

**CITY OF CENTENNIAL,
COLORADO**

ORDINANCE NO. 2025-O-03

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
CENTENNIAL, COLORADO, AMENDING CHAPTER 12 OF THE
MUNICIPAL CODE (LAND DEVELOPMENT CODE) CONCERNING
SLIDING SCALE COMPLIANCE REQUIREMENTS**

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

WHEREAS, the City of Centennial Planning and Zoning Commission recommended City Council approval of amendments to the Sliding Scale Compliance Thresholds within the LDC which seek to offer flexibility to property owners and developers while also encouraging incremental and proportional site compliance; and

WHEREAS, the proposed changes to the LDC are intended to clearly define the level of site compliance required when there is a proposed improvement to a site, prioritize life/safety, accessibility, functionality, and curb appeal while not requiring unrelated improvements unless they directly relate to the proposed improvement; and

WHEREAS, in conformance with the LDC, the public hearing before the City Council was properly noticed by publication on the City's website; 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. Section 12-4-208(A), *Central Arapahoe Road Corridor Design Standards, Generally*, shall be repealed and replaced to read in full as follows:

- A. *Generally.* The standards of this Section apply to all development and redevelopment, and changes to building façade as set forth in Section 12-12-402, Sliding Scale Compliance Requirements within the Central Arapahoe Road Corridor, as depicted in the Central Arapahoe Road Corridor Map (Appendix G), unless exempted by subsection B below.
1. 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.

2. For properties zoned Urban Center (UC), the standards of this Section shall apply unless expressly addressed by an approved Regulating Plan.

Section 3. Section 12-4-210(A), *University Corridor Design Standards, Generally*, shall be repealed and replaced to read in full as follows:

- A. *Generally.* The standards of this Section apply to all development and redevelopment and changes to building façade as set forth in Section 12-12-402, Sliding Scale Compliance Requirements 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.

Section 4. Article 6, *Signs and Lighting*, shall be amended under Section 12-6-702, *Applicability*, as described below.

- Section 12-6-702(A), *Applicability, Generally*, shall be repealed and replaced to read in full as follows:
 - A. *Generally.* The exterior lighting standards are applicable to all land uses except single-family detached residential dwelling units on individual lots not governed by a site plan (subdivision development lighting for streets and residential developments are not exempt). For single-family detached residential dwelling units on individual lots not governed by a site plan, all exterior lighting, including but not limited to floodlights, spotlights, and security lighting, shall be fully shielded to prevent glare and light trespass. Additionally, floodlights and similar directional lighting shall be externally shielded, and all lighting shall comply with the maximum foot-candle limits set forth in Table 12-6-705(D).
- Section 12-6-702(C), *Applicability, Threshold for Compliance*, shall be repealed and replaced to read in full as follows:
 - C. *Threshold for Compliance.* Compliance with the requirements of this Division shall apply in any of the following scenarios:
 1. New development or redevelopment pursuant to Section 12-12-402, Sliding Scale Compliance Requirements; or
 2. Substantial modification of any exterior lighting, including but not limited to:
 - a. New luminaires;
 - b. Replacement of 50 percent or more of the existing luminaires as of the effective date;
 - c. Increases in the mounting height of any equipment; and

- d. Changes to a ballast in a luminaire, either to drive a different type of lamp or increase the wattage.

Section 5. Section 12-6-708(C), *Additional Submittal Requirements*, shall be repealed and replaced to read in full as follows:

C. *Additional Submittal Requirements*. The following additional submittal requirements shall apply for when the project includes: new development, redevelopment or a change of zoning that results in a change in Lighting Zone:

1. A photometric plan showing initial horizontal illuminance (maintenance factor = 1.0) calculated at grade using a grid of points no more than 10 feet apart and covering the entire site (excluding buildings) and extending a minimum of 10 feet beyond the lot or parcel property line. The maximum and minimum illuminance values within each specific use area (i.e., outdoor display of merchandise, parking, walkways, etc.) shall be clearly distinguished. Statistics for uniformity for each specific use area shall be included on the plan. Photometric plans for sites with existing pole mounted lighting within 50 feet of the property line shall include this existing lighting in the calculation. When photometric data for the existing fixtures is not available photometry for a similar fixture may be used. The fixture(s) used to represent existing lighting shall be included on the lighting fixture schedule and designated as existing;
2. Documentation of the connected load, demonstrating compliance with the limits set in this ordinance;
3. A copy of the stamped and approved shop drawings shall be submitted prior to electrical inspections. Inspections will not proceed without the submissions to verify that the submittal drawings and actual equipment provided were equivalent. If installed equipment differs from submittal drawings, calculations shall be resubmitted according to these documents. The owner and contractor are responsible for substituted equipment meeting all requirements of these documents, in the event that they must be removed or replaced; and
4. Aiming angles and diagrams for all sports lighting and flood lighting fixtures.

Section 6. Division 12-4, *Compliance Thresholds*, shall be amended by the repeal and replacement of Section 12-12-401, currently entitled *Purpose*, in its entirety, to read in full as follows, with an updated section title:

Sec. 12-12-401. – Purpose and Applicability of Division.

- A. *Purpose*. The purpose of this Division is to encourage reinvestment and the repurpose of existing buildings and development sites. This is achieved by prioritizing improvements that cure immediate non-conforming concerns and to promote the health, safety, and general welfare of the City. The purpose of this Division is not to achieve immediate full

compliance with the provisions of the LDC, but to instead strategically prioritize improvements to focus on safe, functional, and aesthetic priorities where they align with the City's long term strategic land use goals.

- B. *Applicability.* The standards of this Division shall apply when any Type of Improvement that is listed in Table 12-12-402 is proposed. The Type of Improvement determines the Level of Site Compliance Required shown in Table 12-12-402. Proposed modifications to a building or site may fit into one or multiple Types of Site Improvements categories depending on the scope of work, which may require multiple Levels of Site Compliance. If a modification does not require additional compliance, this does not allow the modification to take place that would therefore create a nonconformity.

Section 7. Section 12-12-402, *Sliding Scale Compliance Requirements*, shall be repealed and replaced to read in full as follows:

Sec. 12-12-402. - Sliding Scale Compliance Requirements.

Table 12-12-402, Sliding Scale Compliance Requirements, sets out the Types of Improvements to a property that trigger compliance with the regulations set out in this LDC.

Section 8. Table 12-12-402, *Sliding Scale Compliance Requirements*, shall be repealed and replaced to read in full as follows:

Table 12-12-402, Sliding Scale Compliance Requirements		
Type of Site Improvement	Definition of Improvement	Level of Site Compliance Required with this Improvement
Any Proposed Site Improvement	Any Site Improvement within this Table 12-12-402 that requires Site Plan approval.	Compliance with all approved and/or applicable entitlements and development orders (such as Site Plans, Final Plats, Conditional Use and conditions of approval) including but not limited to landscaping improvements, site improvements, parking space quantities/locations, and requirements for Permitted (P), Limited (L), and (C) Conditional Uses.
New Development and Redevelopment	Expansion of a building exceeding 50 percent of the existing Building Gross Floor Area; tear-down and reconstruction of a building (except re-establishment of a nonconforming use or building pursuant to Division 12-3,	Full Compliance with all provisions of this LDC shall be required.

	General Regulations); development of vacant sites.	
Changes to Building Façade	Exterior changes to building façades exceeding 80 percent of the total or aggregate building façade that result in new or replacement façade materials, including increases or decreases to parapet height or roofline. Replacement of existing windows, doors, and exterior painting is not included.	Compliance with the City's architectural requirements applicable to the Parcel Proposed for Development, including architectural requirements for the use of the building, zone district architectural requirements, and/or overlay zone architectural requirements pursuant to <i>Article 4, Form and Design Standards</i> , for the entire building façade.
	Exterior changes to building façades equal to or up to 80 percent of the total or aggregate building façade that result in new or replacement façade materials, including increases or decreases to parapet height or roofline, maintenance or replacement of existing windows, doors, and exterior painting.	No additional improvements required.
Expansion of Building Gross Floor Area	Expansion of a building which results in an increase equal or up to 50 percent of the existing Building Gross Floor Area on a Parcel Proposed for Development.	<ol style="list-style-type: none"> 1. Improvements to ensure non-motorized and motorized public safety, infrastructure, and safe circulation (including pedestrian connectivity) shall be required, pursuant to this LDC and the Roadway Design and Construction Standards Manual. 2. Major nonconforming uses shall be discontinued. 3. If the building expansion necessitates additional parking to be provided, any newly created parking spaces and drive aisles shall be dimensioned, and loading shall be provided, as required by Article 5, <i>Parking and Loading</i>. Parking spaces shall be provided according to the applicable regulations of Section 12-12-306, <i>Nonconforming Parking</i>; surfacing shall be provided as required

		by Section 12-5-402, <i>Surfacing and Maintenance of Off-Street Parking Areas</i> .
Landscaping	Removal, relocation, or changes to groundcover such as turf grass, artificial turf, native seed groundcover, cobble or rock material.	Removal, relocation, or changes to groundcover shall meet the requirements of, 12-8-301, <i>Groundcover</i> , and Division 11-4, <i>Standards Manuals</i> .
	Removal, relocation, or addition of Shrubs, Small (Ornamental) Trees, and Large (Shade) Trees.	Shrub, Small Tree, and Large Tree types and quantities shall equal or exceed the tree types and quantities noted in the approved site plan. Any replacement trees or shrubs shall meet the intent and requirements of 12-8-203, <i>Selection of Plant Material</i> , and Division 11-4, <i>Standards Manuals</i> . Invasive Species shall not be replanted.
Outdoor Gathering Space	The addition of outdoor gathering spaces, shared amenity space, dining areas, plazas, or patios.	Improvements to ensure non-motorized and motorized public safety, accessibility, infrastructure, and safe circulation (including pedestrian connectivity) for the outdoor gathering space are required, pursuant to the Roadway Design and Construction Standards Manual. This applies only to the area of the proposed improvement.
Parking Areas, Circulation, and Vehicular Infrastructure	Major Expansion – Expansion of a parking lot or provision of new parking spaces on a Parcel Proposed for Development that results in an increase exceeding 20 percent of the existing parking space quantities or an increase of more than 10 parking spaces, whichever is greater.	<p>1. New parking spaces and drive aisles shall be dimensioned, and loading shall be provided, as required by Article 5, <i>Parking and Loading</i>. Parking spaces shall be provided according to the applicable regulations of Section 12-12-306, <i>Nonconforming Parking</i>; surfacing shall be provided as required by Section 12-5-402, <i>Surfacing and Maintenance of Off-Street Parking Areas</i>.</p> <p>2. Improvements to ensure non-motorized and motorized public safety, infrastructure, and safe circulation (including pedestrian connectivity) shall be required,</p>

		<p>pursuant to this LDC and the Roadway Design and Construction Standards Manual.</p> <p>3. Parking lot landscaping for the expansion shall be provided as required by Section 12-8-305, <i>Parking Lots</i>.</p> <p>4. Parking lot lighting for the expansion shall be provided pursuant to Division 6-7, <i>Exterior Lighting Standards</i>.</p> <p>5. If a modification to vehicular circulation or access is proposed, a Traffic Impact Study (TIS) may be required pursuant to the Roadway Design and Construction Standards Manual.</p>
	<p>Minor Expansion – Expansion of a parking lot or provision of new parking spaces on a Parcel Proposed for Development that results in an increase of up to and including 20 percent of the existing parking spaces or an increase of up to 10 parking spaces, whichever is greater.</p>	<p>1. New parking spaces and drive aisles shall be dimensioned, and loading shall be provided, as required by Article 5, <i>Parking and Loading</i>. Parking spaces shall be provided according to the applicable regulations of Section 12-12-306, <i>Nonconforming Parking</i>; surfacing shall be provided as required by Section 12-5-402, <i>Surfacing and Maintenance of Off-Street Parking Areas</i>.</p> <p>2. Improvements to ensure non-motorized and motorized public safety, infrastructure, and safe circulation (including pedestrian connectivity) shall be required, pursuant to this LDC and the Roadway Design and Construction Standards Manual.</p> <p>3. If a modification to vehicular circulation or access is proposed, a Traffic Impact Study (TIS) may be required pursuant to the Roadway Design and Construction Standards Manual.</p>
	<p>Creation or addition of new Restaurant with Drive-Through lanes, or modifications to existing</p>	<p>1. If a modification to vehicular circulation or access is proposed, a Traffic Memo or Traffic Impact Study (TIS) may be required pursuant to the</p>

	Restaurant with Drive-Through lane operations.	Roadway Design and Construction Standards Manual. 2. A Vehicle Stacking Analysis shall be required pursuant to Section 12-5-102D, <i>Stacking Design and Analysis</i> .
	Creation of new loading spaces or loading bays.	1. Full compliance with Section 12-5-305, <i>Off-Street Loading</i> , for those new loading areas. 2. Full compliance with Section 12-3-808, <i>Loading, Truck Access, and Solid Waste Collection</i> , for those new loading, truck access, and solid waste collection areas.
Changes of Use	A change of Land Use from a Use identified in Division 2-3, Land Use, to another Land Use permitted within the applicable zone district.	1. Compliance with all applicable Limited (L) Use standards shall be required pursuant to Division 2-4, <i>Limited and Conditional Use Standards</i> . 2. Parking and loading space quantities shall be provided for the use as set forth in Section 12-5-202, <i>Required Off-Street Parking and Loading Spaces</i> . Other parking space quantities may be considered pursuant the options and relief available within this LDC, such as special studies, shared parking agreements or easements, state law, etc. 3. New parking spaces and drive aisles shall be dimensioned, and loading shall be provided, as required by Article 5, <i>Parking and Loading</i> .
Utility and/or Drainage Infrastructure	Removal, relocation, maintenance, or changes to utility and/or drainage infrastructure.	Removal, relocation, maintenance, or changes to utility and/or drainage infrastructure being modified shall meet the requirements of Division 11-4, <i>Standards Manuals</i> and Division 11-3, <i>Utilities</i> .
	New, modification to, or relocation of generators, ground mounted utility equipment, or rooftop units.	1. Full compliance with Section 12-4-207(E), <i>Nonresidential Design Standards</i> . 2. Full compliance with Section 12-4-502(H), <i>Utility Equipment Screening</i> .
Floodplain	Improvements which impact a Floodplain or Flood Prone Area as defined by this LDC.	Full compliance with Division 7-3, <i>Floodplain Management and Flood Damage Prevention</i> .

Pedestrian and/or Bicycle Infrastructure	Relocation, reconfiguration, or routing changes to pedestrian and/or bicycle infrastructure.	1. Relocation or changes to pedestrian and/or bicycle infrastructure shall meet the standards of Section 12-5-207, <i>Bicycle Parking</i> , and Division 11-2, <i>Streets, Sidewalks, and Trails</i> . 2. Relocation or changes to pedestrian infrastructure shall meet the standards of Division 4- 4, <i>Form Standards for AC District</i> .
	Maintenance, up to but not including full replacement of pedestrian and/or bicycle infrastructure.	Refer to the applicable standards manual of Division 11-4, <i>Standards Manual</i> .
Site Lighting	Changes to exterior site lighting, including but not limited to addition of lighting, removal of lighting, or reconfiguration of lighting anywhere on the site.	Modifications to site lighting shall follow the compliance thresholds of Section 12-6-702, <i>Applicability</i> .
Site Grading	Grading/Regrading for development on a developed or vacant site.	Site Grading shall comply with Section 12-11-403, <i>Grading, Erosion, and Sediment Control ("GESCC") Manual</i> .
Site Walls/Fencing	Replacement of materials, location reconfiguration, or changes in height to existing walls, fences, or garden walls; Installation of new walls, fences and garden walls.	1. Fence Improvements that are needed to ensure non-motorized and motorized public safety, infrastructure, and safe circulation are required, such as removing fences from public right-of-way and removing fences from sight distance triangles, pursuant to Section 12-11-208, <i>Sight Triangles</i> . 2. Compliance with all applicable standards in Section 12-3-602 and Section 12-3-802, <i>Fences, Garden Walls, and Hedges</i> .
Site Signage	Installation of new attached, detached, or temporary signs or replacement of an existing sign.	1. Sign related Improvements that are needed to ensure non-motorized and motorized public safety, infrastructure, and safe circulation are required, such as removing signs from the public right-of way and removing signs from sight distance triangles. 2. Modifications to site signage shall be in compliance with all applicable standards in Article 6, <i>Signs and Exterior Lighting</i> .

Refuse Containers or Trash Enclosures	New, modification to, or relocation of trash enclosures.	Full compliance with: 1. Section 12-3-608, <i>Refuse Containers</i> . 2. Full compliance with Section 12-3-808, <i>Loading, Truck Access, and Solid Waste Collection</i> . 3. Full compliance with Section 12-2-503, <i>Temporary Construction, Storage, and Refuse Collection Uses</i> . This applies only to the area of the proposed improvement.
ADA Improvements	Improvements that increase site accessibility.	No additional improvements are required unless otherwise required elsewhere pursuant to this LDC.
Other Site Improvements Not Listed in This Table	Changes to a site not listed in this table.	No additional improvements are required unless otherwise required elsewhere pursuant to this LDC.

Section 9. Section 12-14-304(C), *Thresholds*, shall be repealed and replaced to read in full as follows:

C. *Thresholds*. A community meeting shall be conducted pursuant to Section 12-14-305, Community Meeting, if:

1. The application is for a Site Plan for New Development or Redevelopment, as set forth in Section 12-12-402, Sliding Scale Compliance Requirements; or
2. The application is for a Site Plan on a parcel proposed for development within 200 feet of a residential zone district and the development involves:
 - a. Expansion that results in an increase of 30 percent and up to 50 percent of the existing Building Gross Floor Area on a Parcel Proposed for Development; or
 - b. Major Expansion of Parking Lots, Circulation, and Vehicular Infrastructure, as set forth in Section 12-12-402, Sliding Scale Compliance Requirements; or
3. The application is for one or more of the following application types, except for Administrative or Minor Amendments to these applications:
 - a. Major amendment of a Planned Unit Development; or
 - b. New Regulating Plan, including Major Amendment of a Regulating Plan;
 - c. Rezoning, including rezoning to a Planned Unit Development; or

d. Conditional Use Permit/WCF Conditional Use Permit

Section 10. Section 12-14-507(C)(3), *Public School Development Permit, Application, Community Meeting*, shall be repealed and replaced to read in full as follows:

3. *Community Meeting.* The Director shall require a community meeting for a Public School Development Permit application for proposed new development or redevelopment. When the Director requires a community meeting, the community meeting shall be held prior to a decision on a Public School Development Permit application and shall be subject to the notice and conduct requirements of Section 12-14-305, *Community Meeting* of this LDC.

Section 11. Minor Edits, Corrections and Additions. The Community Development Director shall be authorized to make minor typographical, immaterial, or grammatical corrections or additions to the Land Development Code, including but not limited to correcting spelling errors and adding, removing, or supplementing materials that do not materially change the meaning or intent of the Land Development Code, without City Council approval, provided that the Community Development Department shall maintain full and complete records of all such edits, additions, and corrections made to the Land Development Code.

Section 12. 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 13. 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 14. 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 4th DAY OF March, 2025.

CITY OF CENTENNIAL

By: 
Stephanie Piko, Mayor

Approved as to Form:

Jay Haddeman
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 March 4, 2025 and ordered published in full on the City website in accordance with Section 2-1-110 of the Municipal Code.

SEAL

ATTEST:

By:

[Signature]
City Clerk or Deputy City Clerk

FINALLY ADOPTED, PASSED, APPROVED WITH AMENDMENTS, IF ANY, AND ORDERED PUBLISHED IN FULL ON THE CITY WEBSITE 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 18th DAY OF March, 2025, BY A VOTE OF 8 IN FAVOR AND 0 AGAINST.

CITY OF CENTENNIAL

By:

[Signature]
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 March 18, 2025, and ordered published in full on the City website on March 19, 2025 in accordance with Section 2-1-110 of the Municipal Code.

SEAL

ATTEST:

By:

[Signature]
City Clerk or Deputy City Clerk