ~~a. The Floodplain Administrator shall notify adjacent communities and the Colorado Water Conservation Board prior to any alteration or relocation of a water course and submit evidence of such notification to the Federal Emergency Management Agency.~~
- ~~b. The Floodplain Administrator shall also require that maintenance is provided within the altered or relocated portion of said water course so that the flood-carrying capacity is not diminished.~~

~~9. Interpretation of Firm Boundaries~~

~~The Zoning Administrator shall make interpretations, where needed, as to the exact location of the boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall provide all survey information requested by the Zoning Administrator and shall be given a reasonable opportunity to appeal the interpretation as provided of the Zoning Regulations. In making these determinations, the Zoning Administrator may require the submission of additional survey data from the applicant. The Floodplain Administrator shall provide all necessary technical support and information needed to assist the Zoning Administrator in making these determinations. All requests for technical support shall be answered by the Floodplain Administrator as soon as possible but, in any event, within five (5) working days.~~

~~Section 11.1.3609 Provisions for Flood Hazard Reduction~~

~~The construction standards contained in this part shall apply only to minor remodeling of structures legally existing as nonconforming uses as of the date of enactment of these floodplain regulations, and to other nonstructural development as permitted by the Floodplain Administrator.~~

~~Section 11.1.3610 General Standards for Development in Flood Hazard Zones~~

~~A. Anchoring~~

- ~~1. All new construction and substantial improvement (defined in Section 11.2A.400) shall be anchored to prevent floatation, collapse, or lateral movement of the improvement and capable of resisting the hydrostatic and hydrodynamic loads, including the effects of buoyancy.~~
- ~~2. All additions to existing manufactured homes must be elevated and anchored to resist floatation, collapse or lateral movement and capable of resisting the hydrostatic and hydrodynamic loads. Methods of anchoring may include, but are not limited to use of over the top or frame ties to ground anchors. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces.~~
- ~~3. Specific requirements may be:~~
 - ~~a. Over the top ties be provided at each of the four corners of the manufactured home, with two additional ties per side at intermediate locations, with manufactured homes less than 50 feet long requiring one additional tie per side;~~

- ~~b. Frame ties be provided at each corner of the home with five additional ties per side at intermediate points, with manufactured homes less than 50 feet long requiring four additional ties per side;~~
- ~~c. All components of the anchoring system be capable of carrying a force of 4,800 pounds.~~

~~B. Construction Materials and Methods~~

- ~~1. All new construction and substantial improvement (Defined in Section 11.2A.400) shall be constructed with materials and utility equipment resistant to flood damage. This may include the installation of cutoff valves on sewer lines or the elimination of gravity flow basement drains; the use of paints, membranes or mortars to reduce seepage or water through walls;~~
- ~~2. All new construction and substantial improvement (defined in Section 11.2A.400) shall be constructed using methods and practices that minimize flood damage;~~
- ~~3. All new construction and substantial improvement (Defined in Section 11.2A.400) shall be constructed with electrical, heating, ventilation plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.~~

~~C. Utilities~~

- ~~1. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;~~
- ~~2. New and replacement sanitary systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters; and~~
- ~~3. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.~~

~~D. Other Development~~

~~All other development in areas of special flood hazard shall be prohibited unless shown to the satisfaction of the Flood Plain Administrator during the review of the application of a Flood Plain Development Permit:~~

- ~~1. That the proposed development does not adversely affect the efficiency of, or unduly restrict the capacity of, the channels or floodways of any tributaries to the mainstream, drainage ditches, or any other drainage facilities or systems; or~~

- ~~2. That no structure (temporary or permanent), fill (including fill for roads and levees), deposits, obstruction, storage of materials, or other floodplain uses which, acting alone or in combination with existing or future floodplain uses, adversely affects the efficiency or the capacity of the floodway, or increases flood heights or adversely affects the storage capacity of the floodplains based on the assumption of an equal degree of encroachment extending for a significant reach on both sides of the stream.~~

~~E. Conditions on Approval of Floodplain Development Permit~~

~~The Floodplain Administrator may impose conditions on approval of floodplain development permits in order to achieve compliance with the above general standards, which conditions may include modification of proposed systems and facilities and imposition of operational controls and limitations on periods and conditions of use and operation. Additionally, a map revision process may be required prior to permit approval.~~

~~F. Specific Standards~~

~~In all areas of special flood hazard where base flood elevation data has been provided as set forth in the BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD or the USE OF OTHER BASE FLOOD DATA, the following provisions are required:~~

~~1. Residential Construction~~

~~Alteration of land, placement of fill, new construction and substantial improvement (Defined in Section 11.2A.400) of residential structures shall not be permitted.~~

~~2. Nonresidential Construction~~

~~Alteration of land, placement of fill, new construction and substantial improvement (Defined in Section 11.2A.400) of non-residential structures shall not be permitted. New construction and substantial improvement (Defined in Section 11.2A.400) of any commercial, industrial or other non residential and non structural improvement shall either have the lowest floor (including basement) elevated to the level of the base flood elevation; or, together with attendant utility and sanitary facilities shall:~~

- ~~a. Be floodproofed so that below the base flood elevation the structure is watertight with walls substantially impermeable to the passage of water;~~
- ~~b. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and,~~

- ~~c. Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this paragraph. Such certifications shall be provided to the official as set forth in Section 11.1.3608.A.2.~~

~~G. Openings in Enclosures Below the Lowest Floor~~

~~For all new construction and substantial improvement (defined in Section 11.2A.400), fully enclosed areas below the lowest floor that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwater. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria:~~

- ~~1. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided;~~
- ~~2. The bottom of all openings shall be no higher than one foot above grade;~~
- ~~3. Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwater.~~
- ~~4. Manufactured Homes – New construction or installation, or substantial improvement (Defined in Section 11.2A.400) to manufactured homes shall not be permitted in areas of special flood hazard.~~
- ~~5. Recreational Vehicles – Require that recreational vehicles either be on the site for fewer than 180 consecutive days or be fully licensed and ready for highway use.~~

~~H. Floodways~~

- ~~1. Located within areas of special flood hazard are areas designated as floodways. The Floodway is defined as “the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one half foot.” Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles, and erosion potential, construction shall adhere to the following provisions:
 - ~~a. Prohibit encroachments, including fill, new construction, substantial improvement (Defined in Section 11.2A.400, and other development unless certification by a registered professional engineer is provided demonstrating that encroachment shall not result in any increase in flood levels during the occurrence of the base flood discharge, or otherwise alter the floodway in a manner which will constrict the channel or increase erosion potential.~~~~

- ~~b. If the requirements of above are satisfied, all new construction and substantial improvement (Defined in Section 11.2A.400) shall comply with all applicable flood hazard reduction provisions of this Section, PROVISIONS FOR FLOOD HAZARD REDUCTION.~~

~~2. Submittal Requirements~~

- ~~a. Applications for approval of development in a flood hazard area shall be accompanied by the required data and maps as described in Section 11.2.300, of the City Subdivision Regulations.~~
- ~~b. All maps required shall meet the minimum presentation standards as outlined in Section 11.2.300 of the City Subdivision Regulations.~~
- ~~c. The City of Centennial Storm Drainage Design and Technical Criteria, "Requirements for a Floodplain Modification Study" describes the submittal requirements needed to make changes to existing floodplains.~~

~~3. Permit Requirements~~

- ~~a. All necessary state and federal permits shall be secured before building permits will be issued by the City of Centennial.~~
- ~~b. At the time of issuance of building permits, the applicant shall certify to the City's Building Division that the proposed structure(s) are outside the 100 year storm boundaries as outlined in the "Flood Insurance Study" prepared by the Federal Emergency Management Agency.~~
- ~~c. Building permits shall not be issued for any new structures within the boundaries of the 100 year flood.~~
- ~~d. Building permits for the renovation or substantial improvement of existing structures within the 100 year storm shall not be issued if the value of the improvements exceeds fifty percent (50%) of the value of the existing structure.~~

Chapter 1—Zoning Regulations
Part 3700 Sign Regulations

Section 11.1.3701	Intent
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Section 11.1.3701 Intent

This Section is designed to provide regulations for the erection and maintenance of signs. The general objectives of these Regulations are to enhance the health, safety, welfare and convenience of the public and to achieve the following:

- A. To promote the safety of persons and property by providing that signs not create a hazard due to collapse, fire, collision, decay or abandonment, and do not create traffic hazards by confusing or distracting motorists, by impairing the driver’s ability to see pedestrians, obstacles or other vehicles, or to read traffic signs.
- B. To promote the efficient communication of sign messages which provide information most needed and sought by the public, and to ensure that persons exposed to signs are not overwhelmed by the number of messages presented and are able to exercise freedom of choice to observe or ignore said messages according to the observer’s purpose.
- C. To protect the public welfare and to enhance the appearance and economic value of the landscape by providing that scenic views are protected. In addition, signage shall not create a nuisance to persons using the public right-of-way, and shall not create a nuisance to occupancy of adjacent and contiguous property by their brightness, size, or height.
- D. To serve as general guidelines for the administration of signs through the Planned Unit Development process on rezoning and/or Final Development Plan applications.

Section 11.1.3702 General Requirements

- A. A sign permit shall be required from the City's Building Division for all signs exceeding six (6) square feet in area, unless otherwise exempted by regulations within this Section. In addition, a sign permit shall be required at any time the sign area is increased, if the increase is allowable within the zone district in which the sign is located.
- A. Freestanding identification signs permitted in this Section shall be allowed within the required setback, but in no event closer than ten feet (10') to a public right-of-way line.
- B. Freestanding signs permitted by these Regulations shall be no taller than six (6) feet to the top of the sign structure, unless otherwise permitted.
- C. All requests for a sign permit shall be accompanied by a drawing which is fully dimensioned, showing the sign structure and message, and a site plan showing the location, setbacks, height and sign area of all proposed and existing signage.
- E. Sign permit fees shall be established by the City Council and paid to the City's Building Division.
- F. Planned Unit Developments (P.U.D.'s): Signs within P.U.D.'s shall comply with the provisions set forth within the Preliminary and/or Final Development Plan for the parcel, as approved and/or amended by the City Council. However, these Sign Regulations shall govern where said Preliminary and/or Final Development Plans do not address provisions required by these Regulations (i.e., permits, prohibited signs, definitions, etc.).
- G. These Regulations recognize other regulations pertaining to signage (i.e., State of Colorado, Department of Highways, "Rules and Regulations Pertaining to Outdoor Advertising," effective January 1, 1984, and as may be amended). Where any provision of these Regulations cover the same subject matter as other regulations, the more restrictive regulation shall apply.
- H. Sign Area Measurement
 - 1. Area to be measured. The structure or bracing of a sign shall be omitted from the measurement unless such structure or bracing is made part of the message or face of the sign. Where a sign has two display faces placed back to back the area of only one face shall be included in determining the area of the sign. This would include awning signs.
 - 2. Sign with backing. The area of all signs with backing or a background, material or otherwise, that is part of the overall sign display shall be measured by determining the sum of the areas creating the smallest single perimeter enclosing the display surface or face of the sign including the frame, backing, face plates, nonstructural trim or other component parts if not used for support.

3. Signs without backing. The area of all signs without backing or a background, material or otherwise, that is part of the overall sign display shall be measured by determining the sum of the areas creating the smallest single perimeter enclosing the limits of each letter, word, written representation (including any series of letters), emblems, logos or figures of similar character including the frame, face plates, nonstructural trim or other component parts if not used for support.
 4. All other signs or combinations thereof: the area of any sign having parts both with and without backing shall be measured by determining the total area constituting the smallest single perimeter enclosing the limits of either of the following combinations: 1) the display surface or face of the sign including all frames, backing, face plates, nonstructural trim, or 2) other component parts not otherwise used.
- I. Illumination and Color. Signs shall be internally illuminated. If this is not possible, the source of illumination shall be shielded, and not cause glare on adjacent properties. Top of Building Signs located on office and industrial buildings shall not be illuminated after 10 p.m. or before 6 a.m. No red color or red illuminated Top of Building Sign is permitted.
 - J. Public Right-of-Way. All signs erected in public rights-of-way by a public agency which control or direct the traveling public shall be exempt from the provision of these Regulations.
 - K. Maintenance. Signs and sign structures shall be maintained by their owners at all times in a state of good repair, with all braces, bolts, clips, supporting frame and fastenings free from deterioration, insect infestation, rot, rust, or loosening. Signs shall be able to safely withstand the maximum wind pressure for the area in which they are located. The City Building Inspector shall have the authority to order the repair, alteration, or removal of a sign or sign structure which constitutes a hazard to life or property. In the event that such a sign has not been removed, altered, or repaired within thirty (30) days after written notification from the Director of the Land Use Services Department or a designated representative, or the City Zoning Administrator or a designated representative, the City shall have the authority to remove said sign or structure at the expense of the owner of the premises on which the sign is located, without liability to the City.

Section 11.1.3703 Permitted Signs Not Required to Obtain Permits

- A. **Official and Legal Notice.** Issued by any court, public body, person, or officer in performance of a public duty, or in giving any legal notice, including state and federal flags.
- B. **Interior Sign.** Within an activity and/or structure and not visible from a public right-of-way or adjacent property.

- C. **Memorial Tablet or Plaque.** Installed by an historical agency, including cornerstones for buildings.
- D. **Directional, Warning, or Information Sign or Structure.** Required or authorized by law or by federal, state, county or city authority.
- E. **Building Identification Sign.** Used to identify individual residences/businesses and not exceeding two (2) square feet.
- F. **Political Sign.** Temporary sign relating to public election that does not exceed six (6) square feet in area; provided that such sign shall not be posted more than forty-five (45) days prior to the election to which the sign relates, and shall be removed within fifteen (15) days after the election to which the sign relates.
- G. **Professional Name Plate Sign.** Not more than two (2) square feet in area, which is fastened directly to the building and does not project more than six inches (6") perpendicular to the structure to which it is fastened.
- H. **Decorative Sign.** Clearly incidental and customary and commonly associated with any national, local, or religious holiday; provided that such sign shall be displayed for a period of not more than sixty (60) consecutive days nor more than sixty (60) days in any one year.
- I. **Bulletin Board.** Not over twenty (20) square feet in area nor six feet (6') in height for public, charitable or religious institutions where the same is located on the exterior areas or premises of said institutions.
- J. **Garage Sale Sign.** No greater than six (6) square feet shall be permitted to be posted only on private property. Such signs shall not be posted on utility poles and/or public rights-of-way.
- K. **Directional Sign.** For construction traffic within an approved subdivision or P.U.D. for the purpose of separating normal auto traffic from construction vehicles.

Section 11.1.3704 Signs Prohibited in All Districts

- A. **Signs Having More Than Two (2) Faces.**
- B. **Signs Constituting a Traffic Hazard.** No person shall install or maintain or cause to be installed or maintained any sign which simulates or imitates in size, color, lettering, or design any traffic sign or signal, or any other words, phrases, symbols and/or characters, in such a manner as to interfere with, mislead or confuse traffic.
- C. **Signs on Public Property** (Street, Median, Island, Parkway, Sidewalk, Traffic Control Sign Post, Utility Pole, Tree). Signs are prohibited on any utility pole, traffic sign post,

traffic signal or any other official traffic control device. Signs shall not project over or into a public right-of-way. No person except a public officer in performance of a public duty shall affix, by any means, any form of sign, on any public property or within the public right-of-way, except that bus bench and transit shelter advertising shall be permitted in conformance with these Regulations.

- D. **Immoral or Unlawful Advertising.** It shall be unlawful for any person to exhibit, post or display, or cause to be exhibited, posted, or displayed upon any sign, anything of an obscene, indecent or immoral nature, or unlawful activity (as defined by the Colorado Revised Statutes, as amended).
- E. **Signs on Doors, Windows, or Fire Escapes.** No sign shall be installed or maintained so as to prevent free ingress to or egress from any door, window or fire escape. No sign of any kind shall be attached to a stand pipe or fire escape, except those signs as required by other codes or ordinances.
- F. **Animated or Moving Signs.** Interior and/or Exterior signs visible from a public right-of-way consisting of any moving, swinging, rotating, flashing, blinking, scintillating, fluctuating or otherwise animated light is prohibited. This prohibition includes Electronic Message Boards, except for time and/or temperature displays.
- G. **Signs for the purpose of general outdoor advertising** of products or services, or signs advertising a use, service or attraction not located in the City of Centennial, unless approved by the City Council.
- H. **Vehicle Signs.** Any automobile, trailer or other vehicle used as a sign, or on which a temporary sign is placed for advertising purposes.
- I. **Flags, banners or other devices designed or allowed to wave, flap or rotate** with the wind, except for flags of any government or governmental agency or any civic, charitable, religious or fraternal organization. Small company flags or banners during special events such as grand openings and close-out sales are permitted for a thirty day period.
- J. **Signs in Proximity to Utility Lines.** No permit shall be issued for any sign, and no sign shall be constructed or maintained, which has less horizontal or vertical clearance from authorized communication or energized electrical power lines than that prescribed by the laws of the State of Colorado and regulations duly promulgated by agencies thereof, and not less than minimum easement widths.
- K. **Portable Signs** which are not permanently affixed to any structure on the site or permanently mounted to the ground.
- L. **Any Signs Emitting Sound.**

- M. **Roof-Mounted signs** or signs which project above the highest point of the building.
- N. **Signs attached to a building** which project perpendicular a distance of more than eighteen inches (18") from the building.
- O. **Signs attached parallel** to the wall of a building, but mounted more than eighteen inches (18") from the wall.

Section 11.1.3705 On-Premises Signs

- A. For agricultural and residential uses the following on-Premises signs shall be allowed:
 - 1. One residential building identification sign per dwelling (identifying the name and/or address of said dwelling), provided the total surface area of such sign does not exceed two (2) square feet. No permit is necessary for said signage.
 - 2. One temporary "For Sale," "For Rent," or "For Lease" sign per dwelling, provided the total surface area of such sign does not exceed six (6) square feet, the height of the sign (including posts) does not exceed 4', and is not illuminated. Such signage shall not be required to meet minimum yard setback requirements of the zone district in which it is located, but shall not impair visibility for traffic movement. No permit is necessary for said signage.
 - 3. Temporary "For Sale," "For Lease," or "For Rent" signs advertising a vacant parcel, provided that the total surface area of all such signs (per parcel) shall not exceed one hundred (100) square feet, nor the total surface area of any one sign exceed fifty (50) square feet.
 - 4. In Agricultural districts only, one identification sign per permitted use, accessory use, special exception use or use by special review shall be permitted per street frontage provided the total surface area of such sign does not exceed thirty-two (32) square feet, except for home occupation signs, which are prohibited.
 - 5. In the A-E, A-1 and A-2 districts only, signs advertising the sale of products produced or raised on the premises are permitted provided that the total number of signs shall not exceed four (4), are not illuminated, and provided the total surface area of all such signs does not exceed one hundred (100) square feet, nor the total surface area of any one sign exceed fifty (50) square feet.
 - 6. Identification signs for residential developments provided that not more than two (2) sign faces shall be allowed for each subdivision entrance from an adjacent public street, the surface area of each sign does not exceed forty (40) square feet, the maximum height of such signs shall not exceed six (6) feet, and provided that such signs shall be located so as not to impair vehicular visibility.

7. Temporary advertising signs for the sale, rental or lease of dwelling units under construction or approved to be constructed; provided that no more than one sign (maximum two faces) is located adjacent to each street abutting the subdivision and provided that the total surface area of each sign does not exceed thirty-two (32) square feet. No such sign shall remain erected after the last dwelling unit is sold, rented or leased.
8. One (1) identification sign per model home within an approved subdivision; provided that the surface area of each sign does not exceed sixteen (16) square feet. Such signage shall not be required to meet minimum yard setback requirements of the zone district in which it is located.

B. For non-agricultural and non-residential uses, Section 11.1.3706 shall apply to all on-site signs.

Section 11.1.3706 General Provisions - All Use

- A. Directional signs are allowed and not counted as part of the total sign area allowed per individual use or per shopping center, business, commercial, or industrial park, provided that the total surface area of each sign does not exceed ten (10) square feet and the height of such sign does not exceed six feet (6'). Directional signs shall not be required to meet minimum yard setback requirements of the district in which it is located, but shall not impair visibility for traffic movement.
- B. One (1) temporary “For Sale,” “For Rent,” or “For Lease” sign per street frontage shall be allowed, and shall be required to meet a ten foot (10') setback from all property lines, provided that the total surface area of each sign does not exceed thirty-two (32) square feet per face (a maximum of two (2) faces are permitted for each sign) and does not impair traffic visibility.
- C. Fascia Signage Letter Heights. The maximum height of fascia signage letters shall be determined by measuring the distance between the nearest adjacent public right-of-way and the location of the fascia upon which the fascia sign is to be placed, at the following rate:

Distance from R-O-W	Letter Height for Signs Located Between the Top of Storefronts and the Second Level Finish Floor	Letter Height for Top of Wall signs
0'-50'	12"	18"
51'-100'	18"	24"
101'-150'	24"	30"
151'-200'	30"	36"
201'-250'	36"	42"
251'-300'	42"	48"
301'+	48"	48"

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D. Fascia Signage Maximum Sign Area and location.

The maximum allowable sign area for any fascia sign shall be measured by multiplying the permitted letter height by two-thirds the length of the fascia or building elevation upon which such sign is placed, provided, however, that no fascia sign shall exceed 200 square feet, unless otherwise stated in these Regulations. In cases where a tenant has two structures, one of which is accessory, whether attached or not, only one of the structures will be permitted fascia signage when both face the same adjacent public right-of-way. One fascia sign per street frontage shall be allowed. Fascia signage, excluding logos for hotels and motels, shall not be permitted to be placed above the first floor elevation for the structure upon which it is placed. Fascia signs may be placed on commercial buildings in only two locations: (1) the space between the top of storefronts and the second finish floor and, (2) Top of Building Signs (as defined in these Regulations). Fascia signs shall not overlap or cover features of the building, such as cornices, eaves, windows, door frames, columns and other decorative elements.

E. Top of Building Sign Locations.

Top of Building Signs may not be located on building elevations adjacent to residential zoned property. Top of Building Signs shall not be visible from residences located within one-half mile of the building.

F. Logo Signs. Logos utilized as fascia signs shall be permitted and the height of such logos shall not exceed one-and-one half times (1-1/2 X) the height of the allowable letter height of the fascia sign it accompanies.

G. Special area “theme” signs identifying large, planned residential and/or non-residential areas of the City comprising a minimum of one hundred sixty (160) acres shall be considered on a case by case basis. Application for said signs shall be through the Use by Special Review process outline in these Regulations.

H. One (1) freestanding project identification sign per access to a public right-of-way shall be permitted which identifies a shopping center or business, commercial or industrial park only, provided such sign does not extend more than six feet (6') above ground level, and provided the total surface area does not exceed forty-eight (48) square feet per sign face (maximum two faces per sign).

I. One (1) directory sign per street frontage shall be permitted identifying the individual businesses within a shopping center or office or industrial park, provided that the total surface area of such sign does not exceed forty-eight (48) square feet nor six feet (6') in height.

J. No sign shall be permitted which impairs visibility for traffic movement.

Section 11.1.3707 Specific Provisions - Office and Industrial Use

- A. Single Tenant Office buildings. An office building containing a single tenant shall be allowed a maximum of three fascia signs which identifies the name and/or address of the building. The tenant shall be allowed to place more than one fascia sign on a building elevation (up to the maximum of three fascia signs), but in no event shall the total square footage of fascia signage placed on any one building elevation exceed sixty-four (64) square feet. Only one Top of Building Sign per elevation is permitted. An office building containing a single tenant shall be allowed one freestanding project identification sign per street frontage.
- B. Multi-Tenant Office Building. An office building containing more than one tenant shall be allowed fascia signage and freestanding project identification signage at the same rate as permitted for the single tenant office building. Only one Top of Building Sign per elevation is permitted. In addition, one directory sign per street frontage shall be permitted.

Section 11.1.3708 Specific Provisions - Hotel & Hospital Use

- A. Hotels and hospitals shall be permitted a maximum of three fascia signs which identifies the name of the hotel or hospital. The total square footage of fascia signage per building elevation shall not exceed one hundred twenty (120) square feet or the square footage of the allowable letter height times one-half (1/2) the length of the building elevation containing the fascia sign, whichever is less.
- B. One on-premise, freestanding project identification sign located immediately adjacent to a public street frontage (maximum four (4) signs total) shall be permitted provided that:
 - 1. For a full service hospital (including a medical center) providing overnight and extended in-patient care and providing 24-hour emergency room services, such freestanding sign shall not exceed sixteen feet (16') in height and shall not exceed one hundred fifty (150) square feet per sign face (maximum of two (2) faces per sign);
 - 2. For all hotels, and for all hospitals not included in (1) above, such freestanding sign shall not exceed six feet (6') in height, nor and shall not exceed forty-eight (48) square feet per sign face (maximum of two (2) faces per sign. (Ord. 2004-21)

Section 11.1.3709 Specific Provisions - Retail Use

- A. Single Tenant Retail Buildings.

A building containing one retail tenant shall be permitted a maximum of three (3) fascia signs and one freestanding identification sign. The freestanding identification sign shall not exceed six feet (6') in height, nor forty-eight (48) square feet per face (maximum of two (2) faces).

B. Multi-Tenant Retail Buildings.

1. A building containing more than one retail tenant shall be permitted one fascia sign per entrance which identifies the name of the building only. Each tenant is allowed one fascia sign per storefront facing a public and/or private right-of-way.
2. If the primary entrance to a multi-tenant retail building does NOT face a public right-of-way AND if the rear of said building does NOT have an entrance but DOES face a public right-of-way, the rear fascia of the tenant's lease space may contain a fascia sign. Such fascia sign square footage shall not exceed one-half (1/2) of the size of the fascia sign located above the primary entrance to the lease space.

Section 11.1.3710 Specific Provisions – CMRS Facilities

Commercial Mobile Radio Service Facilities (CMRS) shall be permitted only the signs allowed under 11.1.3703. Owners/Operators are encouraged to provide emergency maintenance response information.

Section 11.1.3711 Off-Premises Signs

- A. Bus stop or transit shelter advertising shall be permitted in all zoning districts, and shall not be larger than the bench on which it is placed. At any officially recognized public bus or transit shelter, no more than one (1) bench or transit shelter may be placed within the public right of way following issuance of applicable City permit. However, a maximum of two (2) bus benches shall be permitted at any officially recognized public bus stop located along a designated arterial roadway. Complaints registered by adjacent property owner and/or a homeowners association may be cause for removal of the bus bench or transit shelter and/or its advertising. This paragraph does not authorize advertising on buildings or light rail stations.
- B. Permitted in B-3, B-4, B-5, I-1 and I-2 zoning categories (subject to the Use By Special Review procedure) are off-Premises signs used to identify uses or services in the City of Centennial which are oriented toward highway travelers, directional signs for emergency services, and advertising signs for real estate developments, provided that these signs meet the following criteria. The State of Colorado Department of Transportation (CDOT) has adopted "Rules and Regulations Pertaining to Outdoor Advertising Effective January 1, 1985," pursuant to the Colorado Revised Statutes (C.R.S., § 43-1-401 et seq., as amended). On all properties within the portions of the City of Centennial which abut Interstate 25 (I-25) and other state highways (Highway 83, Arapahoe Road, etc.), these State Highway Regulations, to the extent that they are more restrictive, are recognized to be in full force and effect and supersede these Regulations.
 1. Any off-Premises sign shall meet the required accessory use setbacks appropriate for the zoning district in which it is located.

2. Off-Premises signs shall not extend more than six feet (6') above ground level and shall not exceed forty-eight (48) square feet in sign area per face.
3. The minimum distance between off-Premises signs shall not be less than three hundred feet (300').
4. Off-Premises signs shall be permitted for one (1) year, may be renewable, but shall terminate upon completion of construction of the project which it advertises.

Section 11.1.3712 Billboards

- A. Billboards, because of their size, design, visual impact along public roadways and potential interference with public safety, are permitted only in B-3, B-4, B-5, I-1 and I-2 districts, and are subject to the "Use By Special Review" procedure outlined in these Regulations, and to the following:
- B. Billboards proposed to be erected on property abutting right-of-way for the Interstate or State Highway system require sign permit approval from the CDOT and the City's Building Division, or as may be required by federal and/or state laws.
- C. The maximum sign area permitted for a billboard shall be three hundred (300) square feet per sign face (maximum of two (2) sign faces per sign and must be placed back-to-back on the same structure), and the maximum height of any billboard shall be thirty-five feet (35') above ground level, and shall not impair traffic visibility.
- D. No billboard shall be located less than five hundred feet (500') from any other billboard.
- E. No billboard shall be located within five hundred feet (500') of any residentially zoned property in any jurisdiction measured in a straight line in any direction from the nearest point on the sign structure to the residential zone boundary.

Section 11.1.3713 Non-Conforming Signs

A. General Provisions

The Intent Section describes an intended direction for the administration of signs in the City of Centennial. In order to reach those objectives, the eventual termination of signs which do not conform to these Regulations is both reasonable and desirable.

B. Continuance of Nonconforming Signs

Except as provided in Section 1-3713 (c) below, any nonconforming sign may be continued in operation and maintained after the effective date of this Section; provided, however, that no such sign shall be changed in any manner that increases the

nonconformance of such sign with the provisions of this Section; and provided that the burden of establishing a sign to be nonconforming under this Section rests entirely upon the person(s), firm, or corporation claiming a nonconforming status for a sign.

C. Termination of Nonconforming Signs

1. Abandonment (Signs Relating to Inoperative Activities)

Signs pertaining to activities or occupants that are no longer using a property shall be removed from the premises within thirty (30) days after the associated activity or occupant has vacated the premises. Any such sign not removed within the required period shall constitute a nuisance and shall be subject to removal by action of the City of Centennial Zoning Administrator.

2. Violation

Any violation of this Section and/or any pre-existing City of Centennial sign provisions shall terminate immediately the right to maintain such sign.

3. Destruction, Damage, or Obsolescence: the right to maintain any nonconforming sign shall terminate and shall cease to exist whenever the sign sustains damage in excess of fifty percent (50%) of the replacement cost, or becomes obsolete, or substandard to the extent that the sign becomes a hazard.

4. Amortization: the right to continue the use of a legal nonconforming sign shall terminate in accordance with the following schedule:

- a. Animation, fluctuation, rotation, or flashing of any sign shall cease within ninety (90) days of the effective date of this Section.
- b. The use or display of banners, pennants, balloons, wind-operated signs, and other portable signs shall cease within ninety (90) days of the effective date of this Section.
- c. Other Signs: the City of Centennial recognizes a reasonable and proper amortization period of five (5) years from the date that said sign is made nonconforming by Regulations adopted by the City.

Chapter 1—Zoning Regulations

Part 3800

Home Occupation Regulations

Section 11.1.3801 Intent

Section 11.1.3802 Requirements and Restrictions

Section 11.1.3801 Intent

To allow for the use of a residence for an occupation which does not change the character of the neighborhood in which it is located.

Section 11.1.3802 Requirements and Restrictions

In order for a home occupation to be considered compatible with the neighborhood in which it is located, the following criteria must be met:

A. The home occupation must be conducted entirely within the principal dwelling structure.

Not more than twenty percent (20%) of the garage area shall be used for storage of permitted materials and goods associated with the home occupation.

B. The home occupation shall be conducted only by the residents of the principal dwelling.

C. There shall be no visible advertising of the home occupation on the premises upon which it is located.

D. There shall be no outdoor storage of goods or materials associated with the home occupation.

E. There shall be no excessive or offensive noise, vibration, smoke, dust, odors, heat, glare or light, or dumping of materials produced by the home occupation.

F. The receipt or delivery of merchandise, goods or supplies for use in a home occupation shall be limited to the United States mail, parcel post or general delivery service or private passenger vehicle, but shall exclude truck and/or trailer-delivered goods or merchandise.

G. A home occupation shall not change the appearance or character of the dwelling and/or neighborhood. Only materials, goods and services normally associated with a dwelling unit shall be considered eligible for a home occupation.

H. Sales conducted in conjunction with the home occupation shall be primarily by telephone or direct mail. Incidental pick-up of goods is permitted; however, a home occupation shall not generate an amount of traffic which affects the residential character of the

neighborhood, nor shall it encourage congregations of people for extended periods of time.

I. A “day care home” (see definitions) shall be permitted subject to the following provisions:

1. Such “day care home” shall not be allowed signage.
2. Such “day care home” shall provide care for children as follows:

<u>Provider’s children not attending full-day school</u>	<u>Maximum number of day care children permitted at one time</u>
6 or more	0
5	1
4	2
3	3
2	4
1	5
0	6

<u>Provider’s children under 12 years attending full-day school</u>	<u>Additional day care children permitted during school hours</u>
0	0
1	1
2	2

3. Such “day care home” shall obtain proper licensing as may be required by the State Department of Social Services, as administered by the Arapahoe County Department of Social Services and/or any other agency as may be required by Colorado laws.
4. A six foot (6') high fence must enclose outdoor play areas used by the children.
5. A “day care home” is exempt from the provisions of 11.1.3802.A and 11.1.3802.D through 1-3802.G above.

Chapter 1—Zoning Regulations
Part 3900 Temporary Structures

- Section 11.1.3901 Intent
- Section 11.1.3902 General Requirements and Procedures
- Section 11.1.3903 Permitted Temporary Structures

Section 11.1.3901 Intent

The intent of this section is to provide for the regulation of temporary structures. For the purposes of these Regulations the term “temporary” shall mean a period of up to one year, unless otherwise permitted.

Section 11.1.3902 General Requirements and Procedures

Prior to the erection and use of a temporary structure, the applicant shall be required to comply with the following:

- A. A site plan showing the location of structures, setbacks and any other pertinent information shall be submitted to the City’s Building Division for review and conformance with all applicable zoning district requirements in which the structure is to be located.
- B. The temporary building permit granted by the City’s Building Division shall expire one (1) year from the date of issuance, unless otherwise provided herein. The applicant may reapply before the expiration of the original temporary building permit for a continuation of the permit. Upon a showing of hardship and/or evidence that a permanent structure is being constructed upon the property, the City’s Building Division may issue additional temporary permits. However, in no event shall a maximum of more than two (2) permits be granted per structure. All temporary structures shall be in violation of these Regulations at the expiration of the second permit, and shall be removed.
- C. All written requests for renewal of a temporary permit shall be submitted to the City’s Building Division a minimum of ten (10) working days prior to the expiration date.
- D. Prior to the issuance of the permit by the City’s Building Division, the applicant shall post an appropriate bond with the City, as required.
- E. The applicant shall meet any additional requirements necessary for the health, safety and welfare of the residents of the surrounding area as may be required by the City of Centennial.

Section 11.1.3903 Permitted Temporary Structures

A. A **temporary residence** shall be permitted only in the A-E, A-1 and A-2 zoning districts upon obtaining required building permits.

B. **Temporary Construction Yard and/or Office.** A parcel used for the storage of construction materials and/or a temporary structure for a construction office to be used for managing a construction job may be permitted in all districts with the following restrictions:

The structure and/or parcel is to be used only during normal construction hours by the construction superintendent, construction workers, contractors, etc.

While construction is occurring, a temporary construction office and/or construction yard may be permitted provided that it is located within the area of a recorded Final Plat, an approved Final or Master Development Plan, Subdivision Development Plan, Location and Extent and a Use by Right.

The temporary construction office may be used as a security office but shall not be used as living quarters.

C. **Temporary Residential Sales Offices (Model Homes)**

Temporary residential sales offices for the sale of units in an area shall be permitted with the following restrictions:

1. Sales shall be limited only to those units within the platted subdivision in which the office is located.
2. The temporary structure shall be located within the area of a recorded Final Plat.
3. The use of a temporary residential sales office may require the posting of a bond with the City's Building Division.
4. Sales offices within model homes shall meet criteria as may be established by City's Building Division regulations, as set forth within the Uniform Building Code, etc.

D. **Fireworks Stands—Repealed.**

E. **Christmas Tree Lots**

Christmas tree lots shall be permitted upon compliance with the following provisions:

1. Christmas tree lots shall not be permitted in residential zoning districts.

2. Any structure(s) associated with the operation of a Christmas tree lot shall be erected no closer than fifty feet (50') from all property lines, and shall be anchored in such a manner as to withstand normal wind pressure, be safe from collapse, and be constructed in such a manner so as not to create a health, safety and/or welfare violation(s).
3. Christmas tree lots shall not be erected prior to two weeks before the first day on which sales shall be permitted nor remain after January 1. Lots shall not be open for the purpose of conducting sales prior to the Friday before Thanksgiving.
4. Proof of compliance with the provisions of this section of the Land Development Code shall be submitted with an application for a Christmas tree lot permit.
5. A minimum of 15 parking spaces shall be provided for customers.
6. The Land Use Services Department shall grant access approval.
7. The Applicant shall pay in advance to the City a permit fee of \$300 and a refundable deposit of \$1,000, unless the amounts of such charges are otherwise amended by resolution.
8. Any and all Christmas tree lot permits shall be prominently displayed by said permittee at the permitted location. (*Ord.2002-45*)

Chapter 1—Zoning Regulations
Part 4000 Temporary Use

- Section 11.1.4001 Intent
- Section 11.1.4002 Prerequisite
- Section 11.1.4003 Specific Requirements
- Section 11.1.4004 General Requirements and Procedures
- Section 11.1.4005 Temporary Use Permit (TUP)

Section 11.1.4001 Intent

To provide for the regulation of land uses that do not warrant a rezoning of the property because the use is temporary in nature. These regulations establish a Temporary Use Permit for proposals deemed appropriate by the Land Use Services Department. For the purposes of these Regulations the term “temporary” shall mean a period of up to one year, unless otherwise permitted by the permit. These uses may include but not be limited to: promotional, recreational and seasonal type uses. Other similar uses may be approved at the Land Use Services Department Director’s (or designee’s) discretion.

Section 11.1.4002 Prerequisite

The criteria for the Land Use Services Department Director, or designee, to determine whether or not a proposal is eligible for a temporary use permit shall be as follows:

- A. A traveling show, carnival, circus, or special event that must be temporary and have no permanent structures or installations.
- B. The use shall be proposed on a site with an approved final plat, final and master development plan and/or subdivision development plan, Location and Extent and Use by Special Review. All land considered must be legally established and in compliance with City regulations including the Comprehensive Plan.
- C. The applicant shall provide evidence that the use will not adversely affect surrounding property owners.
- D. The operator of the use has the burden of demonstrating to the satisfaction of the Land Use Services Department Director that temporary off-street parking spaces are adequate and will not adversely impact surrounding uses. Off-street parking spaces may be satisfied by providing temporary parking that does not strictly comply with the construction and maintenance provisions of the City regulations.

Section 11.1.4003 Specific Requirements

- A. The uses listed under Section 11.1.4002 are allowed in all non-residential zone districts with a temporary use permit.
- B. The temporary use permit granted by the Land Use Services Department shall expire one year from the date of issuance, unless otherwise provided herein. The applicant may reapply before the expiration of the original temporary use permit for a continuation of the permit. Upon a showing of hardship, the Land Use Services Department may issue additional temporary permits.
- C. All written requests for renewal of a temporary use permit shall be submitted to the Land Use Services Department a minimum of ten working days prior to the expiration date.
- D. Hours of operation shall be limited to daylight hours unless otherwise approved.

Section 11.1.4004 General Requirements and Procedures

Prior to the establishment of a temporary use, the applicant shall be required to submit the following:

- A. A site plan shall be submitted to the Land Use Services Department for review showing the location of structures, setbacks and any other pertinent information and conformance with all applicable zoning district requirements in which the structures are to be located.
- B. Prior to the issuance of the temporary use permit, the applicant shall post security with the City as required to cover expected costs of enforcement, monitoring, clean-up and site restoration.
- C. The applicant shall meet any additional requirements necessary to protect the health, safety and welfare of the residents of the surrounding area as may be required by the City of Centennial.
- D. Sign permits shall be required in accordance with the sign section of this resolution.
- E. The applicant shall adequately accommodate the parking needs of the use in accordance with Section 11.1.4600 of these regulations.

Section 11.1.4005 Temporary Use Permit (TUP)

- A. Upon completion of the temporary use, the site shall be cleaned, all evidence of the use removed and shall be left in a condition that minimizes adverse impacts to the site itself and to surrounding properties.

- B. At any time during the duration of the temporary use permit the City holds to right to revoke the permit if any of the following occur: the use is out of compliance with the approved permit, and/or numerous complaints are reported by adjacent property owners.

Chapter 1—Zoning Regulations

Part 4100

Small Wind Energy Conversion Systems

- Section 11.1.4101 Intent
- Section 11.1.4102 General Requirements
- Section 11.1.4103 Procedure

Section 11.1.4101 Intent

To provide for the installation of small wind energy conversion systems providing electricity up to 100 kilowatts on properties within the City of Centennial, unless otherwise prohibited by an approved Preliminary Development Plan.

Section 11.1.4102 General Requirements

- A. All requests for the installation of wind energy conversion systems shall be submitted to the City's Building Division and shall be accompanied by a dimensioned site plan showing:
 - 1. Property lines.
 - 2. Proposed location of the tower, including setbacks and height information.
 - 3. Location of all existing structures.
 - 4. All above-ground utility lines.
 - 5. Location of trees or other vegetation described by size and type.
- B. The maximum tower height allowed in any zone district shall be one hundred and twenty feet (120').
- C. Wind energy conversion systems shall be located at least one (1) times the height of the supporting tower from all property lines, and from any overhead utility lines.
- D. For "horizontal axis" wind energy conversion systems, the minimum allowable height above-ground for any portion of the rotor or blades shall be thirty feet (30').
- E. Climbing access to the structure shall be limited either by means of a six foot (6') high fence around the tower base with a locking gate or by limiting tower climbing apparatus to no lower than twelve feet (12') above the ground.

- F. Wind energy conversion systems shall not create a detrimental effect on adjacent properties through electromagnetic interference (EMI) or noise (not to exceed 40 decibels at the property line).
- G. Any wind energy conversion system with a capacity in excess of one hundred (100) kilowatts shall not be permitted in a residential zone and shall not be located along the major axis of an existing microwave communications link nor placed where it may interfere with existing and/or proposed airport facility aids (ILS, NDB, etc.) where the operation of the system is likely to produce an unacceptable level of electromagnetic interference.
- H. Wind energy conversion systems installed in accordance with the requirements of this Section shall not generate power as a commercial enterprise as defined by the Public Utilities Commission (PUC).

Section 11.1.4103 Procedure

- A. Applicants requesting installation of a wind energy conversion system shall contact the utility company which has jurisdiction over the parcel of land where the proposed system is to be located (Xcel Energy, IREA). The affected utility shall set forth requirements for the proposed interconnection in compliance with the provisions of the Public Utilities Commission. Such requirements may include, but not be limited to system specifications, metering, disconnect and emergency features, maintenance, insurance and safety factors. Upon the utility's review of the proposed system, the landowner/authorized representative shall submit a "letter of intent to interconnect" to the City's Building Division, which has been signed by the utility company. This requirement shall be waived if no interconnection is proposed.
- B. The landowner/authorized representative shall receive and submit to the City's Building Division a letter of certification from a registered structural engineer which verifies the structural integrity of the supporting tower for its ability to withstand structural and wind loads in compliance with the Uniform Building Code.

Chapter 1—Zoning Regulations

Part 4200

Fence Regulations

Section 11.1.4201	General Provisions
Section 11.1.4202	Classes of Fences and Walls
Section 11.1.4203	Requirements of Fences

~~Section 11.1.4201 General Provisions~~

- ~~A. No person, firm or corporation shall erect, construct, enlarge, alter or move any fence in the City without first obtaining a fence permit from the City's Building Division, pursuant to this Section.~~
- ~~B. No fence permit shall be issued by the City's Building Division unless the applicant for such permit demonstrates compliance with the provisions of this Section.~~
- ~~C. Fees for fence permits issued pursuant to this Section shall be set by the City Council to cover the costs of inspections and administration of this Section, and may be amended as necessary by the Council. Fees shall be paid by the applicant prior to the issuance of the fence permit.~~
- ~~D. The purpose of this Section is to promote the health, safety and welfare of the public, to protect the economic and aesthetic value of the City of Centennial, and to prevent traffic hazards and the creation of nuisances. The intent of this Section is to regulate only those fences of whatever class, that are physically located or intended to serve as a boundary between adjoining properties or as a barrier or enclosure of greater than fifteen percent (15%) of the area of a particular zone lot.~~

~~Section 11.1.4202 Classes of Fences and Walls~~

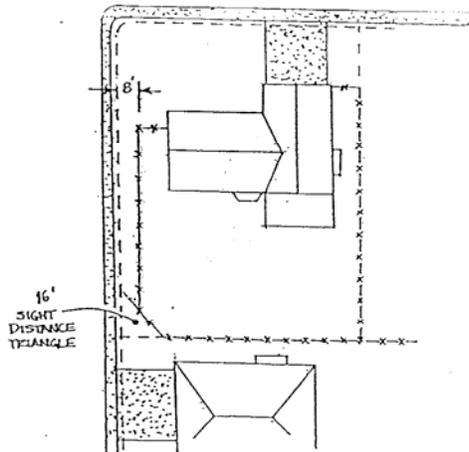
- ~~A. Class 1 – Masonry. Any fence or wall composed of stone, brick, concrete, gypsum, hollow clay tile, concrete block or tile or similar building units or materials or combination of these materials laid up unit by unit and set in mortar.~~
- ~~B. Class 2 – Ornamental Iron. Any wrought iron or metal fence, of primarily open design, consisting of straight or curved metal bars or pieces, including metal vertical picket fences.~~
- ~~C. Class 3 – Chain Link. A fence of primarily open design consisting of an interlocking pattern of wire or metal of at least 1/8" in diameter supported by vertical and/or horizontal bars or posts of at least one and one half inches (1 1/2") in diameter~~
- ~~D. Class 4 – Wood Picket. A fence that is more than fifty percent (50%) open, as viewed from outside the fence, and is constructed with wooden supports and fence materials. This type of fence includes fences with vertical pieces of wood, with or without pointed~~

~~ends, as the primary fencing material (i.e., “picket fence”), as well as fences with horizontal wooden bars or rails as the primary fencing material (i.e., “split rail fence”).~~

- ~~E. Class 5 Solid. A fence that is less than fifty percent (50%) open as viewed from outside the fence.~~
- ~~F. Class 6 Hedge. A wall consisting of living bushes, trees, plants or plant materials, but not including grass or weeds.~~

~~Section 11.1.4203 Requirements of Fences~~

- ~~A. These requirements apply to all fences in the City of Centennial enclosing any lot or greater than fifteen percent (15%) of a lot in any zone district.~~
- ~~B. Except as otherwise provided in this Section, fences erected in front of any building on a zone lot shall not exceed three feet (3') in height.~~
- ~~C. Side and rear yard fences may be of any class, as defined in Section 3-400 herein, but shall not exceed a height of six (6') feet excluding hedges; provided that a side yard fence shall not extend past the lot's front building line or the adjacent neighbor's front building line, whichever is closest to the rear lot line, unless a sixteen foot (16') minimum sight distance triangle is provided and that the fence is a minimum setback of eight foot (8') from the side (corner) property line as illustrated below.~~



- ~~D. Except as otherwise provided in the Definitions Section, side and rear yard fences may be of any class, as defined in Section 11.2A.400 but shall not exceed a height of six feet (6') excluding hedges; provided that a side yard fence shall not extend past the lot's front building line or the adjacent neighbor's front building line, whichever is closest to the lot's rear lot line.~~

- ~~E. No barbed wire or electrically charged fence shall be erected or maintained, except on land zoned A E, A 1, A 2, R A, MU (if stables are a legal use), B 3, B 4, I 1 or I 2, and/or in conjunction with a jail or correctional facility. On land zoned B 3, B 4, I 1 or I 2, the fence must be of chain link construction, and the barbed or electrically charged portion of the fence must be at least six feet six inches (6'6") above the finished grade outside the fence. Any electrically charged fence in any zone district shall be clearly and conspicuously posted to warn those outside the fence that it is electrically charged, and shall be maintained by its owner.~~
- ~~F. On corner lots, no fence or retaining wall shall be erected or maintained which obstructs the vision of automobile traffic on the adjacent streets or driveways.~~
- ~~G. Retaining walls exceeding a height of three feet six inches (3'6") from the finished grade on the low side of the wall shall be designed by a licensed structural engineer, and plans submitted for a fence permit shall show the seal of such engineer.~~
- ~~H. Every fence in the City, including but not limited to those fences for which no permits are required, shall be maintained in good structural condition at all times. The Land Use Services Department Director, or his designees, or the Zoning Administrator, or his designee, shall inspect and have the authority to order the repair or removal of a fence which constitutes a nuisance or hazard to safety or health or public welfare by reason of inadequate maintenance, dilapidation, obsolescence or abandonment, or which shall constitute a hazard or zoning violation for any other reason.~~
- ~~I. Fences on land zoned A 1, A 2 or A E are excluded from the requirements of this Section, except for Sections 11.1.4203.D and 11.1.4203.G as long as such land is used for agricultural purposes and proper maintenance is exercised by its owner.~~
- ~~J. Fences in B 3, B 4, I 1 or I 2 districts may be up to eight feet (8') tall, provided that the fence must be of Class 3 construction.~~
- ~~K. Fences surrounding tennis courts may be up to twelve feet (12') tall.~~
- ~~L. When the provisions of this Section conflict with the special fence provisions for particular uses found in other Sections of these Regulations, such special provisions shall control.~~
- ~~M. Sound barrier walls, when constructed adjacent to major arterial roadways, shall be designed in accordance with CDOT.~~

Chapter 1—Zoning Regulations
Part 4300 Group Home Regulations

Section 1-4301	Findings and Intent.
Section 1-4302	General Provisions – All Group Homes.
Section 1-4303	Specific Provisions – Type A Group Home.
Section 1-4304	Specific Provisions - Type B Group Homes.

Section 1-4301 Findings and Intent.

A. Findings. The City Council finds and determines that the policy of the City is to:

1. Provide handicapped persons who are protected under federal and state fair housing legislation equal opportunities to live within all residential zone districts within the City;
2. Disperse the location of group homes throughout the City through reasonable separation requirements;
3. Comply with the principles, policies and regulations of federal and state fair housing legislation; and
4. Support and enhance the viability and quality of neighborhoods and residential communities for the benefit of all City residents.

B. Intent. The intent of these Regulations is to enable Type A group homes to locate in residential communities and to increase opportunities for integration of these homes in residential neighborhoods. For classes or groups of individuals not protected under federal and state fair housing legislation or for Type A group homes exceeding the occupant limit specified in section 1-4303.03, these Regulations are intended to provide a review process whereby the intended use of a group home is evaluated to determine its compatibility with the surrounding land uses and its conformance with applicable criteria of approval as more fully set forth herein.

Section 1-4302 General Provisions – All Group Homes.

Unless otherwise expressly stated, a Type A or Type B group home must meet the following minimum requirements:

A. Licensing. The applicant is or will be licensed by the State of Colorado to operate the facility, or is not required to be licensed.

- B. Separation. No group home may be located within Seven Hundred and Fifty feet (750') of any other group home of the same type, as measured by a straight line from the closest point of property line to property line.
- C. Building, Fire and Safety Codes. The proposed occupancy of the group home complies with, or will comply, with the requirements of the currently adopted building, fire and safety codes of the City as well as all applicable requirements of the zone district or planned unit development.
- D. Threats to Public Safety. As authorized by 42 U.S.C. § 3604(f)(9), no group home 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.

Section 1-4303 Specific Provisions – Type A Group Home.

Section 1-4303.01 General.

A Type A group home, as defined in Section 3-402, shall be deemed a principal permitted use in all residential zone districts subject to the provisions of this Part 1-4300.

Section 1-4303.02 Reasonable Accommodations.

The Federal Fair Housing Act, 42 U.S.C. §3601, et seq., as amended, requires that local governments be prepared to make “reasonable accommodations” in order to permit housing for certain protected individuals to occur in residential areas. In response to a written application identifying the type of housing being provided and the portions of the Fair Housing Act that require reasonable accommodations be made for such housing, the City Manager, or his or her designee, in consultation with the Director of Land Use Services, is authorized to approve minor modifications of building setbacks, height, lot coverage, or occupancy limits in order to provide reasonable accommodations without the need for an additional approval process.

The City Manager, or his or her designee, may approve a type of reasonable accommodation different from that requested by the applicant if the City Manager concludes that a different form of accommodation would satisfy the requirements of the Federal Fair Housing Act with fewer impacts on adjacent neighborhoods. The decision of the City Manager shall be accompanied by written findings of fact as to the applicability of the Fair Housing Act, the need for reasonable accommodations, and the authority for any reasonable accommodations approved.

Section 1-4303.03 Occupancy Limits.

If an applicant for a Type A group home seeks to house more than eight (8) individuals (excluding support personnel), or is denied a reasonable accommodation to increase the

number of occupants within the group home pursuant to Section 1-4303.02, it may seek approval for a Type B group home permit in conformance with Section 1-4304.

Section 1-4304 Specific Provisions - Type B Group Homes.

Section 1-4304.01 General.

In addition to the general requirements for all group homes specified in Section 1-4302 above, a Type B group home shall not locate or operate within the City unless it has received approval by the City in the form of a written permit in conformance with this section.

Section 1-4304.02 Purpose.

The Type B group home review and approval procedure provides a discretionary approval process for group homes with potentially widely varying operating characteristics. The procedure encourages public review, agency referral, and evaluation of a Type B group home's operating characteristics and site development features and is intended to ensure that a proposed group home will not have a significant adverse impact on surrounding uses and neighborhoods within the City.

Section 1-4304.03 Pre-Application Conference.

An applicant of a Type B group home shall schedule and attend a pre-application conference with appropriate City staff before filing a group home permit application. The purpose of the pre-application conference is to inform the applicant of applicable procedures, submittal requirements and other pertinent matters to assist the applicant in completing an application. Staff opinions offered during a pre-application conference are informational only and do not represent a commitment on behalf of the City regarding the acceptability of the application.

Section 1-4304.04 Application Filing

- A. Applications for a Type B group home shall be submitted on forms provided by the City's Land Use Services Department in such numbers as required by the Department.
- B. At a minimum, the application must include the following information:
 - 1. Letter of Intent fully describing the intended use and character of the group home;
 - 2. Name of property owner;
 - 3. Property address and legal description;
 - 4. Evidence of title;

5. Letter of authorization from property owner if property owner is not the applicant;
 6. Site plan including the following information:
 - Legal Description of property;
 - Location and dimension of existing and proposed structures, gross floor area, square footage of habitable space; and locations of entrances;
 - Provision for parking;
 - Graphic description of any proposed physical alterations or additions to the property and/or structures located thereon.
- C. An application shall be considered substantially complete if it is submitted in the required form, including all required submittal information and all items or exhibits specified in this section 1-4304.04 or requested by the Land Use Services Department during a pre-application conference, and is accompanied by the applicable application fee. Any application that is not accompanied by the required fees shall be deemed incomplete.
- D. If the Land Use Services Department determines that the application is incomplete, the appropriate Department staff shall notify the applicant of that fact and specify the specific ways in which the application is deficient. No further processing of the incomplete application shall occur until the deficiencies are corrected.

Section 1-4304.05 Referral Agencies

A Type B group home permit shall be referred in accordance with the requirements of the Land Development Code.

Section 1-4304.06 Public Hearing Notice

Notice of Planning and Zoning Commission and City Council public hearings shall be mailed, and posted in accordance with the Land Development Code.

Section 1-4304.07 Burden of Proof

The burden of demonstrating that a Type B group home permit application complies with applicable review and approval criteria set forth in this Section is on the applicant. The burden shall not be on the City or other parties to show that the criteria have not been met.

Section 1-4304.08 Planning and Zoning Commission Review

Upon acceptance of a complete application and satisfaction of the referral process, the application shall be forwarded to the Planning and Zoning Commission . The Planning and Zoning Commission shall hold a public hearing on the application, and within sixty (60) days from the date of receipt of a complete application, make a recommendation to the City Council based on the approval criteria specified in section 1-4304.10.

Section 1-4304.09 City Council Review and Decision

After receiving the recommendation of the Planning and Zoning Commission, the City Council shall consider the group home permit application at a public hearing and at the close of the public hearing, the City Council shall act to approve, approve with conditions, or deny the proposed group home permit application based on the approval criteria specified in section 1-4304.10.

Section 1-4304.10 Approval Criteria

A Type B group home permit application may be approved only if the City Council finds that all of the following criteria have been met:

1. The applicant is or will be licensed by the State of Colorado or other applicable licensing agency to operate the facility, or is not required to be licensed.
2. The proposed occupancy of the group home complies with, or will comply, with the requirements of the currently adopted building, fire and safety codes of the City.
3. The individuals intended to reside within the group home would not constitute a direct threat to the health or safety of other individuals or would not result in substantial physical danger to the property of others.
4. The proposed group home is compatible with the character of the surrounding uses and the general architectural designs found in the surrounding neighborhood.
5. The residents of the group home will not require ongoing or daily medical or psychiatric treatment normally associated with a hospital or medical clinic.
6. The group home will not contain more than twelve residents, including resident supervisory personnel.
7. The structure in which the group home operates provides a reasonable allocation of square footage of habitable space consistent with the surrounding residential uses.
8. There is adequate on and off-street parking to accommodate the use and needs of the group home and the number of vehicles used by its occupants.

Section 1-4304.11 Effect of Permit Approval.

A Type B group home permit is issued to a specific operator or organization and shall not be transferable to another individual or party for the same location.

Section 1-4304.12 Permit Duration and Renewal.

A Type B group home Permit may be granted for the term of the group home's license, or for such shorter period as the City Council shall find appropriate and reasonable under the circumstances of a particular application, but in no event for a period greater than two years. At the expiration of its term, a Type B Group Home permit shall automatically renew under the same conditions, including duration, as the original approval, unless any City department or group home's licensing agency has received written complaints concerning the operation of the group home during the term of the permit. If any such complaint has been received, the application for renewal must be heard by the Planning and Zoning Commission and City Council under the same requirements for a new Type B Group Home permit application. (Ord. 2005-17)

Chapter 1—Zoning Regulations
Part 4400 Sexually-Oriented Business

Section 1-4401	Findings and Intent.
Section 1-4402.	Location and Siting Requirements.
Section 1-4403	Location and Siting Requirement Exceptions.
Section 1-4404	Signs and Exterior - Sexually Oriented Businesses.

Section 1-4401 Findings and Intent.

A. **Findings.** Based on evidence concerning the adverse secondary effects of adult uses on the community presented in land use studies made available to the City Council and on findings incorporated in the cases of the City of Littleton v. Z.J. Gifts, 541 U.S. 774 (2004), City of Erie v. Pap’s A.M., 120 S. Ct. 1382 (2000), Barnes v. Glen Theatre, Inc., 501 U.S. 560 (1991), FW/PBS, Inc. v. City of Dallas, 493 U.S. 215 (1990), City of Renton v. Playtime Theatres, Inc., 475 U.S. 41 (1986), Young v. American Mini Theatres, 426 U.S. 50 (1976), Essence, Inc. v. City of Federal Heights, 285 F.3d 1272 (10th Cir. 2002), Z.J. Gifts D-2, L.L.C. v. City of Aurora, 136 F. 3d 683 (10th Cir. 1998), O’Connor v. City and County of Denver, 894 F. 2d 1210 (10th Cir. 1990), City of Colorado Springs v. 2354 Inc., 896 P.2d 272 (Colo. 1995), 7250 Corp. v. Board of County Commissioners for Adams County, 799 P. 2d 917 (Colo. 1990), and Marco Lounge, Inc. v. City of Federal Heights, 625 P.2d 982 (Colo. 1981), and,; and on studies in other communities including but not limited to Adams County, Colorado; Dallas, Texas; Denver, Colorado; Garden Grove, California; Whittier, California; Indianapolis, Indiana; St. Paul, Minnesota; Lost Angeles, California; Islip, New York; Ellicottville, New York; Las Vegas, Nevada; Rome City, Georgia; Houston, Texas; New York, New York; Oklahoma City, Oklahoma; Phoenix, Arizona; and Tucson, Arizona; and a study prepared by the American Center for Law and Justice dated March 1996; the Centennial City Council finds:

1. There are a substantial number of sexually oriented businesses in the Denver metropolitan area and these uses require special supervision from public safety agencies and municipal regulation in order to protect the health, safety and welfare of the patrons of such businesses as well as the citizenry;
2. Regulation of sexually oriented businesses furthers substantial governmental interests and is necessary because, in the absence of such regulation, significant criminal activity, including prostitution, narcotics and liquor law violations, has historically and regularly occurred;
3. Sexually oriented businesses are frequently used for unlawful and unhealthful sexual activities, including prostitution and sexual liaisons of a casual nature;

4. The concern over sexually transmitted diseases, including HIV, is a legitimate health concern of the City which demands reasonable regulation of sexually oriented businesses in order to protect the health and well-being of the citizens;
5. Sexually oriented businesses have a deleterious effect on both neighboring businesses and surrounding residential areas causing an increase in crime and a decrease in property values;
6. Sexually oriented businesses lend themselves to ancillary unlawful and unhealthy activities that are often uncontrolled by the operators of the establishments;
7. Some people frequent certain adult theaters, adult arcades and other sexually oriented businesses to engage in sex within the premises of such sexually oriented businesses;
8. Sexually oriented businesses have serious objectionable characteristics, particularly when they are located in close proximity to each other, thereby contributing to urban blight and downgrading the quality of life in the adjacent area;
9. City Council recognizes the possible harmful impact on children and minors exposed to the effects of adult businesses that includes those encountered when children walk through or visit in the immediate neighborhood of such businesses;
10. The City wishes to minimize and control adverse effects and thereby protect the health, safety and welfare of the citizens; preserve the quality of life; preserve the property values and character of surrounding neighborhoods; deter the spread of urban blight and protect the citizens from increased crime; and
11. It is not the intent of the ordinance codified in this Part to suppress any speech protected by the First Amendment, but to enact content-neutral regulations that address the secondary effects of sexually oriented businesses.

B. **Intent.** The intent of this Part is to set reasonable and uniform regulations to prevent the deleterious location and siting of sexually oriented business. These Regulations impose restrictions no greater than necessary to further the City's interest in preventing negative secondary effects attributable to sexually oriented businesses. This Part is to be construed as a regulation of time, place, and manner of the location of these businesses, consistent

with the United States and Colorado Constitutions. The provisions of this Part have neither the purpose nor the effect of imposing a limitation or restriction on the content of any communicative materials, including sexually oriented materials. Similarly, it is not the intent nor effect of this Part to restrict or deny access by adults to sexually oriented materials protected by the First Amendment. It is also not the intent of this Part to condone or legitimize the distribution of obscene material or material not protected by the First Amendment.

Section 1-4402. Location and Siting Requirements.

- A. It is unlawful to operate or cause to be operated a sexually oriented business in any location except as provided in the Centennial Land Development Code, as amended from time to time and subject to licensing approval by the City in conformance with Chapter 5 of Title 6 of the Municipal Code.

- B. Sexually oriented businesses shall be permitted only upon I-1 and I-2 zoned properties within the boundaries of the City of Centennial lying between Interstate 25 on the west; Havana Street on the east; Costilla Avenue on the south; and Arapahoe Road on the north. Sexually oriented businesses shall be prohibited on properties zoned under a planned unit development preliminary development plan that expressly or implicitly allows for I-1 or I-2 uses.

- C. No sexually oriented business shall be located within one thousand feet of the following:
 - 1. A school;
 - 2. A boundary of any residential zone district or residentially zoned property;
 - 3. A dwelling unit (single or multiple family);
 - 4. A publicly designated park owned or controlled by a municipality or special district that is available for use by the general public;
 - 5. A state-licensed childcare center located in the City of Centennial;
 - 6. A church exceeding a total of ten thousand (10,000) square feet that routinely and regularly schedules and conducts or provides related activities including but not limited to child care and other youth activities, educational classes, concerts, theater or other similar community events, on days of each week other than Sunday; or

7. Another sexually oriented business.
- D. It is unlawful to cause or permit the operation or maintenance of more than one (1) sexually oriented business in the same building, structure, lot, parcel, or portion thereof regardless of whether such businesses would be owned or operated by the same owner or lessee.
- E. For purposes of this section, distance requirements between structures and uses specified in this Part 1-4400 shall be measured in accordance with the following:
1. When a proposed or existing use is housed in a structure or building, the required distance is measured to the closest exterior wall of the structure or building;
 2. When a proposed or existing use is housed within a building also occupied by other uses, such as within a multi-tenant shopping center, the required distance is measured from the closest portion of the building devoted to the proposed or existing use in question;
 3. When a proposed or existing use or activity is not housed in a structure or building (e.g., a park) or such use is a school, the required distance is measured to the closest lot or property line of the lot or parcel containing the use, activity, or school;
 4. The required distance to a residential district or to a residentially zoned property is measured to the closest zoning district boundary, as shown on the official zoning map, or to the closest lot or property line of the specifically zoned property;
 5. The required minimum distance is measured wherever the distance shall be the shortest between the proposed use or activity and existing use or activity, without regard to intervening structures or streets. Except as provided in Section 1-4402(C)(5), the presence of a city, county or other political subdivision boundary shall be irrelevant for purposes of calculating and applying the distance requirements of this section.
- F. A sexually oriented business lawfully operating is not rendered in violation of this section by the subsequent location of a school, child-care center, dwelling unit (single or multiple), park, or residential zoning district within 1,000 feet of the sexually oriented business.

Section 1-4403 Location and Siting Requirement Exceptions.

The location and siting requirements of Section 1-4402 shall not apply to the following:

- A. Any sexually oriented business expressly described as an approved use in an annexation agreement approved by ordinance of the City of Centennial.
- B. Any sexually oriented business for which a vested property right (within the meaning of Colorado law) was lawfully conferred or established provided that such right remains valid and effective.

Section 1-4404 Signs and Exterior - Sexually Oriented Businesses.

A. In addition to, and notwithstanding anything to the contrary contained in the sign code or other regulation of the Centennial Land Development Code, sexually oriented business signs shall be limited as follows:

- 1. No more than one exterior sign shall be allowed for any sexually oriented business;
- 2. No animation shall be permitted on or around any sexually oriented business sign or on the exterior walls or roof of the premises;
- 3. No descriptive art, pictures, or designs depicting any activity related to, or inferring the nature of the business shall be allowed on any sexually oriented business sign. Said signs shall contain alphanumeric copy only;
- 4. Only flat wall, fascia signs shall be permitted not exceeding a total of sixty (60) square feet; and
- 5. The maximum height of fascia signage letters shall be determined by measuring the distance between the nearest adjacent public right-of-way and the location of the fascia upon which the fascia sign is to be placed, as follows: (1) where such distance is fifty feet (50') or less, letter height shall not exceed twelve inches (12"); (2) where such distance is more than fifty feet (50'), letter height shall not exceed eighteen inches (18"). The location of a sexually oriented business fascia sign shall be governed by Section 1-3706.04 of the Land Development Code, as amended, provided that no top of building sign shall be allowed.

B. It shall be unlawful for the owner or operator of an sexually oriented business to allow exterior portions of the sexually oriented business to be painted any color other than shades of brown, beige, tan or grey. Substitutes

may be proposed by the owner or operator which may be accepted by the City upon a determination by the City that such substitute color is compatible with and similar to other neighboring buildings' colors; provided however, the use of high intensity colors, primary colors, metallic colors, black or fluorescent colors shall be prohibited. This provision shall not apply to any sexually oriented business if the following conditions are met:

1. The sexually oriented business is a part of a commercial or industrial multi-unit center; and
 2. The exterior portions of each individual unit in the commercial or industrial multi-unit center, including the exterior portions of the sexually oriented business, are painted the same color as one another or are painted in such a way so as to be a component of the overall architectural style or pattern of the commercial multi-unit center.
- C. No merchandise or pictures of the products or entertainment on the premises shall be displayed in window areas or any area where they can be viewed from the exterior of the building.

Chapter 1—Zoning Regulations

Part 4500

~~Commercial Mobile Radio Service (CMRS) Facilities~~

Section 11.1.4501	Intent
Section 11.1.4502	General Provisions
Section 11.1.4503	Specific Provisions

~~Section 11.1.4501 Intent~~

~~To provide for the installation of Commercial Mobile Radio Service (CMRS) facilities, and ensure that such facilities are located and designed in a manner that is consistent with the health, safety, welfare, aesthetic values, and economic interest of the community.~~

~~Section 11.1.4502 General Provisions~~

~~A. Co-Location~~

- ~~1. The City encourages co-location of CMRS facilities when co-location minimizes their number and aesthetic impact.~~
- ~~2. When requested, the applicant must provide written documentation which demonstrates that co-location was refused or provide evidence that co-location is not possible before attempting to locate an additional free standing CMRS facility on a given parcel of land. The City may require a third party technical study at the expense of either or both parties to determine the feasibility of co-location. The study will be conducted at a reasonable cost and with minimum necessary effort to make a determination regarding co-location.~~
- ~~3. No CMRS facility owner or operator shall unfairly exclude a wireless provider competitor from using the same facility or location. Upon request by the City, the owner or operator shall provide evidence why co-location is not possible.~~
- ~~4. If a CMRS competitor attempts to co-locate a facility on an existing or approved CMRS facility or location, and the third parties cannot reach agreement, the City may require a third party technical study at the expense of either or both parties to determine the feasibility of co-location. The study will be conducted at a reasonable cost and with the minimum necessary effort to make a determination regarding co-location.~~

~~B. CMRS facilities must comply with any and all applicable federal, state, and City rules, regulations, and/or requirements pertaining to specific use.~~

~~C. CMRS facilities shall conform with the provisions of the governing zoning district unless otherwise provided for in this section.~~

- ~~D. Any CMRS facility lawfully operating on the date of enactment of this section and found to be in violation of this section shall be deemed a nonconforming use as provided for in Section 11.1.500 (non-conforming uses) of these regulations.~~
- ~~E. The absence of a principal use on a given parcel of land does not preclude the establishment of a CMRS facility as an accessory use.~~
- ~~F. Planned Unit Developments (PUD's): CMRS facilities shall comply with the provisions set forth within the Preliminary and/or Final Development Plan for the parcel, as approved and/or amended by the City Council. However, these CMRS facility regulations shall govern where said Preliminary and/or Final Development Plans do not address provisions required by these regulations.~~
- ~~G. Abandoned CMRS facilities which are not in use for CMRS purposes for a period of six (6) consecutive months, shall be removed by the CMRS facility owner. This removal shall occur within ninety (90) days of the said six month period. Upon removal, the site shall be revegetated or restored to substantially the condition it was in prior to the existence of the CMRS facility within the time limit specified above. The City is hereby authorized to remove or cause the removal of the abandoned CMRS facility without any liability for trespass, and all costs incurred by the City, including an administrative cost equal to twenty five percent (25%) of all direct costs, shall be charged as a lien against such real property and the owners thereof.~~

~~Section 11.1.4503 Specific Provisions~~

- ~~A. Requirements for all CMRS facilities.~~
 - ~~1. No component of a CMRS facility shall exceed the maximum structure height of a zoning district by more than fifteen feet (15') unless specifically excepted in the zoning district, or unless the City approves a greater height as a P.U.D. Amendment or Variance, whichever applies (11.1.5300 and 11.1.5700).~~
 - ~~2. Land forms, vegetation, structures, and architectural treatments shall be used when appropriate to aid in screening the facility from view and to blend in into the surrounding built and natural environment to the degree it is technically feasible (consideration should be given to placing equipment underground or within existing structures).~~
 - ~~3. Utilize design, materials, and colors of antennae, support structure and equipment storage shelters, that are compatible with the surrounding environment and/or structures in terms of general appearance, scale, bulk, and height.~~
 - ~~4. All equipment, storage shelters, and/or cabinet components of the CMRS facility shall be grouped as closely as technically possible.~~

~~B. Additional requirements for free standing CMRS facilities:~~

- ~~1. A free-standing CMRS facility shall meet the greater of the following minimum setbacks from all property lines: the setback for a principal structure within the applicable zone district; or twenty five percent (25%) of the CMRS facility height, including antennae; or the CMRS facility height if the facility is adjacent to a residentially zoned parcel or if the CMRS facility is within 250 feet (250') of an existing residential structure.~~
- ~~2. The equipment storage shelters and/or cabinets for a free standing CMRS facility shall meet the following standards:~~
 - ~~a. The total footprint of each service provider's equipment storage shelter and/or cabinets shall not exceed 360 square feet; and~~
 - ~~b. No equipment storage shelter and/or cabinet shall exceed thirteen (13) feet in height.~~

~~C. Additional requirements for structure, roof, or building face mounted CMRS facilities:~~

- ~~1. The maximum number of antennae per provider for a micro cell or repeater CMRS facility shall be three (3) whip antennae or eight (8) panel antennae per provider. For a full CMRS, facility per provider shall be three (3) whip or twelve (12) panel antennae, and one (1) microwave antennae.~~
- ~~2. Whip antennae shall not exceed a length of 15 feet (15') (including mounting hardware) and a diameter of four inches (4") from the base of the radiating element to the top of the antennae.~~
- ~~3. A panel antenna shall not exceed an area of six and one half (6.5) square feet, a length of six (6) feet, or a width of thirteen (13) inches.~~
- ~~4. The maximum diameter of microwave dish antennae is two (2) feet in residential zoning districts and four (4) feet in all other zoning districts.~~
- ~~5. A building face mounted CMRS facility shall meet the following additional requirements:~~
 - ~~a. Antennae for a building face mounted CMRS facility mounted on a legally existing building may encroach into a setback area a maximum of 24 inches, but not extend over a property line.~~
 - ~~b. Antennae mounted to a building shall be flush to the building as technically possible.~~

- ~~c. Maximum area of panel antennae per building face, measured as the sum of individual panel antennae areas, shall not exceed aggregate total of fifty (50) square feet for all CMRS facilities.~~
- ~~6. A roof mounted facility shall meet the following additional requirements:

No component of a roof mounted CMRS facility, except whip antennae, may extend more than ten (10) feet above the roof of the building to which they are mounted. Whip antennae may extend no more than fifteen feet above the roof of the building to which they are mounted.~~
- ~~7. The equipment storage shelter(s) and/or cabinets for structure, roof, or building face mounted CMRS facilities shall meet the following additional requirements:

a. Total footprint of each service provider's equipment storage shelters and/or cabinets shall not exceed sixty (60) square feet for micro cell or repeater CMRS facilities and 360 square feet for all roof or building mounted CMRS facilities.

b. No equipment storage shelter shall exceed eight (8) feet in height for micro cell or repeater facilities and thirteen (13) feet in height for full CMRS facilities.

c. Equipment storage shelters and/or cabinets shall not exceed an aggregate total coverage of fifteen (15) percent of the building roof area for all CMRS facilities.~~

Repealed & Replaced
 Section 12-2-305 & 12-2-425
 (2011 LDC)

ZONE-DISTRICT	Micro-cell or Repeater Structure, Roof and Building Face-Mounted CMRS	Structure, Roof, and Building Face-Mounted CMRS	Free-Standing CMRS
OBSOLETE DISTRICTS			
R-E	P ¹	NP	NP
R-2	P ¹	NP	NP
R-3	P ¹	NP	NP
R3S	P ¹	NP	NP
R-P	P ¹	A	NP
R-4	P ²	P ²	NP
R-5	P	P	P ³
B-2	P	P	P ³
B-5	P	P	P ³
CURRENT DISTRICTS			
A-E	P	P	P ³
A-1	P	P	P ³
A-2	P	P	P
R-A	P ¹	NP	NP
R-1	P ¹	NP	NP
R-PSF	P ¹	NP	NP
R-PM	P ¹	A	NP
R-PH	P ¹	A	NP
SH	P	P	P ³
R-M	P ¹	NP	NP
B-1	P	P	P ³
B-3	P	P	P ³
B-4	P	P	P
I-1	P	P	P
I-2	P	P	P ³
MU	P ⁴	P ⁴	A
C	P	P	NP
O	P	P	NP
F	NP	NP	NP

A = Amend the PUD	1 = Limited to quasi-public and public use areas
NP = Not Permitted	2 = Limited to quasi-public, public use areas and placement on multi-family structures
P = Permitted accessory use as further restricted in CMRS Section of Land Development Code. Building permit needed.	3 = Over height facilities may proceed though the Special Exception Use Permit Process (See Zoning)
	4 = Limited to quasi-public use areas, public use areas, and all areas at least 250 feet from the closest single-family attached or detached residential structure (See Planning)
	5 = Limited to camouflaged facilities

Rev Date July 2005

Chapter 1—Zoning Regulations
Part 4600 ~~Parking Design Standards~~

Section 11.1.4601	Intent
Section 11.1.4602	Location of Parking Areas
Section 11.1.4603	Marking Standards for Parking Spaces
Section 11.1.4604	Design Standards for Parking Areas
Section 11.1.4605	Parking Plan Requirements
Section 11.1.4606	Design Standards for Parking Spaces
Section 11.1.4607	General Provisions
Section 11.1.4608	Off Street Parking by Land Use and Equivalency Unit
Section 11.1.4609	Additional Information

~~Section 11.1.4601 Intent~~

~~All development proposals within the City of Centennial shall make provisions for adequate off street parking as an accessory use. Off street parking areas shall provide adequate space for access, parking, vehicle and pedestrian circulation, and loading and unloading. They shall be safe, efficient, and attractive, and be designed in accordance with the following guidelines.~~

~~Section 11.1.4602 Location of Parking Areas~~

~~A. General Location~~

~~All private parking areas created for the use of a building or use shall be placed on the same lot and within the same zone district as the building or use. All public parking facilities can function and be located independent of an associated use.~~

~~B. Multi Family~~

~~Unless specifically allowed, parking areas for multi-family housing should not be placed in the front setback. In those instances where parking is allowed in the front setback, landscaping, berming, or other forms of buffering and screening are required.~~

~~C. Handicap Parking~~

~~All parking areas are required to provide handicap spaces in accordance with the American’s with Disabilities Act (ADA).~~

~~D. Use of Parking Facilities~~

- ~~1. No designated off-street parking facilities shall be used for the repair, display, service, or sales of any good or service unless expressly and specifically approved by the City.~~
- ~~2. No area required by the City for the use of private off-street parking shall be used by any party as a commercial parking lot.~~

~~**Section 11.1.4603 Marking Standards for Parking Spaces**~~

~~A. General~~

~~All parking spaces shall be marked and maintained on the pavement and any directional markings/signs shall be installed and maintained as required by the approved parking plan.~~

~~B. Compact Car Parking~~

~~Compact car parking areas or spaces shall be clearly distinguished from full-sized parking areas or spaces.~~

~~C. Handicap Parking~~

~~Each handicap parking space shall be marked with a free standing or wall mounted sign using the standard uniform words and/or symbols that signify the space as parking for the handicap only. In addition, the handicapped symbol shall be painted on the pavement.~~

~~**Section 11.1.4604 Design Standards for Parking Areas**~~

~~A. Access~~

~~Each required off-street parking area shall have adequate access to a public street or other thoroughfare. Alleys, where they are utilized, shall only be used as a secondary means of access to a lot or parcel.~~

~~B. Off-Street Loading Areas~~

~~All off-street loading areas that face a public right-of-way shall be appropriately screened from view using a masonry wall, dense vegetated landscape, landscaped berm or other method as approved by Planning staff.~~

~~C. Landscaping~~

~~These landscape requirements apply to all parking lots, in accordance with the standards described herein.~~

- ~~1. Interior landscaped parking islands shall not satisfy any of the minimum requirements for landscaping or open space. The required interior landscaped area (planted islands) shall not be transferred to the parking lot perimeter. Distribution of required interior island plantings within the parking lot shall be approved based upon the specific design.~~
- ~~2. Landscaping may not be required for a service parking lot that is typically screened from public view by fences, walls and/or buildings.~~
- ~~3. Landscaped islands within parking lots shall meet the following requirements:~~
 - ~~a. All parking areas in excess of forty (40) spaces shall have at least one (1) interior landscaped island (minimum of 6 feet in width) per 40 spaces. The City of Centennial will require 10 square feet of landscaping per required parking stall, contained in an island with or without curbing.~~
 - ~~b. Any landscape island that is 6 ft. x 36 ft. or greater shall include a minimum of two (2) deciduous or coniferous trees, six (6) shrubs and/or acceptable groundcover. Any landscape island less than 6 ft. x 36 ft. shall include a minimum of one (1) deciduous or coniferous tree and three (3) shrubs and/or acceptable groundcover.~~
 - ~~c. Landscaped parking lot islands greater than 100 square feet in area shall have one additional shrub for each additional 15 square feet or fraction thereof, in area.~~
 - ~~d. When landscaped islands exceed 2000 square feet, plant materials quantities may be calculated at a rate of two (2) trees or five (5) shrubs, or an acceptable combination of trees and shrubs, for every 600 square feet of area in the island.~~
 - ~~e. Landscaped parking lot islands shall be located in such a manner as to divide and break up the expanses of paving.~~
 - ~~f. No landscaping within landscaped islands shall obstruct visibility of vehicles entering, maneuvering in, or exiting the parking lot.~~
 - ~~g. Plantings or other landscape elements in the sight distance triangle shall comply with the City of Centennial Streetscape Guidelines in Section 3-300 herein.~~

~~D. Buffering~~

- ~~1. When a parking lot is placed between the public right-of-way and any structure, a berm or other approved visual screen (see Section 11.1.4604.D.2) shall be required between the right-of-way and the parking lot.~~
- ~~2. Where a parking lot boundary adjoins a property zoned for any residential use, a minimum landscape buffer of 20 feet from such lot boundary shall be required. Grasses or other acceptable groundcovers, trees and shrubs shall be planted within the landscaped buffer area. In addition, one or more of the following may be required:~~
 - ~~a. An earthen berm with average side slopes no greater than 3:1~~
 - ~~b. A view-obscuring fence~~
 - ~~c. A decorative wall a minimum of three (3) feet in height~~
 - ~~d. A three (3') foot hedge~~
- ~~3. Where planting is prohibited by the existence of an easement, additional setbacks for the parking lot will be required to provide for the landscaped buffer.~~

~~E. Lighting~~

~~All lighting used to illuminate off-street parking areas shall be arranged as to reflect light glare away from abutting properties and abutting streets.~~

~~F. Usable Parking Spaces~~

~~Any parking space which, in the judgment of the Land Use Services Department or City's Engineering Division, is unusable due to maneuverability difficulties or which does not have clear access shall not be approved by the City of Centennial.~~

~~**Section 11.1.4605 Parking Plan Requirements**~~

- ~~A. All final development, subdivision development or administrative site plans must contain the following parking information at a minimum:~~
 - ~~1. Number, location and dimension of parking stalls~~
 - ~~2. Widths of drive aisle~~
 - ~~3. Landscaping type, location, and method of irrigation~~
 - ~~4. Surface treatment for parking areas and sidewalks~~

- ~~5. Scale and north arrow~~
- ~~6. Location of adjacent public/private streets, points of access and property boundaries~~
- ~~7. Location of traffic directional arrows, signage and markings~~
- ~~8. Location of loading areas, handicap spaces, and other special features~~
- ~~9. Location of detention areas for drainage~~
- ~~10. Location, height and type of proposed lighting~~
- ~~11. Sight Distance Triangles at intersections~~

~~Section 11.1.4606 Design Standards for Parking Spaces~~

~~The following tables establish the minimum parking stall space and aisle dimensions for full size and compact automobile spaces. As a general policy, off-street parking spaces situated at less than a 45 degree angle will not be permitted. Within parking areas of 20 spaces or more, a maximum of 20 percent of the required parking spaces may be designated as compact. The ratio of full to compact size parking stalls shall be no less than 80:20.~~

PARKING STALL DIMENSION TABLE				
	Angle in Degrees			
	0°/Parallel Parking	45°	60°	90°
FULL SIZE AUTOMOBILE				
Width	8'	8.5'	8.5'	9'
Length	20'	19'	19'	17'
Aisle Width 2-Way	20'	24'	24'	24'
Aisle Width 1-Way	18'	18'	18'	24'
COMPACT SIZE AUTOMOBILE				
Width	7.5'	8.5'	8.5'	8.5'
Length	16'	17'	15'	15'
Aisle Width	20'	24'	24'	24'
HANDICAP PARKING				
Paired handicap parking stalls will require a 5' common access aisle. The American's with Disabilities Act requirements must be met with respect to the number of stalls.				
Width	12'			
Height	18'			

~~Section 11.1.4607 General Provisions~~

~~A. Use Not Specified~~

~~In the case of a use not specifically mentioned, the requirements for off street parking facilities for a similar use shall apply. In the case of any discrepancies, the decision of the Land Use Services Department Director shall apply.~~

~~B. Parking Space Calculation~~

~~In calculating the required number of parking spaces, any fraction of a space shall equal one space.~~

~~C. Parking Reduction Request~~

~~In the case where an applicant believes the required parking amounts are excessive, as they pertain to the proposed use, the applicant may submit a request with justification to the Land Use Services Department Director for a reduction of parking requirements. The Land Use Services Department Director will notify the applicant of his/her decision within one week of application submittal.~~

~~Section 11.1.4608 Off Street Parking by Land Use and Equivalency Unit~~

Land Use	Equivalency Unit
Auditorium or Similar Place of Public Assembly	The greater of: 1 space per three fixed seats, or 1 space per 100 square feet of floor area
Bank/Credit Union/Savings & Loan	4 spaces per 1000 square feet of floor area, plus 6 stacking spaces per drive-up window
Bar/Lounge/Night Club, or Similar Place of Assembly	1 space per three seats, plus 1 space per employee on maximum shift
Beauty Parlor/Barber Shop	3 spaces per operator, plus 1 space per employee on maximum shift
Boarding House	1 Space per bedroom, plus 1 space per employee on maximum shift
Bowling Alley	3 spaces per lane, plus 1 space per employee
Car Dealership/Recreational Vehicles or Boats Sales	1 space per 1,000 square feet of auto display area, plus 1 space per employee on maximum shift
Car Wash/Detail Shop	1 space per employee on maximum shift, plus 2 spaces per bay or stall
Church (Places of Worship)	The greater of: 1 space per three fixed seats, or 1 space per 100 square feet of floor area
Day Care/Nursery	1 space per each employee, plus 1 space per five children, plus 5 spaces for loading and unloading
Firing Range (Archery/Skeet/Rifle or Gun)	1 space per platform, plus 1 space per employee on maximum shift
Fraternity/Sorority House	3 spaces per bedroom, plus 1 space per employee on maximum shift
Funeral Home/Mortuary	1 space per 100 square feet of floor area open for public use 1 space per 333 square feet of office area

Rev Date July 2005

Repealed & Replaced
Article 5
(2011 LDC)

Land Use	Equivalency Unit
Group Home Youth: (18 years and younger) Adult: Elderly: (exclusive for persons 60 years or older)	2 spaces per home, plus 1 space per eight beds 1 space per bedroom, plus 1 space per caregiver/employee .33 space per bedroom, plus 1 space per caregiver/employee
Gas Station/Repair Garage	1 space per employee on maximum shift, plus 3 spaces per bay or stall
Golf Course	2 spaces per hole, plus 1 space per employee on maximum shift
Miniature Golf/Driving Range	3 spaces per hole or platform, plus 1 space per employee on maximum shift
Hospital or Similar Health Facility	1 space per two employees, plus 2 spaces for each bed, plus 5 spaces for loading and unloading
Hotel/Motel	1 space per guest room, plus 1 space per employee on maximum shift, plus parking spaces as required for associated uses such as restaurant, lounge, or conference rooms
Industrial Use: Manufacturing/Processing/Assembly	1 space per 333 square feet of floor area 1 space per employee on maximum shift
Industrial Use: Laboratory	The greater of 1 space per 300 square feet of floor area, or 1 space per employee on maximum shift
Library/Museum/Gallery	1 space per 300 square feet of floor area
Lumber Yard	1 space per 250 square feet of floor area in main sales building
Mobile Home Park	2 spaces per mobile home, plus 1 guest parking space per four mobile home spaces
Mobile Home Sales	1 space per 1000 square feet of display area, plus 1 space per employee on maximum shift
Motor Vehicle Repair/Tire Store	1 space per employee on maximum shift, plus 3 spaces per bay or stall
Nursing Home or Similar Extended Care Facility	1 space per two employees, plus 1 space per two beds
Office Uses	4 spaces per 1000 square feet of floor area, plus 1 space for each company related vehicle in addition to employee and customer parking
Post Office or Similar Public Buildings	1 space per 300 square feet of floor area, plus 1 space for each agency owned vehicle
Recreational Uses (i.e., Swimming Pools, Skating Rinks, Health Clubs, Spas)	1/2 space per person based on UBC occupancy, plus 1 space per spectator seat
Tennis/Racquetball or Other Court Games	2 spaces per court, plus 1 space per employee on maximum shift
Residence <i>Single Family:</i> <i>Single Family Attached:</i> <i>Multi Family Dwelling:</i>	2 spaces per dwelling unit 2 spaces per dwelling unit plus 0.25 guest space per unit 1.5 spaces per one bedroom unit, 2 spaces for two and three bedroom units. 2.5 spaces for four bedroom units, plus 0.25 guest space per unit

Rev Date July 2005

Land Use	Equivalency Unit
Restaurant	1 space per three seats or 1 space per 50 square feet of GFA, plus 1 space per employee on maximum shift, plus 2 spaces for loading
Drive-in Restaurant	1 space per 100 square feet of floor area, plus 10 stacking spaces per drive-up window, plus 1 space per employee on maximum shift
Retail or Wholesale (Large Items I.E., Furniture, Appliances Etc.)	1 space per 300 square feet of sales area, plus 1 space per 1000 square feet of warehouse area, plus 1 space per employee on maximum shift
Retail/Service Establishment	1 space per 250 square feet of floor area plus 6 stacking spaces per drive up window
Schools Private & Public	
<i>Preschool:</i>	1 space per each employee, plus 1 space per five children, plus 5 stacking spaces for loading and unloading
<i>Elementary School:</i>	1 space per employee, plus 1 space per five seats in auditorium/assembly area
<i>Middle School:</i>	<i>The greater of:</i> 1 space per ten students, or 1 space per five seats in auditorium or main assembly area
<i>High School</i>	1 space per employee, plus the greater of: 1 space per ten students, or 1 space per five seats in auditorium/main assembly area
<i>College/University or Vocational School</i>	1 space per employee, plus 1 space per 50 square feet of classroom area
Self Storage Facility (Ord. 2005-24)	1 space for each 25 storage units equally distributed throughout the site, plus 1 space for each on duty employee, plus 1 space for each bedroom of any caretaker residence located at the facility.
Theater	1 space per three seats, plus 1 space per employee on maximum shift
Utility Facility - Major	To be determined through approval process
Warehousing	1 space per 1,000 square feet of floor area, plus 1 space per 400 square feet of retail/wholesale/office area, plus 1 space per loading dock

~~Section 11.1.4609 Additional Information~~

~~A. Temporary or Overflow Facilities~~

~~The City of Centennial will also consider proposals for parking areas designed to act as temporary or overflow facilities. These facilities would be designed to provide additional parking in areas that may experience peak parking requirements which exceed the capability of the existing parking area. The overflow area would be constructed so as to~~

~~not create additional impervious surface that would promote additional water runoff. These facilities are required to be located on or adjacent to the site of the principle use.~~

~~B. Joint Use~~

~~Joint Use facilities are allowed for those sites where it is proven that hours of operation for the various uses are substantially different or staggered, the recommended number and configuration of spaces is met by all uses and facilities, and there is evidence of an agreement for joint use. A joint use parking agreement is required and must detail the terms of the agreement. All involved and affected parties must commit to the fact that the uses will not require the parking spaces at the same time. Should the terms of the agreements change, including hours of operation for facilities, or change in use, new agreements will be required to be submitted with the FDP/SDP amendment to allow the City to reevaluate the parking requirements.~~

~~C. Mixed Uses~~

~~In the case of mixed uses in a single parcel or within a single building, the total number of off-street parking spaces should be the sum of the need of each individual use.~~

~~D. Phasing~~

~~Parking areas may be phased in conjunction with the phasing of the associated structure or use. All landscaping plans should be done with consideration of placement and configuration of parking areas at build-out.~~

~~E. Increased or Decreased Parking Demand~~

~~The number of off-street parking spaces or loading spaces may be increased or decreased proportionately when a building or use undergoes an increase or decrease in the gross floor area, number of dwelling units, seating capacity, number of employees, or other unit of measurement specified hereinafter as a means for determining required off-street parking requirements. These changes must be approved by the City in conjunction with the approval of changes made to any applicable Development Plans.~~

Chapter 1—Zoning Regulations
Part 4700 ~~Lighting Standards~~

Section 11.1.4701	Intent
Section 11.1.4702	Applicability
Section 11.1.4703	Submittal Process
Section 11.1.4704	Submittal Requirements
Section 11.1.4705	Outdoor Lighting Design Standards
Section 11.1.4706	Site Lighting
Section 11.1.4707	Design Requirements
Section 11.1.4708	Hours of Operation
Section 11.1.4709	Prohibited Lighting
Section 11.1.4710	Installation and Maintenance Standards

~~Section 11.1.4701 Intent~~

~~To provide lighting standards that ensure adequate visibility for vehicle drivers and pedestrian users; that enhance personal safety and protection against assault, theft and vandalism; that ensure comfort levels of property owners and patrons and minimize the negative effects of light pollution and trespass. Lighting should effectively augment and enhance good site and building design.~~

~~Section 11.1.4702 Applicability~~

~~These lighting standards apply for all developments exclusive of single family detached developments. All uses that require the City of Centennial approval of a Final Development Plan, Master Development Plan, Administrative Site Plan, Subdivision Development Plan or Use by Special Review shall conform to these lighting standards.~~

~~Section 11.1.4703 Submittal Process~~

~~When a lighting plan is necessary through an FDP, MDP, ASP, SDP or USR, the submittal requirements are determined by those regulations. When an approved PDP, ADP, FDP, SDP or USR does not adequately address lighting, these regulations shall govern. When an application is not part of a formal subdivision or zoning application and is being processed through the building permit process, the following standards and process will be required.~~

~~Section 11.1.4704 Submittal Requirements~~

- ~~A. These requirements may be modified as deemed necessary by the Planning Division Manager or designee.~~
- ~~B. Submit a lighting plan with all lighting fixtures (pole, ground and building mounted) including location, type and height of lighting devices at a scale approved by staff.~~

- ~~C. Submit lighting specification cut sheets from the manufacturer for all existing and proposed fixtures.~~
- ~~D. Submit a photometric plan consisting of a point by point analysis of the lighting plan in accordance with the IES Publication LM-64. Other supporting information may be required.~~

~~Section 11.1.4705 Outdoor Lighting Design Standards~~

- ~~A. All lighting shall be shielded such that the source of illumination (bulb or direct lamp image) is not visible from the property line thereby reducing glare and interference with boundary streets and adjacent properties~~
- ~~B. Except as otherwise allowed for herein, all lighting (including, but not limited to street, parking lot, security, walkway and building) shall conform with the Illuminating Engineering Society of North America (IES) criteria for full cut-off fixtures (100% of light output below 90 degrees, and 90 % of light output below 80 degrees from a vertical line through the fixture).~~
- ~~C. Lighting fixtures that illuminate landscape plantings, pedestrian walkways, signage, or product display areas shall also conform to the full cut-off fixture.~~
- ~~D. The lamp cannot extend below the housing of the fixture.~~

~~Section 11.1.4706 Site Lighting~~

- ~~A. Light levels measured at the property line shall not exceed 0.5 foot candles and 20' beyond the site's property line (adjacent to residential development) shall never exceed 0.2 foot candles as a direct result of the on site lighting.~~
- ~~B. All fixtures mounted within 15' of a residential property line or public right of way boundary shall be classified as IES Type III or Type F (asymmetric forward throw). These fixtures shall be fitted with a "house side shielding" reflector on the side facing the residential property line or public right of way.~~

~~Section 11.1.4707 Design Requirements~~

~~The style, color and design of the fixtures shall be compatible with the over-all design concept and use of materials for the building, site and area of the lighting plan.~~

~~Section 11.1.4708 Hours of Operation~~

~~Through the review of a development proposal, (or building permit when applicable) the hours of operation may be restricted based upon but not limited to: location to residential development, topography, proposed use of the property, security and traffic interference.~~

~~Section 11.1.4709 Prohibited Lighting~~

- ~~A. All lighting of signage shall comply with the adopted Signage Regulations (Section 11.1.3700).~~
- ~~B. No outdoor lighting may be used in any manner that could interfere with the safe movement of motor vehicles on public thoroughfares. The following is prohibited:~~
 - ~~1. Any fixed light not designed for roadway illumination that produces incident or reflected light that could impair the operator of a motor vehicle.~~
 - ~~2. The installation, illuminations or maintenance of beacons or searchlights.~~
- ~~C. Lights, which are mounted on the ground or poles for the purpose of illuminating the building facade, will be reviewed by the Land Use Services Department on a case by case basis for compliance with the intent of these Regulations.~~

~~Section 11.1.4710 Installation and Maintenance Standards~~

- ~~A. Operation and maintenance cost of the lighting system will be the responsibility of the property owner.~~
- ~~B. Requirements for maintenance shall include replacement of bulbs and light fixture, regular cleaning and replacement of light fixtures as needed.~~

