CITY OF CENTENNIAL,
COLORADO

ORDINANCE NO. 2021-O-07

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO AMENDING CHAPTER 12 OF THE MUNICIPAL CODE LAND DEVELOPMENT CODE CONCERNING MIXED USE, NON-RESIDENTIAL DESIGN STANDARDS, AND RESTAURANTS WITH DRIVE-THROUGH

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

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

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

WHEREAS, following a public hearing, the City of Centennial Planning and Zoning Commission recommended City Council approval of proposed changes to the LDC which relate to restaurants with drive-through generally and more specifically to restaurants with drive-through within the University Corridor defined as Activity Center ("AC") zoned properties along South University Boulevard from the intersection of East Arapahoe Road south to County Line Road; and

WHEREAS, the intent of this Ordinance is to refine the definition of Mixed Use in the LDC to (1) identify the various ways mixed use can develop, (2) highlight the function and purpose of mixed use, rather than just the form, (3) prioritize pedestrian connectivity, (4) characterize the cohesive nature of mixed use, and (5) describe clear intent for mixed use to create remarkable places that lead to unforgettable experiences.

WHEREAS, the intent of this Ordinance is to allow limited restaurants with drive-through in AC zoned areas along the University Corridor with enhanced design, safety, and pedestrian requirements; and

WHEREAS, this Ordinance also revises the non-residential site and architectural design standards to enable more modern design; and

WHEREAS, in conformance with the LDC, the public hearing before the City Council was properly noticed by publication in *The Centennial Citizen*; and

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

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

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

Section 2. Table 12-2-201(A), entitled *Centennial Zoning Districts*, shall be updated to repeal the Activity Center District Purpose and replace to read as follows:

> The purpose of the activity center district is to provide for Mixed Use Development. The activity center district anticipates a form of development that will be compatible with adjacent neighborhoods and prioritize walkable places and internal site circulation.

Section 3. Table 12-2-303, entitled *Commercial, Recreation, and Amusement Uses*, shall be amended to make "Restaurant; Drive-Through" a Limited Use, denoted by "L" within the AC zone district.

Section 4. Table 12-2-408, entitled *Spacing and Area Requirements for Selected Commercial Uses*, shall be amended by the addition of a new footnote number 5 added to the 300 feet Spacing from Residential Use for the column related to Restaurant, Drive-Through. Footnote 5 shall read in full as follows:

5. Spacing from residential uses for Restaurant, Drive-Through, when located within the University Corridor as defined by this LDC, shall be reduced from 300 feet to 150 feet from a residential use, or from 300 feet to 65 feet from a residential use when such use is separated from the Restaurant, Drive-Through by an existing building or public street.

Section 5. Section 12-2-408(J), entitled *Restaurant, Drive-In or Restaurant, Drive-Through*, shall be amended by the addition of a new Section 12-2-408(J)(3) entitled *Activity Center (AC) District – University Corridor*. The existing Section 12-2-408(J)(3), entitled *24-Hour Restaurants with Drive-In or Drive-Through*, shall be renumbered as Section 12-2-408(J)(4) without any other modification. The new Section 12-2-408(J)(3) entitled *Activity Center (AC) District – University Corridor*, shall read in full as follows:

3. **Activity Center (AC) District – University Corridor.**

   a. Restaurant, Drive-Through uses are permitted in the AC district within the University Corridor as defined by this LDC, subject to the requirements of Section 12-4-202, *Restaurant, Drive-In or Restaurant, Drive-Through* Section 12-4-210, *University Corridor Design Standards*, and Division 4-4, *Form Standards for AC District*

   b. Restaurant, Drive-Through uses in the AC district within the University Corridor shall meet the requirements of Table 12-2-408, entitled *Spacing and Area Requirements for Selected Commercial Uses*.

   c. Restaurant, Drive-Through uses in the AC district within the University Corridor shall be limited to one (1) *Restaurant, Drive-Through Stand Alone* and one (1) *Restaurant, Drive-Through Attached* for each NAC. In lieu of one (1) *Restaurant, Drive-Through Stand Alone,* a NAC may alternatively have two (2) *Restaurant, Drive-Through Attached*. Notwithstanding the above allocations, Restaurant,

Drive-Through uses in the AC district within the University Corridor shall be limited to a maximum of seven (7) total Restaurant, Drive-Through uses.

Section 6. Section 12-2-408(N)(2), *Alternative Standards for Commercial Uses*, shall be repealed and replaced to read as follows with no changes to subsections (a) through (e):

2. **Alternative Standards for Commercial Uses.** The spacing requirements of Table 12-2-408, Spacing and Area Requirements for Selected Commercial Uses, with the exception of New Vehicle Sales Uses in any zone district and Restaurant, Drive-In or Restaurant, Drive-Through uses in the AC district, may be waived by the Director if it is demonstrated that the use(s) subject to spacing requirements is integrated into a unified, master-planned commercial development that:

Section 7. Section 12-4-202, entitled *Restaurant, Drive-In or Restaurant, Drive-Through*, shall be repealed and replaced to read in full as follows:

Sec. 12-4-202 Restaurant, Drive-In or Restaurant, Drive-Through

A. Design Requirements. The following requirements shall be met for all new or redeveloped Restaurant, Drive-In or Restaurant, Drive-Through uses. Parcels located within the Central Arapahoe Road Corridor shall be governed by Section 12-4-208, Central Arapahoe Road Corridor Design Standards. To the extent of conflict between this Section and Section 12-4-208, Central Arapahoe Road Corridor Design Standards, Section 12-4-208 shall apply. Parcels located within the University Corridor shall be governed by Section 12-4-210, University Corridor Design Standards. To the extent of conflict between this Section and Section 12-4-210, University Corridor Design Standards, Section 12-4-210 shall apply.

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

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

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

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

4. In addition to the standards of this Section, Restaurant, Drive-Through uses in the AC zone district must meet the following requirements:

a. Restaurant, Drive-Through uses must be designed to be integrated within a designated Neighborhood Activity Center (NAC). Integration includes spatial, functional, and pedestrian connectivity. Integration is demonstrated by showing a direct link, interaction or coordination between the various elements of the

development and other uses within the immediate NAC in terms of physical connections, functionally compatible or complimentary uses, and ease of pedestrian movement between uses in the NAC.

C. Architectural Design.

1. 360-degree architectural treatment is required. Building design shall incorporate variation in building height, building mass, roof forms and changes in wall planes so as to avoid large expanses of flat, uninterrupted building walls.

2. Drive-in displays, ordering areas and parking canopies are permitted, but shall not serve as the singularly dominant feature on the site.

3. Site furnishings shall be provided, including: bicycle racks, outdoor eating areas, trash and recycling receptacles, and benches. The style of the site furniture shall complement the overall design of the principal building and be of high quality.

4. In addition to the requirements of this Section, all Restaurant. Drive-Through uses with the AC zone district must meet the University Corridor Design Standards set forth in Section 12-4-210.

D. Lighting Requirements. In addition to general lighting requirements specified in Division 6-7, Exterior Lighting Standards, where a Restaurant, Drive-In or Restaurant, Drive-Through use abuts property zoned or used for residential purposes, lights illuminating drive-in lanes, vehicle stacking areas, outdoor dining areas, or the order / pick-up windows shall be fully shielded from residences and extinguished at the close of business.

E. Landscaping / Hardscaping.

1. **Landscaping.** All landscaping shall comply with Article 8, Development Landscaping and Tree Protection, which shall be minimum requirements. Additional landscaping may be required by the City to achieve the following purposes:

a. To buffer or enhance views;

b. To create or enhance entryways and public street appearance; and / or

c. To enhance the overall appearance of the Restaurant, Drive-In or Restaurant, Drive-Through use.

2. **Hardscaping.** Large expanses of concrete or asphalt are not permitted. The amount of unrelieved uninterrupted asphalt or pavement area shall be limited through the use of landscaping, contrasting colors and banding or pathways of alternative paving material. Points of vehicle and pedestrian conflict shall be clearly defined with textured and colored pavement or brick pavers or in another appropriate manner as determined by the City.

F. **Operational Requirements.**

1. **Trash Receptacles.** Trash receptacles shall be emptied on a regular basis so as to maintain a clean and orderly appearance.

2. **Ordering Systems / Speakers.** Drive-through ordering systems/speakers shall only be utilized for the purpose of communications between employees and customers and shall not negatively impact adjacent residential uses. Such systems shall be designed to direct the sound away from adjacent residential properties. No speaker shall be operated within 100 feet from an adjacent residentially zoned or used property. For Restaurant, Drive-Through uses located within the AC zone district, no speaker may be operated within 150 feet from an adjacent residentially zoned or used property or 65 feet from an adjacent residentially zoned or used property if there is a building or public street located between the speaker and the residentially zoned property.

G. Outdoor Dining.

1. Restaurant, Drive-Through uses are required to provide a Permanent Outdoor Dining Area designed for a minimum of seasonal use.

2. An outdoor dining area must be a minimum of 100 square feet or 15 percent of the gross floor area of the restaurant it serves, whichever is greater. Up to 50 percent of the outdoor dining area may be provided inside the building it serves if the outdoor dining area is adjacent to a rollup door, pass-through window or bar, or other feature that similarly extends the outdoor dining experience into the interior of the building. See Figure 12-4-202A, Illustrative Drive-Through Layout.

3. Restaurant, Drive-Through uses which provide no indoor dining space must provide an outdoor dining area which shall be a minimum of 200 square feet.

4. An outdoor dining area must not extend beyond the boundaries of the primary business property or the boundaries of a lawful right to use, control, and maintain property.

5. Outdoor dining area shall be screened to a minimum of 50 percent opacity according to the requirements below:

a) Public right of way: Fence, wall, or other permanent structure at least 3 feet high when the outdoor dining area is within 20 feet from the public right of way.
b) Parking lot drive aisle, parking spaces, or designated drive-through stacking spaces: Fence, wall, or other permanent structure at least 3 feet high when the outdoor dining area is within 5 feet of the drive aisle. Fence, wall, landscape planters, or other temporary structure at least 3 feet high when the outdoor dining area is more than 5 feet from the drive aisle.

6. Outdoor dining areas shall include seating, such as chairs, benches, or stools, and tables. Outdoor dining areas may include amenities such as fire pits, lawn games, or other interactive or placemaking uses.

7. Outdoor dining furniture must be of sturdy construction, made of good quality materials, and designed to complement the character of the streetscape and the architectural style and colors used on the principal building

8. Lighting will be required for outdoor dining areas where food will be eaten during the evening hours. The lighting must be decorative and complement the architectural character of the building and area.

9. Portable umbrellas may be permitted provided they are contained within the outdoor dining area.

10. A minimum of 50 percent of the outdoor dining area shall be shaded through mature landscaping, permanent or temporary free-standing shade structures, roof overhang, or portable umbrellas.

11. Establishments are required to maintain all areas in and around the outdoor dining areas in a manner which is clean and free of litter and debris.

12. The outdoor dining hours of operation shall be limited to the hours of operation of the associated food or beverage establishment.

13. ADA pedestrian routes and direct pedestrian connections must not be adjacent to or cross a restaurant's drive though lane or stacking area. As referenced herein, a direct pedestrian connection is the route pedestrians use to access the restaurant's outdoor dining area and which does not cross a drive aisle, drive-through lane, or drive-through stacking area.

14. Pick-up windows for pedestrians and other non-vehicle users are permitted. A pick-up window for pedestrians and other non-vehicle users is required if no indoor dining space is provided.

H. Vehicle Stacking

1. An analysis of stacking spaces shall be completed by the Applicant and submitted for review according to the standards of Section 12-5-102 D, Stacking Spaces.

2. In addition to the requirements of this section, Restaurant, Drive-Through uses located within the AC zone district shall meet the following standards:

a. Vehicle stacking areas must be located away from and with the lowest visual impact to the Primary Pedestrian Pathway.

b. Screening of vehicle stacking areas must minimize impact to vehicles traveling along a major corridor or thoroughfare, pedestrian gathering areas, outdoor dining areas, and walkways. Screening shall be accomplished through one or a combination of the following methods: 1) changes in grade (berms or retaining walls), 2) decorative walls or fences, or 3) landscaping; which screening method(s) must be a minimum of three feet high and a minimum of 50 percent

opacity. Screening of vehicle stacking areas should be complementary to the pedestrian experience. See Figure 12-4-202A, Illustrative Drive-Through Layout.

c. If vehicle stacking is planned to occur in a parking lot drive aisle, a pedestrian walkway and access must be provided in the middle of a parking module. See Figure 12-4-202B, Vehicle Stacking in a Parking Lot Drive Aisle.

Figure 12-4-202A
Illustrative Drive-Through Layout

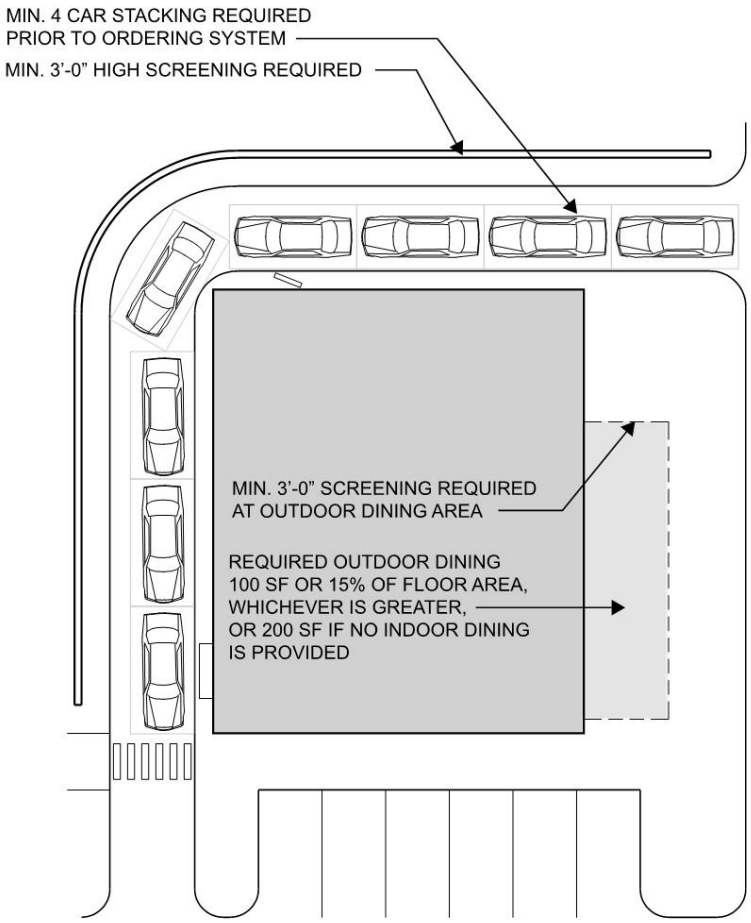
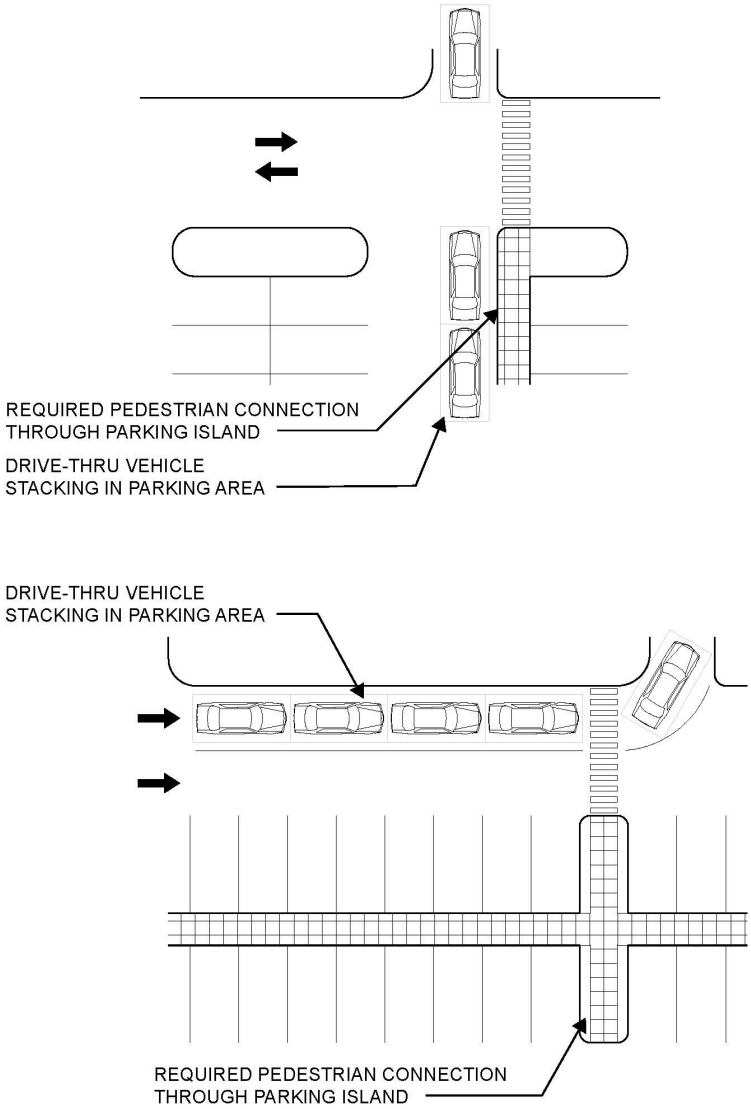


Figure 12-4-202B
Vehicle Stacking in a Parking Lot Drive Aisle



Section 8. Figures 12-4-207A and 12-4-207B shall be deleted in their entirety.

Section 9. Figure 12-4-207C, *Illustrative Glazing*, shall be renumbered as Figure 12-4-207D and the reference to Figure 12-4-207C in Section 12-4-207C(6) *Glazing* shall be updated to reflect the new numbering. Figure 12-4-207D, *Equipment Screening*, shall be renumbered as Figure 12-4-207E and the reference to Figure 12-4-207D in Section 12-4-207(E) *Mechanical Equipment Screening* shall be updated to reflect the new numbering.

Section 10. Section 12-4-207(C)(1), *Four-sided Design*, shall be repealed and replaced to read in full as follows, and as depicted in Figure 12-4-207A, Four-Sided Design:

1. Four-Sided Design.

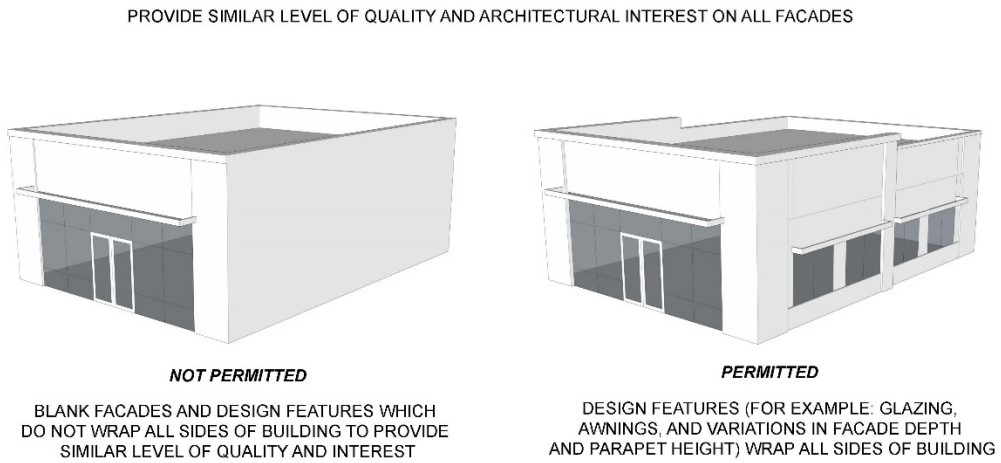
    a. Each building shall incorporate a similar level of quality and architectural features and treatments on all sides subject to public view or adjacent properties, not including properties across alleys.

    b. Display a similar level of quality and architectural interest.

    c. Blank walls void of architectural details or other variation are prohibited.

    d. Four-sided design shall be achieved by meeting the requirements in the following subsections below.

Figure 12-4-207A
Four-Sided Design



Section 11. Section 12-4-207(C)(2), *Horizontal Articulation*, shall be retitled to "*Building Mass and Form*." Additionally, Section 12-4-207(C)(2) shall be repealed and replaced to read in full as follows:

2. Building Mass and Form. See Figure 12-4-207B, Building Mass and Form.

    a. A single, large, dominant building mass is prohibited.

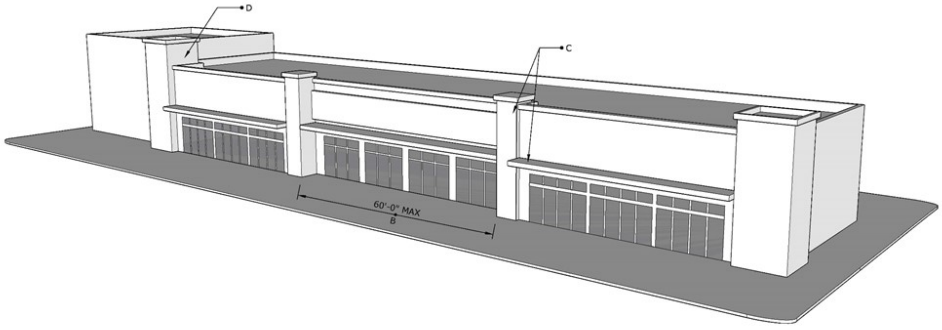
    b. Buildings shall be designed to reduce apparent mass by dividing façades into a series of smaller components no wider than sixty feet (60') in dimension.

    c. Buildings shall incorporate a combination of horizontal and vertical expressions with the goal of reducing bulk mass and creating a lively articulated façade.

    d. Buildings shall include intermediate forms (such as corner elements, protruded or recessed bays, or similarly expressed structural elements), to transition between higher and lower buildings.

    e. Form the building edges that define and contain the street space to reinforce pedestrian activity and create a sense of place.

Figure 12-4-207B
Building Mass and Form



a. A single, large, dominant building mass is prohibited.
b. Buildings shall be designed to reduce apparent mass by dividing façades into a series of smaller components.
c. Buildings shall incorporate a combination of horizontal and vertical expressions with the goal of reducing bulk mass and creating a lively articulated façade.
d. Buildings shall include intermediate forms (such as corner elements, protruded or recessed bays, or similarly expressed structural elements), to transition between higher and lower buildings.

Section 12. Section 12-4-207(C)(3), *Vertical Articulation*, shall be retitled to "*Architectural Scaling Elements*." Additionally, Section 12-4-207(C)(3) shall be repealed and replaced to read in full as follows:

3. Architectural Scaling Elements. See Figure 12-4-207C, Illustrative Architectural Scaling Elements.

    a. Articulated changes in horizontal and vertical plane shall be consistent in texture, material and/or color.

    b. Both horizontal and vertical architectural scaling patterns shall be used.

    c. Architectural scaling shall provide visual interest at pedestrian levels, reduce the massive appearance of large buildings and use architectural features to reflect the local character.

    d. Architectural scaling shall have a horizontal expression that promotes pedestrian scale, sun shading, material change, or plane change.

    e. Building corners shall be given extra attention and shall achieve a higher level of architecture, and activation of the street edge through the use of human scaled facades and activation of the street through transparency.

    f. Building masses shall provide richness and diversity that exhibits Human Scale Design and encourages street life through (a) use of variation of materials and/or colors, (b) visual interest created through texture, finish and detailing, and a (c) minimum of 2 of the following façade articulation methods to avoid long, monotonous walls:

        i. Application of materials in units, panels or modules that produce shadow lines to convey a sense of scale

        ii. Expression of structural or architectural bays through a consistent, articulated bay rhythm

        iii. Glazing with strongly expressed mullions

        iv. Awnings or canopies

        v. Balconies and terraces, where appropriate for building function

    g. Components shall be distinguished from one another through two (2) or more of the following:

        i. No individual component shall have a horizontal length of more than 60 feet.

        ii. Variations in roof form or variations in roof height of two feet or more;

        iii. Changes in wall plane of one foot or more;

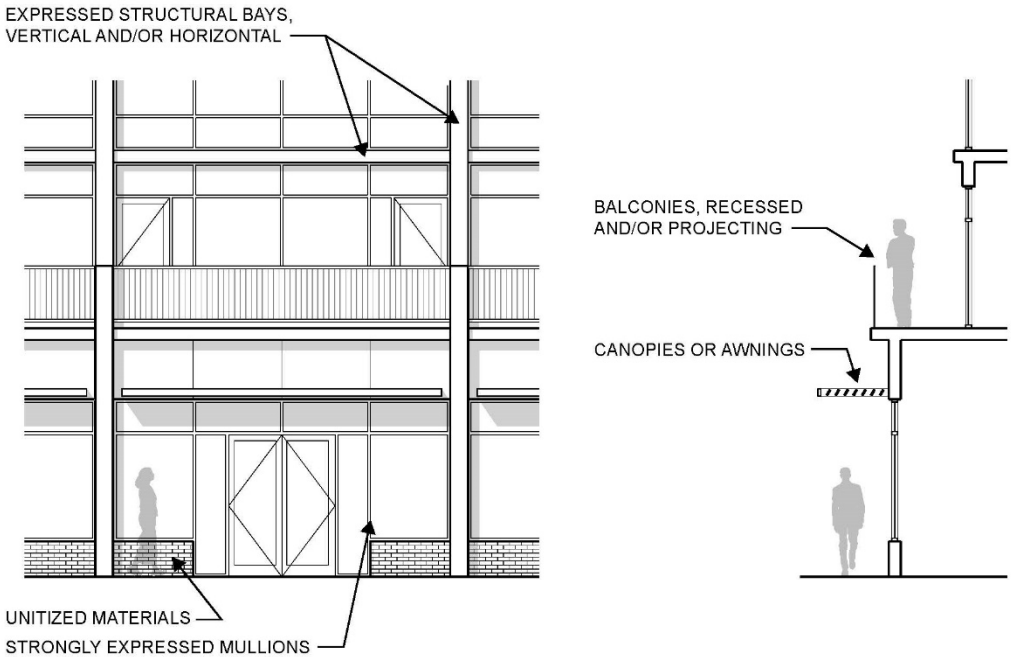
        iv. Variations in the arrangement of windows;

v. Recognizable changes in texture, material, or surface colors; or on the façade facing the principal street:

1. At least 40 percent of the ground floor wall area between two and ten feet above grade shall consist of glazing (See Figure 12-4-207D, Illustrative Glazing); and

2. At least 25 percent of each upper floor wall area between three and eight feet above that story's finished floor level, shall consist of glazing (See Figure 12-4-207D, Illustrative Glazing).

Figure 12-4-207C
Illustrative Architectural Scaling Elements



<u>Section 13</u>. A new Section 12-4-210, entitled *University Corridor Design Standards*, shall be added and shall read in full as follows:

University Corridor Design Standards

A. **Generally.** The standards of this Section apply to all development and redevelopment within the University Corridor, as depicted in the University Corridor Map (Appendix H), unless exempted by subsection B below. For properties zoned Activity Center (AC), the Enhanced

Design Standards of Division 4-4, Form Standards for the AC District, shall be used as a supplement to this Section and in the event of a conflict, the standards of this Section shall apply.

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

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

C. **Building Materials.** Within the University Corridor the following design standards shall apply:

1. All buildings in the University Corridor must incorporate three (3) substantially different building materials.
2. Materials shall appear authentic in their application.
3. Building massing and form shall be modulated to reduce bulk and create interest.
4. Masonry shall be wrapped around corners adequately to give the material depth and the appearance of a structural function.
5. Apply the Non-Residential Design Standards of Section 12-4-207.
6. A building material classification system will be implemented to require a specified minimum amount of quality materials.
    a. Class I. A minimum of 50 percent (average) of all building facades must contain Class I materials including:
        i. Fired clay brick;
        ii. Natural stone;
        iii. Natural wood;
        iv. Transparent glass.
    b. Class II. A maximum of 50 percent (average) of all building facades may contain Class II materials to serve as an architectural accent, including:
        i. Manufactured stone or tile;
        ii. Cementitious or polymer modified stucco over rigid substrates;
        iii. Architectural metal including panelized systems with concealed fasteners, rain screens, and perforated metal;
        iv. Natural wood-look fiber cement or metal siding;
        v. Textured architectural concrete;
        vi. Integral color split-face or ground face concrete masonry units;
        vii. Manufactured calcium silicate units;
        viii. Murals and similar artistic expressions that do not contain company logos, branding, or product imagery, applied over permanent substrates.

c. Class III. A maximum of 10 percent (average) of all building facades may contain Class III materials (not permitted on facades facing S. University Blvd) to serve as an architectural accent, including:
    i. Exterior Insulation Finish System (EIFS) over foam or semi rigid substrates;
    ii. Fiber cement board;
    iii. Reflective glass;
    iv. Other similar materials, as approved by the Director.
d. Class IV. Materials prohibited on commercial buildings, including:
    i. Untextured tilt-up or poured-in-place concrete;
    ii. Vinyl or other plastic material;
    iii. Clapboard siding;
    iv. Materials not otherwise a Class I, II, or III, as determined by the Director.

D. **Distinctive Design Elements.** New development and redevelopment along the University Corridor shall incorporate at least one distinctive design element into the corresponding site plan which, at the Director's determination, is iconic, recognizable and memorable, and/or unique to the University Corridor. Elements may include, but are not limited to, extraordinary signage, art and sculptures, interactive or experiential amenities, distinctive landscaping and open space, and unique and iconic building elements or structural design.

Section 14. Division 4-4, *Form Standards for AC District*, Section 12-4-401(A), entitled *Purpose and Application of Division*, shall be repealed and replaced to read in full as follows:

A. **Purpose and Application of Division**. The development standards of this Division are intended to shape development and redevelopment in the Activity Center ("AC") district, to promote mixed-use development that will create remarkable places that lead to unforgettable experiences. The AC district is intended to be applied to property under unified or coordinated control, which will be developed or redeveloped under a single application. Such development will implement an adopted subarea plan, which will call for a particular form or multiple forms of cohesive development. The AC district is intended to foster walkable experience-focused destinations that are compatible with adjacent neighborhoods.

Section 15. Division 4-4, *Form Standards for AC District*, Section 12-4-402, entitled *General Project Design Requirements*, shall be amended to add a new Section 12-4-402(D), *Pedestrian Design Standards*.

D. **Pedestrian Design Standards.**

1. New development or redevelopment in AC zoning will be required to identify Primary Pedestrian Pathways that provide direct connectivity and access to buildings and other key pedestrian areas within the center. Primary Pedestrian Pathways must be a minimum of 8 feet wide, and all other pedestrian sidewalks a minimum of 6 feet wide.

2. Sidewalks and crosswalks shall have high-visibility crosswalk markings in compliance with the City's Roadway Design Standards Manual and "Yield Here To / Stop Here For Pedestrians" sign and Yield / Stop sign.

3. Additionally, crosswalks shall be identified through the use of three (3) or more of the following methods:
    a. Parking restriction on crosswalk approach (20 foot setback where speeds are 25 mph or less, 30 foot setback for speeds between 26 mph and 35 mph)
    b. Improved lighting positioned a short distance before the crossing in the direction of approaching traffic, directing the light onto pedestrians.
    c. Curb extension (bulb out)
    d. Raised crosswalk
    e. Pedestrian refuge island
    f. Decorative bollards

4. New development and redevelopment in AC zoning is required to provide four (4) or more of the following types of publicly accessible pedestrian oriented placemaking amenities, including but not limited to:
    a. Shaded sidewalks
    b. Defined gathering spaces that encourages social interaction
    c. Decorative planters
    d. Pedestrian wayfinding signage
    e. Water features, including, but not limited to an artificial stream, fountain, or pond
    f. Drinking fountains
    Living walls (plants)

Section 16. Section 12-5-102(D), entitled *Stacking Spaces* shall be repealed and replaced to read in full as follows:

Section 12-5-102(D), Stacking Design and Analysis

D. Drive-through lanes shall comply with the following design and stacking analysis requirements as well as any additional applicable requirements pursuant to the Roadway Design & Constructions Manual:

1. Design:

a. Businesses that provide drive-through facilities are required to provide spaces for vehicles waiting in line. Required stacking spaces shall be a minimum nine (9) feet wide and twenty (20) feet in length and shall not be counted as required on-site parking spaces. Stacking spaces shall be located to prevent any vehicles from extending onto the public right-of-way, or interfering with any pedestrian circulation, traffic maneuvering, or other parking space areas.

b. Each drive-through lane shall be a separate lane from the circulation routes and lanes necessary for ingress to, or egress from, the property or access to any off-street parking spaces. Each such lane shall be striped, marked or otherwise distinctively delineated.

c. The entrance of a drive-through lane shall be located not closer than 25 feet from the right of way line of any adjacent public street providing direct access to the lane.

e. Drive-through ordering systems shall be located to allow a minimum of four (4) cars to queue behind the ordering vehicle to prevent vehicles from stacking in the drive aisle of the parking lot. See Figure 12-4-202A, Illustrative Drive-Through Layout.

f. If drive-through operations will include in person staff taking customer orders in the drive-through lanes, sufficient, marked walking space shall be provided in an amount of 3 extra feet per lane to promote staff safety

2. Stacking analysis:

a. The design of all drive-through lanes shall be subject to the approval of the Community Development Director. Design and approval shall be based upon information contained in a traffic engineering study prepared by an independent traffic engineer licensed by the State of Colorado, or such other study as approved by the Community Development Director, and provided to the City by the developer, at such developer's sole expense, at the time of application for such use.

b. The final stacking analysis shall be submitted to the Director in writing which shall include recommendations of the length and number of stacking lanes to be associated with the proposed business in order to:

Avoid or mitigate interference with parking spaces and drive aisles associated with the proposed business;

Avoid or mitigate stacking of vehicles in conflict with entry and exit points of the proposed business; and

Prevent unauthorized stacking of vehicles onto neighboring businesses, or private or public access lands or roads.

c. The study required by the provisions of this subsection shall contain and address the following factors:

i. Nature of the product or service being offered, including peaking characteristics on weekdays and weekends;
ii. Method by which the order, request, sale or service is processed;
iii. Time required to serve a typical customer;
iv. Arrival rate of customers;
v. Time period over which customers will arrive at stated rate;
vi. Anticipated length of queuing;
vii. Discussion of ambient circulation and parking, either proposed or existing;

viii. Location of storage areas with respect to parking spaces or circulation aisles;
ix. Discussion of potential blockages due to queue; and
x. Mitigation measures to address peak stacking demand.
xi. The study shall include a scale drawing delineating all parking spaces, circulation facilities, driveways and the nearest public street.
xii. Each such lane shall be designed to prevent circulation congestion, both on-site and on public and private streets and accessways.
xiii. The study shall include an analysis of at least five comparable uses.

d. The City may rely upon the stacking analysis or may request additional information or analysis, including, but not limited to: alternative or new data points, or consideration of additional or alternative factors related to comparability or peak demand, as supported by sound engineering principles.

e. Stacking shall not overflow onto rights-of-way.

f. Stacking shall not generally overflow onto adjacent properties. To the extent the designated stacking regularly exceeds the lot on which the Drive-Through is situated, the City shall require cross access easements or other form of recorded consent from adjacent or impacted property owners. Stacking mitigation required by the City either at the time of development or during the operation of a drive-through may include, but shall not be limited to, requiring consent for stacking to occur off of the site of the Restaurant, Drive-Through use and dedicated in-person management for overflow stacking onto adjacent lots.

Section 17. Table 12-5-202(C), *Commercial Parking and Loading Requirements*, shall be updated to replace the Required Off-Street Parking Spaces and Required Loading Spaces for the Restaurant: Drive-In or Drive-Through. The row for Restaurant: Drive-In or Drive-Through shall be updated to read as follows:

Use	Required Off-Street Parking Spaces	Required Loading Spaces
Restaurant: Drive-In or Drive-Through.	The greater of: 1 space per 3 seats; or 10 spaces per 1,000 sf. of floor area Outdoor seating up to 1/3 of the amount of indoor seating can be provided with no additional parking. Any additional outdoor seating	1 space

	must provide 1 space per 3 seats.	

Section 18. Division 16-2, *General Definitions*, shall be amended by repealing and replacing the following definitions of *Mixed Use*, *Mixed Use Building*, *Mixed Use*, *Horizontal, and Mixed Use*, *Vertical.*

Mixed Use means an area containing two or more principal uses from different use classifications (Residential, Institutional, Commercial, Industrial, or Recreational) or from two or more significantly different use categories within the same use classification (e.g., offices and retail), where compatible land uses are functionally integrated and share public amenities, ingress/egress, pedestrian facilities and amenities, and parking areas that combine to create a walkable place where people may live, work, play, and shop.

Mixed Use Building means one (1) building or groups of buildings designed to encourage a diversity of compatible land uses, which include two or more principal uses from different use classifications or from two or more significantly different use categories, planned as a unified complementary whole, and functionally integrated into a Mixed Use Development including the use of shared pedestrian and vehicular access, and parking areas.

Mixed Use, Horizontal means a type of Mixed Use Development that consists of multiple single-use buildings or a combination of single-use buildings and vertical mixed use structures within a mixed-use development.

Mixed Use, Vertical means a single multi-story building that combines two or more principal uses from different use classifications or two or more significantly different use categories. Typical examples include residential or office uses on the upper levels of buildings, and retail at street level.

Section 19. Division 16-2, *General Definitions*, shall be amended by adding the following new definitions to read in full as follows:

Neighborhood Activity Center (NAC) means an area of contiguously zoned AC property constituting a Mixed Use Development that provides some combination of integrated goods and services, housing, and employment opportunities within walking or biking distance of residential neighborhoods. A NAC differs from other formulaic, detached commercial developments, where shopping and employment opportunities are not integrated with adjacent residential land uses.

Outdoor Dining Area, Permanent means an area of designated size used for the consumption of food and beverages (alcoholic and non-alcoholic) with seats and/or tables located outdoors. Permanent Outdoor Dining Areas are generally accessory to permanent restaurants, breweries, coffee shops, grocery stores, or other food service establishment uses, though may be a standalone outdoor-only use. One or more proprietors may have a patio on the same parcel, such as patios for individual

restaurants within a shopping center. Permanent Outdoor Dining Areas are noted or shown on an approved site plan and do not require a separate use permit to operate. An example of a Permanent Outdoor Dining Area is a restaurant with a permanent designated patio area that is not also used for another purpose such as vehicle parking, or is an outdoor beer garden.

Primary Pedestrian Pathway means a designated path, sidewalk, or way set aside for use by pedestrians intended to create a cohesive and safe walkable network that provides direct and convenient connectivity and access to buildings and other key pedestrian areas to enhance a Neighborhood Activity Center.

Restaurant, Drive-Through Attached means a *Restaurant, Drive-Through* as defined herein which is attached to a multi-tenant building where at least one other different use or tenant, such as retail or office, occupies the same building. Drive-Through Attached may include a drive-through located at the end of a multi-tenant building or a drive-through located at a midpoint of a building with a continuous roof.

Restaurant, Drive-Through Stand Alone means a *Restaurant, Drive-Through* as defined herein which is specifically located on an individual, freestanding pad.

University Corridor is defined by NACs located along South University Boulevard from the intersection of East Arapahoe Road south to County Line Road, as depicted in the University Corridor Map (Appendix H).

Section 20. LDC shall be amended to add a new Appendix H, entitled *University Corridor Map* and attached in full to this Ordinance.

Section 21. Severability. Should any one or more sections or provisions of this Ordinance be judicially determined invalid or unenforceable, such judgment shall not affect, impair or invalidate the remaining provisions of this Ordinance, the intention being that the various sections and provisions are severable.

Section 22. Repeal. Any and all ordinances or codes or parts thereof in conflict or inconsistent herewith are, to the extent of such conflict or inconsistency, hereby repealed; provided, however, that the repeal of any such ordinance or code or part thereof shall not revive any other section or part of any ordinance or code heretofore repealed or superseded and this repeal shall not affect or prevent the prosecution or punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the effective date of this Ordinance.

Section 23. Effective Date. Except as otherwise expressly provided herein, the provisions of this Ordinance shall become effective thirty (30) days after publication following final passage.

INTRODUCED, READ, AND ORDERED PUBLISHED BY THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS REGULAR MEETING HELD ON THE ___ DAY OF _____, 2021.

CITY OF CENTENNIAL

By: _____
Stephanie Piko, Mayor

Approved as to Form:

_____
For City Attorney's Office

I hereby certify that the above Ordinance was introduced to the City Council of the City of Centennial at its meeting of _____, 2021 and ordered published one time by title only in *The Centennial Citizen* newspaper on _____, 2021, and in full on the City web site in accordance with Section 2-1-110 of the Municipal Code.

ATTEST:

SEAL

By: _____
City Clerk or Deputy City Clerk

FINALLY ADOPTED, PASSED, APPROVED WITH AMENDMENTS, IF ANY, AND ORDERED PUBLISHED BY TITLE ONLY, IN *THE CENTENNIAL CITIZEN* NEWSPAPER AND IN FULL ON THE CITY WEB SITE IN ACCORDANCE WITH SECTION 2-1-110 OF THE MUNICIPAL CODE BY THE CITY COUNCIL OF THE CITY OF CENTENNIAL, COLORADO, UPON A MOTION DULY MADE, SECONDED AND PASSED AT ITS MEETING HELD ON THE ____ DAY OF _____, 2021, BY A VOTE OF _____ IN FAVOR AND _____ AGAINST.

CITY OF CENTENNIAL

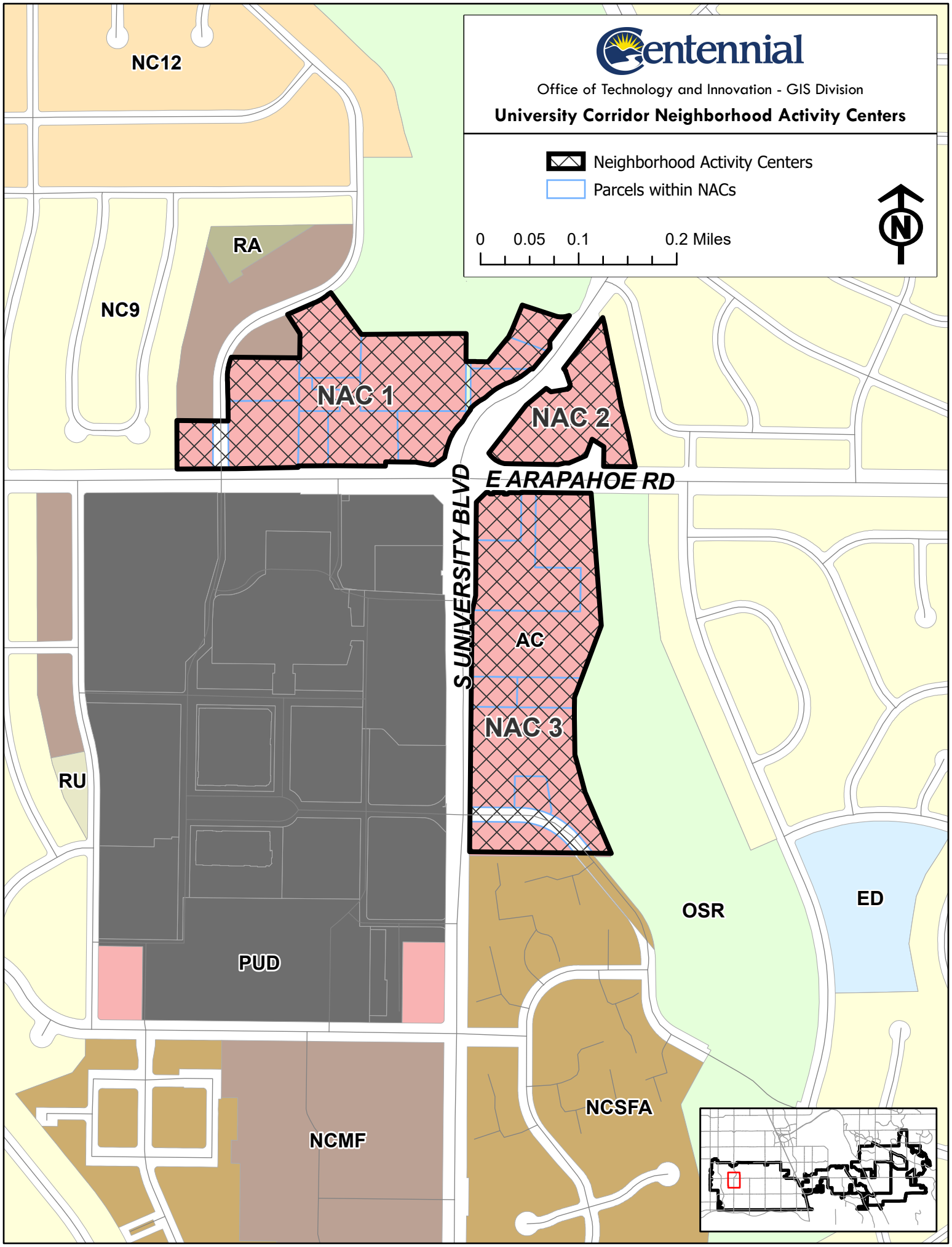
By: _____
Stephanie Piko, Mayor

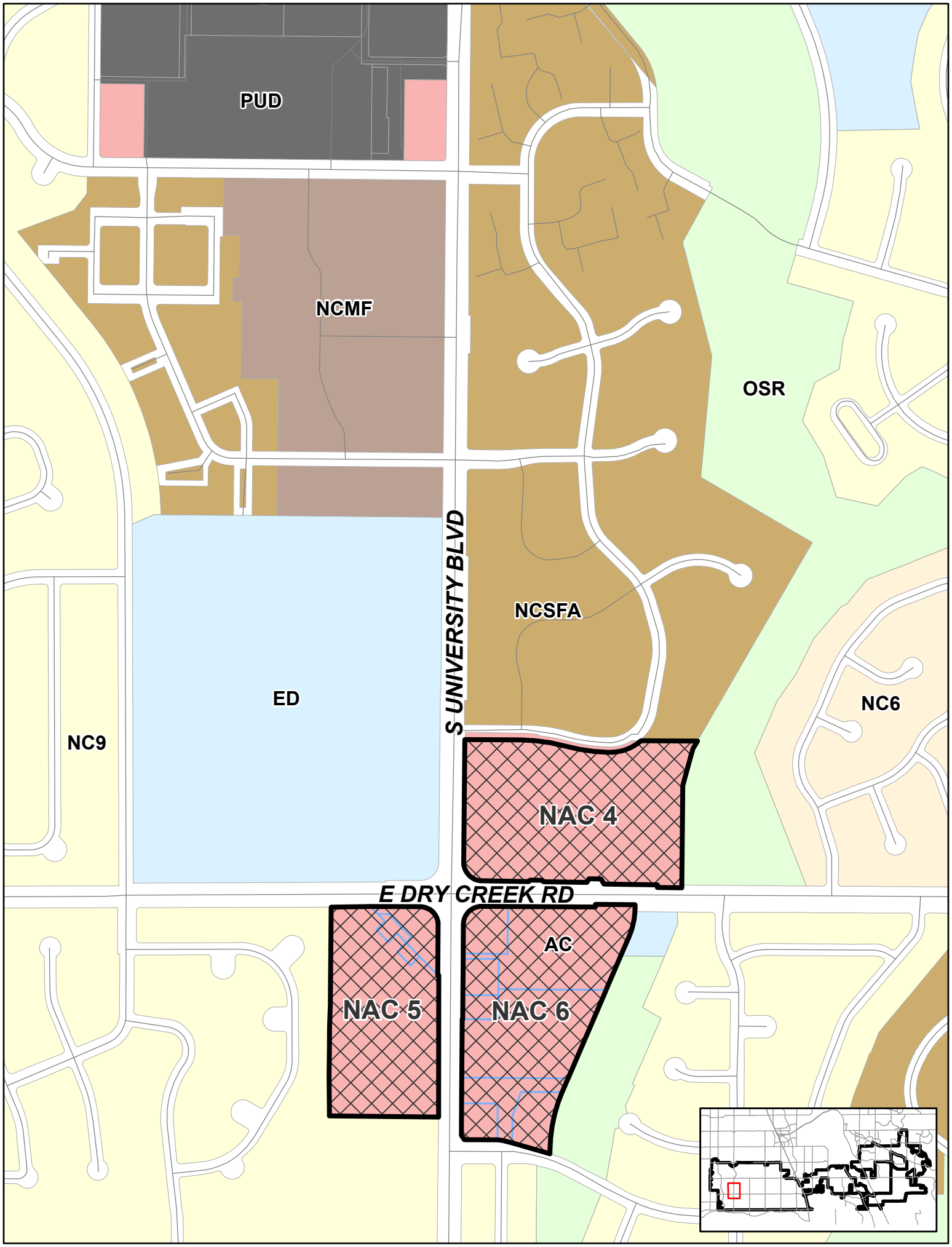
I hereby certify that the above Ordinance was finally adopted by the City Council of the City of Centennial at its meeting of _____, 2021, and ordered published by title only, one time by *The Centennial Citizen* newspaper on _____, 2021 and in full on the City web site in accordance with Section 2-1-110 of the Municipal Code.

ATTEST:

SEAL

By: _____
City Clerk or Deputy City Clerk


Centennial
Office of Technology and Innovation - GIS Division
University Corridor Neighborhood Activity Centers
Neighborhood Activity Centers
Parcels within NACs
0 0.05 0.1 0.2 Miles
N
NC12
NC9
RA
NAC 1
NAC 2
E ARAPAHOE RD
S UNIVERSITY BLVD
AC
NAC 3
RU
PUD
OSR
ED
NCSFA
NCMF


PUD
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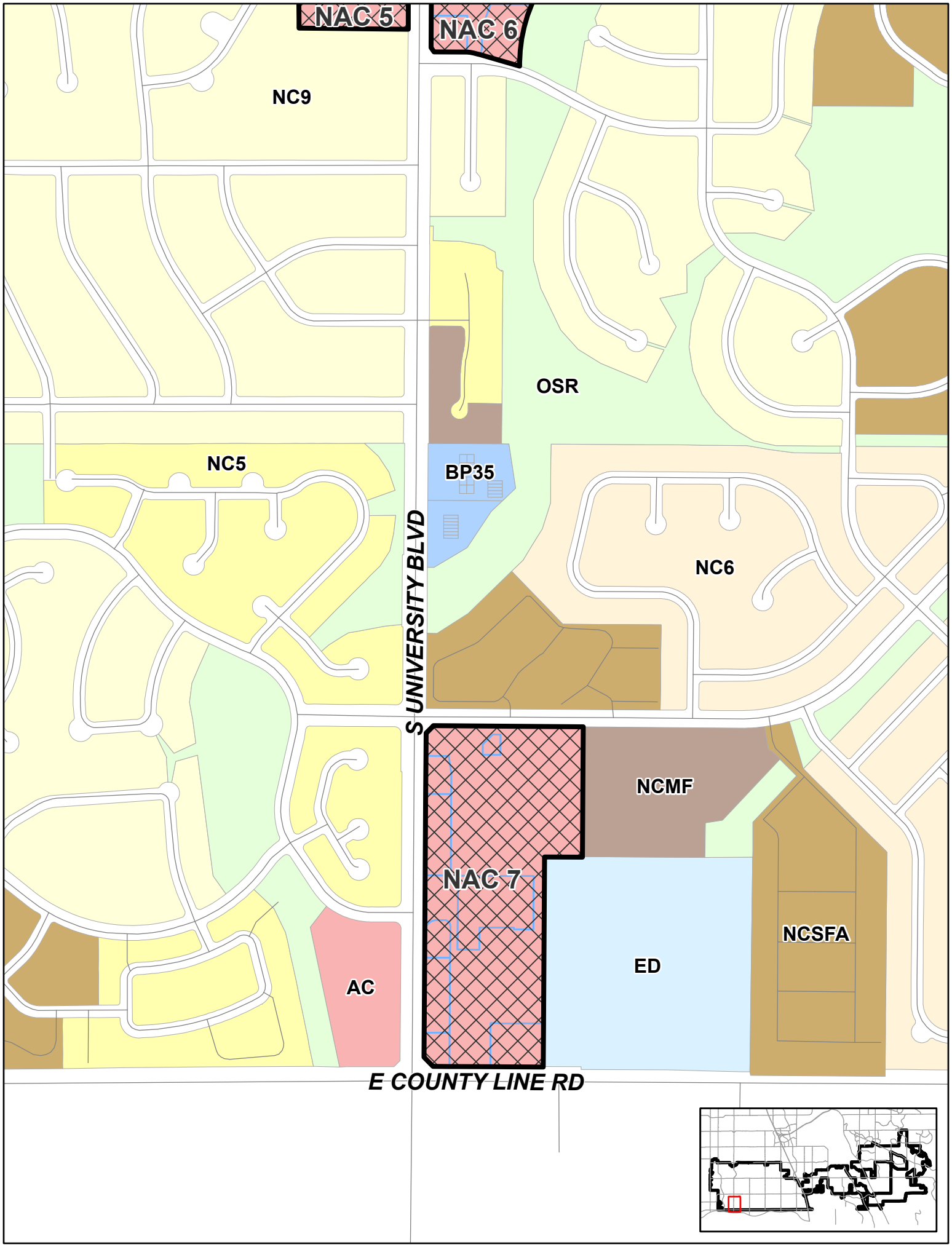
NAC 4
E DRY CREEK RD
AC
NAC 5
NAC 6


NAC 5
NAC 6
NC9
OSR
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BP35
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S UNIVERSITY BLVD
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E COUNTY LINE RD