

# Arapahoe County Land Development Code

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## **PART 1                    ZONING REGULATIONS** **SECTION 3400B STRASBURG BUSINESS/COMMERCIAL** **OVERLAY DISTRICT**

### **1-3400B.01    Title**

These Regulations, as amended from time to time, shall be known as “Strasburg Business/ Commercial Overlay District” and are referred to in this document as “these Regulations.”

### **1-3400B.02    Specific Purpose and Intent**

- A.** The Strasburg Business/ Commercial Zoning Overlay District is intended to provide development opportunities within original Strasburg for a mix of community-serving and visitor-serving retail, office, business service, civic/ public, and residential uses consistent with the Strasburg Sub-Area Plan of the Arapahoe County Comprehensive Plan as adopted in May of 2002. It is the County’s intent with this overlay zoning to encourage the continuing evolution, maturation and redevelopment of the Strasburg Business/ Commercial Downtown geographic area, consistent with the adopted Strasburg Sub-Area Plan.
  
- B.** The overlay is intended to apply to the properties created with the 1910 Map of Strasburg south of Colfax Avenue, the town’s traditional and original business/ commercial center. District standards are intended to recognize the existing mix of uses, absence of building setbacks from property lines, the use of public street parking due to limited on-site parking and landscaping, and to encourage new development and redevelopment compatible with and respectful of the existing building scale and small town character of the community.
  
- C.** The Business/ Commercial character of Downtown Strasburg is primarily defined by the following site and building design features: a) Building fronts and principal entries oriented toward the streets; b) Principal buildings built right up to the front, side and rear property lines; c) A high percentage of building lot coverage; d) Little or no off-street parking at the front of the buildings; e) Vehicle and parking access from alleys; f) A maximum building height of two stories; g) Ground floor windows; h) Flush or recessed front door entries; i) Buildings primarily of wood-frame construction; and j) Simple and functional building design and little building ornamentation. The Town Center is a low intensity mixed-use and business commercial land use with existing and limited detached single-family and multi-family dwellings.

### **1-3400B.03    Locational Criteria**

- A.** The Business/ Commercial Overlay District applies only to the Map of Strasburg land area, the excluded one-half of original Block 3, and the unplatted

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lots east of Wagner Street and south of Colfax Avenue. A map of the overlay area is included as Exhibit A and made a part hereof. The area is constrained by the past transfer of all or portions of the old town lots by separate deeds, limited or non-existent public street and alley improvements beyond street paving, and the constraints of Colfax Avenue/ State Highway 36 on the north and the Union Pacific Railroad right-of-way on the south.

**B.** The Business/ Commercial Overlay District is located within the designated Growth Area Boundary for the Town of Strasburg. The overlay is consistent with the intent and policies within the Strasburg Sub-Area Plan. The nature and location of the overlay and the allowed uses will not create or exacerbate commercial strip development patterns along Colfax Avenue in the Town of Strasburg based on the original 1961 zoning of the area and the land development patterns in the area since 1910.

**C.** Notwithstanding the purpose and intent of the overlay, nothing herein shall prohibit any property owner from making application for a Mixed Use – Planned Unit Development on any property located within the overlay area.

## **1-3400B5.04 Effect of the International Building Code Requirements**

The International Building Code (IBC) and its amendments shall apply to all new construction within the overlay area. Building separations, ratings of exterior walls and permitted openings will comply with the requirements of the IBC regardless of original Strasburg property lines.

## **1-3400B.05 Principal Permitted Uses**

The following land uses are Principal Permitted Uses within the Business/ Commercial Overlay District:

- 1) General, executive, professional, and business offices,
- 2) Financial institutions, including drive-through facilities,
- 3) Medical, dental offices and clinics,
- 4) Veterinary offices and clinics for large and small animals,
- 5) Residential dwelling units, including detached, attached, and stacked multi-family units, including second-story multi-family units above office and retail uses,
- 6) Appliance, furniture, and carpet stores,
- 7) Automobile, truck, farm equipment and implement sales/ service/ and repair, including the indoor auto and truck bodywork and painting,
- 8) Bowling alley, pool hall, skating rink, health club, or similar indoor recreational use,
- 9) Building materials sales yards not including asphalt and concrete plants,
- 10) Department store, hardware store, dry good store, ranching and farm supply store,

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- 11) Beauty salon, barber shop, health and beauty spa, and similar personal service establishments,
- 12) Convenience store, with or without the retail sales of fuel/ gasoline/ alternative fuels,
- 13) Night clubs, taverns, bars,
- 14) Special trade contactors, heating, electrical, printing shops, and plumbing supply wholesale and retail sales and services, including equipment yards and company vehicle storage,
- 15) Hotels and motels,
- 16) Specialty retail sales, antique stores and gift shops,
- 17) Dry cleaning and commercial laundries,
- 18) Commercial bakery, creamery, bottling plants, wholesale businesses including warehousing and materials and company vehicle storage,
- 19) Heavy equipment repair and fabrication conducted indoors.
- 20) Uses not specifically listed above may be permitted if, in the opinion of the Zoning Administrator, they are similar in character and use to permitted uses and conform to the intent of the zoning overlay.

## **1-3400B.06 Accessory Uses**

The following land uses are Accessory Uses in the Business/ Commercial Overlay District;

- 1) Buildings and structures customarily appurtenant to permitted uses,
- 2) Structure, roof, or building-mounted CMRS facilities, subject to the limitations of the section on Commercial Mobile Radio Service.

## **1-3400B.07 Special Exception Uses**

The following land uses are Special Exception Uses within the Business/ Commercial Overlay District:

- 1) Overheight Commercial Mobile Radio Service (CMRS) freestanding towers, public and private freestanding communication towers.

## **1-3400B.08 Uses by Special Review**

The following land uses are Uses by Special Review within the Business/ Commercial Overlay District:

- 1) 24-hour convenience retail/ service operations,
- 2) Vehicle washing (car wash) facilities including self-service and tunnel operations,
- 3) Quasi-public uses including places of worship, fraternal organization meeting halls, and public meeting halls,
- 4) Type B group home,
- 5) Day care centers.

## **1-3400B.09 Development Standards**

The following maximum and minimum development standards shall apply:

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- 1) Maximum building and structure height – 35 feet
- 2) Minimum unobstructed open space for attached and/ or multi-family dwelling units – 30 percent
- 3) Minimum unobstructed open space for business, commercial, retail and industrial uses - none
- 4) Minimum building and structure setbacks from property lines for non-residential uses:
  - Front/ street – None
  - Street side (siding onto a public street) – None
  - Interior side – As allowed by the International Building Code (IBC) for occupancy
- 5) Minimum parking setback from property lines for non-residential uses – None
- 6) Minimum building and structure setbacks from property lines for residential uses:
  - Front/ street – 10 feet
  - Street side (siding onto a public street) – 10 feet
  - Interior side and rear lot line – As allowed by the International Residential Code (IRC) for occupancy

## **1-3400B.10 On and Off-Site Parking Required**

On-site parking shall be provided as listed in the requirements of Part 1 (Zoning), Section 4600 (Parking Design Standards) of the Land Development Code. On-street parking spaces on the frontage of the subject property shall be counted as part of the minimum on-site parking requirement. Upon written request, the Planning Division Manager may consider parking reduction requests and alternative means of meeting on-site parking requirements.

## **1-3400B.11 Operational and Performance Standards**

All existing uses within the boundaries of the overlay district in operation on the effective date of these Regulations shall be exempt from use specific operational and performance standards until such time as the use and/ or property is expanded up to or beyond fifty percent (50%) of the gross building area of the existing main structure or a second-story building addition regardless of size or building area is proposed. The fifty percent addition will include incremental additions to buildings that total fifty percent or more. Structural alterations and maintenance within the existing building or structure envelope will not require compliance with the new operational and performance standards, but must comply with the requirements of the International Building Codes (IBC).

## **1-3400B.12 Change of Use**

Any change of use after the effective date of these Regulations shall comply to the maximum extent possible with the zoning, operational, and performance standards listed above whenever a building permit is required.

**1-3400B.13 Planned Unit Development Regulations Shall Apply**

In the case of any conflicts as to uses regulated under an approved Planned Unit Development (PUD), and the above use and performance specific requirements, the regulations in the approved PUD shall apply.

**1-3400B.14 New Construction Process Requirement**

New construction for the same use or for a new use that would expand or enlarge the gross building area as listed above shall make application for and obtain approval of a Subdivision Development Plan as listed in Part 1 (Zoning), Section 5200 (Subdivision Development Plan) of the Land Development Code.

**1-3400B.15 Other Requirements**

Unless specifically listed above, all other requirements of the Arapahoe County Land Development Code shall apply to new construction and development within this overlay district.

**1-3400B.16 Subdivision of Land**

The owner of any unplatted property within the overlay area may at any time make application for a Replat or Subdivision Exemption of such property consistent with the requirements of Part II (Subdivision Regulations), Section 400 (Replat Procedure) or Section 900 (Subdivision Exemption).

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## Exhibit A Strasburg Business/Commercial Zoning Overlay Map



The Strasburg Business/Commercial Overlay Zoning was approved by the Arapahoe County Board of County Commissioners on December 16, 2008, by Resolution Number 080973. Case No. W06-001