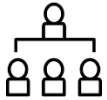


Planning Commission

Regular Meeting

City Council Chambers – City Center South
1001 11th Avenue – Greeley, Colorado
January 25, 2022 – 1:15 p.m.



Regular meetings of the Planning Commission are held **in person** on the 2nd and 4th Tuesdays of each month in the City Council Chambers, 1001 11th Avenue, Greeley, Colorado.



Members of the public may attend and provide comment during public hearings.



Comments may be submitted by US mail or dropped off at the Planning office located at 1100 10th Street, Greeley, CO 80631 or emailed to cd_admin_team@greeleygov.com. All written comments must be received



by 10:00 a.m. on the date of the meeting.

IMPORTANT – PLEASE NOTE

This meeting is scheduled as an **in-person session only**. If COVID, weather, or other conditions beyond the control of the City dictate, the meeting will be conducted virtually and notice will be posted on the City's MuniCode meeting portal by 10:00 a.m. on the date of the meeting (<https://greeley-co.municodemeetings.com/>).

In the event it becomes necessary for a meeting to be held virtually, use the link below to join the meeting. Virtual meetings are also livestreamed on YouTube at <https://www.youtube.com/CityofGreeley>.

<https://greeleygov.zoom.us/j/83225185532?pwd=M1h4bzdlR09PaURMdUJXOHdJS3pMQT09>

For more information about this meeting or to request reasonable accommodations, contact the administrative team at 970-350-9780 or by email at cd_admin_team@greeleygov.com.



Planning Commission

January 25, 2022 at 1:15 PM

1001 11th Avenue, City Center South, Greeley, CO 80631

Agenda

1. Call to Order
2. Roll Call
3. Approval of the Agenda
4. Approval of January 11, 2022 Minutes
5. Recognition of Former Planning Commissioner Louisa Andersen
6. Staff Report
7. Adjournment

Workshop 1: Get to Know Planning and Engineering Staff. An opportunity for the Planning and Engineering staff to meet the Commission and provide an overview of staff's diverse background.

Workshop 2: Development Code Punch List Discussion

City of Greeley, Colorado
PLANNING COMMISSION PROCEEDINGS

January 11, 2022

1. Call to Order

Chair Yeater called the meeting to order at 1:31 p.m., following adjournment of the Zoning Board of Appeals meeting.

2. Roll Call

The hearing clerk called the roll.

PRESENT

Commissioner Erik Briscoe
Commissioner Larry Modlin
Commissioner Chelsie Romulo
Chair Justin Yeater

ABSENT

Commissioner Jeff Carlson
Commissioner Brian Franzen
Commissioner Christian Schulte

3. Approval of Agenda

There being no corrections or additions, the agenda was approved.

EXPEDITED AGENDA

4. Approval of October 26, 2021 Minutes

Commissioner Modlin moved to approve the minutes dated October 26, 2021. Commissioner Romulo seconded the motion. Motion carried 4-0. Commissioners Carlson, Franzen and Schulte were absent.

5. Public hearing to consider a Use by Special Review request to allow for a 42-bed medical care rehabilitation and recover services hospital located at 6810 10th Street in the Commercial Low Intensity zone district (Project No. USR2021-0008)

Chair Yeater introduced the item and asked whether any Commissioner or citizen requested a formal presentation. There being none, the floor was open for any questions by the Commission. Upon question by Commissioner Briscoe, Mr. Gesick advised that a Use by Special Review was required due to the location of the proposed facility in a Commercial Low Intensity zone district. He added that if the

facility operated like a medical office without overnight stays, a Use by Special Review would not be required. Mr. Gesick noted that even though the facility is defined as a hospital, it would not function like a traditional hospital with emergency vehicles coming to the site. Rather, it will offer post-surgery care and rehabilitation services. In response to a question by Commissioner Briscoe, Mr. Gesick stated that it would be more of a skilled nursing facility.

Chair Yeater referenced the roads coming off 10th Street and 71st Avenue and asked whether they were public or private. Mr. Gesick advised that they were private roads. Chair Yeater noted that traffic in the parking areas between those roads can be somewhat problematic and asked what the City might do to address the traffic flow within the area. Mr. Gesick stated that he was not aware of any problems in the area and added that traffic has functioned as it was designed and meets applicable standards. He noted that the proposal was reviewed by Public Works and the Colorado Department of Transportation and that neither provided any comments or concerns.

Stuart Armstrong, Catalyst Health Care Real Estate, addressed the Commission and confirmed that the facility would operate as a post-acute medical facility, a hybrid between a skilled nursing facility and a long-term acute care facility. He stated that a typical stay would range from between five to twenty days. Mr. Armstrong also confirmed that it would be a low intensity facility with no emergency demand or ambulance service.

Chair Yeater opened the public hearing at 1:38 p.m. There were no requests from citizens wishing to speak and the public hearing was closed at 1:38 p.m.

Commissioner Romulo moved that, based on the application received and the preceding analysis, the Planning Commission find that the proposed Use by Special Review for a rehabilitation hospital in the C-L (Commercial Low Intensity) zone district is consistent with the 1998 Development Code criteria of Section 24-480(a) (Items 1 through 5); and, therefore, approve the Use by Special Review as submitted. Commissioner Briscoe seconded the motion. Motion carried 4-0. Commissioners Carlson, Franzen and Schulte were absent.

6. Public hearing to consider a request for a Preliminary Plat to plat 10 tracts and dedicate 19.715 acres of right-of-way on approximately 295 acres located north of US Highway 34 Business, east of 101st Avenue and west of 95th Avenue (Project No. SUB2021-0026)

Chair Yeater introduced the item and asked whether any Commissioner or citizen requested a formal presentation. There being none, the floor was open for any questions by the Commission. Commissioner Modlin asked for clarification about how 4th Street would tie into Highway 257. Ms. Hathaway explained that the interim plan includes a two-lane minor arterial road terminating at 101st Avenue. Allison Baxter, Transportation Planner, addressed Commission and stated that part of the Transportation Master Plan shows that 4th Street will extend from 83rd Avenue to Highway 257 as an alternative to O Street and 10th Street and as a way to distribute traffic from those roads. Ms. Baxter added that she believed the Town of Windsor plans to build part of Crossroads and that the City has some options to connect to Crossroads from 95th Avenue and Poudre River Road. She advised that the City plans

to work with Weld County to connect 4th Street from 83rd Avenue to 95th Avenue and will be preparing a concept design for that connection in 2022. She noted that there is also a plan to extend 4th Street to County Road 17 if the topography allows.

Commissioner Modlin asked whether 4th Street would become two lanes each way tying into 83rd Avenue. Ms. Baxter stated that there is currently enough right-of-way to widen 4th Street to four lanes, if needed, but the current plan is to build two lanes with turn lanes. She added that if additional capacity is needed, the City would need to widen 4th Street. Ms. Baxter reported that developers are encouraged to match what is being proposed for Lake Bluff.

Commissioner Briscoe asked about previous discussions that concerned connecting O Street to Crossroads. Ms. Baxter stated that the City performed a pros and cons analysis and followed the lead of Weld County that had removed the extension of O Street from 83rd Avenue to 95th Avenue. She noted that the City still shows the connection of O Street from 95th Avenue west to Highway 257. She noted that there is also some opportunity for County Road 66 to connect with 95th Avenue as it goes south.

Commissioner Romulo asked if there was a timeline for completing the analysis and road construction, noting that there is a lot of development being proposed for this area. Ms. Baxter reported that all of the developments are building 4th Street in a way that facilitates the future connectivity being envisioned. She noted that developers are doing their part and that the City needs to connect the pieces on either end. Ms. Baxter added that if the City can provide alternatives to 10th Street, it would help with distribution of traffic and concerns about increased traffic on 10th Street. She stated that plans are on track and that the City is looking to concept the 4th Street connections this year and to obtain a cost estimate.

Pat Hillyer from Lamp Rynearson, 4715 Innovation Drive, Fort Collins, Colorado, addressed the Commission on behalf of the applicant and expressed support for the recommendation of approval by staff. He offered to answer any questions.

Chair Yeater opened the public hearing at 1:52 p.m. There were no requests from citizens wishing to speak and the public hearing was closed at 1:52 p.m.

Commissioner Romulo moved that, based on the application received and preceding analysis, the Planning Commission find that the Lake Bluff Preliminary Subdivision is in compliance with the provisions of the Subdivision Regulations and Development Code criteria outlined in Section 24-203 and; therefore, approve the preliminary plat as presented. Commissioner Briscoe seconded the motion. Motion carried 4-0. Commissioners Carlson, Franzen and Schulte were absent.

END OF EXPEDITED AGENDA

7. Election of Chair and Vice Chair

Chair Yeater called for nominations. Commissioner Romulo moved that Justin Yeater continue serving as Chair. Commissioner Briscoe seconded the motion. Motion carried 4-0. Commissioners Carlson, Franzen and Schulte were absent.

Chair Yeater nominated Erik Briscoe to continue serving as Vice-Chair. Commissioner Modlin seconded the motion. Motion carried 4-0. Commissioners Carlson, Franzen and Schulte were absent.

8. Planning Commissioner Roles

Commissioner Briscoe moved that the Planning Commission also serve as the Zoning Board of Appeals and the Air Quality and Natural Resources Commission. Commissioner Romulo seconded the motion. Motion carried 4-0. Commissioners Carlson, Franzen and Schulte were absent.

9. Designation of Location for Posting Notices

Commissioner Briscoe moved to designate the City of Greeley meeting portal, greeley-co.municodemeetings.com, as the official posting site for meeting notices of the Planning Commission Zoning Board of Appeals, and Air Quality and Natural Resources Commission, and the public lobby of City Center North, 1100 10th Street, Greeley, Colorado, as the back-up location for such postings. Commissioner Romulo seconded the motion. Motion carried 4-0. Commissioners Carlson, Franzen and Schulte were absent.

10. Staff Report

Mike Garrott, Planning Manager, introduced two new staff members, Logan Glewen, Engineering Technician, and Kristin, Planner.

11. Adjournment

With no further business before the Commission, Chair Yeater adjourned the meeting at 2:06 p.m.

Justin Yeater, Chair

Becky Safarik, Secretary



**CITY OF GREELEY PLANNING COMMISSION
RESOLUTION NO. 1
SERIES 2022**

A RESOLUTION COMMENDING LOUISA ANDERSEN FOR HER SERVICE ON THE CITY OF GREELEY PLANNING COMMISSION.

WHEREAS, Louisa Andersen served the City of Greeley through her Council appointment to the City of Greeley Planning Commission from September 2016 to July 2021; and

WHEREAS, Ms. Andersen actively engaged in the thoughtful evaluation of development applications and master plans, participated in special trainings, and played a significant role in the consideration of new municipal codes and legislation, thereby adding an invaluable community perspective; and

WHEREAS, during her tenure Ms. Andersen devoted considerable time in service in her role as Planning Commissioner, Zoning Board of Appeals member, in the review of a new municipal Development Code and in numerous special interest topics.

NOW, THEREFORE, BE IT RESOLVED that the members of the City of Greeley Planning Commission and the Community Development staff express sincere appreciation and recognition of the important contributions made by Louisa Andersen in service to the City of Greeley in this capacity.

Signed and approved this 11th day of January, 2022.

Attest:

Justin Yeater, Chair

Becky Safarik, Secretary



Planning Commission Memorandum

Date: January 25, 2022
To: Planning Commission
From: Carol Kuhn, AICP, Chief Planner
Through: Mike Garrott, AICP, Planning Manager
RE: Development Code Punch List Discussion

During the 2021 Development Code Update project, the Planning Commission identified a few items and topics to be discussed at a future date. Some of these items were carry-overs from the 1998 Development Code and some were new code sections proposed with the code update project. To keep the project moving forward, Planning Commission identified these items and asked staff to track them. Staff created a punch list and these punch list items are outlined below.

The purpose of this workshop is to review these punch list items with the Planning Commission and determine which of these items should be brought back for further discussion at future workshops. In addition to the Planning Commission items, staff has also found a few items and code sections that could be clarified or revised for ease-of-use. Staff would like to introduce some of these to the Planning Commission. These items could also be brought back to the Planning Commission for further discussion at future workshops.

During the June 8, 2021 public hearing, the following punch list items were identified:

1. A new code section was added regarding bicycle parking. The new code requirement specifies that at least 50% of required bicycle parking for residential uses, employment uses, or other similar uses where bicycles are likely to be parked for longer than 4 hours, shall be located within the building or other all-weather secure location. A concern was voiced during the Planning Commission hearing that this requirement could burden applicants with additional costs.
2. Chapter 10 - Special Districts & Areas consolidated the various special district requirements and overlay district regulations into one chapter. Included within this chapter are the requirements for the hillside development. The Hillside Development Standards from the 1998 Development Code included a requirement that "exterior finishes shall blend with the natural surroundings by using earth-tone colors and avoiding reflective materials or finishes." During the Planning Commission public hearing, a question was raised regarding the City's regulation of colors for the hillside development.
3. Chapter 7 – Access & Parking chapter included the 1998 Code restriction for parking oversized vehicles at single-family or two-family dwellings. A question

was raised regarding this code language and whether this code language was overly restrictive.

4. Chapter 9 – Sign Standards included the 2020 revised sign code regulations. The 2020 sign code revisions addressed content neutrality. These revised regulations were simply reformatted to match the other code chapters. During the discussion, a question was raised related to the existing regulations not allowing for innovative and creative signage options.

During the July 27, 2021 public hearing, the following items were identified:

1. The revised Chapter 5 – Residential Development Standards carried forward the restriction from the 1998 Code regarding chain link or vinyl clad chain link fencing being allowed only in side or rear yards. A question was raised during the Planning Commission hearing regarding removal of this limitation and an allowance for chain link fences in front yards. During this same discussion, a question was raised regarding the limited list of fencing materials, specifically materials such as wrought iron (and aluminum simulating wrought). It was suggested that the fencing material list included in the code be expanded to allow for greater creativity and innovation.

In addition to these punch list items, staff has also found a few items that could be clarified and revised:

1. Addition of approval criteria for new rezoning requests to one of the two new mixed-use zone districts, MU-L and MU-H, for additional clarity. These two new zone districts were added as options in the 2021 Development Code, however, approval criteria was not included. Criteria regarding the size, mix of uses, and provisions for approving rezoning requests to one of these new mixed-use districts could be added for additional clarity.
2. Clarification between the mailed public notice area specifically listed for minor variances (abutting properties) in Chapter 2 and the mailed notice requirements for all application types in Chapter 1 (within 500 to 1000 feet).
3. Revision to the screening requirement from streets (Section 24-803(d)) rather than adjacent properties. The 2021 code revised the screening requirement to include streets or adjacent properties. The code language could be clarified to require screening from the adjacent sidewalk (rather than streets) as well as adjacent properties.
4. Revision to the Housing Diversity Table. A question was raised by a developer regarding the required mix and if there could be additional options or a reduction in the required mix.

5. Clarification regarding design standards and size limitations for accessory structures (Residential Development Standards, Section 24-502 (c) Accessory Buildings – Residential).
6. Revision to the expiration of business licenses vs. the expiration of home occupation permits. The 2021 code carried over the same home occupation expiration of 3 years. However, business licenses expire in 2 years. This inconsistency could be clarified.

Attachments:

Attachment A: Specific Code Sections and Text from the 2021 Development Code

Attachment B: Chapter 9 – Sign Standards

Attachment A

Code Chapters and Sections

From the June 8, 2021 PC Public Hearing:

1. New Code Section – Bicycle Parking

24-703(d) Bicycle parking shall be designed according to the following standards:

1. A structure shall be securely anchored to the ground and usable for both U-locks and cable locks, support a bike at two points of contact to prevent damage to wheels or frames, and have 2 feet x 6 feet clearance for each bicycle.
2. Structures that serve another primary function but are designed to meet these standards may count toward this requirement.
3. Bicycle parking shall be located in a well-lit area with convenient and safe pedestrian access and be on pavement or all-weather, dust-free, stabilized surface.
4. Bicycle parking for non-residential uses shall be located within 100 feet of and visible from the primary entrance.
5. At least 50% of required bicycle parking for residential uses, employment uses, or other similar uses where bicycles are likely to be parked for longer than 4 hours, shall be located within the building or other all-weather and secure enclosure.
6. Short-term bicycle parking facilities may be located in the right-of-way subject to streetscape design plans and the Director's approval. Structures shall be designed for some other primary purpose meeting the streetscape standards or be designed with artistic or ornamentation enhancements compatible with the streetscape character at the specific location.
7. Alternative standards and specifications based on recognized industry guidance or best practices for bicycle parking may be approved by the Director through site plan review.

2. Chapter 10 – Special Districts & Areas

24-1009(c) 5. Architecture. Buildings and structures shall be designed to be compatible with the natural surroundings of the area and shall not dominate the natural environment using the following techniques:

- (a) Exterior finishes shall blend in with the natural surroundings by using earth-tone colors and avoiding reflective materials or finishes.
- (b) Varying setbacks, roof lines, innovative building techniques and building and wall forms which blend buildings into the terrain shall be used.

(c) Building design shall enhance the site's natural features through the use of split level designs and stepped foundations which mirror the slope of a hillside.

(d) Roof lines shall be broken into smaller components to reflect the irregular natural hillside patterns and shall be oriented in the same direction of the slope contour.

3. Chapter 7 – Access & Parking – Oversized Vehicles

24-706(d) Oversize Vehicles. Work vehicles exceeding one-ton capacity, trailers exceeding 15 feet in length, tow trucks, taxicabs, limousines or vehicles not typically associated with a residential use shall not be parked at any time at single-family or two-family dwellings, except as follows:

1. For deliveries made to the dwelling;
2. For construction or maintenance work contracted to be done at the dwelling;
3. As allowed associated with permitted home occupation standards and conditions; or
4. When the occupant of the dwelling has obtained a minor variance from the community development department based upon the user of the vehicle being required to occasionally have the vehicle present overnight on the residential premises as part of limited, on-call work requirements that relate exclusively to a public utility (such as Xcel or Atmos) for emergency response or service.
5. Refer to section 16-397 for additional information regarding the parking of oversized vehicles on public roadways and private land.

Chapter 9 – Sign Regulations (Attachment B)

From the July 27, 2021 PC Public Hearing:

1. Chapter 5 – Residential Development Standards – Chain Link Fence

24-502(e) Fences and Walls

2. Materials. Fences and walls shall be consistent in character, materials and appearance with the architecture of the principal building(s) on the same lot. Fences and walls shall be constructed out of any of the following materials:

- (a) Wood or vinyl simulating wood. Wood shall be either naturally rot resistant (such as cedar), or pressure treated for rot resistance;
- (b) Wrought iron or aluminum simulating wrought iron;

(c) Stone, brick, concrete with stone or brick veneer, pre-cast concrete simulated stone or brick, or decorative concrete textured to simulate masonry; or

(d) Chain link or vinyl clad chain link, in the side or rear yard only and limited to 4 feet high, or up to 12 feet for any security fence around sports facilities, courts, pools or similar facilities, provided it is 20 feet from any lot line and provided all portions over 8 feet remain free of opaque screens.

Staff items:

1. MU-L and MU-H Zone Districts
2. Public Hearing mailed notices for all application types, Chapter 1:
24-201(f) 3. Mailed. Where mailed notice is required, a courtesy letter shall be sent to all record landowners within 500 feet of the property. However, where the project is very large or intense, or where land ownership patterns would result in few owners being notified, the Director may extend this up to 1,000 feet from the property. Where mailed notice is at the option of the Director, any distance may be established by the Director based on the scale and intensity of the proposed project.

Mailed notices for Minor Variances, Chapter 2:

24-209(c) Minor Variance Procedures. The Director may approve minor variances subject to the following:

1. Applications for minor variances may be submitted independently in advance of a site plan, provided there is sufficient information to evaluate the application according to the criteria. Alternatively, an application for a minor variance may be submitted with a site plan, provided the need for the variance is clearly called out as a separate issue and decision in the application materials.
 2. Mailed notice shall be provided to all abutting property owners, allowing up to 15 days for the owners to object. Any objections shall require the variance to be processed with the Zoning Board of Appeals according to the rest of this Section.
3. 24-803(d) General Screening. All of the following shall be screened from streets or adjacent property by placement of buildings or open space, dense evergreen vegetation, a decorative solid fence or wall complementing the architectural details and materials of the building, or a combination of these screening strategies. Where the design of the building, frontages, open space, buffers, and other site requirements do not adequately screen these elements, the Director may require additional planting to achieve the design objectives of this section.
 1. Electrical and mechanical equipment such as transformers, air conditioners, or communication equipment and antennas whether ground-, wall- or roof-mounted.

2. Permanent or temporary outdoor storage areas.
3. Trash enclosures.
4. Utility stations or fixtures.
5. Delivery and vehicle service bays, except that bays do not need to be screened from adjacent property with the same or more intense zoning.
6. Large blank walls visible from public streets, public or common areas or other sensitive boundaries in association with the buffer standards.
7. Non-residential parking lots, or multi-family parking lots over 10 spaces, adjacent to residential lots.

4. Table 24-5-4 Housing Diversity Table

Table 24-5-4: Housing Diversity	
Project Scale	Required Mix
< 50 Units	no requirement
50 - 150 Units	<ul style="list-style-type: none"> ▪ At least 2 building types ▪ No more than 70% of one type
151 - 300 Units	<ul style="list-style-type: none"> ▪ At least 3 building types ▪ No more than 50% of one type ▪ At least 20% Category II
301+ Units	<ul style="list-style-type: none"> ▪ At least 4 building types ▪ No more than 50% of one type ▪ At least 30% from Category II

5. Accessory Structures

24-5c. Accessory Buildings - Residential. Accessory buildings shall be permitted in association with, and on the same lot as, a principal building or use, subject to the standards in Table 24-5-2, Residential Accessory Structures, and to the following additional limitations.

Table 24-5-2: Residential Accessory Structures				
Type	Quantity	Size	Height	Setbacks
Minor Structure (small shed, and similar structures)	<ul style="list-style-type: none"> 1 / lot; + 1 / each 10k s.f.; Maximum of 3 	120 s.f. max	12' max	<ul style="list-style-type: none"> 0' side or rear; 5' if on a concrete slab or similar foundation; and Behind the rear building line of the principle structure
Secondary Building (detached accessory building)	<ul style="list-style-type: none"> 1 / lot 2 / lot, over 1 ac.; 1 / principal building (apartments) 	50% of principal building footprint, up to 1,200 s.f. max.	25' max, but no higher than principal structure.	<ul style="list-style-type: none"> 5' from side and rear; 20' from street side; and At least 12' behind the front building line of the principal structure
Any building over 12' high or more than 250 square feet shall meet the design standards in Section 24-502.c.2.				
Out-building (large storage building, barns, etc.)	<ul style="list-style-type: none"> 1 / lot over 1 ac. + 1 / each 3 ac. Maximum of 4 	<ul style="list-style-type: none"> 2,000 s.f. max 5,000 s.f. max in H-A 	<ul style="list-style-type: none"> 25' max 60' max in HA 	<ul style="list-style-type: none"> 10' from side and rear; 30' from any street side; and Behind the rear building line of the principal structure
Applies to detached houses and civic / institutional uses only				

1. Generally.

- All accessory buildings shall be at least 6 feet from the principal building, or other distance specified by applicable building codes based on fire ratings of adjacent walls.
- Accessory buildings shall be clearly incidental and subordinate to the principal building or use, in terms of scale, location, and orientation.
- Minor accessory structures 120 square feet or less, and not on a foundation or slab do not have a required side or rear setback, but should be movable and are otherwise placed "at risk" by the owner with regard to any easements, fence, or screening requirements.

2. Secondary Building Standards. In any residential district, secondary buildings over 250 square feet shall or over 12 feet high shall meet the following massing and design standards to ensure compatibility with the principal structure:

- The wall height shall be no more than 9 feet above the finished floor, except that gables, dormers, or other subordinate walls may support a pitched roof.
- The roof peak or other top of structure shall not exceed 22 feet above finished floor for pitched roofs with a 6:12 pitch or greater, and no more than 16 feet for shed roofs or pitched roofs below a 6:12 pitch.
- The design shall be compatible with the principal building considering materials, architectural details and style, window and door details, and roof forms.
- Secondary buildings with vehicle access directly from an alley or shared easement may be built on the lot line at the alley or shared easement.

Chapter 9. Sign Standards

24-901	Intent and Applicability
24-902	Exempt Signs
24-903	Prohibited Signs
24-904	Standards Applicable to All Signs
24-905	Specific Sign Allowances
24-906	Historic signs
24-907	Nonconforming Signs
24-908	Sign Measurements & Interpretation
24-909	Relief From Standards
24-910	Sign Chart

24-901 Intent & Applicability

- a. **Intent.** The intent of the sign standards is to:
1. Create an attractive aesthetic environment in the City.
 2. Enhance the quality and civic design of the community through the visual priority of buildings, streetscapes, open spaces, landscapes, and other investments in the public realm.
 3. Ensure that signs preserve and contribute to the unique character of distinct places and districts.
 4. Promote compatibility and tailor sign allowances to the particular location, street, and site.
 5. Promote safety of pedestrians, motorists, or other users of the public rights-of-way with proper location, construction, design, operation, and maintenance of signs.
 6. Improve economic viability by assuring that the City is a visually pleasant place to visit, conduct business, and live.
 7. Provide effective identification and communication for businesses, public places, neighborhoods, institutions, and other community destinations without excessive competition for visual attention.
 8. Protect property values and investments by minimizing adverse effects of signs on adjacent property.
 9. Ensure that the constitutionally guaranteed right of free speech is protected through appropriate standards for signs as a way of public communication.
 10. Encourage lawful nonconforming signs to come into full compliance with these regulations.
- b. **Applicability.** The provisions in this Chapter shall apply to all signs within the City.
1. *Permits.* All signs, including the replacement, repair, or major alteration of a sign, require a permit prior to installation unless specifically exempted by Section 24-902. Fees for sign permits are as established in Section 24-201.a. of the Development Code. Community Development Department staff shall review sign applications for consistency with this Chapter, and the Building Official shall be responsible for issuing sign permits.

2. *Change of copy.* Once a structure receives legally conforming status from the City, the sign copy may thereafter be changed without a permit. All other copy changes, such as painted signs or channel lettering, shall require a sign permit. Where a sign frame or structure has been approved as a changeable copy sign, subsequent changes of copy only shall not require a permit.
3. *Interpretation.* This Chapter is not intended to and does not restrict speech on the basis of its content, viewpoint, or message. No part of this Chapter shall be construed to favor commercial speech over non-commercial speech. Messages may be changed without the need for any approval or permit, provided that the size and structure of the sign are not altered. To the extent any provision of this Chapter is ambiguous, the provision shall be interpreted not to regulate on the basis of the content of the message.
4. *Abandoned Signs.* Abandoned signs must be removed or covered upon determination of their abandonment. At the time that either a portion or all of a sign, sign frame, sign components, or sign supporting structure are no longer in use for a period of 90 consecutive days, the sign frame, sign components, or sign supporting structure shall be brought into conformance by removal or the placement of a new permitted conforming sign, components and structure.

24-902 Exempt Signs

The following signs are exempt from the sign permit process provided the sign meets all other applicable requirements of this Chapter and any other applicable building and electrical code. Unless specifically noted, exempt signs do not count towards the sign allowance specified for applicable the zoning district. Any sign beyond the limits of this section shall require a permit and be subject to other general sign limits and standards.

- a. **Required Signs.**
- b. **Temporary Signs.** Temporary signs associated with approved temporary uses under Section 24-1297, provided that the schedule for display and removal of the signs is set out in the temporary use permit:
- c. **Construction Site Sign.** Up to three site signs per street frontage are allowed as follows:
 1. Construction Site signs on H-A, C-D, and all residentially zoned properties shall not exceed 7 square feet of sign area per face and 5 feet in height. Properties greater than 2.5 acres are allowed up to one thirty-two-square-foot sign.
 2. Construction Site signs on nonresidential zoned properties with less than two hundred 200 feet of lot frontage shall not exceed 24 square feet of sign area per face and 8 feet in height;
 3. Construction Site signs on nonresidential zoned properties greater than two hundred 200 feet and less than 500 feet of frontage shall not exceed 32 square feet of sign area per face and 8 feet in height;
 4. Construction Site signs on nonresidential zoned properties with greater than five hundred 500 feet of frontage shall not exceed 64 square feet per sign face and 10 feet in height; and
 5. The sign may be displayed no more than 45 calendar days before and 45 calendar days after the completion of construction.

- d. **Cornerstone Sign.** A cornerstone may be up to a total of 4 square feet in size.
- e. **Directional On-premises Sign.** A property may have any number of directional on-premises signs sufficient to safely direct customers to key locations; however, each shall not exceed 6 square feet in size per face, nor 5 feet in height. Such signs shall not include the business name or logo but may include a single background color associated with the business.
- f. **Yard and Site Signs.** Yard signs and site signs are allowed in all zoning districts and are subject to the following provisions:
 1. The total cumulative sign area allowed for yard signs is as follows:

Table 24-9-1: Yard and Site Signs

Lot Size	Less than ¼ acre	Over ¼ acre to 1 acre	Over 1 acre to 3 acres	Over 3 acres to 5 acres	Over 5 acres
Sign Allowance (cumulative square feet)	64 square feet	128 square feet	192 square feet	224 square feet	256 square feet

2. No individual sign shall have a sign area that exceeds 32 square feet.
3. Yard signs and site signs may be located on a property only with the consent of the property owner, authorized property manager, or legal tenant.
4. In no event shall a yard sign or site sign be posted or displayed in a manner or location that limits sight visibility to the traveling public or in such a way that creates a vehicular or pedestrian traffic obstruction or hazard. If any yard sign exceeds 6 square feet, it is counted towards any applicable standards of Section 24-902.c.
- g. **Flag.** Flags are allowed which do not exceed a maximum size of 150 square feet in size per flag. A total of 300 square feet flag area is allowed per property.
 1. No part of any flag when fully extended shall protrude over any public right-of-way or property line in any direction.
 2. The freestanding maximum mounting height of flags shall be equal to or less than the maximum building height allowed in the zone district in which the flag is located or 10 feet above the height of the principal structure on the premises, whichever is less.
 3. The flag pole for any individual flag over 100 square feet must be set back at least equal to the flag pole height from the property line.
- h. **Holiday Decoration.** Temporary decorations, lighting, or displays which are clearly incidental to and customarily and commonly associated with any national, state, local, religious, or commonly celebrated holiday shall be displayed not more than 60 days prior to the holiday and no more than 30 days after the holiday. The decorations may be of any type, number, size, location, illumination, or animation if the decorations are located so as not to conflict with traffic regulatory devices or create a traffic hazard.
- i. **Incidental Sign.** The combination of incidental signs shall not exceed 1.5 square feet in sign area per building entrance.
- j. **Interior Signs.** Signs within a building, or other signs Interior to a development and not legible beyond the boundaries of the property on which they are located, and which are not intended to

attract off-site attention, shall not be counted for the purpose of zoning regulations toward sign calculations.

- k. **Portable Sign.** One portable sign is allowed per storefront if it can meet all of the following conditions:
1. Is located within 20 feet of the principal public entrance to the tenant or occupant that displays the sign;
 2. Is no larger than 6 square feet per face and no greater than 48 inches in height;
 3. Is located outside of clear vision zones in Section 24-301.d.2;
 4. Is in place only during hours of operation;
 5. Is not posted or displayed in a manner or location that limits sight visibility to the traveling public or in such a way that creates a vehicular or pedestrian traffic obstruction or hazard;
 6. Two immediately adjacent tenants or occupants may share a single sign, not to exceed the standards listed above; and
 7. Any portion of a portable sign located within the public right-of-way must be authorized by a right-of-way revocable sign permit from the City.
- l. **Public Sign.** Public signs may be of any type, number, area, height above grade, location, illumination, or animation required by the law, statute, or ordinance under which the signs are erected. Public signs, government signs, and signs on public bus benches and/or shelters in the right-of-way shall not be subject to a right-of-way revocable sign permit. Signs on governmental property outside of the right-of-way shall require a right-of-way revocable sign permit.
- m. **Subdivision or Multifamily Entry Signs.** Detached wall signs or monument signs that are located within 40 feet of a street intersection that provides entry into a subdivision or multifamily complex, provided that they are no greater than 20 square feet in sign area, including all sign faces, and not greater than 6 feet in height. Two residential complex identification signs are allowed per intersection.
- n. **Vehicle Signs.** It shall not be a violation of this Chapter if the vehicle to which a sign is mounted, painted, or otherwise affixed is used for travel between home and work or is temporarily parked away from the business premises while being used to provide the business' services or products, or as personal transportation for the vehicle operator. A parked vehicle that contains or displays signs is allowed when;
1. The sign does not extend more than 1 foot above the roofline of the vehicle;
 2. The vehicle is not illuminated or does not have flashing signs;
 3. The vehicle is licensed and operable; and
 4. The vehicle is in use or legally parked.
- o. **Wind-Driven Devices.** The following devices, which are designed to move with wind or forced air, are allowed as follows, provided that signs are not affixed to the device:
1. *Pennant.* A pennant flag may be a maximum of 1 square foot per flag face, and pennant lines shall be no longer than the front lot line or exceed the height of the building. For residentially zoned properties, pennants are allowed for open house events only three days per year. For commercial and industrial zoned properties, pennants are allowed on a single property for any length of time, provided they are maintained and in good condition.
 2. *Ground Kite.* Ground kites are allowed only in commercial or industrial zoned properties as follows:

- a. Ground kites shall be affixed to the ground and shall not exceed 2 feet wide and 8 feet tall.
 - b. One ground kite is allowed for every 25 feet of lot frontage.
 - 3. *Sky Dancer*. Sky dancer devices are allowed only in commercial and industrial zoned properties as follows:
 - a. Sky dancers shall be affixed to the ground and shall not exceed 2 feet wide and 8 feet tall.
 - b. One sky dancer is allowed for every 50 feet of lot frontage, with a maximum of three for each property.
 - 4. *Wind Signs*. Wind signs cannot be used in combination on a property, unless approved in advance with a temporary sign permit.
- p. **Window Sign**. A window sign is allowed but shall not exceed 25% of the glass surface of individual window panes visible from the public right-of-way.

24-903 Prohibited Signs

Except for signs within buildings and not legible or intended to attract the attention of persons outside the building, or signs interior to a development, the following signs are declared to be a public nuisance and are prohibited in all zoning districts of the City. They must be removed unless determined to be legally nonconforming except as provided in Section 24-907.

- a. Exposed incandescent, high-intensity exposed light bulbs. The use of exposed light bulbs independently or as a sign or portion of a sign visible from any property line on which the sign is located is prohibited.
- b. Flashing, animated or imitating signs, including signs that have moving, blinking, chasing, scrolling, or other animation effects. Signs either inside (including but not limited to: open signs and electronic display signs, etc.) or outside of a building and which are legible from a public right-of-way must be removed except as follows:
 - 1. Time and temperature messaging, which changes its message instantly and does not change copy more frequently than every once every three seconds;
 - 2. Electronic message boards used by the City or other public agency to address a health, safety, or welfare matter; or
 - 3. Electronic message boards which do not change copy more frequently than every once every 30 seconds as otherwise permitted in this Chapter.
- c. Imitating sign. Regardless of any clear safety concerns are present.
- d. Off-premises signs, except as follows:
 - 1. Temporary real estate signs which are located on a common area outlot, approved by the property owners association; and
 - 2. When two or more adjacent landowners co-locate signs on a single sign structure or on a shared property line through a legally binding agreement. For purposes of this provision, the combined lot frontage is used to determine the number of signs allowed.
- e. Nongovernmental signs on public utilities. No sign may be attached to utility poles or other public structures within the public right-of-way, except as specifically authorized by the City.

- f. Roof signs.
- g. Right-of-way signs. Except as otherwise permitted elsewhere in this Chapter, no signs other than regulatory signs are allowed in the public right-of-way, except as provided by a right-of-way revocable sign permit.
 - 1. In addition to all other enforcement authority available to the City, the City may also remove or cause to be removed any illegal or unauthorized sign from the public right-of-way without notice to any party. The cost of removal as may be assessed by the City is the responsibility of the owner of the sign or, if unknown, the property owner.
 - 2. The City shall have the authority to dispose of all unauthorized or illegal signs removed from the public right-of-way without notice to the owner of such signs. The cost of removing and storing of removed signs as may be assessed by the City shall be the sole responsibility of the owner of the sign.

24-904 Standards Applicable to All Signs

a. General Standards.

- 1. With the exception of real estate, election, ideological, and prohibited activities signs, signs shall not be permitted unless there is a primary structure on the parcel.
- 2. All signs shall comply with the adopted building and electrical codes, Model Traffic Code, Historic Preservation, and other codes and ordinances as adopted by the City. All electric signs shall comply with and bear independent testing laboratory labels. In the event of any conflict between any of these codes or ordinances and this Chapter, the more restrictive provision shall apply.
- 3. No person may damage, destroy, trim or remove any trees or shrubs located within the public right-of-way for increasing visibility of a sign. The Director may authorize this work through an approved use by special review, site plan, or any other land use zoning permit.
- 4. All signs shall be designed to be consistent and compatible with the character of the principal buildings to which the signs relate, including the use of similar or complementary colors and materials in the design and construction of signs and their surroundings.

b. Sign Lighting. Signs may be internally illuminated, backlit, or illuminated by down-lighting or by ground-mounted light fixtures that illuminate only the sign face and base and shall conform to the following:

- 1. Illuminated signs on the C-D, H-A, and all residentially zoned properties or illuminated signs on commercial or industrial zoned properties immediately adjacent to residentially zoned properties shall either have an opaque background and translucent letters or letters without background lighting;
- 2. In no case shall sign lighting create more than one-tenth (0.1) foot-candle impact on habitable residential uses in residentially zoned areas;
- 3. Neon lighting shall only be permitted within the lettering or logo of a sign;
- 4. Illumination of the sign face by down-lighting or ground-mounted light fixtures shall not exceed 50 foot-candles as measured on the sign face; and
- 5. Flashing or strobe lighting shall not be permitted, whether used as part of a sign or to draw attention to a site or location.

c. Construction and Maintenance Standards.

1. All signs and sign parts, portions, and materials shall be manufactured, assembled, and erected in compliance with all applicable state, federal, and City regulations and the adopted building and electrical codes.
2. All signs, including those exempt from sign permits, shall be maintained and kept in good repair, and in conformance with the original sign permit. A sign that is maintained and kept in good repair shall meet the following criteria:
 - (a) All sign supports, braces, guy wires, anchors, and related screening are kept in repair, in a proper state of preservation, including as may be required by Section 24-803.d. General Screening.
 - (b) There is no evidence of deterioration, including chipped or peeling paint, rust, corrosion, fading, discoloration, broken or missing sign faces, text, logos, graphics, or other elements of the sign.
 - (c) There are no missing, flickering, or inoperative lights that create a perception of deterioration or abandonment of the sign.
3. Where repairs involve a nonconforming sign, the provisions of Section 24-907 shall also apply.
4. Any non-maintained sign shall be repaired or replaced within 15 calendar days following notification from the City. Noncompliance with such notice shall constitute a nuisance subject to enforcement actions.
5. Signs, their structures and supports, and related screening shall be constructed of materials normally and typically intended to be used for such items.

24-905 Permitted Sign Allowances

This section provides allowances and standards for specific types of permitted signs.

- a. **Awning Sign.**
 1. Awning signs greater than 25% of the exterior surface of the awning shall be permitted as and count to the wall sign allowance.
 2. The entire surface of the awning shall be considered the sign.
 3. The entire illuminated exterior area of an internally illuminated sign shall be included in the calculation of the sign area.
 4. Any portion of an awning sign projecting over the public right-of-way must obtain a right-of-way revocable sign permit.
- b. **Canopy Sign.**
 1. If the canopy is attached to a building, all or a portion of the available wall sign allowance may be transferred to the canopy, subject to setback provisions.
 2. If the canopy is a freestanding structure, all or a portion of the available freestanding sign allowance may be transferred to the canopy, subject to setback provisions and height.
- c. **Electronic Messaging Display (EMD).**
 1. EMD signs are allowed only in the C-L, C-H, I-L, I-M, I-H, and PUD zone districts, and for institutional uses in any district. EMD signs require a site plan review subject to the process and criteria in Section 24-207. An EMD sign in the C-L zone district or for institutional uses in any residential district is limited in hours of operation from 6:00 a.m. to 10:00 p.m.
 2. The area of the EMD shall not exceed 50% of a sign face.

3. The EMD shall contain static messages only, with changes only occurring instantly, through dissolve or fade transitions, or with the use of other subtle transitions and frame effects. No message, image, change, or transition shall have the appearance or optical illusion of movement, including any illumination, flashing, scintillating or varying of light intensity.
 4. The displayed message shall not change more frequently than once per 30 seconds.
 5. The EMD shall have automatic dimmer software or solar sensors to control brightness for nighttime viewing. The intensity of the light source shall not produce glare, the effect of which constitutes a traffic hazard or is otherwise detrimental to the public health, safety or welfare. Lighting from the message module shall not exceed 600 nits (candelas per square meter) between dusk and dawn as measured from the sign's face.
 6. Applications for sign permits containing an electronic display shall include the manufacturer's specifications and initial nit (candela per square meter) rating and dimming method.
 7. All existing electronic message displays that contain an electronic changeable copy module which does not comply with the provisions of this Section shall be made to conform to the duration of copy provisions upon the effective date of the ordinance approving such provisions.
 8. Any premise that contains an outdoor electronic message display shall not be allowed any temporary signs (per Section 24-905.i.).
- d. **Freestanding and Monument Signs.** Table 24-9-2 provides the allowance for permitted freestanding signs:

Table 24-9-2 Freestanding & Monument Sign Allowance		
	<i>R-H, C-L, and Institutional Uses in any Residential District</i>	<i>C-H, I-L, I-M, I-H</i>
Size	33 s.f. Plus 1 s.f. for each 1' setback over 50', up to a maximum of 150 s.f.	50 s.f. Plus 1 s.f. for each 1' setback over 50', up to maximum of 250 s.f.
Height	6'	12' plus 0.26' for each 1' setback over 50', up to a maximum of 25'
Quantity		
< 200' of frontage	1 freestanding sign in place of one allowed wall sign; OR Allocate a percentage of the wall sign allowance to a freestanding sign, provided the cumulative wall and freestanding sign size does not exceed the maximum allowed for either category.	
200' – 499' of frontage	1 free standing sign	
500' + of frontage	2 free standing signs	

1. Freestanding signs in the H-A, C-D, R-E, R-L, R-M, and R-MH are only allowed through Section 24-902, Exempt Signs.
 2. All freestanding signs shall have a base covering at least 25% of the sign width, unless there is less than 2 feet clearance from the bottom of the sign.
 3. Where two or more property owners share a common lot line, the property owners may combine the lot frontage for the purpose of sharing a freestanding sign on or near the common lot line.
 4. If a lot has more than one street frontage, such as with corner lots, up to two cumulative lot frontages may be used to determine the maximum number of signs.
 5. Noncontiguous lot frontage is calculated separately.
- e. **Projecting Wall Sign.**

1. A projecting sign shall not be higher than the top of the wall or the bottom of the roof eave.
2. A projecting sign must have 8 feet clearance from grade and may not extend more than 4 feet from the building wall except where the sign is an integral part of an approved canopy or awning.
3. A projecting sign is included in the total wall sign allowance.
4. A projecting sign over public right-of-way must obtain a revocable sign permit.

- f. **Wall Signs.** Table 24-9-3 provides the allowance for permitted wall signs:

Table 24-9-3: Permitted Wall Sign Allowance			
<i>Zone District</i>	<i>Principal Building Frontage</i>	<i>Secondary Building Frontage</i>	<i>Maximum Area per Sign</i>
<i>H-A, C-D, R-E, RMH, R-L and R-M</i>	N/A	N/A	N/A
<i>R-H</i>	.25 sq. ft.	N/A	40 s.f., plus 1 s.f. for each 1' setback over 50', up to maximum 150 s.f.
<i>C-L</i>	1 sq. ft.	.5 sq. ft.	
<i>C-H and I-L</i>	1.5 sq. ft.	1 sq. ft.	60 s.f., plus 1 s.f. for each 1' setback over 50', up to maximum 200 s.f.
<i>I-M and I-H</i>	2 sq. ft.	1 sq. ft.	90 s.f., plus 1 s.f. for each 1' setback over 50', up to maximum 250 s.f.

1. No wall sign may be attached to or displayed against any parapet wall that does not extend at least 75% of the perimeter of the roof enclosed by the parapet. No sign shall exceed the height of the parapet wall. This standard does not apply to an existing building as of the date of the adoption of the Code.
 2. No wall sign may extend above the roof-line of a building except as permitted on a parapet wall.
 3. No wall sign may be displayed on the wall of a mechanical room or penthouse or other such enclosed space which is not habitable by the occupants of the building.
 4. No sign, including any light-box or other structural part, shall exceed a depth of 20 inches.
- g. **Public and Institutional Uses.** Nonresidential institutional and public uses allowed in residential districts shall comply with the R-H zoning district sign standards. Public schools are encouraged to comply with the same standards as other public or institutional uses.
- h. **Planned Unit Development (PUD).** The provisions in this Chapter shall be used to guide signs within Planned Unit Development (PUD) requests. Proposed PUD development may include a specific and coordinated sign plan with standards that address size, height, design, lighting, color, materials, location and method of construction of all signs planned within the PUD. Absent a specific sign plan, the City shall apply sign standards closest to the zone district the PUD land uses represent. The City Council may impose alternate standards relating to signs if it is

determined that there are commensurate design trade-offs proposed for signs through the procedures and criteria in Section 24-205.

i. Temporary Signs.

1. Temporary signs shall be allowed per tenant in addition to the amount of permanent signs that is otherwise permitted. Except for signs exempt from permits in Section 24-902, temporary signs shall require a temporary sign permit according to the standards of this section.
2. The total amount of temporary signs shall not exceed 33 square feet in all residential zones and C-L zones or 50 square feet in all other commercial and industrial zones.
3. Temporary signs shall be allowed for any individual commercial or industrial use for no more than a total of 60 days in any calendar year.
4. If more than one temporary sign is proposed, each sign will count towards the total calendar year allowance (i.e., 3 signs for 20 days = 60 days). The total sign area for all signs shall not exceed the total amount of temporary sign allowance.
5. Temporary signs associated with a temporary use under the provisions of Section 24-405, Temporary Uses shall be limited to the duration of the temporary use, not to exceed more than 90 days in any calendar year. The temporary sign permit may be extended for up to an additional 30 days, provided the Community Development Director has granted an extension of the associated temporary use.
6. Any property that contains an outdoor electronic messaging display shall not be permitted to have an additional temporary sign allowance.
7. Balloons, inflatable signs and other inflatable objects containing text and/or graphics, which have a total visible area (individually or combined) that does not exceed 33 square feet shall be considered a temporary sign and shall require a sign permit. Balloons that do not contain text and/or graphics shall not require a sign permit. No balloon, inflatable sign, or other inflatable objects shall exceed the height of the principal building on the site, shall not extend over the public right-of-way when fully extended, shall not impede pedestrian or vehicular traffic.
8. Searchlights or beacons shall be considered temporary signs, shall require a sign permit, and are allowed a maximum of three days per calendar year. Searchlights or beacons shall not be placed or used in such a way that impedes pedestrian or vehicular traffic, or results in light or glare at grade.

24-906 Historic Signs

- a. Notwithstanding any other provisions of this Chapter, a historic sign may be kept, used, owned, maintained, and displayed subject to the following provisions:
 1. The sign has been designated as a historic landmark by the Greeley Historic Preservation Commission (HPC) and
 2. The sign is structurally safe or is capable of being made structurally safe while maintaining its historic character. All structural repairs and restoration of the sign to its original condition shall be made within 365 calendar days of designation of the sign as a historic landmark and shall be subject to approval by the HPC prior to any work commencing.
- b. All signs that have been designated as historic landmarks shall be exempt from Section 24-901.b.4. relating to abandoned signs if the sign continues to meet all of the requirements of this Section.

- c. For the purposes of this Section, if a historic sign has been moved from its original site, such sign shall no longer be considered a historic sign unless specifically so considered by the HPC. If such a sign is moved, a new sign permit shall be required for the new location.
- d. Words, symbols, or "ghost signs" that are painted, engraved or carved into a building and that no longer relate to the use or occupant of the building shall not be counted as a sign.

24-907 Nonconforming Signs

- a. A legal nonconforming sign or sign structure may continue to exist until one of the following conditions occurs:
 - 1. The sign has been abandoned and not reestablished for 90 consecutive days or longer.
 - 2. Other than for routine maintenance involving spot repainting, cleaning, or light bulb replacement that does not make substantial improvements, if repairs involve nonconforming sign alterations other than allowed in 9.04.C, compliance with all provisions of this Chapter shall be required.
 - 3. Changing the copy of an off-premises sign and nonconforming signs shall not be considered a change requiring compliance with this Chapter unless there is a change to the size; a change, or removal of, a support structure or frame, or a portion thereof, whether replacing such structure or frame or not, and/or a change in the orientation of the sign.
- b. Lawfully nonconforming signs which are nonconforming due to size are included in the total sign allowance for the property as follows:
 - 1. If the excess signs are in the wall sign the amount greater than the allowed is considered a transfer to the freestanding sign allowance and the freestanding sign allowance is thereby reduced proportionally.
 - 2. If the nonconforming sign is freestanding, no transfer is allowed to the wall.
- c. Two or more legal, nonconforming, freestanding signs on the same lot may be combined into one new legal nonconforming sign. In this event, the maximum size of this new sign shall be 125% of the maximum size specified in Section 24-905.d. for the particular location and type of sign. This provision shall be utilized only one time per property.
- d. The Director may approve alternative compliance nonconforming sign proposals one time per property as long as the proposed alternative reduces all elements of the sign nonconformance, by at least 50%. This one-time provision may be used to address all nonconforming signs on the site or for only one nonconforming sign type on the site.
- e. Temporary signs, window signs, and dilapidated signs shall not be considered legal nonconforming signs.

24-908 Sign Measurements & Interpretation

- a. **Sign Area.** The area of a sign is measured by determining the total sign face, which includes the backing and the frame of the sign.

1. The area of a sign shall be measured utilizing a single, continuous rectilinear perimeter of not more than 12 straight lines, the extreme limits of writing, representation, lines, emblems, or figures contained within all modules, together with any air space, materials or colors forming an integral part or background of the display or materials used to differentiate such sign from the structure against which the sign is placed. For replacement of existing signs, the applicant may choose to utilize an exact calculation of sign area in lieu of this requirement.
 2. A freestanding sign area and its support structure may be equal in size to one and one-half times the maximum-sized sign allowance at that location. The base of a monument sign shall not be counted as part of the calculation, provided that:
 - (a) The base does not account for more than one-third of the combined area of the sign face and the base; and
 - (b) At least 60% of the bottom edge of the sign, including its supports and structure, has contiguous contact with the ground. Where the base has an unusual shape, such as circular or diamond-shaped, the bottom of the base shall be determined by measuring at a point that is one-third of the distance from the ground to the top of the base; and
 - (c) Any portion of the base that contains a sign will be counted, with the exception of a numeral address that is clearly incidental to the sign.
 3. The area of a sign which has multiple sign faces not parallel to the right-of-way, such as V-shaped, triangles, or cubes, shall be calculated using the total of all faces which may be viewed at the same time from the public right-of-way or adjacent property.
 4. All writing, representations, emblems, or figures forming an integral part of a display used on an awning to identify, direct or attract the attention of the public shall be considered to be a sign for the purposes of measurement.
 5. Internally illuminated awning signs that are translucent, with backlighting, shall include the entire area of the awning in the calculation of the sign area (see also 9.05.A.).
- b. **Sign Height.** The height of a sign shall be determined by measuring the vertical distance from the adjacent grade to the highest point of the sign or sign structure. For purposes of this section, "grade" as a point of measure shall mean either of the following, whichever yields a greater sign height:
1. The elevation of the highest ground surface within a five-foot horizontal distance from the leading edge of the sign, when there is less than a ten-foot difference between the highest and lowest ground surfaces within a five-foot horizontal distance from said sign; or

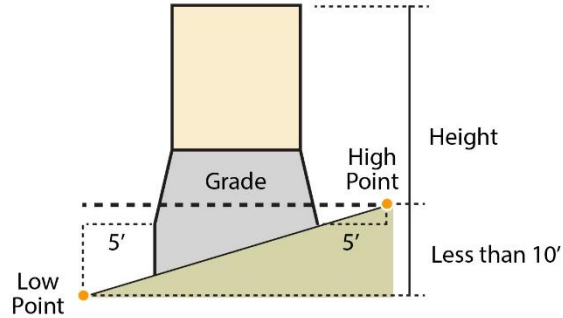


Figure 24-9-1: Sign height – grade change of 10 feet or less.

2. An elevation 10 feet higher than the lowest ground surface within a five-foot horizontal distance from the leading edge of the sign, when there is greater than a ten-foot difference between the highest and lowest ground surface within a five-foot horizontal distance from said sign.

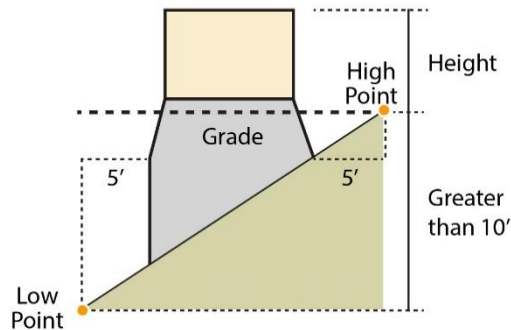


Figure 24-9-2: Sign height – grade change more than 10 feet

- c. **Orientation.** The principal orientation of any sign shall be determined by the Director in accordance with the intent and standards of this Chapter, street classification, and the following:
 1. The orientation of a freestanding sign is to the nearest public right-of-way to which it is perpendicular or parallel;
 2. The orientation of a wall sign is to the nearest street with the highest traffic volume;
 3. The orientation of a projecting wall sign is to the nearest street with the highest traffic volume and to which the sign is most nearly perpendicular;
 4. The orientation of all other signs, including canopy signs, shall be to the nearest public right-of-way.
- d. **Sign Setbacks.** Sign setbacks are the minimum distance required between the apparent centerline of the right-of-way and any portion of a sign or sign structure. Where the property is adjacent to a frontage road, the centerline of the highway to the leading edge of the sign is used to determine setback (i.e., frontage road is disregarded for calculation of the setback)..)

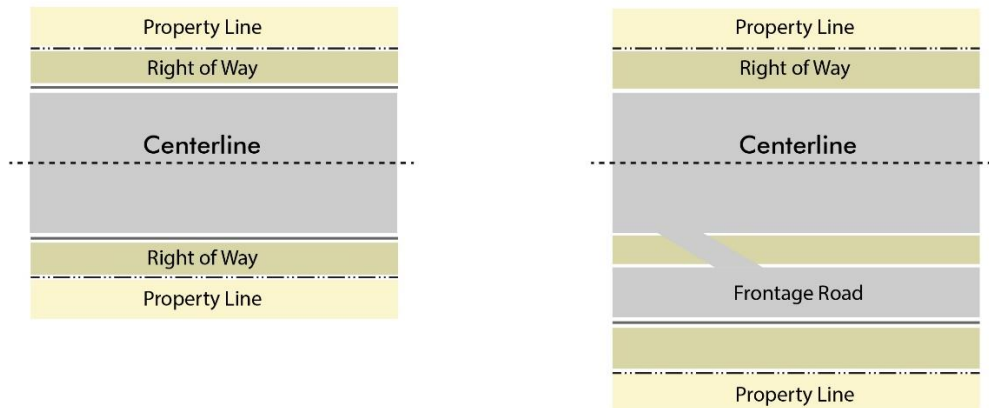


Figure 24-9-3: Sign setbacks from centerline.

24-909 Relief From Standards

- a. **Alternative Compliance.** Conditions may exist where strict compliance is impractical or impossible, or where maximum achievement of the intent of this Chapter can only be obtained through alternative compliance. Alternative compliance to the sign standards in this Chapter shall be authorized according to the process and criteria in Section 24-208, Alternative Compliance, and are supplemented by this Section.
 1. Requests for alternative compliance may be accepted in association with a sign permit, based on one or more of the following criteria:
 - (a) Topography, soil, vegetation, or other site conditions are such that full compliance is impossible or impractical, or improved environmental quality would result from alternative compliance.
 - (b) Space limitations, unusually shaped lots, and prevailing practices in the surrounding neighborhood may justify alternative compliance for infill sites and for improvements and redevelopment in older neighborhoods.
 - (c) Safety considerations make alternative compliance necessary.
 - (d) The proposed alternative is aesthetically more complementary to the site, better fits into the context of the area, improves the overall architectural appeal of the area and/or meets or exceeds the design objectives as described in the City's Comprehensive Plan. Where there is a strong architectural theme established in an area, the proposed alternative shall be consistent with or complementary to that theme. In an existing area where there is no established theme, the proposed alternative shall provide an architectural theme consistent with the Comprehensive Plan and improve the quality of development in the area.
 2. Application for alternative compliance shall include the following information:
 - (a) Written description of the conditions provided in Section 24-909.a.1 above, which apply to the subject property;
 - (b) The applicant shall submit a sign plan consisting of a written statement addressing the proposal and the review criteria of this Section and Section 24-208, along with dimensioned graphic plans identifying the following items for all signs on the property:

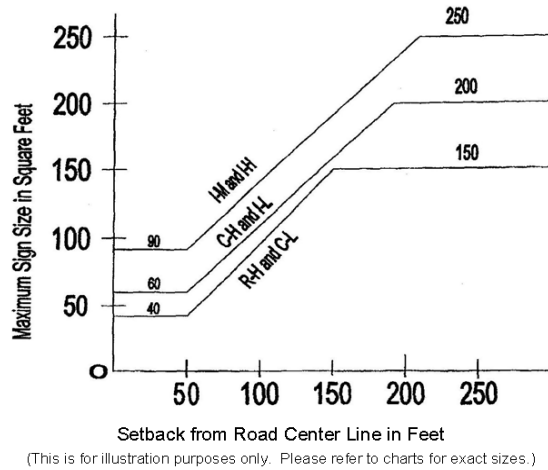
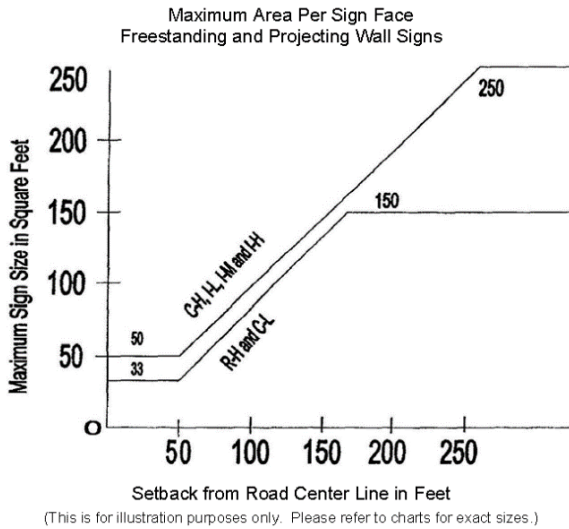
- (1) Written and graphic illustration of the proposed alternative, including areas of departure from code standards;
 - (2) Sign style, type, location, size (area), and height for wall and freestanding signs;
 - (3) Materials and colors for all signs and support structures;
 - (4) Sign illumination devices and brightness levels, if applicable
- b. **Variance.** Variances to the dimensional standards established in this Chapter shall be authorized according to the process and criteria in Section 24-209, Variances, and are supplemented by this Section. Variances to any other provision of this Chapter shall not be permitted.
 1. In addition to the criteria in Section 24-209, the Zoning Board of Appeals shall consider the following additional factors for sign variances:
 - (a) Historic value as determined by the Historical Preservation Commission;
 - (b) Architectural integrity;
 2. Sign variances shall not be transferable to a new location on the property unless first approved in writing by the Director that the changed location on the site substantially complies with the conditions of the original variance. Changes to a sign that received a variance, with the exception of changes in sign text or copy that do not result in any structural changes to the sign, shall require compliance with all applicable provisions of this code.
 3. Any sign variance which was in effect and applied to an installed sign still in place prior to the adoption of this code may be continued under the provisions of that variance until a change to a sign is requested, at which time a new variance shall be applied for, or the sign shall comply with all applicable provisions of this Chapter.

24-910 Sign Chart

Sign Chart*						
Zoning District	Type of Sign Allowed	Max. total amount awning, wall & projecting wall signage allowed per linear foot of wall	Max. Sign Face Area for Awning and Wall Signs	Maximum Freestanding Sign Height	Maximum Size for Freestanding Signs	Number of Freestanding Signs
C-D, H-A, R-L, R-E, R-MH, R-M	See Section 9.02	See Section 24-902	See Section 24-902	See Section 24-902	See Section 24-902	See Section 24-902
R-H	Freestanding, wall and awning	.25 sq. ft.	See Section 24-905	6 ft.	See Subsection 24-905.d	1 sign where lot frontage is greater than or equal to 200 ft., but less than 500 ft.
C-L	Freestanding, wall and awning	1 sq. ft., plus an additional .5 sq. ft. (for secondary building frontage)	See Section 24-905	6 ft.	See Subsection 24-905.d	2 signs where lot frontage is greater than 500 ft.

Sign Chart*						
Zoning District	Type of Sign Allowed	Max. total amount awning, wall & projecting wall signage allowed per linear foot of wall	Max. Sign Face Area for Awning and Wall Signs	Maximum Freestanding Sign Height	Maximum Size for Freestanding Signs	Number of Freestanding Signs
C-H, I-L	Freestanding, wall, projecting wall and awning	1.5 sq. ft., plus an additional 1 sq. ft. (for secondary building frontage)	See Section 24-905	See Subsection 24-905.d	See Subsection 24-905.d	2 signs where lot frontage is greater than 500 ft.
I-M & I-H	Freestanding, wall, projecting wall and awning	2 sq. ft., plus an additional 1 sq. ft. (for secondary building frontage)	See Subsections 24-905	See Subsection 24-905.d	See Subsection 24-905.d	2 signs where lot frontage is greater than 500 ft.

* This chart summarizes key signage allowances; see specific code sections for code details and/or exceptions.



Reserved Sections 24-911 through 24-1000