

**TOWN OF TIMNATH, COLORADO**

**ORDINANCE NO. 17, SERIES 2013**

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE TOWN OF TIMNATH FOR THE PURPOSE OF AMENDING THE APPROVED PLANNED DEVELOPMENT OVERLAY ZONING DISTRICT FOR CERTAIN REAL PROPERTY TO BE KNOWN AS GATEWAY TIMNATH SOUTH SUBDIVISION, GENERALLY LOCATED SOUTH OF AND ADJACENT TO HARMONY ROAD, WEST OF AND ADJACENT TO WEITZEL STREET, AND NORTH OF AND ADJACENT TO SWETSVILLE ZOO ROAD**

**WHEREAS**, Cache La Poudre Investors South, LLC, has submitted an application for rezoning of certain real property within the Town of Timnath more particularly described in **Exhibit A**, to amend the currently approved Planned Development Overlay, Ordinance No. 76, series 2009; and

**WHEREAS**, the Town Council finds the location of the zoning to be appropriate and in conformance with the Town Comprehensive Plan; and

**WHEREAS**, the zone change was recommended for approval, by the Town of Timnath Planning Commission on Tuesday, November 19, 2013; and

**WHEREAS**, the Town Council finds the proposed rezoning satisfies the criteria for rezoning in the Timnath Land Use Code, and

**WHEREAS**, the Town Council further finds that the Planned Development Overlay in **Exhibit B** satisfies the criteria for a Planned Development (PD) Overlay pursuant to Section 16.3.4.N.8 of the Timnath Land Use Code.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF TIMNATH, COLORADO:**

**Section 1. Property Zoned**

That Article 3 of the Timnath Land Use Codes and the map referred to therein as the "Official Zoning Map of the Town of Timnath", said map being part of said Zoning Code and showing the boundaries of the district specified, shall be and the same is hereby amended in the following particulars, to wit:

See attached **Exhibit A**

**Section 2. Public Hearing**

The Town Council held a public hearing on Tuesday, December 10, 2013 regarding the zoning of the property.

Please Return to:  
Town of Timnath  
4800 Goodman Street  
Timnath, CO 80547

**Section 3. Severability**

If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Council hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one or parts be declared unconstitutional or invalid.

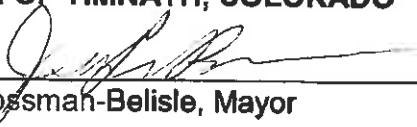
**Section 4. Effective Date**

This Ordinance shall take effect upon adoption at second reading, as provided by Section 3.5.5 of the Charter. The Town Clerk shall certify to the passage of this ordinance and make not less than one copy of the adopted Ordinance available for inspection by the public during regular business hours.


INTRODUCED, MOVED, AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF TIMNATH ON FIRST READING, ON NOVEMBER 26, 2013, AND SET FOR PUBLIC HEARING, AND SECOND READING AT 6:00 P.M. ON DECEMBER 10, 2013 AT THE TIMNATH ADMINISTRATION BUILDING, 4800 GOODMAN STREET, TIMNATH COLORADO AND ORDERED PUBLISHED BY TITLE THIS 13 DAY OF DECEMBER, 2013.

MOVED, SECONDED AND FINALLY ADOPTED ON SECOND READING FOLLOWING PUBLIC HEARING BY THE TIMNATH TOWN COUNCIL ON DECEMBER 10, 2013.

**TOWN OF TIMNATH, COLORADO**

  
\_\_\_\_\_  
Jill Grossman-Belisle, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Milissa Peters, Town Clerk



## EXHIBIT A

### Legal Description of Property Proposed for Zoning

A PARCEL OF LAND being Lot 2 of the Northeast Quarter of Section Three (3), Township Six North (T.6N.), Range Sixty-eight West (R.68W.), Sixth Principal Meridian (6th P.M.), County of Larimer, State of Colorado

EXCEPTING THEREFROM those parcels described in instruments recorded November 8, 1963 in Book 1227 at Page 214; September 11, 1968 in Book 1393 at Page 416; December 5, 1968 in Book 1424 at Page 519; May 20, 1971 in Book 1467 at Page 224; September 29, 1977 in Book 1802 at Page 744; July 12, 1998 at Reception No. 98049107; April 7, 2000 at Reception No. 2000022824; November 25, 2003 at Reception No. 20030148230; November 25, 2003 at Reception No. 20030148231;

ALSO EXCEPTING THEREFROM all Rights of Way for I-25 and Harmony Road.

TOGETHER WITH Parcel No. 5 Rev. as initially described in a Special Warranty Deed recorded June 12, 1998 as Reception No. 98049107 of the Records of Larimer County and being subsequently conveyed to the Town of Timnath in a Bargain and Sale Deed recorded December 11, 2008 as Reception No. 20080077765 of the Records of Larimer County;

AND TOGETHER WITH that parcel of land conveyed to the Cache La Poudre Investors South, LLC in a Special Warranty Deed recorded February 1, 2008 as Reception No. 20080006577 of the Records of Larimer County which was previously described in a deed recorded September 28, 1977 as Book 1802 at Page 744 and a portion of Parcel No. 6, which was initially and wholly described in a Special Warranty Deed recorded June 12, 1998 as Reception No. 98049109 of the Records of Larimer County and subsequently a portion of said Parcel No. 6 was described and conveyed to Cache La Poudre Investors South, LLC in a Correction Bargain and Sale Deed recorded May 22, 2009 as Reception No. 20090033154 of the Records of Larimer County;

THE EXTERIOR BOUNDARY of the various parcels that comprise the Subject Parcel are more particularly described as follows:

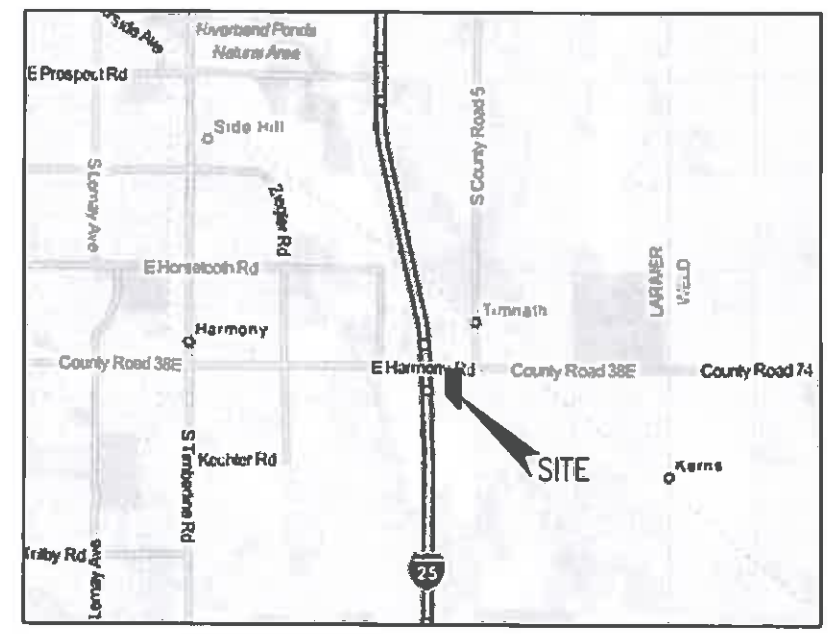
A parcel of land being a portion of the Northeast Quarter of Section Three (3), Township Six North (T.6N.), Range Sixty-eight West (R.68W.), Sixth Principal Meridian (6th P.M.), County of Larimer, State of Colorado:

COMMENCING at the North Quarter Corner of said Section 3 and assuming the North line of the Northeast Quarter of said Section 3 as bearing South 89°47'25" East, being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983/2007, a distance of 2834.70 feet with all other bearings contained herein relative thereto:

THENCE South 89°47'25" East along the North line of the Northeast Quarter of said Section 3 a distance of 350.86 feet;  
THENCE South 00°12'55" West along a line perpendicular to the North line of the Northeast Quarter of said Section 3 a distance of 49.00 feet to the Northwest corner of Parcel No. 5A of the Colorado Department of Highways Project No. 88-1M (CY) 025-3(111) as conveyed in a deed recorded as Rec. No. 20080077765 of the Records of Larimer County and to the POINT OF BEGINNING;  
THENCE South 68°12'44" East along the Southwesterly line of said Parcel No. 5A a distance of 50.32 feet to the Northwest corner of that parcel of land conveyed to the Town of Timnath and described on page 7 of 10 of that Special Warranty Deed recorded December 14, 2007 as Reception No. 20070093770 of the Records of Larimer County;  
THENCE South 14°18'05" West along the Westerly line of said parcel described in Reception No. 20070093770 a distance of 12.38 feet to the Southwest corner thereof;  
THENCE South 89°47'25" East along the Southerly line of said parcel described in Reception No. 20070093770 and the Easterly prolongation thereof, a distance of 539.95 feet to the Westerly line of that parcel of land conveyed to the Town of Timnath for Wetzal Street and described on page 4 of 10 of that Special Warranty Deed recorded December 14, 2007 as Reception No. 20070093770 of the Records of Larimer County;  
THENCE South 01°16'10" East along said Westerly line a distance of 1217.72 feet to an angle point on said Westerly line;  
THENCE South 44°07'30" West continuing along said Westerly line a distance of 35.11 feet to the Northerly line of that parcel of land conveyed to the Town of Timnath for use as a Public Road in a Special Warranty Deed recorded November 13, 2008 as Reception No. 20080070753 of the Records of Larimer County;  
THENCE South 89°31'13" West along said Northerly line and the Westerly prolongation thereof, a distance of 888.08 feet to the West line of the Northeast Quarter of said Section 3;  
THENCE North 02°04'05" West along the West line of the Northeast Quarter of said Section 3 a distance of 85.27 feet to the Easterly line of Tract No. 19 of the Colorado Department of Highways Project No. I 25-3 (31)258 as described in a deed recorded November 8, 1963 as Book 1227, Page 214 of the Records of Larimer County;  
THENCE North 14°18'03" East along the Easterly line of said Tract No. 19 a distance of 1237.44 feet to the POINT OF BEGINNING;

Said parcel of land contains 853,008 sq. ft. or 21.878 acres, more or less (±).



# PLANNED DEVELOPMENT OVERLAY (PD)



VICINITY MAP  
NOT TO SCALE

**SHEET INDEX**

1	COVER SHEET
2	PLANNED DEVELOPMENT OVERLAY
3	SITE DESIGN GUIDELINES
4	SITE DESIGN GUIDELINES
5	SITE DESIGN GUIDELINES

DES. BY	DATE	REVISION	DATE	DES. BY	DATE	REVISION
 Planning, Architecture, Engineering 1330 DTC Parkway, Suite 100 Greenwood Village, CO 80111 303.770.0004 303.770.0038 www.gallowaypa.com						
 GOLDENBERG PROPERTIES, INC.						
DEVELOPMENT OVERLAY GATEWAY TIMNATH SOUTH SOUTH EAST CORNER I-25 & HARMONY ROAD TIMNATH, COLORADO						
Project No	00220718					
Sheet Name	COVER SHEET					
Designed By	BIS					
Drawn By	JL					
Date	SEPTEMBER 24, 2013					
City	COLORADO					
COVER SHEET						
1 OF 5						



**PD OVERLAY DESCRIPTION**  
 THE GATEWAY TIMNATH SOUTH SUBDIVISION (THE "PROJECT") IS LOCATED AT THE SOUTHWEST CORNER OF INTERSTATE 25 AND HARMONY ROAD IN ACCORDANCE WITH THE EXISTING ZONING OF THE PROJECT FROM THE HIGHWAY, IT IS ALSO LOCATED DIRECTLY SOUTH OF THE GATEWAY TIMNATH SUBDIVISION THAT INCLUDES 2 SLIVER PLOTS. AS SUCH, THE PROJECT IS PROBABLY INTENDED TO FACILITATE A REGIONAL COMMERCIAL DEVELOPMENT PROVIDING AN EXCELLENT CENTER AND TONE OF TRAFFIC. THIS PD OVERLAY IS DESIGNED TO FACILITATE THE DEVELOPMENT OF THE PROJECT IN THE MOST EXPEDITIOUS AND EFFICIENT MANNER AVAILABLE. THIS PD OVERLAY IS INTENDED TO EXPAND THE DEVELOPMENT OF THE PROJECT IN THE EVENT OF THE ANY CONFLICT BETWEEN THE PD OVERLAY AND THE ZONING AND LAND USE AND COMMUNITY DESIGN STANDARDS FOR THE I-25 CORRIDOR. THE TERMS OF THE PD OVERLAY SHALL APPLY.

**ADDITIONAL PD OVERLAY GUIDELINES**

1. HARDSHIP: FOR THIS PD OVERLAY THE HARDSHIP FOR ALL OPEN SPACE AREAS AND LANDSCAPE AREAS IS TO BE PROVIDED BY THE OWNERS ASSOCIATION FOR THE PROJECT.
2. PHASING: THE PROJECT SHALL DEVELOPED IN PHASES. ALL NECESSARY IMPROVEMENTS REQUIRED FOR A SPECIFIC PHASE WILL BE CONDUCTED BY CONFORMANCE WITH EACH PHASE.
3. REFER TO SHEETS 3-8 FOR ADDITIONAL LAND USE CODE AND COMMUNITY DESIGN PRINCIPLES FOR THIS PD OVERLAY.

**SITE AREA:**

LOT	AREA	LOT AREA	LOT AREA	NET FLOOR AREA
	ACRES	S.F.	ACRES	ACRES
LOT 1	COMMERCIAL	34,435 S.F.	1.00 ACRES	1.1
LOT 2	COMMERCIAL	33,111 S.F.	1.00 ACRES	1.1
LOT 3	COMMERCIAL	17,941 S.F.	0.50 ACRES	0.5
LOT 4	COMMERCIAL	37,791 S.F.	1.00 ACRES	1.1
LOT 5	COMMERCIAL	17,941 S.F.	0.50 ACRES	0.5
LOT 6	COMMERCIAL	37,791 S.F.	1.00 ACRES	1.1
LOT 7	COMMERCIAL	37,791 S.F.	1.00 ACRES	1.1
LOT 8	COMMERCIAL	37,791 S.F.	1.00 ACRES	1.1
<b>TOTAL</b>		<b>220,753 S.F.</b>	<b>6.30 ACRES</b>	<b>6.9</b>

**LEGAL DESCRIPTION**  
 A PORTION OF LAND BEING LOT 2 OF THE NORTHEAST QUARTER OF SECTION THREE (3) TOWNSHIP 36 NORTH (T36N), RANGE 63E14E107 WEST (R63E14E107W), SIXTH PRINCIPAL MERIDIAN (6TH PM), COUNTY OF LARIMER, STATE OF COLORADO.

- IN ADDITION TO THOSE USES ALLOWED BY RIGHT AND CONDITIONALLY WITHIN THE EXISTING C-2 ZONING DISTRICT, THE FOLLOWING USES SHALL BE ALLOWED AS SET BY RIGHT:
- TIRE AND OIL CHANGE SERVICES
  - DRIVE THROUGH FACILITIES FOR PHARMACY OPERATION AND RESTAURANT
  - LIQUOR SALES
  - OUTDOOR STORAGE (INCLUDING WITHOUT LIMITATION BALE AND PALLET STORAGE AND TRAILER STORAGE)
  - RECREATION VEHICLE AND TRAILER PARKING
  - NO LIMIT ON DELIVERY HOURS
  - OUTDOOR/SEASONAL SALES (NO LIMITATION ON THE NUMBER OF DAYS PER CALENDAR YEAR)

**DIMENSIONAL STANDARDS TABLE**

ITEM	CODE (C-2)	MODIFICATION
SETBACK	MINIMUM FRONT YARD SETBACK (FEET) = 15 MAXIMUM FRONT YARD SETBACK (FEET) = N/A MINIMUM REAR YARD SETBACK (FEET) = 15	NONE
BUILDING HEIGHT	45 FEET	12 STORES
HOURS OF OPERATION	RUN	24
FLOOR AREA RATIO	N/A	NONE

**SURVEYOR'S CERTIFICATE**  
 I, \_\_\_\_\_, a duly registered and qualified land surveyor in the state of Colorado, do hereby certify that this survey was made for \_\_\_\_\_ and HARMONY ROAD "SOUTH" AND PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT THIS PLAN HAS BEEN PREPARED IN COMPLIANCE WITH ALL APPLICABLE LAWS OF THE STATE OF COLORADO AT THE TIME OF THIS SURVEY AND WITHIN MY COMPETENCE, AND IS ACCURATE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

**PLANNING COMMISSION CERTIFICATE**  
 APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY THE PLANNING COMMISSION, TOWN OF TIMNATH, COLORADO.

**TOWN COUNCIL CERTIFICATE**  
 APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY THE TOWN OF TIMNATH TOWN COUNCIL, TOWN OF TIMNATH, COLORADO. THIS APPROVAL IS CONDITIONED UPON ALL EXPENSES INCLUDING NECESSARY IMPROVEMENTS FOR ALL UTILITY SERVICES (INCLUDING UTILITY CROSSINGS, CURB CUTS, STREET LIGHTS, STREET SIGNS, AND SIGNAGE) SHALL BE PROVIDED BY OWNERS AND NOT THE TOWN.

**LARIMER COUNTY CLERK & RECORDER**  
 APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY THE LARIMER COUNTY CLERK & RECORDER.

NO.	REVISION	DATE

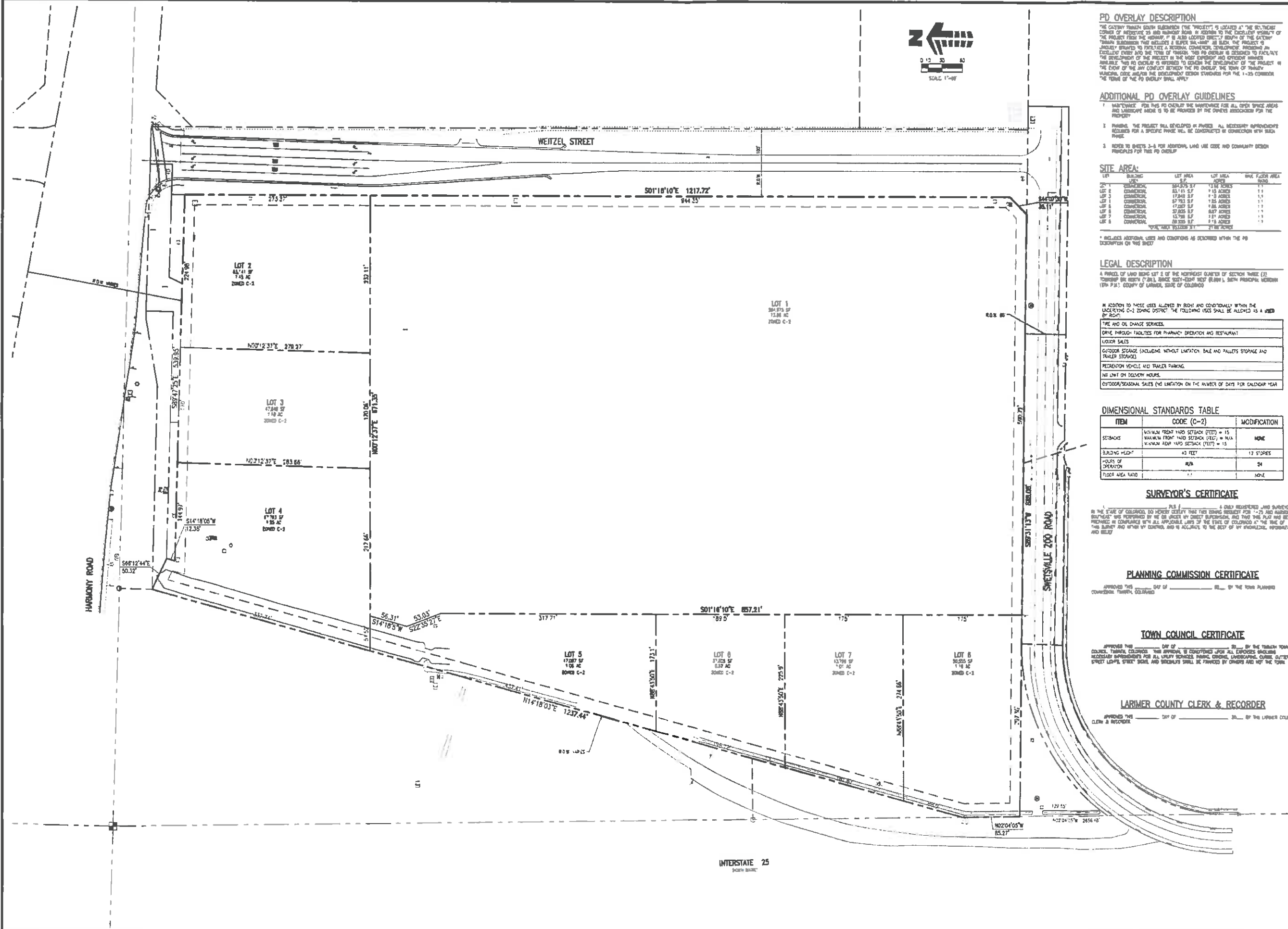
**Galloway**  
 Planning, Architecture, Engineering  
 1000 13th Street, Suite 400  
 Fort Collins, CO 80521  
 Phone: 970.225.1111  
 www.gallowayinc.com

**COLDIRON**  
 PROPERTIES, INC.

PLANNED  
 DEVELOPMENT OVERLAY  
 GATEWAY TIMNATH SOUTH

SOUTH EAST CORNER I-25 & HARMONY ROAD  
 TIMNATH, COLORADO

PROJECT NO:	02-208
SHEET NO.:	1 OF 5
DESIGNED BY:	SD
CHECKED BY:	LS
DATE:	SEPTEMBER 24, 2013
CITY:	02-208-0-01-02







- D. MONUMENT SIGNS. A MONUMENT SIGN IS A PERMANENT SIGN WHERE THE ENTIRE BOTTOM OF THE SIGN IS AFFIXED TO THE GROUND, NOT TO A BUILDING, POLE SIGN THAT UTILIZES MORE THAN ONE POLE SHALL NOT BE ALLOWED.
1. LOCATION. THE SIGN MAY BE LOCATED ONLY ALONG A SITE FRONTAGE ADJOINING A PUBLIC STREET OR HIGHWAY.
  2. MAXIMUM AREA AND HEIGHT. THE SIGN SHALL COMPLY WITH THE HEIGHT AND AREA REQUIREMENTS WITHIN THESE GUIDELINES.
  3. DESIGN. THE DESIGN OF A MONUMENT SIGN SHALL BE CONSISTENT WITH THE OVERALL SCALE OF THE BUILDING. THE DESIGN AND PLACEMENT OF THE SIGN SHALL NOT OBSTRUCT VISIBILITY THROUGH THE RIGHT OF WAY TRIANGLE.
  4. LANDSCAPING REQUIREMENTS. LANDSCAPING SHALL BE PROVIDED AT THE BASE OF THE SIGN. THE SIGN SHALL BE LOCATED TO THE RIGHT OF THE AREA OF ONE SIDE OF THE SIGN. FOR EXAMPLE, TWENTY SQUARE FEET OF SIGN AREA EQUALS A FORTY SQUARE FEET OF LANDSCAPED AREA. THE PLANNING COMMISSION MAY REDUCE OR WAIVE THE REQUIREMENT IF IT IS DETERMINED THAT THE ADDITIONAL LANDSCAPING WOULD NOT CONTRIBUTE SIGNIFICANTLY TO THE OVERALL AESTHETIC CHARACTER OF THE PROJECT.
- E. PROJECTING SIGNS. A PROJECTING SIGN IS ANY SIGN SUPPORTED BY A BUILDING WALL AND PROJECTING AT LEAST TWELVE INCHES OR MORE HORIZONTALLY BEYOND THE SURFACE OF THE BUILDING TO WHICH THE SIGN IS ATTACHED.
1. LOCATION. PROJECTING SIGNS SHALL BE PLACED ONLY ON A GROUND FLOOR FACADE, EXCEPT FOR SIGNAGES LOCATED ABOVE THE GROUND LEVEL WITH DIRECT OUTDOOR PROJECTION ACCESS. PROJECTING SIGNS SHALL BE GENERALLY ALIGNED WITH OTHERS BY THE BLOCK AND AS WITH ARCHITECTURAL DETAILS OF THE STRUCTURE. THIS HELPS TO CREATE A "CAMPUS LOOK" THAT ORIGINATES TO THE NEIGHBORHOOD.
  2. MAXIMUM AREA AND HEIGHT. PROJECTING SIGNS SHALL NOT BE HIGHER THAN THE WALL FROM WHICH THE SIGN PROJECTS IF ATTACHED TO A SINGLE STORY BUILDING, OR THE HEIGHT OF THE BOTTOM OF ANY SECOND STORY WINDOW IF ATTACHED TO A MULTISTORY BUILDING. PROJECTING SIGNS MUST HAVE EXIST FEET OF VERTICAL CLEARANCE, AND MAY NOT EXTEND MORE THAN FOUR FEET FROM THE BUILDING WALL, EXCEPT WHERE THE SIGN IS AN INTEGRAL PART OF AN APPROVED CANOPY OR AWNING. THE SIZE OF PROJECTING SIGNS IS LIMITED TO THREE FEET WIDE AND SIX SQUARE FEET PER FACE.
  3. SIGN STRUCTURE. SIGN SUPPORTS AND BRACKETS SHALL BE COMPATIBLE WITH THE DESIGN AND SCALE OF THE SIGN.
  4. QUANTITY. THE NUMBER OF PROJECTING SIGNS IS LIMITED TO ONE PER BUSINESS. PROJECTING SIGNS ARE NOT PERMITTED IN COLLOCATION WITH WALL-MOUNTED OR POLE SIGNS.
- F. TIME AND/OR TEMPERATURE SIGNS. A TIME AND/OR TEMPERATURE SIGN IS ANY SIGN INTENDED TO BE DISPLAYED FOR A LIMITED PERIOD OF TIME AND CAPABLE OF BEING VIEWED FROM ANY PUBLIC RIGHT-OF-WAY, PARKING AREA OR NEIGHBORHOOD PROPERTY.
1. MAXIMUM AREA. TIME AND/OR TEMPERATURE SIGNS WHICH DO NOT EXCEED TEN SQUARE FEET SHALL NOT BE REQUIRED TO BE INCLUDED IN THE ALLOWABLE SIGN AREA. SIGNAGES EXCEPTED FROM THIS SECTION ARE: (1) SIGNAGES WHICH ARE ATTACHED TO OR MADE PART OF THE SAME SIGN STRUCTURE WHICH IS INCLUDED IN THE ALLOWABLE SIGN AREA FOR THE PREMISES.
  2. DESIGN. THE SIGN SHALL BE DESIGNED IN A MANNER THAT IS COMPATIBLE WITH OTHER SIGNS ON THE SITE AND WITH THE EXISTING OR PROPOSED ARCHITECTURE.
  3. MAINTENANCE. IT SHALL BE THE RESPONSIBILITY OF THE OWNER OF SUCH SIGNS TO MAINTAIN SUCH SIGNS AND INSURE THAT THEY ARE KEPT ACCURATE. IF THESE CONDITIONS ARE NOT MET, THE SIGN SHALL BE REPAIRED OR REMOVED AT OWNER'S EXPENSE PER SECTION 3.6.
- G. WALL SIGNS. A WALL SIGN IS ANY SIGN PRINTED OR INCORPORATED IN OR AFFIXED TO THE BUILDING WALL, OR ANY SIGN CONSISTING OF OUT-LETTERS OR DEVICES AFFIXED TO THE BUILDING WALL WITH NO BACKGROUND DEPICTED ON THE BUILDING WALL.
1. LOCATION. THE SIGN SHALL NOT BE PLACED TO OBSTRUCT ANY PORTION OF A WINDOW, DOORWAY OR OTHER ARCHITECTURAL DETAIL. LOCATE WALL SIGNS ON BUILDINGS AT THE FIRST FLOOR LEVEL, ONLY FOR RETAIL USES.
  2. MAXIMUM AREA AND HEIGHT. WALL SIGNS SHALL NOT BE HIGHER THAN THE GABLE LINE OF THE PRINCIPAL BUILDING. THE SIGN SHALL COMPLY WITH THE HEIGHT AND AREA REQUIREMENTS ESTABLISHED FOR EACH SIGNING DISTRICT AND TYPE OF DEVELOPMENT.
  3. PROJECTION FROM WALL. NO SIGN PART, INCLUDING CUT-OUT LETTERS MAY PROJECTIONS FROM THE SURFACE UPON WHICH IT IS ATTACHED MORE THAN REQUIRED FOR CONSTRUCTION PURPOSES AND IN NO CASE MORE THAN TWENTY-FOUR INCHES.
  4. DESIGN. WALL SIGNS SHALL IDENTIFY THE INDIVIDUAL BUSINESS, BUILDING OR BUILDING COMPLEX BY NAME OR TRADEMARK ONLY.
- H. WINDOW SIGNS. A WINDOW SIGN IS A SIGN THAT IS PRINTED OR AFFIXED TO A WINDOW OR THAT CAN BE READ THROUGH THE WINDOW FROM THE PUBLIC RIGHT-OF-WAY, PLACED AT OR BELOW THE SECOND FLOOR LEVEL.
1. MAXIMUM AREA. WHEN A SIGN IS DISPLAYED IN A WINDOW AND IS VISIBLE BEYOND THE BOUNDARIES OF THE LOT UPON WHICH THE SIGN IS DISPLAYED, THE TOTAL AREA OF SUCH SIGN SHALL NOT EXCEED:
    - a. FORTY PERCENT (40%) OF THE WINDOW OR GLAZED AREA AT THE GROUND FLOOR LEVEL; AND
    - b. TWENTY-FIVE PERCENT (25%) OF THE TOTAL ALLOWABLE SIGN AREA FOR THE PREMISES.
  2. LIGHTING. ALL ILLUMINATED WINDOW SIGNS SHALL BE INCLUDED IN THE TOTAL ALLOWABLE SIGN AREA FOR THE PREMISES. TEMPORARY POSTERS ANNOUNCING OR ADVERTISING EVENTS SPONSORED BY NON-COMMERCIAL ORGANIZATIONS SHALL BE EXEMPT FROM LIMITATIONS FOR WINDOW SIGNS.
- I. RETAIL, COMMERCIAL, AND INDUSTRIAL SIGN REQUIREMENTS
- A. THE FOLLOWING REQUIREMENTS PERTAIN TO SIGNAGE ASSOCIATED WITH RETAIL, AND COMMERCIAL DEVELOPMENT AND ASSOCIATED ACTIVITIES WITHIN THE GATEWAY THROUGH SOUTH SUBDIVISION.
- B. EXCEPT SIGNS IN ADDITION TO THE TYPES OF SIGNS FOUND IN SECTION 7.2 EXEMPT SIGNS, THE FOLLOWING TYPES OF SIGNS ARE EXEMPT AS RELATED TO RETAIL, COMMERCIAL AND INDUSTRIAL DEVELOPMENT WITHIN GATEWAY THROUGH SOUTH SUBDIVISION.
1. CONSTRUCTION SIGNS. TEMPORARY CONSTRUCTION SIGNS PROVIDED THAT:
    - a. SIGNS HAVE A MAXIMUM AREA OF SIXTY FOUR (64) SQUARE FEET
    - b. ONLY ONE (1) SIGN SIGN ORIENTED PER STREET FRONTAGE PER PREMISE SHALL BE DISPLAYED, BY TWO (2) SIGN SIGNS LOCATED ON THE SAME PREMISE SHALL BE LOCATED AT LEAST ONE HUNDRED (100) FEET APART MEASURED ALONG A RIGHT-OF-WAY LINE.
    - c. SUCH SIGNS SHALL NOT BE ILLUMINATED.
    - d. SUCH SIGNS SHALL ONLY APPEAR AT THE CONSTRUCTION SITE.
    - e. SUCH SIGNS SHALL BE REMOVED UPON RECEIPT OF A CERTIFICATE OF OCCUPANCY.
  2. REAL ESTATE, RENT (SHORT-TERM), TEMPORARY SIGNS USED TO OFFER FOR SALE, LEASE OR RENT OF THE LAND OR THE BUILDING UPON WHICH THE SIGN IS LOCATED PROVIDED:
    - a. ONE (1) SIGN PER STREET FRONTAGE ADVERTISING REAL ESTATE (FOR SALE, "FOR RENT" OR "FOR DEVELOPMENT") NOT GREATER THAN SIXTY FOUR (64) SQUARE FEET MAY BE LOCATED ON THE PROPERTY BEING ADVERTISED NO LONGER THAN SIX (6) MONTHS FROM THE DATE OF SIGNING. IF A PROPERTY IS ADVERTISED ON A CORNER LOT OR DOUBLE FRONTAGE LOT, THEN A SECOND SIGN MAY BE ORIENTED ALONG THE SECOND STREET NO LONGER THAN THE FIRST SIGN IS AT LEAST ONE HUNDRED FEET APART AS MEASURED BY THE BRIGHTER FRONTAGE LINE.
    - b. SUCH SIGNS SHALL NOT BE ILLUMINATED.
    - c. ALL SUCH SIGNS SHALL BE REMOVED WITHIN SEVEN (7) DAYS AFTER THE REAL ESTATE CLOSING OR LEASE TRANSACTION.
- C. PROHIBITED SIGNS. IN ADDITION TO THE TYPES OF SIGNS FOUND IN SECTION 7.2 PROHIBITED SIGNS, THE FOLLOWING TYPES OF SIGNS ARE PROHIBITED AS RELATED TO RETAIL, COMMERCIAL AND INDUSTRIAL DEVELOPMENT WITHIN THE GATEWAY THROUGH SOUTH SUBDIVISION.
1. OFF-PREMISE ADVERTISING SIGNS
  2. ANY SIGN NOT PERMITTED AND CLEARLY INCIDENTAL TO THE PERMITTED USE ON THE PROPERTY WHERE LOCATED EXCEPT AS OTHERWISE PROVIDED IN THIS ARTICLE.

- D. PROHIBITED SIGNS AND ALLOWED DIMENSIONS. THE FOLLOWING TYPES OF SIGNS ARE ALLOWED WITH A PERMIT AS RELATED TO RETAIL, COMMERCIAL AND INDUSTRIAL DEVELOPMENT WITHIN THE GATEWAY THROUGH SOUTH SUBDIVISION. MEASUREMENTS OF SIGN SHALL BE CALCULATED PER SECTION 7.2 AS MEASUREMENT OF SIGN AREA AND HEIGHT. ALL SIGNS MUST MEET THE ALLOWED NUMBER AND DIMENSIONS LISTED. MEASUREMENTS OF SIGN SHALL BE CALCULATED PER SECTION 7.2 AS MEASUREMENT OF SIGN AREA AND HEIGHT.
- E. A-FRAME SIGNS AND FOOTED VERTICAL SIGNS. A-FRAME SIGNS ARE PRESTANDING SIGNS THAT ARE NO TALLER THAN FOUR (4) FEET AND NO WIDER THAN THREE (3) FEET, WITH ONE (1) OR TWO (2) MESSAGE-BEARING SIDES THAT ARE HINGED OR ATTACHED AT THE TOP. A-FRAME SIGNS HAVE THE GENERAL APPEARANCE OF AN INVERTED "Y" OR "A" AND FROM THE FRONT AS A RECTANGLE. A-FRAME SIGNS MUST BE PLACED ON SIDEWALKS ADJACENT TO THE BUILDING THEY ADVERTISE IF THERE IS NO PRIVATE PROPERTY BETWEEN THE BUILDING AND THE STREET SURFACE, OR THEY MAY BE PLACED ON PRIVATE PROPERTY, FOOTED VERTICAL SIGNS MUST BE PLACED ON PRIVATE PROPERTY AND NOT ON SIDEWALKS. SUCH SIGNS SHALL BE CONSTRUCTED OF AT LEAST ONE-QUARTER-INCH PLYWOOD, OR OF METAL EQUIVALENT IN STRENGTH. SUCH SIGNS SHALL BE NEAT, ATTRACTIVE AND VISUALLY APPEALING, SO THAT THEY ARE AN ASSET OF THE BUSINESS. ADJACENT LAND USES AND THE COMMUNITY AT LARGE. A-FRAME AND FOOTED VERTICAL SIGNS SHALL MEET THE FOLLOWING REQUIREMENTS:
1. ONLY ONE (1) A-FRAME OR FOOTED VERTICAL SIGN SHALL BE ALLOWED PER BUSINESS REGARDLESS OF THE NUMBER OF BUILDINGS AT THAT LOCATION.
  2. THERE SHALL BE AT LEAST TEN (10) FEET BETWEEN OTHER TYPE SIGN AT ONE (1) BUILDING AND OTHER TYPE OF SIGN AT THE NEXT BUILDING.
  3. PLACEMENT OF OTHER TYPE SIGN SHALL ALLOW A MINIMUM OF SIX (6) FEET OF UNOBSTRUCTED PROJECTION WIDELY AND SHALL BE CAREFULLY PLACED SO AS NOT TO INTERFERE WITH PROHIBITED TRAFFIC OR OTHER VEHICLES, OR BLOCK THE VIEW OF VEHICULAR TRAFFIC BY THE RIGHT OF WAY TRIANGLE AT AN INTERSECTION.
  4. OTHER TYPE SIGN SHALL BE CONSTRUCTED, OR ADAPTED, TO PREVENT BEING BLOWN BY THE WIND FROM THEIR PLACEMENT, OR INTO PERSONS, VEHICLES OR OTHER BUILDINGS.
  5. A-FRAME AND FOOTED VERTICAL SIGNS REQUIRE A SIGN PERMIT PURSUANT TO SECTION 7.4 SIGN PERMIT AND ADMINISTRATION AND SHALL BE ALLOWED WITHIN THE GATEWAY THROUGH SOUTH SUBDIVISION.

Signage Criteria Table

Type of Sign	Maximum Number of Signs	Maximum Area (Square Feet)	Maximum Height of Freestanding Sign (Feet)	Comments
Wall-Mounted Sign	2 per individual level	1 for first 30 sq ft each level plus 0.4 for each foot of increase of building facade (up to 500 sq ft)	N/A	Cannot project above the top of parapet or wall.
Canopy Sign	1 per individual level	10	At least 8' above grade	
Awning Sign	1 per individual level	10	At least 8' above grade	
Window Sign		40% of window or door		In window or door, not both.
Monument Sign	1 per street frontage (exclusive of 1-25)	60 per sign face	30' max. height 10' max. width	Direct street-facing only; may not be located between 12am and 5am if within 500 feet of residential, clear of sight triangles.
Freestanding Sign	1	100	30' max. height 10' max. width	

- 7.1A. NOT APPLICABLE
- 7.1B. CREATIVE SIGNS
- A. PURPOSE. THIS SECTION ESTABLISHES STANDARDS AND PROCEDURES FOR THE DESIGN, REVIEW AND APPROVAL OF CREATIVE SIGNS. THE PURPOSES OF THIS CREATIVE SIGN PROGRAM ARE TO:
1. ENCOURAGE SIGNS OF UNIQUE DESIGN, AND THAT EXHIBIT A HIGH DEGREE OF THOUGHTFULNESS, IMAGINATION, INVENTIVENESS, AND SPYRY; AND
  2. PROVIDE A PROCESS FOR THE APPLICATION OF SIGN REGULATIONS IN WAYS THAT WILL ALLOW CREATIVELY DESIGNED SIGNS THAT MAKE A POSITIVE VISUAL CONTRIBUTION TO THE OVERALL IMAGE OF THE TOWN, WHILE MITIGATING THE IMPACTS OF LARGE OR UNUSUALLY DESIGNED SIGNS.
- B. APPLICABILITY. AN APPLICANT MAY REQUEST APPROVAL OF A SIGN PERMIT UNDER THE CREATIVE SIGN PROGRAM TO AUTHORIZE ON-SITE SIGNS THAT EMPLOY STANDARDS THAT DIFFER FROM THE OTHER PROVISIONS OF THIS ARTICLE BUT COMPLY WITH THE PROVISIONS OF THIS SECTION.
- C. APPROVAL AUTHORITY. A SIGN PERMIT APPLICATION FOR A CREATIVE SIGN SHALL BE SUBJECT TO APPROVAL BY THE PLANNING COMMISSION.
- D. APPLICATION REQUIREMENTS. A SIGN PERMIT APPLICATION FOR A CREATIVE SIGN SHALL INCLUDE ALL INFORMATION REQUIRED BY THE TOWN, AND THE FEE FOR BASED ON THE SAME FEE SCHEDULE AS A BUILDING PERMIT.
- E. DESIGN CRITERIA. IN APPROVING AN APPLICATION FOR A CREATIVE SIGN, THE PLANNING COMMISSION SHALL ENSURE THAT A PROPOSED SIGN MEETS THE FOLLOWING DESIGN CRITERIA:
1. DESIGN QUALITY. THE SIGN SHALL:
    - a. CONSTITUTE A SUBSTANTIAL AESTHETIC IMPROVEMENT TO THE SITE AND SHALL HAVE A POSITIVE VISUAL IMPACT ON THE SURROUNDING AREA;
    - b. BE OF UNIQUE DESIGN, AND EXHIBIT A HIGH DEGREE OF THOUGHTFULNESS, IMAGINATION, INVENTIVENESS, AND SPYRY; AND
    - c. PROVIDE STRONG GRAPHIC CHARACTER THROUGH THE IMAGINATIVE USE OF GRAPHICS, COLOR, TEXTURE, QUALITY MATERIALS, SCALE, AND PROPORTION.
  2. CONTEXTUAL CRITERIA. THE SIGN SHALL CONTAIN AT LEAST ONE OF THE FOLLOWING ELEMENTS:
    - a. CLASSIC HISTORIC DESIGN STYLE
    - b. CREATIVE MESSAGES REFLECTING CURRENT OR HISTORIC CHARACTER OF THE TOWN
    - c. INVENTIVE REPRESENTATION OF THE LINE, SHAPE OR LOGO OF THE STRUCTURE OR BUSINESS
  3. ARCHITECTURAL CRITERIA. THE SIGN SHALL:
    - a. UTILIZE ARCHITECTURE ENHANCE THE ARCHITECTURAL ELEMENTS OF THE BUILDING; AND
    - b. BE PLACED IN A LOGICAL LOCATION IN RELATION TO THE OVERALL COMPOSITION OF THE BUILDING'S FACADE AND NOT COVER ANY KEY ARCHITECTURAL FEATURES/DETAILS OF THE FACADE.

DATE	DRAWN BY	DESIGN BY	CHECKED BY	APPROVED BY	DATE	DATE	DATE
<p style="text-align: center; margin: 0;"><b>Galloway</b> Properties, Inc. PHYSICAL ARCHITECTURE, ENGINEERING 1500 E. 10TH AVENUE, SUITE 100 DENVER, COLORADO 80202 TEL: 303.733.0000 WWW.GALLOWAYPROP.COM</p>							
<p style="text-align: center; margin: 0;"><b>GALLOWAY</b> PROPERTIES, INC.</p>							
<p style="margin: 0;"><b>DEVELOPMENT OVERLAY</b> <b>GATEWAY TIMNATH SOUTH</b></p> <p style="margin: 0;">SOUTH EAST CORNER 1-25 &amp; HARMONY ROAD TIMNATH, COLORADO</p>							
<p>Project No: 20240004</p> <p>Sheet No: 01</p> <p>Drawn By: JAC</p> <p>Check By: JAC</p> <p>Date: SEPTEMBER 24, 2024</p> <p>File Path: 000007_01_00-000000</p>							
<p><b>SITE DESIGN</b> <b>GUIDELINES</b></p>							
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