TOWN OF TIMNATH, COLORADO

ORDINANCE NO. 76, SERIES 2009

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE TOWN OF TIMNATH FOR THE PURPOSE OF ZONING CERTAIN REAL PROPERTY TO BE KNOWN AS GATEWAY TIMNATH SOUTH SUBDIVISION, GENERALLY LOCATED SOUTH OF AND ADJACENT TO HARMONY ROAD, WEST OF WEITZEL STREET

WHEREAS, the Town of Timnath has received an application for rezoning of certain real property, more particularly described on the Attached Exhibit A, to the C-2 District with PD Overlay and to be known as the Gateway Timnath South Subdivision; 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 amendments to the Land Use Code 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; and

WHEREAS, the Town Council further finds the proposed rezoning to be in conformance with the Town's Comprehensive Plan, and

WHEREAS, the proposed rezoning was recommended for approval by the Town of Timnath Planning Commission on August 25, 2009 pursuant to Section 16.3.10.D 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

The real property shown on the attached Exhibit A is hereby zoned to C-2 with PD Overlay, and Article 3 of the Timnath Land Use Code and the map referred to therein as the "Official Zoning Map of the Town of Timnath", said map being part of said Land Use Code and showing the boundaries of the districts specified, shall be and the same is hereby amended accordingly.

Section 2. Public Hearing

The Town Council held a properly noticed public hearing on September 2, 2009 regarding the rezoning of the property, at which time all persons having an interest in the proposed rezoning were given an opportunity to present evidence.

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 AUGUST 19, 2009, AND SET FOR PUBLIC HEARING AND SECOND READING AT 7:00 P.M. ON SEPTEMBER 2, 2009 AT THE TIMNATH TOWN HALL, 4100 MAIN STREET, TIMNATH COLORADO AND ORDERED PUBLISHED BY TITLE THIS 20TH DAY OF AUGUST, 2009.

MOVED, SECONDED AND FINALLY ADOPTED ON SECOND READING FOLLOWING PUBLIC HEARING BY THE TIMNATH TOWN COUNCIL ON September 2, 2009.

TOWN OF TIMNATH, COLORADO

Dorina Benson, Mayor

ATTEST:

Milissa McGuire, Town Clerk
EXHIBIT A
Legal Description of Property Proposed for Rezoning
[attached]
EXHIBIT B

Proposed for Land Use Code Amendments

[attached]
16.2.6.4 Hot Application

16.2.7 Land Use and Blocks

1. A. Urban, The trend is for land use to be structured to facilitate the development of mixed land uses that complement specific land-use conditions.

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16.3.1.15 Landscaping

1. Planting and landscaping

(i) Tree selection

- Species diversity
- Size
- Growth rate
- Adaptability
- Maintenance

(ii) Landscaping elements

- Site preparation
- Soil amendments
- Irrigation systems
- Mulching

(iii) Maintenance

- Watering
- Fertilization
- Pruning
- Pest control

2. Retaining walls

- Materials
- Design
- Installation
- Maintenance

3. Paved areas

- Materials
- Design
- Accessibility
- Drainage

16.3.16 Landscaping

1. General

- Planting
- Landscaping
- Maintenance

2. Specific requirements

- Landscaping
- Retaining walls
- Paved areas
- Site preparation
- Soil amendments
- Irrigation systems
- Mulching
- Maintenance
- Watering
- Fertilization
- Pruning
- Pest control

3. Additional information

- Species diversity
- Size
- Growth rate
- Adaptability
- Maintenance

4. Maintenance

- Watering
- Fertilization
- Pruning
- Pest control

5. Additional requirements

- Site preparation
- Soil amendments
- Irrigation systems
- Mulching
- Maintenance
- Watering
- Fertilization
- Pruning
- Pest control
16.13.6 Buffeting and Screening Techniques

A. Wind tunnel tests
- The wind tunnel tests should be conducted on a scale model of the project that includes all the buildings and open spaces around the site.
- The wind tunnel tests should be conducted at different wind speeds and wind directions to simulate real-world conditions.
- The results of the wind tunnel tests should be analyzed to determine the areas of highest wind velocities and the potential for wind buffeting.
- The results of the wind tunnel tests should be used to design wind-screening elements and to adjust the design of the building to reduce wind buffeting.

B. General Provisions
- The wind tunnel tests should be conducted by a qualified风工程 or wind engineering firm.
- The wind tunnel tests should comply with the guidelines established by the American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE).
- The wind tunnel tests should be conducted in accordance with the guidelines established by the International Society of Building Officials (ISBO).

16.13.7 Lighting

A. Intermittent
- Intermittent lighting should be used to create a dynamic and engaging atmosphere at the site.
- Intermittent lighting should be used to create a focal point at the site entrance and at key points of interest.
- Intermittent lighting should be used to create a sense of separation at the site boundaries.

B. General Provisions
- Intermittent lighting should be designed to comply with the guidelines established by the Illuminating Engineering Society of North America (IESNA).
- Intermittent lighting should be designed to comply with the guidelines established by the American National Standards Institute (ANSI).
- Intermittent lighting should be designed to comply with the guidelines established by the International Commission on Illumination (CIE).

16.13.8 Sanitary Sewer

A. All ground water systems should be designed to comply with the guidelines established by the American Groundwater Testing Foundation (AGTF).
- All ground water systems should be designed to comply with the guidelines established by the American Water Resources Association (AWRA).
- All ground water systems should be designed to comply with the guidelines established by the National Ground Water Association (NGWA).

B. General Provisions
- All ground water systems should be designed to comply with the guidelines established by the United States Environmental Protection Agency (EPA).
- All ground water systems should be designed to comply with the guidelines established by the American Public Health Association (APHA).
- All ground water systems should be designed to comply with the guidelines established by the American Society of Civil Engineers (ASCE).

16.14.0 Potable Water

A. All ground water systems should be designed to comply with the guidelines established by the American Water Works Association (AWWA).
- All ground water systems should be designed to comply with the guidelines established by the American Public Health Association (APHA).
- All ground water systems should be designed to comply with the guidelines established by the National Sanitation Foundation (NSF).

B. General Provisions
- All ground water systems should be designed to comply with the guidelines established by the United States Environmental Protection Agency (EPA).
- All ground water systems should be designed to comply with the guidelines established by the American Society of Civil Engineers (ASCE).
- All ground water systems should be designed to comply with the guidelines established by the National Ground Water Association (NGWA).

16.14.1 Fire Protection

A. All ground water systems should be designed to comply with the guidelines established by the National Fire Protection Association (NFPA).
- All ground water systems should be designed to comply with the guidelines established by the American Society of Civil Engineers (ASCE).
- All ground water systems should be designed to comply with the guidelines established by the National Sanitation Foundation (NSF).

B. General Provisions
- All ground water systems should be designed to comply with the guidelines established by the United States Environmental Protection Agency (EPA).
- All ground water systems should be designed to comply with the guidelines established by the American Public Health Association (APHA).
- All ground water systems should be designed to comply with the guidelines established by the National Ground Water Association (NGWA).
1. This clause sets specific sign standards for public signs that will be subject to the City's Street Sign Ordinance. The purpose of the ordinance is to maintain a uniform and consistent appearance of signs within the City.

2. The following provisions apply to all signs, regardless of their size or type:
   - All signs shall be clearly visible and easily readable from a distance of at least 100 feet.
   - Signs shall be maintained in good condition and shall not be covered, obstructed, or otherwise rendered illegible.
   - Signs shall not be attached to utility poles, streetlights, or other public infrastructure.
   - Signs shall be limited to one sign per pole or utility pole.
   - Signs shall not be larger than 4 feet in height.

3. The following provisions apply to commercial signs:
   - Commercial signs shall not exceed 50 square feet in area.
   - Commercial signs shall be located at least 100 feet from the intersection of two streets.
   - Commercial signs shall not be located on any pedestrian walkway or in any park.

4. The following provisions apply to street name signs:
   - Street name signs shall be located at the corner of the street.
   - Street name signs shall be at least 2 feet in height and shall be visible from both directions.
   - Street name signs shall be maintained in good condition and shall not be obstructed.

5. The following provisions apply to traffic signs:
   - Traffic signs shall be located at the edge of the roadway.
   - Traffic signs shall be at least 6 feet in height and shall be visible from both directions.
   - Traffic signs shall be maintained in good condition and shall not be obstructed.

6. The following provisions apply to public service signs:
   - Public service signs shall be located at the entrance to a public service facility.
   - Public service signs shall be at least 3 feet in height and shall be visible from both directions.
   - Public service signs shall be maintained in good condition and shall not be obstructed.

7. The following provisions apply to decorative signs:
   - Decorative signs shall be located at the entrance to a public or private property.
   - Decorative signs shall be at least 2 feet in height and shall be visible from both directions.
   - Decorative signs shall be maintained in good condition and shall not be obstructed.

8. The following provisions apply to residential signs:
   - Residential signs shall be located at the entrance to a private residence.
   - Residential signs shall be at least 1 foot in height and shall be visible from both directions.
   - Residential signs shall be maintained in good condition and shall not be obstructed.

9. The following provisions apply to temporary signs:
   - Temporary signs shall be located at the entrance to a temporary event.
   - Temporary signs shall be at least 1 foot in height and shall be visible from both directions.
   - Temporary signs shall be maintained in good condition and shall not be obstructed.

10. The following provisions apply to electronic signs:
    - Electronic signs shall be located at the entrance to an electronic signage facility.
      - Electronic signs shall be at least 2 feet in height and shall be visible from both directions.
      - Electronic signs shall be maintained in good condition and shall not be obstructed.

11. The following provisions apply to special event signs:
    - Special event signs shall be located at the entrance to a special event.
      - Special event signs shall be at least 1 foot in height and shall be visible from both directions.
      - Special event signs shall be maintained in good condition and shall not be obstructed.

12. The following provisions apply to electronic signs:
    - Electronic signs shall be located at the entrance to an electronic signage facility.
      - Electronic signs shall be at least 2 feet in height and shall be visible from both directions.
      - Electronic signs shall be maintained in good condition and shall not be obstructed.

13. The following provisions apply to special event signs:
    - Special event signs shall be located at the entrance to a special event.
      - Special event signs shall be at least 1 foot in height and shall be visible from both directions.
      - Special event signs shall be maintained in good condition and shall not be obstructed.

14. The following provisions apply to electronic signs:
    - Electronic signs shall be located at the entrance to an electronic signage facility.
      - Electronic signs shall be at least 2 feet in height and shall be visible from both directions.
      - Electronic signs shall be maintained in good condition and shall not be obstructed.

15. The following provisions apply to special event signs:
    - Special event signs shall be located at the entrance to a special event.
      - Special event signs shall be at least 1 foot in height and shall be visible from both directions.
      - Special event signs shall be maintained in good condition and shall not be obstructed.

16. The following provisions apply to electronic signs:
    - Electronic signs shall be located at the entrance to an electronic signage facility.
      - Electronic signs shall be at least 2 feet in height and shall be visible from both directions.
      - Electronic signs shall be maintained in good condition and shall not be obstructed.

17. The following provisions apply to special event signs:
    - Special event signs shall be located at the entrance to a special event.
      - Special event signs shall be at least 1 foot in height and shall be visible from both directions.
      - Special event signs shall be maintained in good condition and shall not be obstructed.

18. The following provisions apply to electronic signs:
    - Electronic signs shall be located at the entrance to an electronic signage facility.
      - Electronic signs shall be at least 2 feet in height and shall be visible from both directions.
      - Electronic signs shall be maintained in good condition and shall not be obstructed.

19. The following provisions apply to special event signs:
    - Special event signs shall be located at the entrance to a special event.
      - Special event signs shall be at least 1 foot in height and shall be visible from both directions.
      - Special event signs shall be maintained in good condition and shall not be obstructed.

20. The following provisions apply to electronic signs:
    - Electronic signs shall be located at the entrance to an electronic signage facility.
      - Electronic signs shall be at least 2 feet in height and shall be visible from both directions.
      - Electronic signs shall be maintained in good condition and shall not be obstructed.

21. The following provisions apply to special event signs:
    - Special event signs shall be located at the entrance to a special event.
      - Special event signs shall be at least 1 foot in height and shall be visible from both directions.
      - Special event signs shall be maintained in good condition and shall not be obstructed.

22. The following provisions apply to electronic signs:
    - Electronic signs shall be located at the entrance to an electronic signage facility.
      - Electronic signs shall be at least 2 feet in height and shall be visible from both directions.
      - Electronic signs shall be maintained in good condition and shall not be obstructed.
16.2.1 General Provisions

A. Applicability. It is expressly understood that these “Design Standards” set forth in this PD Overlay are the only design standards applicable to the Project. These Design Standards hereby replace Article 16.2 in its entirety with respect to the Project. In the event of any conflict between the PD Overlay, the Town of Timnath Municipal Code and/or the Development Designs Standards for the I-25 Corridor, the terms of the PD Overlay shall apply.

B. Relation to zone district standards. In the event of a conflict between a standard or requirement contained in the Density and Dimensional Chart in Article 3 and text in Article 2, the standard in the chart in these Design Standards shall prevail.

C. Relationship to Construction Specifications. These Design Standards are intended to present the design principles that govern the Project. For specific construction standards for public improvements only applicable to the Project, see the Town of Timnath Design Criteria Manual and Construction Specifications for Public Improvements (Construction Manual).

16.2.2 Vision and intent

The intention of the Town in adopting these Design Standards for the Project is to clearly describe the Town’s vision for its physical development and to create a vital, cohesive, well-designed community in order to preserve and enhance its small-town character and further the goals identified in the Town of Timnath Comprehensive Plan. Application of this Article should promote the following qualities:

A. Walkable and pedestrian oriented.
B. Safe and secure.

C. One and two-story buildings where applicable and, density of other buildings shall vary given location, context, and use.
D. Town-wide activities.
E. Preserve visual separation between Timnath and its neighboring communities.

16.2.3 Application of Community Design Standards

The Planning Commission and the Board. All site plans for the Project shall be reviewed by Town Staff and such decisions shall be rendered by the Town Manager or designee in writing to the Applicant will evaluate each proposed site plan based on these principles and the context of the Project. The principles are intended to be specific enough to guide development, but not so specific as to preclude creative design solutions in most cases. Applicants must substantially conform to the design principles in this Section unless it can be demonstrated that an acceptable alternative meets one or more of the following conditions:

A. The alternative better achieves the stated intent;
B. The intent cannot be achieved by application of the principle in this circumstance;
C. The effect of other principles will be improved by not applying a particular principle;
D. Strict application or unique site features make the principle impractical.

16.2.4 Design Elements
A. Streets and sidewalks. Where feasible and appropriate, streets should continue Timnath’s existing block pattern to form a grid or modified grid pattern that is adapted to the topography, natural features and any environmental considerations.

B. Open space. Use natural open spaces, detention areas, parking islands, walkways, general landscape areas and setbacks to organize and focus lots, blocks and circulation patterns, and protect natural areas, and create an identity for the Project.

C. Site design, architecture and landscaping. Encourage innovative, quality site design, architecture, and landscaping in order to create new places that can be integrated with the existing community. Promote the use of native species and xeriscaping in landscaping, re-vegetation and reclamation.

Environment. Sites should be designed to preserve natural areas and the plants and wildlife inhabiting those areas to promote the use of native species in landscaping, re-vegetation and reclamation.

Water Conservation. Where applicable, encourage the use of raw or non-potable water of sufficient quality to not cause illness for irrigation. Incorporate water-saving measures in building design and landscaping. Developments are required to use storm water management techniques that address both water quality and quantity.

16.2.5 Urban Growth Area

A. Intent. The goal of the Town is to direct growth within the established Growth Management Area. No development shall be approved unless it is located within the established Growth Management Area and is consistent with the Town Comprehensive Plan. The implementation of this policy will accomplish several goals including:

1. Improving air quality by reducing vehicle miles traveled and by promoting alternative modes of transportation;
2. Preserving natural areas and features including at the edges of the GMA;
3. Making possible the efficient use of infrastructure and cost effective extensions of new services;
4. Encouraging in-fill development and reinvestment in built-up areas of the Town; and
5. Promote physical separation from neighboring communities to help each maintain its individual identity and character; and
6. Maximizing the Town’s economic viability.

16.2.6

16.2.7 Lots and Blocks

A. Intent. The intent of the block and lot standards is to promote development of block patterns that are compatible with site-specific environmental conditions.

B. General Provisions.

1. Blocks. Streets shall be designed to create blocks that consider interconnectedness, topography, solar orientation, views, and other design features.

The length, width and shape of blocks shall be determined with due regard to the following:

a. Provision of adequate building sites suitable to type of use contemplated.
b. Convenient access, control and safety of vehicular and pedestrian traffic.
c. Limitations and opportunities of the topography.
2. **Lot dimension and configuration.**
   a. Lot size, width, depth, shape, and orientation and minimum building setback lines shall conform to these Design Standards and the PD Overlay and shall facilitate the placement of buildings with sufficient access, outdoor space, privacy and view.
   b. Depth and width of properties shall be adequate to provide for off-street parking, landscaping and loading areas required by the type of use and development contemplated.
   c. Lot frontage. All lots shall have frontage that is either adjacent to, or directly accessible from, a street. Street frontage shall typically not be less than 25% of the lot depth. Flag lots are prohibited unless otherwise approved by the Board.
   e. Side lot lines. Side lot lines shall be substantially at right angles or radial to road right-of-way lines or centerlines.

### 16.2.8 Streets

**A. Intent.** The intent of these street policies is to establish a safe, efficient and attractive transportation system that promotes all modes of transportation and is sensitive to the environment.

**B. General Provisions.**
The public street system for the Project shall be designed to be safe, efficient, convenient, attractive, and consider all modes of transportation that will utilize the system. Public streets should be inviting public spaces and an integral part of community design. Public streets shall provide for both intra- and inter-neighborhood connections to knit the Project together. All streets should create a comprehensive network of public areas to allow free movement of cars, bicycles and pedestrians.

1. **Street connections.** All streets, either public or private, shall be aligned to join with planned or existing streets. All streets shall be designed to bear a logical relationship to the topography of the land.

2. **Tree-lined streets.** All public streets within the Project shall be lined with trees on both sides. Groupings of trees along streets may be allowed in specific circumstances.

3. **Street layout.** The street layout shall form an interconnected system of streets where feasible, primarily in a grid or modified grid pattern adapted to the topography, unique natural features, environmental constraints, and peripheral open space areas. The street layout shall emphasize neighborhood focal points, other internal open space areas, gateways, and vistas.

4. **Controlling street access.** A strip of land between a dedicated street and adjacent property shall not be reserved for the purpose of controlling access to such street from such property.

5. **Visibility at intersections.** No shrubs, ground cover, berms, fences, structures, or other materials or items greater than 24 inches in height shall be planted, created or maintained at street intersections within the sight distance triangle. Trees shall not be planted in the sight distance triangle.

6. **Pedestrian crossings at street intersections and mid-block.** Pedestrian crossings shall be accessible to limited mobility individuals and mid-block crossings may be required at the direction of the Town.

7. **Street right-of-way dedication.** The full width of right-of-way for all streets being platted must be conveyed to the Town after final acceptance unless otherwise approved by the Town.

8. **Perimeter streets.** When a street is dedicated which ends at the edge of a plat, the street right-of-way must be dedicated to the outside boundary of the plat.

9. **Street names.** Names of new streets shall follow the adopted Timnath Street Naming Policy and must be reserved within the Larimer County Street Inventory System by Town Staff.
10.10. Private drives. Private drives are permissible so long as they provide direct connections to public rights-of-way.

C. Type of street, location and adjacent land uses. The Project's public street network will conform to the following policies.

1. Arterial streets.
   a. Arterials shall be at a minimum of 1 mile intervals in both north-south and east-west directions and be designed to accommodate present and future transportation requirements. Arterial streets shall align and connect across intersecting arterials to distribute traffic and provide continuity.
   b. Typical adjacent land uses
      i. Business parks.
      ii. Community commercial.
      iii. District and community parks.
      iv. High density residential.
      v. Industrial developments.

2. Collector streets.
   a. Within each 1 mile arterial segment, collector streets shall divide the north-south and east-west arterials at approximately the half mile point. Intersections of collector streets and arterial streets shall be aligned to distribute traffic and provide continuity for bike routes.
   b. Typical adjacent land uses
      i. Agriculture.
      ii. Business parks.
      iii. Community parks.
      iv. Industrial.
      v. Low, medium and high density residential.
      vi. Middle and high schools.
      vii. Neighborhood commercial.

3. Local streets.
   a. Where practical, local streets shall generally follow a modified grid pattern adapted to the topography, unique natural features, environmental constraints, and peripheral open space areas. These streets shall generally parallel the arterial and collector street system, provide a variety of route options, interconnect to allow traffic to disperse in an equitable manner and be as narrow as possible without sacrificing the ability to accommodate expected traffic and services.
   b. Local streets must provide for both intra- and inter-neighborhood connections to knit developments together.
   c. Typical adjacent land uses
      i. Business parks.
      ii. Elementary schools.
      iii. Pocket parks.
      iv. Neighborhood parks.
      v. Residential.

4. Rural local street.
   a. Rural local streets are intended to serve rural locations as approved by the Board.
   b. A driveway access crossing the borrow ditch of a rural local street shall contain a culvert of sufficient size to safely pass the designed storm water drainage flows. A portion of the borrow ditch may fall outside of the rural local street right-of-way in order to obtain a borrow ditch
cross-section sufficient to contain the designed storm water flows and/or to be sufficient in depth for the driveway access culvert.

c. Typical adjacent land uses
   i. Agriculture.
   ii. Estate subdivisions.

5. Alleys.

a. Alleys shall be treated as public ways, and any lot having access from an alley shall also front upon a public street. Garages, accessory dwellings above garages and rear yards may access the collector and local street system via an alley.

b. Typical adjacent land uses
   i. Accessory units above garages.
   ii. Garages.
   iii. Parking lots with landscaped edges.
   iv. Rear yards.

6. Private Drives.
   a. Private drives are permissible within the Project.

16.2.9 Parking

A. Intent. The intent of this section is to provide general direction regarding parking for motor vehicles while minimizing the visual impact of parking lots and structures.

B. General Provisions.

Within the project, off-street parking facilities for the storage of motor vehicles for the use of occupants, employees and patrons of the building or structures hereafter erected, altered or extended shall be provided and maintained as herein prescribed.

1. Surface. All parking and driveway areas and primary access to parking facilities shall be surfaced with asphalt, concrete or similar materials.

2. Integrate parking lots with surroundings. Parking lots shall not dominate the frontage of pedestrian-oriented streets, interfere with designated pedestrian or bicycle routes, or negatively impact surrounding neighborhoods.

3. Location. Parking lots in commercial and business districts shall be located in order to best serve the users of the districts.

4. Landscaping. Parking lots shall be landscaped, screened and buffered as required in this PD Overlay. Parking lots shall be separated by a 10' landscape area (5' on each side of the property line).

5. Shared-access. Where feasible, and in order to reduce traffic and vehicle turn movements on major streets, parking lots shall share access drives and cross-access easements with adjacent property having similar land uses. The use of shared drives within the Project should be utilized when it serves the best interest of the Project.

6. Off-street parking design. Any off-street parking area shall be designed so that vehicles may exit without backing onto a public street unless no other practical alternative is available. Off-street parking areas shall be designed so that parked vehicles do not encroach upon, or extend onto, public rights-of-way or sidewalks or strike against or damage any wall, vegetation, utility or other structure.

7. Circulation area design. Circulation areas shall be designed to facilitate the safe movement of vehicles without posing a danger to pedestrians or impeding the function of the parking area.
8. **Lighting.** All parking area lighting shall be full cutoff type fixtures. Any light used to illuminate parking areas or for any other purpose shall be so arranged as to aim the light away from nearby residential properties and not interfere with the vision of passing motorists. All lighting shall be compatible with provision of wireless internet (wi-fi) services.

9. **Shared off-street parking.** When there are opportunities to support parking demand through shared off-street parking for compatible uses (such as a movie theater and an office building), a parking study and shared parking agreements shall be used to demonstrate the adequacy of the parking supply as a substitute for standard parking requirements.

C. **Paved off-street parking.**

1. Off-street parking for commercial uses shall be sufficient to provide parking for employees of all proposed uses as well as long-term customer parking. Spaces reserved for employees shall be designated as such by means of striping and signage.

2. **The location of off street parking facilities shall be located within a reasonable proximity to the applicable business front entrance.**

D. **Handicap Parking Spaces.**

1. Handicap accessible parking spaces shall be required for all retail, office, business, industrial and institutional uses.

2. Handicap accessible parking spaces shall be designated with painted symbols and standard identification signs.

3. Handicap accessible parking spaces shall be located as close as possible to the nearest accessible building entrance.

E. **Bicycle parking spaces.** Commercial, industrial, civic, employment and recreational uses shall provide bicycle facilities to meet the following standards:

1. A minimum number of bicycle parking spaces shall be provided, equal in number to 2% of the total number of automobile parking spaces provided by the development, but not less than 1 space.

2. For convenience and security, bicycle parking facilities shall be located near building entrances. Within downtown commercial areas, however, a grouping of spaces may be utilized as directed by the Town.

3. Bicycle parking facilities shall be designed to allow the bicycle frame and a wheel to be securely locked to a parking structure which is permanently attached to the pavement.

4. Bicycle parking facilities shall be located so as not to interfere with pedestrian traffic or access to buildings.

**16.2.10 Sidewalks, Multi-use Pathways and Trails**

A. **Intent.** The intent of the standards for sidewalks, multi-use pathways and trails is to assure a safe, convenient, and attractive pedestrian/bicycle system that minimizes conflicts between vehicles, bicycles, equestrians and pedestrians.

B. **General provisions.**

1. **Interconnected network.** A sidewalk network that interconnects all dwelling units with other dwelling units, non-residential uses, and common open space shall be provided throughout the Project, where applicable. Sidewalks shall be separate and distinct from motor vehicle circulation routes to the greatest extent possible. The pedestrian circulation system shall include gathering/sitting areas and provide benches, landscaping and other street furniture where appropriate.
2. Sidewalks required. Sidewalks are required along both sides of all public streets within the boundaries of the Project. Trails may be substituted for sidewalks as appropriate, at the discretion of the Town.

3. Sidewalk materials. Sidewalks shall be constructed of concrete, brick, slate, colored/textured concrete pavers, concrete containing accents of brick, or some combination thereof that is compatible with the style, materials, colors, and details of the surrounding buildings. Asphalt shall not be used for sidewalks.

4. Sidewalk installation. Sidewalks and related improvements shall be installed or constructed by the subdivider in accordance with plans and specifications approved by the Town and shall be subject to inspection and approval by the Town.

5. Accessibility. Sidewalks and plazas shall be accessible to disabled individuals as required by this Code and the Americans with Disabilities Act.

6. Walkways. Walkways through a subdivision block shall be not less than 6 feet in width and shall be flanked with appropriate landscaping. Walkways along buildings and within parking lots shall be raised and curbed, where suitable. A direct pedestrian connection to building entries, public space and parking areas shall be provided from public sidewalks. Walkways shall be constructed of the same materials as sidewalks; except that walkways internal to asphalt surfaced parking lots may be of asphalt construction. Walkways crossing driveways in parking lots shall be clearly delineated by a change in pavement color or texture or paint striping.

7. Lighting. All sidewalks and other pedestrian walkways shall have appropriate lighting, using poles and fixtures consistent with the overall design theme for the development. All lighting shall be compatible with provision of wireless internet (wi-fi) services.

8. Multi-use pathways (Bikeways). Multi-use pathways shall be provided to link internal open space areas with peripheral open space areas and shall connect to multi-use pathway routes throughout the community. Multi-use pathway routes shall be designated between residential areas and commercial and employment centers and schools. Multi-use pathways on local streets may be delineated by painted "bicycle only" lanes. Sidewalks that may be used as a multi-use pathway are required on arterial and collector streets. All other multi-use pathways shall be a minimum of 8 feet wide and shall be of concrete construction or where approved by the Town, compressed gravel (crusher fines). Asphalt paving of multi-use pathways is only allowed through specific approval of the Town. Bike racks shall be provided at the entry to internal and peripheral open space areas, where applicable.

9. Trails. Trails should be within open space areas where applicable and be designed to connect to other open space areas.

Easements and Utilities

A. Multiple installations within easements. Easements shall be designed so as to provide efficient installation of utilities and located in the applicable location required by the specific utility provider.

B. Underground utilities. Telephone lines, electric lines, cable television lines and other like utility services shall be placed underground. The subdivider shall be responsible for complying with the requirements of this Section, and shall make the necessary arrangements including any construction or installation charges with each utility provider for the installation of such underground facilities. Transformers, switching boxes, meter cabinets, pedestals, ducts and other facilities necessarily appurtenant to such underground utilities shall be placed underground or on the surface but not on utility poles. Screening or fencing is required to the satisfaction of the Board. Electric transmission and distribution feeder lines and necessary appurtenances thereto may not be placed above ground unless they are carrying greater than 115 kV. Upon approval of the Town, such facilities shall be placed within easements or rights-of-way provided for particular facilities.
16.2.12 Open Space

A. Intent. To ensure that a comprehensive, integrated network of open space is developed, preserved and maintained as the community grows.

B. Types of open space.

1. Landscaped areas. Landscaped areas shall be designed to enhance the overall aesthetics of the Project and shall incorporate the required materials set forth in Section 16.2.15.

2. Parking islands. Parking islands must include landscaping materials to qualify as open space.

3. Walkways. Hardscaped surfaces with visually pleasing materials such as brick, pavers and/or cobblestone.

4. Trails. A trail system should link neighborhoods, parks, schools, open spaces, employment centers, community facilities and neighboring communities.

5. Regional open space. Timnath's regional open space system includes: Town drainage ways, flood plains, natural areas, natural area buffer zones, wetlands, agriculture preservation areas and lands of archeological or historic significance. Access is generally limited to trails and similar improvements.

7. Storm drainage facilities. Storm drainage facilities, including storm water detention and storm water retention ponds, may function as open space for active recreation, trail corridors, or habitat enhancement areas if they are designed appropriately. Storm drainage facilities that include either native grasses or landscaping materials may be given 100% credit towards the Project's open space calculation requirements as approved by the Town.

C. General Provisions

1. Open space should serve as the neighborhood focus. Open space, such as the Town drainage ways and landscaped areas, shall be used to organize and focus lot, block and circulation patterns and to enhance surrounding development. Street, block, lot and building patterns shall respond to the views, landscape and recreational opportunities provided by the open space.

2. Public access. Areas designated as public open space shall be both visibly and physically accessible to the entire community. Adequate public access shall be provided to all public open space, natural and developed, directly from the Public Streets/public street.

3. Open space uses. Uses designated within the open space shall be appropriate to the context and character of the site and the intensity of the proposed development.

4. Ownership and maintenance of open space. Ownership and maintenance of public open space shall be owned and maintained by the owners of the property within the Project and/or the owners' association.

D. Open Space Requirements.

1. Functional open space may include all landscape and pedestrian hardscape areas such as parking islands (so long as landscaping materials are provided within such islands), detention ponds, drainage swales, sidewalks, walkways, and building frontage hardscape as approved by the Town through the site plan process.

2. Open space requirements. The Project shall include a minimum of 20% open space that shall be calculated on an aggregate basis throughout the Project.

3. Required open space shall not include the following:

   a. Required setback areas around oil and gas production facilities:
3. Landscape Area required for each site:
   Lot 1:  4,816 S.F.
   Lot 2:  4,816 S.F.
   Lot 3:  4,816 S.F.
   Lot 4:  63,586 S.F.
   Outlet A: 8,355 S.F.
   Total: 96,315 S.F.

16.2.14 Public Sites and Dedication requirements

A. The Project has satisfied its public sites and dedication requirements through previous dedications to the Town for rights-of-ways. The Project does not have any additional public sites and dedication requirements. Notwithstanding the foregoing, property owner will provide all applicable easements to utility providers that service the Project.

16.2.15 Landscape Design

A. Intent. To preserve the Town’s character and integrate and enhance new development by promoting quality landscape design that:
   1. Reinforces the identity of the community and each neighborhood;
   2. Provides tree canopies within paved areas when appropriate; and
   3. Is environmentally sensitive by preserving existing trees, using water conservation techniques, planting native species (when appropriate), and enhances valuable habitat.

B. General Provisions. All land development applications shall be accompanied by an appropriate landscape plan. Building permit applications for individual single-family residences will not require landscape plans. However, all landscaping within the community shall comply with the intent of these regulations.

1. Tree lawns. Landscape improvements in urban settings shall create an orderly, irrigated, managed landscape. All urban neighborhoods shall have tree-lined streets. Trees in tree lawns shall include a mix of species, be aligned in straight rows, and shall be placed within the right-of-way tree lawn. Where right-of-way and expanded tree lawns allow, trees may be grouped into clustered plantings. Spacing of trees shall allow for their mature spread. Trees installed along streets that will be widened in the future shall be planted so that they will not be disturbed during future construction.

2. Site landscape design. Landscape improvements shall be an integral part of the overall site design for each property. Landscape improvements shall be designed to enhance the character of neighborhoods and shall follow these guidelines:
   a. Configured to maximize connections within the site to natural areas and to landscaped areas in adjacent developments. Small, isolated islands of landscaping may be utilized in parking lots and for screening along roadways.
   b. Consistent with the character of the proposed development and the surrounding area to reinforce neighborhood identity.
   c. Enhance natural features, drainage ways and environmental resources.
   d. Designed for mature landscapes that will provide appropriate visibility for cars and pedestrians.
Environmental considerations

a. Landscapes shall use the following xeriscape design principles to facilitate water conservation:
   i. Appropriate turf selection to minimize the use of bluegrass, use of mulch to maintain soil moisture and reduce evaporation, zoning of plant materials according to their microclimatic needs and water requirements, and improvement of the soil with organic matter if needed; and
   ii. Well-planned planting schemes that include an efficient irrigation system, proper maintenance and an appropriate watering schedule.

b. All landscapes shall strive to maximize the use of native species. Where native material is not appropriate for the intended use or appearance, plant species that are regionally adapted and noninvasive may be used.

c. Landscapes shall consist of a variety of species to enhance biodiversity. No one species may make up more than 35% of the total non-grass plant materials on the site.

d. Lots, buildings and parking areas shall be located to preserve and promote the health of existing trees, environmental resources and natural drainage ways. This requirement is not intended to prevent the removal of unhealthy trees in conjunction with site development.

e. A combination of plantings, berms, walls and fences shall be used as appropriate to buffer sensitive habitat from developed areas.

f. Weed control will be practiced on all areas disturbed by construction and those areas shall be re-seeded to prevent erosion. Native, noninvasive grasses shall be used for re-vegetation where practical. Weed control is the responsibility of the landowner on all re-seeded areas and all preservation areas. Weed control shall be a continual responsibility of the owner during all phases of land clearing and construction. Every effort shall be made to prevent the spread of noxious weeds.

g. All automatic irrigation systems must be installed with moisture sensors.

New buildings and paved areas

a. Anchor structures in the landscape through the use of trees, shrubs and groundcover. The size and intensity of plantings shall be appropriate to the size and context of the improvements.

b. Integrate adjacent land uses of different intensities through a combination of berming, plantings and fencing. Use opaque screening only when necessary to mitigate the impact of noise, light, unattractive aesthetics and traffic. A fence shall not be the only screening material used.

c. Use landscaping to provide a transition from developed, managed landscape to more natural vegetation.

d. Provide a tree canopy by installing shade trees within and adjacent to paved areas.

c. Landscaped areas in commercial parking lots are limited to drip irrigation for trees and shrubs and no impact or spray heads shall be permitted. For grass areas, only drought tolerant grasses shall be permitted.

Plant materials

a. The minimum planting sizes on all required landscaping shall be 2 inch caliper deciduous trees, 2 inch caliper ornamental trees, 6 foot tall evergreen trees and 5 gallon shrubs.

b. Plants shall be healthy, well-branched vigorous stock with a growth habit normal to the species and variety and free of diseases, insects and injuries. A variety of plant species should be installed to help prevent the spread of disease.

c. All plants shall conform to standards for measurements, grading, branching, quality, ball and burlapping as stated in the current edition of the American Standard for Nursery Stock, American Association of Nurserymen, Inc., (AAN ASNS) and the Colorado Nursery Act of 1965 (CNA).

Irrigation

All required landscaping shall be irrigated as required for plant establishment and maintenance. Irrigation shall be appropriate to the type and scope of the improvements.
a. Use of non-treated water for irrigation is encouraged if a permanent, suitable supply is available.
b. Required landscaping in all developments shall be irrigated with a permanent irrigation system which contains moisture sensors.

c. All irrigation systems shall be designed to minimize over spray and runoff onto paved or other non-landscaped areas.

d. Temporary irrigation may be used to establish native grasses and vegetation.

7. Maintenance. In order to provide for the ongoing health and appearance of landscape improvements, all landscaping within the Project shall be maintained and replaced by the landowner, occupant or owners association as necessary. All property owners/occupants shall be responsible for maintenance of landscaping between the back of the curb or street pavement and the adjacent property within the Project boundaries along Weitzel Street only. Property owner shall also install an automatic irrigation system for the landscaping within Weitzel Street provided all such landscaping is adjacent to the property.

C. Landscaping Design Standards.

1. Landscaping within the right-of-way and required common open space. The developer or property owner shall provide the following for all property within the Project boundaries and adjacent portions of Weitzel Street:

a. Tree lawns - an average of at least 1 deciduous or ornamental tree for every 40 linear feet of block frontage or portion thereof. Trees shall be planted within the tree lawn with adequate spacing to allow for the mature spread of the trees. Within zones R-E, and A, street trees shall be planted in irregular clusters within front yard setbacks. At Town discretion, groupings of trees may be allowed in other districts as appropriate.

b. Collector and local streets - live groundcover including a combination of grass, trees, flowers, grass or shrubs. In commercial areas this area may be paved if it functions as pedestrian access to storefronts and is integrated into the overall design of the other improvements on the site.

c. Arterial streets - live groundcover as appropriate to the use and function of the area, including a combination of grass, trees, flowers, paving and 1 shrub for every 150 square feet of landscape area clustered into planting beds.

d. Landscaping for required common open space including pocket parks, neighborhood parks and trails. Landscaping shall be appropriate to the use and function of the area and include trees, shrubs, groundcover, irrigation (where necessary) and paving. Bluegrass may be used in these areas.

e. Long-term maintenance of common open space and landscaped areas within the boundaries of the Project and as required by this PD Overlay will be provided in the Project’s Declaration of Covenants.

2. Business/commercial and industrial development landscaping standards.

a. Landscapes improvements shall be designed to enhance the overall appearance of the development and to integrate the Project with adjacent land uses and into the surrounding neighborhood. See Section 16.2.1.2.D.3.b. for the amount of open space required per type of development.

b. Guarantee of installation. Required landscape improvements shall be installed prior to issuance of a Certificate of Occupancy (C.O.) for all structures. If weather conditions prevent installation, the developer shall post a financial guarantee for the improvements. This guarantee shall be released upon completion of the installation of the landscaping.

c. The developer or assigns shall provide:

i. Site trees - plant a minimum of 1 tree per 1,000 square feet of landscaped area along roadways, alleys and within parking areas. In open space areas the tree canopy shall provide shade for 25% of the gross open space area at maturity. Trees acceptable for planting in commercial and industrial landscapes include: Autumn purple ash, Mancana ash, Coralbust dwarf crabapple, Spring snow crabapple, Honeylocust (any variety), Capital pear, Chanticleer pear, Krauter’s Vesuvius plum, Snow mantle dogwood, Red dragon maple, Emperor I maple, Gambel oak.
ii. Shrubs. Plant a minimum of 1 shrub per 150 square feet of landscaped area. Group shrubs and distribute throughout the site. Trees may be substituted for up to 20% of the required shrubs at the rate of 1 tree for 6 shrubs.

iii. Groundcover - establish irrigated grass turf maintained to appropriate standards for active recreation in areas that will function for active recreation. Where appropriate, use native grass for areas that will not function as active recreation areas. Native grass must be weed free and maintained at a maximum height of 6 inches except for ornamental grasses as appropriate. For active recreation areas, a turf type tall fescue or a brome/fescue mix will be used.

iv. Landscape setback perimenter setback to parking lots and drives - 20 feet from arterials and 15 feet from other public streets, and 10 feet from private drives. This setback may be reduced to 10 feet if used in combination with a three to four foot masonry or stone decorative wall. Signage may be included in this setback. All setback distances are taken from back of parking lot curb to ROW where applicable. Detention, retention and drainage swales shall serve as part of landscape setback if properly landscaped.

v. Screen loading areas - screen loading areas (including vehicles being loaded), service and storage areas visible from the public right-of-way or adjacent property shall be screened to the extent feasible with an opaque screen that is an integral part of the building architecture or by landscaping. Chain link fencing with or without slats, tires, or used building materials are unacceptable screening materials.

3. Parking lot landscaping standards. Parking lot landscaping is intended break up large expanses of pavement, create shade, buffer views of parking lots from adjacent streets and development and enhance the overall appearance of each project. All parking lots with 10 spaces or more shall be subject to these requirements. The developer or assigns shall provide:

a. Site trees - a minimum of 1 tree per 10 parking spaces shall be planted within the applicable landscaped areas or parking islands. Group trees together in islands which are a minimum of 10 feet wide. Use the landscaping to break up large expanses of pavement and to create a tree canopy for summer shade.

b. Shrubs - a minimum of 1 shrub per 150 square feet of landscaped area. Group plantings in landscape islands.

c. Groundcover - limit areas of irrigated turf. Grass is discouraged in areas less than 10 feet wide. Install a grass buffer (native grass where possible) around the perimeter to filter runoff and improve water quality.

d. Landscape setback to parking lots - 20 feet from arterials and 15 feet from other public streets. The purpose of the setback is to provide a buffer between the street and parking area and to screen the parking from the street. This setback may be reduced to 10 feet if used in combination with a three to four foot masonry or stone decorative wall with trees and shrubs on both the street and parking lot sides of the wall to soften its appearance. Signage may be included in this setback. All setback distances are taken from back of parking lot curb to ROW where applicable. Detention, retention and drainage swales shall serve as part of the landscape setback if properly landscaped.

2. Storm drainage facilities.

1. Intent. To promote innovative and effective land and water management techniques that protect and enhance water quality.

2. General provisions.

a. Landscaping associated with storm drainage facilities shall be integrated into the overall design of the project.
b. It shall enhance the overall appearance of the project, prevent or minimize erosion and improve water quality of storm water runoff whenever possible.

c. Storm drainage facilities may function as open space

d. The use of planting strips and shallow landscaped depressions (bio-swales) in parking lots and along roads is encouraged to help trap and remove pollutants from storm water runoff, and may function as open space.

3. Applicability. All storm drainage facilities shall be appropriately landscaped.

4. Minimum landscape requirements.

a. All facilities shall be seeded to grass appropriate to the function of the area. Areas to be used for active recreation shall be seeded to a turf-type grass and irrigated with a permanent irrigation system. Areas to be maintained for habitat enhancement shall be seeded to native grasses and wildflowers. Developer is responsible for establishment of a complete, weed free stand of grass or plantings. Trail corridors may be seeded to native grasses if appropriately integrated with adjacent improvements. Areas to be used for active recreation shall be seeded to a turf type tall fescue or brome/fescue mix or other drought tolerant grass acceptable to the Town and irrigated with a permanent irrigation system.

b. Areas designed for recreation shall include clusters of trees to provide shade, located so they do not impair the function of the facility.

c. Habitat and water quality enhancement including wetland plantings in low wet areas is encouraged.

5. Ownership and maintenance.

a. All drainage facilities shall be owned and maintained by the landowner or occupant or land owner association unless otherwise approved by the Town.

D. Submittal standards for landscape plans. All land development applications will be accompanied by the appropriate landscape plan. Information required on each plan is listed in the table which follows:

1. Conceptual landscape plan. (submit with sketch plat) Intended to illustrate the overall design concept for landscaping and depict how it relates to the overall development.

   a. Describe the design intention of the proposed landscape improvements.

   b. This information should be included on the sketch plan map or combined with the conceptual open space plan if it can be clearly illustrated and the scale is not greater than 1" = 200'.

2. Preliminary landscape plan. (submit with preliminary plat) Intended to illustrate the master landscape plan for the development.

   a. Describe the design intention and how the proposal is consistent with the purpose and intent of these regulations.

   b. Landscaping should be included on the preliminary open space and ecological characterization plan if it can be clearly illustrated and the scale is not greater than 1" = 100'.

3. Final landscape plan. (submit with final plat) Intended to ensure each phase of the final landscape plan is consistent with the master landscape plan for the development and to illustrate the specific landscaping details for each phase.
a. Describe the design intention and how the proposal is consistent with the preliminary landscape plan.

b. The final landscape plan must be on a separate page from the final plat map and should be included with the final open space plan. The scale shall not greater than 1" = 50'.

14-2-29
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<th>INFORMATION REQUIRED</th>
<th>CONCEPT</th>
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<tr>
<td>Scale, north arrow, site boundary</td>
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<td>Existing and proposed streets</td>
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<td>Existing contours (2&quot; intervals), can be USGS for conceptual landscape plan</td>
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<td>General grading concepts for proposed improvements; typical cross sections of streets and special treatment areas</td>
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<td>Proposed contours (2&quot; intervals)</td>
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<td>Description of the design intention</td>
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<td>Describe the general character and location of proposed space and how it meets the purpose of this Article</td>
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<td>Illustrate how the open space network and pedestrian circulation system will function</td>
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<td>Existing site features including ditches, trees, shrub and drainageways, wetlands or wildlife site, indicate which plants will be preserved and which will be removed.</td>
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<td>Proposed landscaping including trees, shrubs, groundcover, deciduous and evergreen</td>
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<td>Indicate which areas will be irrigated and the method of irrigation</td>
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<td>Typical detail drawings at 1&quot;=20'- to illustrate perimeter treatments, buffering, typical front yard for residential special treatment areas on the site</td>
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<td>Define areas to be considered open space and if they will be public or private. Indicate how open space will be maintained including erosion control, revegetation, and weed management both during and after construction.</td>
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<td>Detailed planting plan indicating location, species, size and quantity of all proposed plantings and groundcover. Improvements shall be shown in their final location and mature size. Include a plant list in chart form and description of the type and location of groundcover, walls</td>
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E. Prohibited Plant Materials List. The following trees shall not be planted in the Town:

1. Russian Olive, Lombardy Poplar, Siberian Elm, Boxelder Maple, Cotton-bearing Cottonwood, Salt Cedar or Tamarisk.

2. Existing Cotton bearing Cottonwood will be considered on a case-by-case basis for restoration projects along riparian corridors.

16.2.16 Buffering and Screening Techniques

A. Intent. To integrate adjacent land uses and provide seamless transitions from one use to another through the use of building orientation, access, landscaping, appropriate architectural elements, and open areas.

B. Genera Provisions.

1. Special consideration shall be given to adjacent land uses of different intensities. It shall be the responsibility of the developer of the more intensive use to ensure that the transition from one use to another is attractive, functional and minimizes conflict between the current and planned uses.

2. It is the responsibility of the developer of the higher intensity use to demonstrate that the uses will be compatible. This can be accomplished through the effective use of shared access and parking, appropriate building orientation and setbacks, landscaping, architectural treatment, buffer areas, and limited use of fencing and screening walls. Special consideration shall be given to the impact of aesthetics, noise, lighting and traffic.

3. Under no circumstances shall a fence be the only screening material used as a buffer between land uses.

C. Location and Screening of Required Loading and Service Areas.

1. Loading docks, solid waste facilities, recycling facilities and other service areas shall be placed to the rear or side of buildings in visually unobtrusive locations.

2. Screening, buffering and/or landscaping may be incorporated to prevent direct views of the loading areas and their driveways from adjacent properties or from the public right-of-way. Screening and landscaping should also prevent spill-over glare, noise, or exhaust fumes.

D. Dumpsters

1. Every development using one or more dumpsters for solid waste collection shall provide sites for such dumpsters that are:
   a. Located to facilitate collection and minimize any negative impact on persons occupying the development site, neighboring properties, or public rights-of-way; and
   b. Constructed to allow for collection without damage to the development or the collection vehicle; and
   c. Provide an area for recycling as well as for the disposal of solid waste.

2. All dumpsters shall be screened to minimize visibility where possible from:
   a. Occupants, customers, or other invitees located within any building on nonresidential property other than that where the dumpster is located; and
   b. Persons traveling on any public street, sidewalk or other public way.

16.2.17 Fences and walls
A. Intent. To ensure that walls and fences are attractive and in character with the neighborhood. The creation of fence "canyons" along streets, parks or other public areas is prohibited.

B. General Provisions.

1. Compatibility. Walls and fences shall be architecturally compatible with the style, materials, and colors of the principal buildings on the same lot. If used along collector or arterial streets, such features shall be made visually interesting by integrating architectural elements such as brick or stone columns, varying the alignment or setback of the fence, softening the appearance of fence lines with plantings, or through similar techniques. A fence or wall may not consist of a solid, unbroken expanse for more than 50 feet for every 75 feet of length, or portion thereof.

2. Materials. Stone walls or brick walls with a stone or cast stone cap, treated wood fences, decorative metal, cast iron fences, stucco walls, and stone piers are encouraged. Solid walls and fences are permitted only in rear and side yards. Retaining walls are permitted where required for landscaping or architectural purposes. Hedges may be used in the same manner and for the same purposes as a fence or wall.

a. Fences used in front yard areas between the front building line and the front property line shall be at least 50 percent open. Allowable fences are split rail, wrought iron, picket, or other standard residential fences of a similar nature approved by the Town building official or designee.

b. Solid fences shall be constructed to meet the wind design criteria of the adopted Building Code using a basic wind speed of 80 miles per hour.

c. Other materials may be incorporated in fences and walls as may be approved by the Town.

3. Prohibited materials. Contemporary security fencing such as concertina or razor wire, barbed wire, or electrically-charged fences are prohibited unless specifically permitted by the Town. Chain link fencing with or without slats shall not be used as a fencing material for screening purposes.

4. Retaining walls. Retaining walls shall be designed to resist loads due to the lateral pressure of retained material in accordance with accepted engineering practice and shall not be unsightly or detrimental to abutting property.

5. Height limitations. Fences or walls shall be:

a. No more than 42 inches high between the front building line and the front property line. Walls shall not be solid except for retaining walls.

b. No more than 72 inches high if located on a side yard line in the front yard; except if required for demonstrated unique security purposes. No more than 120 inches if used to screen dumpster enclosures, bale and pallet storage areas, truck dock and loading areas. Fences and walls shall not be solid, except for retaining walls and screen walls for dumpster enclosures, bale and pallet storage areas and at truck docks and truck loading areas.

c. No more than 6 feet high for an opaque privacy fence located on a rear property line or on a side yard line in the rear or side yard, such area defined as being between the front building line and the rear property line.

d. No more than 6 feet high for opaque privacy fences that are located directly adjacent to and integrated with the architecture of the house or connected to a courtyard.

e. No more than 24 inches high when located within the site distance triangle and fences or walls within any site distance triangle shall not be of solid construction.

6. Maintenance. Dilapidated, unsightly or dangerous fences shall be removed or repaired when so ordered by the Town. Hedges shall be maintained in a healthy condition, trimmed and pruned as
appropriate for the plant type. Dead plant material in hedges shall be removed or replaced as appropriate when so ordered by the Town. Hedges shall not encroach upon sidewalks or street rights-of-way.

7-7. Permits for fences that encroach onto the public right-of-way shall be revocable at the discretion of the Town.

16.2.19 Commercial and Industrial Architecture

A. Intent. Regional Commercial Developments. Regional commercial developments by their nature include large national retail business often referred to as big box retailers along with moderately sized retail merchants that specialize in a specific area of merchandising such as sporting goods, home improvement or home furnishings, pet supplies and theatres; often referred to as mid-sized box tenants. Regional commercial developments can also be anchored by hotels or extended stay businesses. Restaurants and other retail merchants of smaller specialty and general merchandise tenants are also important to any regional commercial developments and depend on the customer drawing capacity of the large and mid-sized box tenants or hotels. For the most part, tenants in a regional commercial development have a national corporate identity. Typically, national corporate businesses adopt their own architecture and signage, unique styles and features to set themselves apart from competitors in furtherance their corporate brand. As an example, a restaurant specializing in southwestern or Mexican cuisine may adopt as a part of their architecture a southwestern style. The unique architectural features attributed to each tenant are a valuable part of the tenants marketing technique which allows these tenants to achieve higher volume gross revenues. Architecture that supports national corporate brand identification shall be permitted in the Gateway Timnath South.

B. General Provisions.

1. Connections. Developments must be linked with surrounding areas by extending city streets, sidewalks, and/or paths directly into and through the project and providing convenient, direct pedestrian, bicycle and vehicle access to and from all sides of the development.

2. Accessibility. Developments must be accessible to pedestrians and bicyclists as well as motorists. Site plans must provide for pedestrian access to the site and buildings; gathering areas for people; and auto access and parking lots.

3. Walkways. Walkways shall be located and aligned to directly and continuously connect areas or points of pedestrian origin and destination and not be located and aligned solely based on the design of a parking lot that works against such direct pedestrian access. At least one eight (8) foot sidewalk will connect the Superlot and Weitzel Road.

4. On-street parking. On-street parking is not permitted within the Project. Developer shall post no parking signage as appropriate within the Project.

5. Building orientation. Buildings should be located to front and relate primarily to streets in the B and C-1 districts.

6. Thematic architectural styles. Thematic architectural styles associated with national businesses are allowed in the Project. Architectural plans shall provide enhanced architectural elements including windows, wall articulations, canopies, cornice details, entry features or other improvements to the standard corporate model.

7. Location of parking lots. Parking should be designed to benefit the user of the property.
7. **Blank walls and wall articulation.**
   a. Blank windowless walls are discouraged and wall shall not have an uninterrupted length of 75 feet. Pilasters, texture, transitions windows color transitions, stepping of the wall plane or intensive planted landscape elements are required for wall length distances of over 75 feet.
   b. Blank wall or service area treatment of side and/or rear elevations visible from the general public is discouraged.
   c. All exterior elevations shall maintain the integrity of any adjacent properties architectural character and detailing.
   d. Continuous cornice lines or eaves are encouraged between adjacent buildings.
   e. Buildings with flat roofs shall provide a parapet with an articulated cornice.

9. **Facade treatment.** Elements of the architectural treatment of the front facade shall be continued (e.g., base course, brickwork, cornice details, etc.), in its major features, around all visibly exposed sides of a building.

10. **Windows.** Windows shall be vertically proportioned wherever possible.

11. **Awnings.** Fixed or retractable awnings are permitted. Canvas is the preferred materials, although other water proofed fabrics, metal or aluminum may be used.

12. **Screening.** All air conditioning units, HVAC systems, exhaust pipes or stacks, elevator housing and satellite dishes, other telecommunications receiving devices and any other apparatus placed on the roof of a building should be screened from view from I-25 and Harmony Road. It is desirable for each site to screen such devices and other apparatus from all rights-of-way where feasible.

C. C-2: Community Commercial District Architectural Standards.

1. **Design of developments with internal orientation.** In multiple-building developments with independent tenants and an internal traffic orientation, any driveway crossings must place priority on the pedestrian access.

2. **Requirement for four sided design.** A building's special architectural features and treatments shall not be restricted to a single facade.

3. **Building form.** The design of all buildings shall employ textured surfaces, projections, recesses, shadow lines, color, window patterns, overhangs, reveals, changes in parapet heights, or intensive planted landscape elements to avoid monolithic shapes and surfaces and to emphasize building entries. Buildings shall not feature unbroken flat walls over 75 feet or greater in length visible to the public without one or more of the elements listed above.

   a. Features to be used to meet the provisions above:
      i. Changes in color, graphic patterning, textures, or materials;
      ii. Pilasters;
      iii. Projections, recesses and reveals; Windows and fenestration;
      iv. Arcades and pergolas;
      v. Towers;
      vi. Gable projections;
      vii. Groupings of trees or shrubs;
      viii. Horizontal/vertical breaks; or
      ix. Other similar techniques.
5. Exterior building materials and colors. Intense, bright or fluorescent colors shall not be used as the predominant color on any wall or roof of any primary or accessory structure. These colors, however, may be used as building accent colors or if such colors are consistent with the specific corporate brand identity and thematic architecture of a specific tenant or retailer.

6. Roof materials. All sloping roof areas with a pitch of three in twelve (3:12) or greater, and visible from any public or private right-of-way, shall be surfaced with attractive and durable materials.

7. Orientation of pedestrian entries. All office, hotel and motel structures shall be oriented so that pedestrian entries face the nearest adjacent street.

16.2.20 Lighting

A. Intent

1. To create an attractive lighting system to enhance visibility and safety, while minimizing glare and contrast.

2. To encourage exterior lighting that is functional, aesthetically pleasing, and complementary to the architectural style of buildings.

B. General Provisions.

1. Evaluation of exterior lighting. Exterior lighting shall be evaluated in the development review process to ensure that the functional and security needs of the project are met in a way that does not adversely affect the adjacent properties or neighborhoods. The degree to which exterior night lighting affects a property owner or neighborhood will be examined with consideration of the light source, level of illumination, hours of illumination, and need for illumination in relation to the effects of the lighting on the adjacent property owners and the neighborhood.

2. Street lighting. Street lighting shall be installed as provided in this Code and as specified in the Construction Manual. Associated underground lighting supply circuits shall also be installed. All street lighting shall be wireless internet (wi-fi) compatible.

3. Light style. Street and other area lighting to be installed shall be consistent with styles chosen by the Town. Light fixtures that illuminate signage shall be compatible with the architecture of the building on which they are placed. Alternative lighting styles may be installed subject to Town approval.

4. Concealed light source. Light sources shall be concealed or shielded to the maximum extent feasible to minimize the potential for glare and unnecessary diffusion on adjacent property and not interfere with the vision of passing motorists. All lights shall be directed downward and the light source shall be equipped with "cut-off" devices so as to not be visible from any adjacent property and to ensure that ambient skyward light is eliminated. Accent and flagpole lighting shall be permitted to be directed upward as long as the light source is shielded and not visible from any adjacent property. Light fixtures installed under canopies, awnings, overhangs and the like shall be fully recessed.

5. Hours of lighting operation. All parking lot lighting fixtures and exterior building lights, except those required for security purposes, shall be extinguished within 1 hour after the end of business hours and remain extinguished until 1 hour prior to the beginning of business hours. If a portion of a parking lot is used after dark, only that portion shall be lighted.

6. Excessive illumination. Lighting within any lot that unnecessarily illuminates any other lot and substantially interferes with the use or enjoyment of such other lot is prohibited. Lighting unnecessarily illuminates another lot if it clearly exceeds the standards set forth in this Section, if the light shines directly into a residence, or if the standards set forth in this Section could reasonably be achieved in a manner that would not substantially interfere with the use or enjoyment of neighboring properties.
7. Exemption for outdoor recreational uses. Because of their limited hours of operation and their unique requirements for nighttime visibility, ball diamonds, playing fields, tennis courts, and other similar outdoor recreational uses (both public and private, unless otherwise restricted by the Board) shall be exempt from the general provisions of this section.

16.2.21 Environmental Considerations

A. Intent.
The intent of this section is to ensure that new development limits or mitigates its impact to wildlife and wildlife habitat and that it minimizes environmental impacts.

B. General Provisions.
1. Protection of wildlife and natural areas. To the maximum extent practical, development shall be designed to ensure that disturbances which occur to any natural area as a result of development shall be minimized through the use of natural buffer zones. If any development materially disturbs a natural area.

a. Natural areas shall include: flood plains and floodways, natural drainage and water ways, significant native trees and vegetation, wildlife travel corridors, special habitat features such as raptor nest sites, key nesting, breeding or feeding areas for birds; fox and coyote dens, remnant native prairie habitat, plains cottonwood galleries, and any jurisdictional wetland greater than 1 acre in size, as identified on the 1975 National Wetland Inventory (whichever is more restrictive).

b. The natural area buffer zone shall be used between natural areas and proposed development to ensure that the proposed development does not degrade the natural area. The size of the buffer zone shall be determined in conjunction with the Colorado Division of Wildlife or a Town approved wetland or wildlife ecologist. The Town may decrease this buffer when strict application of this subsection will impose an exceptional and undue hardship upon the property owner or developer.

c. Exceptions. The Board may allow disturbance or construction activity within the natural area or natural area buffer zone for the following limited purposes: mitigation of development activities, restoration of previously degraded areas, emergency public safety activities and utility installations when such activities and installations cannot reasonably be contained within other nearby developed areas, construction of a trail that will provide public access for educational and/or recreational purposes, or for the enhancement of the habitat value and/or other resource values of a natural area.

d. Ecological characterization. If the Town determines that the site includes areas with wildlife, plant life, and/or other natural characteristics in need of protection, the Town may require the developer to provide a report prepared by a professional qualified in the areas of ecology, wildlife biology, or other relevant discipline. The ecological characterization report should be included on the open space plan and describe the following:

i. The wildlife use of the natural area showing the species of the wildlife using the area, the times or seasons the areas is used by those species and the "value" (meaning feeding, watering, cover, nesting, roosting, perching) that the area provides for such wildlife species;

ii. The boundary of wetlands in the area and a description of the ecological functions and characteristics provided by those wetlands;

iii. Any prominent views from or across the site;

iv. The pattern, species, and location of any significant native trees and other native vegetation;

v. The bank, shoreline and high water mark of any perennial stream or body of water on the site;

vi. Wildlife travel corridors; and

vii. The general ecological functions provided by the site and its features.

e. Wildlife conflicts. If wildlife that may create conflicts for the future occupants of the development (including, but not limited to, beaver, deer and rattlesnakes) are known to exist in areas adjacent to or on the development site, then the development plan must, to the extent reasonably feasible, include provisions such as barriers, protection mechanisms for landscaping and other site features to minimize conflicts that might otherwise exist between such wildlife and the developed portion of
the site. Any impacts to wildlife must be referred to the Colorado Division of Wildlife and, in the case of threatened or endangered species, United States Fish and Wildlife Service.

C. Green Builder guidelines. The Green Builder program establishes environmental standards for the construction and operation of buildings. The intent of this program is to promote building practices which benefit the environment and the socio-economic well-being of current and future residents.

1. The resource areas addressed by the Green Builder standards include:
   a. Water (quality and quantity), energy (quantity and type), building materials (life cycle impacts), solid waste (construction and operation impacts), and health and safety.

2. Compliance. Compliance with the requirements of the Colorado Green Builder programs is strongly encouraged.

16.2.22 Sanitary Sewer
All commercial and industrial uses which include human occupancy shall have sanitary sewer. The sanitary sewer system shall be connected to an existing public sanitary sewer system and shall consist of a closed system of sanitary sewer mains and lateral branch connections to each structure or lot upon which a structure is to be built. Sanitary sewer lines are to be of sufficient size and design to collect all sewage from all proposed or portable structures within the subdivision or development. On a case by case basis, the Board may approve individual sewage disposal systems that comply with Larimer County Health Department standards. However, no new addition, upgrade or major repair to an individual sewage disposal system will be permitted if the property is located within four hundred (400) feet of a municipal or sanitation district collection line, measured through existing sewer easements or utility rights-of-way, except where such connection is not feasible or has been denied by the Town or district.

16.2.23 Potable Water
All commercial and industrial uses, which have human occupancy, shall have potable water served by the Town or appropriate water district. The water system shall be of sufficient size and design to supply potable water to each structure or lot upon which a structure is to be built.

16.2.24 Non-potable Water
Where appropriate, a non-potable (secondary) irrigation system will be installed for the irrigation of parks, open space and landscaped medians.

16.2.25 Fire Hydrants
The subdivider shall install fire hydrants at street intersections and at other points as per the requirements of the Poudre Fire Authority and the Construction Manual.
Article 7 - Signs

7.1 Purpose/Intent
A. The purpose of this Article is to promote the public health, safety and welfare of the town by establishing standards and criteria for the construction, installation, maintenance and operation of signs in the town. Specifically this Article is intended to:
   1. Recognize that signs are a necessary means of visual communication for the convenience of the public and provide flexibility within the sign review/approval process to allow for unique circumstances and creativity.
   2. Recognize and ensure the right of those concerned to identify businesses, services and other activities by the use of signs, and limit signs to those which are accessory and incidental to the use on the premises where such signs are located.
   3. Provide a reasonable balance between the right of an individual to identify his or her business and the right of the public to be protected against the visual discord resulting from the unrestricted proliferation of signs and similar devices.
   4. Protect the public from damage or injury caused by signs that are poorly designed or maintained and from distractions or hazards to pedestrians or motorists caused by the indiscriminate placement or use of signs.
   5. Ensure signs are well designed and contribute in a positive way to the Town’s visual environment, express local character, and help develop a distinctive image for the Town.
   6. Encourage signs that are responsive to the aesthetics and character of their particular location, adjacent buildings and uses, and the surrounding neighborhood. Ensure signs are compatible and integrated with the building’s architectural design and with other signs on the property.
   7. Ensure signs are appropriate for the type of street on which and zoning district in which they are located.
   8. Bring nonconforming signs into compliance with these regulations.

7.2 Applicability
A. This Article shall apply to all signs in the Town of Timnath, except as specifically stated otherwise.
B. A sign may only be erected, established, painted, created or maintained in conformance with the standards, criteria, procedures and other applicable requirements of this Article. Any sign not expressly allowed by this Article or not in conformance with its requirements is prohibited. On properties where mixed uses exist, residential uses shall comply with the sign regulations for residential lots, and nonresidential uses shall comply with the appropriate sign regulations for the use.
C. Unless otherwise expressly stated herein, all determinations made pursuant to this Article shall be made by the town manager or designee and in conjunction with input and recommendations made by the design review committee.

7.3 General Sign Regulations
A. All signs shall be constructed and maintained as per the adopted sign code as updated and utilized by the Town following guidelines.
B. Three federal, state and/or local flags may be allowed for a commercial use. One federal, state and/or local flag may be allowed for a residential use. Such flag(s), when fully extended, shall not encroach on the public right-of-way. Corporate banners or flags will be allowed, but shall be counted as part of the allowable square footage for signs and must follow the permitting process.
C. No sign shall be erected, moved, or changed in composition, size, color or printing, excluding normal maintenance of the existing sign, without first obtaining a building and/or sign permit from the town, unless excepted as herein provided.
D. Sign regulations herein shall not apply to official, federal, state, county or town signs which are erected and intended for public information, direction, safety and control purposes.
E. No sign shall be erected in public right-of-way unless otherwise permitted herein.

7.4 Sign Permits and Administration
A. Sign Permit Required. To ensure compliance with the regulations of this Article, a sign permit shall be required in order to erect, move, alter, reconstruct or repair any permanent or temporary sign, except signs that are exempt from permits in compliance with Section 7.7 (Exempt Signs). In multiple
tenant buildings, a separate permit shall be required for each business entity's sign(s). Separate building and electrical permits may be required for signs and will be determined on a case-by-case basis. Changing or replacement of identical copy on an existing lawful sign shall not require a permit, provided the copy change does not alter the nature or intent of the sign or render the sign in violation of this Article.

B. Compliance. Signs shall come into compliance with this Article should one of the following occur:

1. If a sign is damaged or in need of repair, or the owner intends to remodel the sign, the cost of the sign's repair or remodeling exceeds fifty (50) percent of the sign's replacement cost, the repaired or remodeled sign shall come into compliance with this Article.

2. If the business to which a sign relates changes use or name, the sign shall be brought into compliance with this Article.

3. If a business closes for ninety (90) days or longer and is reopened, the existing signs shall be brought into compliance with this Article.

C. Application for a Sign Permit.

1. Sign Permit Application Requirements. Applications for sign permits shall be made in writing on forms furnished by the Town. The application shall contain:
   a. The location by street number and the legal description of the proposed sign structure;
   b. Names and addresses of the owner, sign contractor and erectors;
   c. Legible site plans which include the specific location of the sign and setbacks to adjacent property lines and buildings;
   d. A detailed drawing indicating the dimensions, materials, and colors of the proposed sign structure. A certification by a registered professional structural engineer may be required by the Town for a freestanding or projecting sign. A building permit may be required by the Town for any necessary structural changes;
   e. A graphic drawing or photograph of the sign copy;
   f. A description of the lighting to be used, if applicable;
   g. Proof of public liability insurance covering freestanding signs and projecting wall signs;
   h. If the sign is to be located off the premises advertised, a written lease or permission from the property owner of the site on which the sign will be located; and
   i. Sign permit fee as established by the current fee schedule shall be paid at the time the application is submitted. The applicant shall pay all Town costs relative to the decision of the application.

2. Sign Permit Application Certification of Completion. Within ten (10) business days of the date of application submission, the Town Manager or designee shall either certify the application is complete and in compliance of all submittal requirements or reject it as incomplete and notify the applicant in writing of any deficiencies. Staff Review and Approval. When the Town Manager or designee has determined the application to be complete, the Town Manager or designee shall review the sign permit in accordance with the established review criteria and has the authority following guidelines to approve, approve with conditions or deny the sign permit. Upon the Town Manager or designee's approval of the sign permit, the sign permit and any building or electrical permits required for the sign shall be issued to the applicant.

D. Sign Permit Review Criteria. The following review criteria will be used by the Town to evaluate all sign permit applications:

1. Sign meets the requirements of this Article PD Overlay;
2. Sign conforms to the requirements of all applicable codes and this PD Overlay;
3. Sign conforms to the size, height, material and location requirements of the Zoning Code for the zoning district in which it is located;

4. Sign would not interfere with pedestrian or vehicular safety;

5. Sign would not detract from the character of an architecturally significant or historic structure;

6. Sign would not be located so as to have a negative impact on adjacent properties;

7. Sign would not detract from the pedestrian quality of street or area; and

8. Sign would not add to an over-proliferation of signs on a particular property or area.

E. Appeal of Sign Permit Denial or Approval with Conditions. Any appeal of the Town’s denial of a sign permit or approval with conditions shall be made to the Board of Adjustment as provided in the Zoning Code.

F. Administrative Variance. Upon written request, the Town Manager or designee may grant an Administrative Variance from any dimensional regulation required in Article 16.7 Signs. The Town Manager or designee may approve, approve with conditions or deny any request for deviation. The application shall be reviewed by the Town using the variance review criteria.

G. Temporary Sign Permit. Upon written request, the Town Manager or designee may grant a temporary sign permit which shall be limited to no more than twenty (1020) days.

7.5 Enforcement
A. Discontinued Establishments. Whenever a business, industry, service or other use is discontinued, the sign(s) pertaining to the use shall be removed or obscured by the person or entity owning or having possession over the property within thirty ninetynine (399) days after the discontinuance of such use or longer with prior written approval.

B. Illegal Signs.
1. Penalties. Illegal signs shall be subject to the administrative remedies of the Town Code.

2. Removal of illegal signs. The Town may cause the removal of any sign on public right-of-way, within the public right-of-way, on property that is otherwise abandoned OR that has been placed there without first complying with the requirements of this Article.

3. Removal of poorly maintained signs. The Town may cause the removal of any sign that has become a hazard to public safety due to poor construction or maintenance. Signs in violation of any other provision of this Code may also be removed by the Town at the cost of the owner. The Town will give a notice and period of time to the owner of the sign to allow time to remedy the violation.

4. Storage of removed signs. Signs removed in compliance with this Section shall be stored by the Town for seven (7) days, during which they may be recovered by the owner only upon payment to the Town for costs of removal and storage. If not recovered within the thirty day period, the sign and supporting structure shall be declared abandoned and title shall vest with the Town. The costs of removal and storage (up to seven days) may be billed to the owner. If not paid, the applicable costs may be imposed as a tax lien against the property.

7.6 Exempt Signs
A. The following types of signs are exempt from permit requirements of this Article and may be placed in any zoning district subject to the provisions of this Article. Such signs shall otherwise be in conformance with all applicable requirements contained in this Article. All such signs (except government signs) shall be located outside of the public right-of-way. Signs shall not interfere with traffic signs or the sight distance triangle at intersections. Evidence of permission to install a sign may be required as the Town investigates compliance with this Article. All other signs shall be allowed only with permit A and upon proof of compliance with this Article.

1. Signs that are not visible beyond the boundaries of the lot or parcel upon which they are located and/or from any public thoroughfare or right-of-way shall be exempt from the provisions of this Article, except
that such signs shall be subject to the safety regulations all applicable codes governing building construction in the Town.

2. Address. Nonilluminated signs not exceeding two (2) square feet in area which identify the address and/or occupants of a dwelling unit or of an establishment. Per the adopted fire code, address numerals shall be visible from the street fronting the property, and posting with a minimum of six (6) inch numerals on a contrasting background.

3. Architectural features. Integral decorative or architectural features of buildings so long as such features do not contain letters, numbers, trademarks, logos, moving parts or lights.

4. Art. Integral decorative or architectural features of buildings, or works of art; so long as such features or works do not contain letters, numbers, trademarks, logos, moving parts or lights.

5. Banners. Are allowed per the guidelines below with a permit issued by the Town.
   a. It is displayed in conjunction with a grand opening celebration for a period not to exceed thirty (30) days, or
   b. It is displayed in conjunction with a special sale for a period not to exceed thirty (30) days;
   c. It is displayed no more than two (2) times per calendar year per establishment;
   d. It is securely attached to the wall or roof of the establishment, freestanding signs or light poles on private property;
   e. One single-sided banner per street frontage per establishment or as approved by the Town.
   f. No banner shall be more than two-hundred (200) square feet in size; or
   g. Any banner in disrepair, tattered and/or torn shall be removed immediately.

6. Building Identification, Historical Markers. Nonilluminated signs constructed of metal or masonry which are permanently affixed to buildings or structures for the purpose of identifying the name of a building, date of erection or other historical information as approved by the Town Manager or designee.

7. Bulletin Board/MARQUEE SIGNS. Bulletin board and marquee signs securely attached to a building face and not exceeding fifteen (15) square feet in gross surface area accessory to a church, school, public or nonprofit institution.

8. Decorations (Holiday). Temporary decorations or displays, when such are clearly incidental to and are customarily and commonly associated with any national, state, local or religious holiday or celebration. Such signs shall be displayed for not more than sixty (60) days in conjunction with the national, state, or local religious holiday or celebration; and may be of any type, number, area, height, location, illumination or animation, so long as they do not advertise or identify a product or a business and are located so as not to conflict with or visually distract from the public health, safety and welfare. Such signs shall be removed within fourteen (14) days following the holiday or celebration.

9. Directional. On-premise directional and instructional signs not exceeding six square feet in area each.

10. Doors. Signs affixed to door surfaces which identify the name and/or address of an establishment.

11. Farm Products. Temporary farm product signs provided that:
   a. One on-premises sign may be used. Said sign shall be located off the street right-of-way and at least ten feet away from any side lot line. Such sign shall have a maximum area of nine square feet and may not be illuminated.
   b. A maximum of two off-premise signs shall be permitted. Said off-premise signs may be no greater than four square feet each and shall not be illuminated. No such sign shall be allowed in the street right-of-way nor within ten feet of any side lot line.

12. Garage, Estate, Yard Sale or Farm Auction. Signs which advertise a private garage or yard sale on the lot or on which the sale is located, provided such signs are displayed no more than twice per year per dwelling unit for a period not to exceed five (5) days (for auctions, sixty (60) days). Such signs shall include the address of the event and the date which the sale or auction will take place. Signs shall be removed within forty-eight (48) hours of completion of the sale or auction.

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Temporary or permanent signs erected by the Town, public utility companies, oil and gas companies, or construction companies to warn of danger or hazardous conditions, including signs indicating the presence of underground cables, gas lines and similar devices.

44.13. Memorial. Memorial signs, plaques or grave markers which are noncommercial in nature and not be located in the right of way.

45.14. Merchandise. Merchandise, pictures or models of products or services which are incorporated as an integral part of a window display and all window signs shall be limited to no more than forty (40%) percent of the total window area.

46.15. Notice Boards. Notice boards for public or religious institutions or other uses as approved by Staff and primarily intended for pedestrians.

47.16. Oil and gas operation. Identification signs for any oil and gas operation.

48.17. Political. Political signs displayed on private property in accordance with an official election or signs erected on behalf of candidates for public office provided:
   a. The total area of all such signs on a lot does not exceed sixteen square feet.
   b. The signs are removed within seven days after the election for which they were made.
   c. The property owner upon whose land the sign is placed shall give written permission for the placement of said signs and will be responsible for violations and removal.
   d. No such sign shall be erected in public right-of-way or easements.

49.18. Public Information. Signs which identify restrooms, public telephones or provide instructions as required by law or necessity, provided the sign does not exceed two square feet in area or as approved by Staff and is not illuminated, internally illuminated or indirectly illuminated. (This category shall be interpreted to include such signs as “no smoking,” “restrooms”, “no solicitors”, “self-service” and similar informational signs.)

50.19. Religious Symbols. Religious symbols located on a building or lot used for organized religious services.

21.20. Regulatory Signs. Regulatory signs erected on private property, such as “no trespassing” and “beware of dog” signs, which do not exceed two square feet per face or four square feet in total surface area, limited to four such signs per use or per building, whichever is the greater number.

22.21. Special Events. Temporary special event signs and banners for religious, charitable, civic, fraternal or similar non-profit or not-for-profit organizations provided that:
   a. Signs shall be erected no sooner than thirty (30) days prior and removed no later than seven (7) days after the event.
   b. No such sign shall exceed thirty-two (32) square feet.
   c. No such sign shall be illuminated.
   d. All such signs shall be located off the street right-of-way, unless otherwise granted permission for such location by the Town or the Colorado Department of Transportation (CDOT). In no case may any such sign impede the view or travel of any motorists or pedestrians or be attached to any structure within the right-of-way (government signs, telephone poles, etc.)

23.22. Strings of Light Bulbs. Displays of string lights excluding holiday decorations, provided:
   a. They are decorative displays which only outline or highlight landscaping or architectural features of a building.
   b. They are steady burning bulb lights. No blinking, flashing, intermittent changes in intensity or rotating shall be permitted.
   c. They are no greater in intensity than five watts.
   d. They shall not be placed on or used to outline signs, or sign supports.
e. They shall not be assembled or arranged to convey messages, words, commercial advertisements, slogans and/or logos.

f. They shall not create a safety hazard with respect to placement, location of electrical cords or connection to power supply.

g. They shall be placed only on private property.

h. They shall be maintained and repaired so that no individual light bulb is inoperative. In the event the bulbs are not maintained or repaired, the string lights may be removed at the expense of the owner after giving notice to the owner pursuant to this Article.

24.23. Text. No permit shall be required for text or copy changes on conforming or legal nonconforming signs specifically designed to permit changes of the text or copy; provided that no structural changes are made to the sign, and provided that the name of the business to which the sign belongs is not changed.

25.24. Time and Temperature. Signs displaying time and temperature provided they are not related to a product.

26.25. Traffic Control. Signs for the control of traffic or other regulatory purposes including signs for the control of parking on private property, and official messages erected by, or on the authority of, a public officer in the performance of his/her duty

27.26. Vacancy and No Vacancy. All "vacancy" and "no vacancy" signs, where they are not illuminated, internally illuminated, indirectly illuminated or directly illuminated signs; provided that the area of the sign does not exceed two and one-half square feet per face. Also, signs designed to indicate vacancy such as "yes", "no" or "sorry" shall also be exempt under the provisions of this paragraph if they meet the area requirement.

28.27. Vehicular Signs. Signs displayed on trucks, buses, trailers or other vehicles which are being operated or stored in the normal course of a business, such as signs indicating the name of the owner or business which are located on moving vans, delivery trucks, rental trucks and trailers and the like, shall be exempt from the provisions of this Article, provided that the primary purpose of such vehicles is not for the display of signs, and provided that they are parked or stored in areas appropriate to their use as vehicles in conjunction with the advertised business. Vehicle signs shall not be placed in the bed of a truck or on the roof of a vehicle in a manner which jeopardizes the health, safety and welfare of the community.

29.28. Vending Machine Signs. A sign permit shall not be required for vending machine signs provided that the advertisement upon the vending machine sign is limited to the product vended.

30.29. Signs located inside buildings which are not placed there for the purpose of being visible to and read from the outside of the building and which are not legible from a distance of more than three (3) feet beyond the building in which such sign is located.

31.30. Instructional signs on Town property erected by the Town.

7.7.7. Prohibited Signs

A. The following signs are inconsistent with the purposes and standards in this Article and are prohibited in all zoning districts.

1. Flashing, rotating, blinking or moving signs, animated signs, signs with moving, rotating or flashing lights or signs that create the illusion of movement, except as otherwise provided by this Article.

2. Any sign that is erected in such a location as to cause visual obstruction or interference with motor vehicle, bicycle, or pedestrian traffic and/or traffic-control devices including any sign that obstructs clear vision in any direction from any street intersection or driveway or is located within the sight distance triangle.

3. Mechanical or electrical appurtenances, such as "revolving beacons", that are designed to compel attention.

4. Roof signs.

5. Any sign other then traffic control signs erected, constructed, or maintained within, over or upon the right-of-way of any road or highway, except in the case of a sign for which a permit has been issued with the requirements of this Article.

6. Any sign which interferes with free passage from or obstructs any fire escape, downspout, window, door, stairway, ladder or opening intended as a means of ingress or egress or providing light or air.
7. Any sign located in such a way as to intentionally deny visual access to an adjoining property owner's existing sign.

8. Vehicle-mounted signs, including but not limited to, signs painted on or attached to semitrailers or cargo containers when exhibited on private property adjacent to public right-of-way for the purpose of advertising a business, service, or product for sale or rent. Vehicle-mounted signs used in connection with a special event are exempted from the requirements of this section during the duration of the special event only. Upon the conclusion of the special event, such signs must be dismantled. For the purposes of this subsection, the term special event shall mean a parade, circus, fair, carnival, festival, farmers' market or other similar event of less than 10 days duration that is different in character from the customary or usual activities generally associated with the property upon which the special event is to occur.

9. Portable signs except as allowed in each zone district by this Article.

10. Rotating signs.

11. Searchlights, except when used in conjunction with a special use permit or other event as approved by the Town and shall be temporary in nature.

12. Signs with optical illusion of movement by means of a design which presents a pattern capable of reversible perspective, giving the illusion of motion or changing of copy.


14. Any sign (together with its supporting structure) now or hereafter existing which, thirty ninety (90) days or more after the premises have been vacated, advertises an activity, business, product or service no longer produced or conducted upon the premises upon which such sign is located. If the sign or sign structure is covered or the identifying symbols or letters removed, an extension of time may be granted by the Town Manager or designee upon good cause for such extension being shown. (This provision shall not apply to permanent signs accessory to businesses which are open only on a seasonal basis, provided that there is clear intent to continue operation of the business).

46-15. Permanent freestanding signs on residential lots, except as provided in Section 7.14 Residential Sign Requirements. Any sign or sign structure which:

a. Is structurally unsafe;

b. Constitutes a hazard to safety or health by reason of inadequate maintenance or dilapidation;

c. Is not kept in good repair, or

d. Is capable of causing electrical shocks to persons likely to come in contact with it.

47. Any sign or sign structure which:

a. In any other way obstructs the view of, may be confused with or purports to be an official traffic sign, signal or device or any other official sign;

b. Uses any words, phrases, symbols or characters implying the existence of danger or the need for stopping or maneuvering a motor vehicle or bicycle;

c. Creates in any other way an unsafe distraction for motor vehicle or bicycle operators; or

d. Obstructs the view of motor vehicle or bicycle operators, pedestrian and horses entering a public roadway from any parking area, service drive, private driveway, alley or other thoroughfare.

7.3. Measurement of Sign Area and Height

A. Sign Surface Area. The area of a geometric shape enclosing any message, logo, symbol, name, photograph or display face shall be measured using standard mathematical formulas. Time and temperature devices shall not be included within the measurement of maximum sign area.
B. Sign Support. Supporting framework or bracing that is clearly incidental to the display itself shall not be computed as sign area.

C. Back-to-Back (Double-Faced) Signs. Back-to-back signs shall be regarded as a single sign only if mounted on a single structure, and the distance between each sign face does not exceed two feet at any point.

D. Three-Dimensional Signs. Where a sign consists of one or more three-dimensional objects (i.e. balls, cubes, clusters of objects, sculpture), the sign area shall be measured as their maximum projection upon a vertical plane. Signs with three-dimensional objects that exceed a projection of six inches from the sign face may be approved in compliance with Section 7.16 (Creative Signs).

E. Wall Signs. If a sign is attached to a wall, only that portion of the wall onto which the sign face or letters cover shall be calculated in the sign area.

F. Sign Height. The height of a sign shall be measured from the highest point of a sign to the ground surface beneath it. When berms are used in conjunction with signage, the height of the sign shall be measured from the mean elevation of the fronting street. Figure 7-1

7.9. Sign Design - General

A. Design compatibility.

1. Creative design encouraged. Signs shall make a positive contribution to the general appearance of the street and commercial area in which they are located. A well-designed sign can be a major asset to a building. The Town encourages imaginative and innovative sign design. The creative sign application procedure (Section 7.16) is specifically designed for artistic and unusual signs that might not fit the standard sign regulations and categories.

2. Professional. Signs shall be made by a professional sign company or other qualified entity acceptable to the Town and design review committee.

3. Proportionate size and scale. The scale of signs shall be appropriate for the building on which they are placed and the area in which they are located. Building signs shall be harmonious in scale and proportion with the building facade they are mounted to.

4. Sign location and placement.
   a. Visibility - Signs shall not visually overpower nor obscure architectural features be visible to the traveling public.
   
   b. Integrate signs with the building and landscaping — Carefully coordinate the sign with the architectural design, overall color scheme and landscaping. Signs shall be designed to complement or enhance the other signs for a building.
   
   c. Unified sign band - Whenever possible, signs located on buildings with the same block face shall be placed at the same height, in order to create a unified sign band. Locate wall signs at the first floor level only for retail uses.
   
   d. Monument signs — Locate monument signs in a planter setting within a landscaped area at the primary entries to the development/subdivision to provide an overall project identity. A maximum of one (1) monument sign per each side of a street for each entrance into a development/subdivision is permitted.
   
   e. Pedestrian-oriented signs — Pedestrian-oriented signs are encouraged. It is desirable to include a pedestrian-oriented sign as one of the permitted signs for a business. These signs are designed for and directed toward pedestrians so they can easily and comfortably read the sign as they stand adjacent to the business.
f. Road right-of-way — No sign shall be erected within the road right-of-way or near the intersection of any road(s) or driveways in such a manner as to obstruct free and clear vision of motorists, bicyclists or pedestrians or at any location where, by reason of the position, shape or color, it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device. Signs located at an intersection must be outside of the sight distance triangle.

6. Landscaping. Freestanding signs shall be landscaped at their base in a way harmonious with the landscape concept for the whole site. Landscaping shall form an attractive, dense cluster at the base of the sign that is equally attractive in winter and summer.

6-2. Reduce sign impact. When land uses of different character (i.e.: residential adjacent to commercial) are adjoining or exist in close proximity, signs shall be designed, located and/or screened with landscaping so that they have little or no impact on adjacent residential neighborhoods. Small-scale signs are encouraged.

B. Color.

1. Select colors carefully. Colors shall be selected to contribute to legibility and design integrity. Sign colors shall complement the colors used on the structures and the project as a whole. Colors or combinations of colors that are harsh and disrupt the visual harmony and order of the street are unacceptable.

2. Use contrasting colors. Provide a substantial contrast between the color and the material of the background and the letters or symbols to make the sign easier to read during both the day and night. Light letters on a dark background or dark letters on a light background are most legible.

3. Avoid using too many colors. Colors or color combinations that interfere with legibility of the sign copy or that interfere with viewer identification of other signs shall be avoided.

C. Materials.

1. Signs shall be constructed of durable, high quality architectural materials. The sign package must use materials, colors and designs that are compatible with the building facade. Sign materials must be of proven durability. Treated wood, painted metal, stone and brick are the preferred materials for signs.

D. Legibility. Signs shall be adequately legible under the circumstances in which they are primarily seen. The legibility of signs is related to:

1. The speed at which they are viewed;

2. The context and surroundings in which they are seen; and

3. The design, colors and contrast of the sign copy and sign face.

4. The design of the sign including copy, lettering size and style, and colors shall logically relate to the average speed of the traffic which will see it. Signs shall legibly convey their messages without being distracting or unsafe to motorists reading them. Symbols and logos can be used in place of words whenever appropriate.

E. Sign Illumination.

1. Use illumination only if necessary.

2. Sign illumination shall complement the design of the site.
3. Use a direct light source. All lighted signs shall have their lighting directed in such a manner as to illuminate only the face of the sign. When external light sources are directed at the sign surface, the light source must be concealed from pedestrian and motorist lines of sight.

4. Signs must be illuminated in a way that does not cause glare onto the street and adjacent properties. Signs shall be lighted only to the minimum level for nighttime readability and should not be so bright as to overpower an area.

5. All lighted signs shall meet all applicable electrical codes and the electrical components used shall bear the label of an approval agency. Additionally, electrical permits shall be obtained for electric signs.

6. Flashing, moving, blinking, chasing or other animation effects shall be prohibited on all signs except time and temperature signs.

7. Neon tubing is an acceptable method of sign illumination for window signs in commercial districts.

8. The use of individually-cut, back-lit letter signs is encouraged.

9. No commercial sign within five hundred linear feet of a pre-existing residential structure, and visible from that structure, may be illuminated between the hours of 11:00 p.m. and 6:00 a.m. A residence shall be deemed "pre-existing" for purposes of this Section if it has a valid building permit in effect for construction of said structure or if construction of said structure was complete on or prior to the effective date of this Article.

7.10. Sign Installation and Maintenance

A. Installation.

1. Where possible, signs shall be mounted so that the mounting brackets and associated mounting hardware are concealed.

2. Projecting signs shall be mounted so they generally align with others in the block.

3. All signs and all components thereof, including sign structures and sign faces, shall be kept neatly painted, in a good state of repair and in compliance with all building and electrical codes in force at the time of installation. The Town may inspect any sign governed by this Article and shall have the authority to order the painting, repair, alteration or removal of a sign which constitutes a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation or obsolescence.

4. Owners of projecting signs extending over public right-of-way shall be required to maintain public liability insurance in an amount to be determined appropriate by the Town, in which the Town is named as an "other insured".

B. Maintenance.

1. The owner of a sign and the owner of the premises on which such sign is located shall be jointly and severally liable to maintain such sign, including any illumination sources in neat and orderly condition, and in a good working order at all times, and to prevent the development of any rust, corrosion, rotting or other deterioration in the physical appearance or safety of such sign. The sign must also be in compliance with all building and electrical codes.

2. The owner of any sign regulated by this Article shall be required to keep signs and supporting hardware, including temporary signs and time/temperature signs structurally safe, clean,
free of visible defects and functioning properly at all times. Repairs to signs shall be equal to or better in quality of materials and design than the original sign.

3. The Town may inspect any sign governed by this Article and shall have the authority to order the painting, repair, alteration or removal of a sign which constitutes a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation or obsolescence.

C. Sight Distance Triangle

1. Signs shall be located outside the sight distance triangle. If the proposed sign is going to be located near a driveway, access point, or intersection, the applicant must demonstrate that the sign does not hinder a driver’s or pedestrian’s visibility by showing the proposed sign location is outside of the sight distance triangle. Figure 7-16 in Larimer County Urban Area Street Standards (LCUASS) provides detailed information on sight distance triangles. Please note that per LCUASS specifications, objects higher than twenty-four inches (24") are not allowed in the sight distance triangle.

7.14. Standards for Specific Types of Signs

A. Awning Signs. An awning sign is a wall sign which is painted, printed, stitched, sewn or stained onto the exterior of an awning. An awning is a movable or permanent shelter supported entirely from the exterior wall of a building and composed of nonrigid materials except for the supporting framework.

1. Location. Signs may be placed only on awnings that are located on first- and second-story building frontages, including those fronting a parking lot or pedestrian way. No awning sign shall project beyond, above or below the face of an awning.

2. Maximum area and height. Sign area shall comply with the requirements established for each zoning district and type of development. No structural element of an awning shall be located less than eight feet above finished grade. Awnings on which awning signs are mounted may extend over a public right-of-way no more than seven feet from the face of a supporting building. No awning, with or without signage, shall extend above the roof line of any building.

3. Lighting. Awning signs not be internally illuminated except as part of a creative sign. Lighting directed downwards that does not illuminate the awning is allowed.

4. Required maintenance. Awnings shall be regularly cleaned and kept free of dust, debris and visible defects.

B. Canopy Signs. A canopy sign is a wall sign that is permanently affixed to a roofed shelter attached to and supported by a building, by columns extending from the ground or by a combination of a building and columns.

1. Maximum area and height. Sign area shall comply with the requirements established for each zoning district and type of development. No canopy, with or without signage, shall extend above the roof line of any building. No canopy sign shall project above the top of the canopy upon which it is mounted. However, such signs may project horizontally from the face of a canopy the distance necessary to accommodate the letter thickness and required electrical equipment, but not more than twelve inches (measured from the bottom of the sign). Under-canopy signs which are perpendicular to the face of the building shall be deemed to be projecting wall signs. Under-canopy signs which are parallel to the face of the building shall be a minimum of eight feet above grade and shall be deemed to be flush wall signs.

2. Required maintenance. Canopies shall be regularly cleaned and kept free of dust, debris and visible defects.
C. Freestanding Signs. A freestanding sign is a sign which is supported by one or more columns, uprights, poles or braces extended from the ground, or which is erected on the ground and shall also include a monument sign and pole signs but does not include a sign attached to a structure.

1. Location. The sign may be located only on a site frontage adjoining a public street or Highway. No freestanding sign in any zoning district can be erected closer than eight feet from any curb line, nor closer than four feet to any building. No freestanding signs in business and industrial districts may be located less than twenty-five feet from any property line adjacent to a residential zoning district line.

2. Maximum area and height. The sign shall comply with the height and area requirements established for each zoning district and type of development within these guidelines.

3. Sign mounting. The sign shall be mounted on one or more posts or have a solid monument-type base. Posts shall not have a diameter greater than twelve inches.

4. Pole signs. Pole signs should not be so large as to obscure the patterns of front facades and yards.

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 signs that utilize 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 established for each zoning district and type of development 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 sight distance triangle. Monument signs shall contain only the name and address of the project which it identifies.

4. Landscaping requirements. Landscaping shall be provided at the base of the supporting structure where possible, equal to twice the area of one face of the sign. For example, twenty square feet of sign area equals forty square feet of landscaped area. The Planning Commission may reduce or waive this 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 businesses located above the ground level with direct exterior pedestrian access. Mount projecting signs so they generally align with others in the block and fit with architectural detail of the structure. This helps to create a "canopy line" that gives scale to the sidewalk.

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 multi-story building. Projecting signs must have eight 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 conjunction with wall-mounted or pole signs.

F. Standard Brand-Name Signs. A standard brand-name sign is any sign devoted to the advertising of any standard brand-name commodity or service which is not the principal commodity or service being sold or rendered on the premises, or are not a part of the name or business concern involved.

1. Maximum area. No more than twenty percent of the total allowable sign area for any permitted use shall be devoted to the advertising of any standard brand-name commodity or service.
G.-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 neighboring 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 permitted in Section 7.6 (Measurement of Sign Area and Height; Sign Setbacks); provided however, that any identification or advertising which is attached to or made part of the same sign structure shall be 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 structure on which it is placed.

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 7.3.B.

H.-G. Wall Signs. A wall sign is any sign painted on, incorporated in or affixed to the building wall, or any sign consisting of cut-out letters or devices affixed to the building wall with no background defined 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. No part of a wall sign shall be located more than twenty-five feet above grade level.

2. Maximum area and height. Wall signs shall not be higher than the eave line of the principal building. The sign shall comply with the height and area requirements established for each zoning district and type of development.

3. Projection from wall. No sign part, including cut-out letters may project from the surface upon which it is attached more than required for construction purposes and in no case more than twelve twenty-four inches.

4. Design. Wall signs shall identify the individual business, building or building complex by name or trademark only.

I.-H. Window Signs. A window sign is a sign that is painted on, applied or attached 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 door 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 noncommercial organizations shall be exempt from limitations for window signs.

7.12.-7.12. Retail, Commercial and Industrial Sign Requirements

A. The following requirements pertain to signage associated with retail and commercial and industrial development and associated activities in the following zoning districts within the Gateway Timnath South Subdivision:

1. MU Mixed Use District (associated with commercial development only)

2. C-1 Neighborhood Commercial District

3. C-2 Community Commercial District

4. I-1 Business/Light Industrial District

5. I-2 Industrial District

6. A Agricultural District
B. Exempt signs. In addition to the types of signs found in Section 7.6 Exempt Signs, the following types of signs are exempt as related to retail, commercial and industrial development within the **zoning districts listed in this Section Gateway Timnath 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) such sign oriented per street frontage per premise shall be erected. Any two (2) such signs located on the same premise shall be located at least one hundred (100) feet apart measured using a straight 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 issuance of a Certificate of Occupancy.

2. **Sale, Lease, Rent (onsite).** Temporary signs used to offer for sale, lease or rent of the land or the buildings 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 so long as such sign is located behind the street right of way line. If property so advertised lies on a corner lot or double frontage lot, then a second sign may be oriented along the second street so long as the two signs are at least one hundred feet apart as measured by the shortest straight 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 7.7 Prohibited Signs, the following types of signs are prohibited as related to retail, commercial and industrial development within the **zoning districts listed in this Section Gateway Timnath South Subdivision**.

1. Off-premise advertising signs

2. Any sign not pertinent and clearly incidental to the permitted use on the property where located except as otherwise provided in this article.

D. **Permitted Signs and Allowed Dimensions.** The following types of signs are allowed with a permit as related to retail, commercial and industrial development within the **zoning districts listed within this section Gateway Timnath South Subdivision.** Measurements of signs shall be calculated per secton 7.8 Measurement of Sign Area and Height. All signs must meet the allowed number and dimensions listed. Measurements of signs shall be calculated per Section 7.8 Measurement of Sign Area and Height.

<table>
<thead>
<tr>
<th>Type of Sign</th>
<th>Number of Signs</th>
<th>Maximum Area (sq. ft.)</th>
<th>Maximum Height of Freestanding Signs (feet)</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Identification Sign</td>
<td>Project Entry</td>
<td>48 per face</td>
<td>Height - 6' Width - 6'</td>
<td>May not be placed in the sight distance triangle. Direct illumination only.</td>
</tr>
<tr>
<td></td>
<td>Monument Sign</td>
<td>1 per entrance</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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<table>
<thead>
<tr>
<th>Type-of-Sign</th>
<th>Number of Signs</th>
<th>Maximum Area (sq. ft.)</th>
<th>Maximum Height of Freestanding Signs (feet)</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wall Sign or Projecting Sign: 1 per-individual-tenant building-frontage</td>
<td>1-for-first 100 linear feet of building frontage plus 4-for each 2-linear feet thereafter of building frontage up to 200-max</td>
<td></td>
<td>Sum of all Wall Signs on a given wall shall not exceed 6% of the wall area. May not have both a Canopy or Awning Sign and a Wall Sign on the same frontage. Cannot be 25'-above-grade level or higher than the eave line of the principal building; first-floor level only for retail uses.</td>
<td></td>
</tr>
<tr>
<td>Canopy or Awning Sign: 1 per individual-building tenant</td>
<td>40-if main sign, 4-if auxiliary sign</td>
<td>Min. - 6'-above grade</td>
<td>Allowed in place of a Wall Sign. May not have both a canopy or Awning Sign and a Wall Sign on the same frontage.</td>
<td></td>
</tr>
<tr>
<td>Window-Sign: 1 per Business</td>
<td>40% of window or door area</td>
<td></td>
<td>May be placed on window or door, but not both. Cannot exceed 25% of the total sign area for the premise.</td>
<td></td>
</tr>
<tr>
<td>Information Signs</td>
<td>5</td>
<td></td>
<td>Permitted at rear and loading door entrances.</td>
<td></td>
</tr>
</tbody>
</table>
In addition, all signs shall be installed and maintained per Section 7.10 Sign Installation and Maintenance and shall meet the standards of Section 7.11 Standards for Specific Types of Signs.

E. A-Frame Signs and Footed Vertical Signs. A-Frame Signs are freestanding 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 when viewed from the side of a capital "A". Footed Vertical Signs are freestanding signs with braces (feet) at the bottom to hold them upright, that are no taller than for (4) feet and no wider than three (3) feet, with one (1) or two (2) message-bearing sides that are not hinged or attached at the top, and when viewed from the side appear as a "L" and from the front as a rectangle. A-Frame Signs must be placed on sidewalks against the building of the business 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 building regardless of the number of businesses at that location.

2. There shall be at least ten (10) feet between either type sign at one (1) building and either type of sign at the next building.

3. Placement of either type sign shall allow a minimum of six (6) feet of unobstructed pedestrian walkway and shall be safely placed so as not to interfere with pedestrian traffic or access to parked vehicles, or block the view of vehicular traffic in the sight distance triangle at an intersection.

4. Either 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 Gateway Timnath South Subdivision, in the following zoning districts only:

   a. MU Mixed Use District (associated with commercial development only)

   b. C-1 Neighborhood-Commercial District

   c. B Business District

A. The following requirements pertain to signage associated with residential development and associated activities allowed in the following zoning districts:

1. R 5 Estate Residential District

2. R 2 Single-Family Residential District

3. R 3 Two Family/Multi Family Residential District

4. R 4 Multi-Family Residential District

5. MU Mixed Use District (associated with residential development only)
6. A Agricultural District

B. Exempt Signs. In addition to the types of signs found in Section 7.6 Exempt Signs, the following types of signs are exempt as related to residential development within the zoning districts listed in this Section:

1. Construction signs. Temporary construction signs provided that:

   a. Signs in conjunction with any residential use on an individual lot shall not exceed eight (8) square feet each.

   b. Such signs shall not be illuminated.

   c. Such signs shall only appear at the construction site.

   d. Such signs shall be removed upon issuance of a Certificate of Occupancy or project completion, whichever occurs first.

2. Sale, Lease, Rent (on-site). Temporary signs used to offer for sale, lease or rent of the land or the buildings 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 eight (8) square feet may be located on the property being advertised so long as said sign is located behind the street right of way line. If property so advertised lies on a corner lot or double frontage lot, then a second sign may be oriented along the second street so long as the two signs are at least one hundred feet apart as measured by the shortest straight 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 7.7 Prohibited Signs, the following types of signs are prohibited as related to residential development within the zoning districts listed in this Section:

1. Off premise advertising signs except as provided by the Town of Timnath. The Town of Timnath will erect and maintain off-premise signage along major thoroughfares within the Town to advertise various residential developments within the Town. These signs shall be the only off-premise advertising signs allowed within the Town of Timnath.

   a. The off-premise signs will be monuments erected and maintained by the Town and shall be of uniform design and dimensions.

   b. The signs will include the Town of Timnath logo and the various development names.

   c. No logos will be allowed and the name of all subdivisions will be the same size and font.

   d. Placement on these monuments will be on a first come, first serve basis and the subdivision name will be removed within thirty (30) days of issuance of the last Certificate of Occupancy in the subdivision.
2. Any sign not pertinent and clearly incidental to the permitted use on the property where located except as otherwise provided in this Article.

3. Signs advertising a business that has completed work on the property (i.e., roofing, drywall, landscaping, etc.). This excludes any signage necessary for public safety (i.e.: pesticides in use).

C. **Permitted Signs and Allowed Dimensions.** The following types of signs are allowed with a permit as related to residential development within the zoning districts listed within this section, all signs must meet the allowed number and dimensions listed. Measurements of signs shall be calculated per Section 7.8 Measurement of Sign Area and Height.

<table>
<thead>
<tr>
<th>Type of Sign</th>
<th>Number of Signs</th>
<th>Maximum Area (sq. ft.)</th>
<th>Maximum Height of Freestanding Signs (feet)</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Identification Sign</td>
<td>per single-family, duplex or mobile home</td>
<td>1</td>
<td>2</td>
<td>Wall Signs shall be no higher than the eave line of the principal building</td>
</tr>
<tr>
<td></td>
<td>per multi-family or triplex</td>
<td>46</td>
<td>Height—6 Width—4</td>
<td>Wall Signs shall be no higher than the eave line of the principal building</td>
</tr>
<tr>
<td></td>
<td>per public or quasi-public use</td>
<td>32</td>
<td>Height—8 Width—6</td>
<td>Wall Signs shall be no higher than the eave line of the principal building</td>
</tr>
<tr>
<td></td>
<td>per side of road per subdivision entrance (monument sign)</td>
<td>48 per side</td>
<td>Height—8 Width—6</td>
<td>Direct illumination only; may not be illuminated between 12:00 a.m. and 6:00 a.m. if within 500-feet of existing residential</td>
</tr>
<tr>
<td>Child-Care Center</td>
<td>4</td>
<td>16</td>
<td>Height—5</td>
<td>Not illuminated. This is the only freestanding sign allowed in a residential district</td>
</tr>
</tbody>
</table>

In addition, all signs shall be installed and maintained per Section 7.10 Sign Installation and Maintenance and shall meet the standards of Section 7.11 Standards for Specific Types of Signs.

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7.15

A. The following requirements pertain to signage associated with all development allowed in the following zoning districts:

1. **R-1 Old Town Residential District**
2. **B Downtown Business District**

B. **Purpose and Intent.** The intent of this section is to create a vibrant, sustainable, growing and pedestrian-oriented downtown core in Timnath with retail, office, convenience, live work and restaurant establishments along the main corridor. All signage shall be pedestrian scale and uniform throughout the core. They shall not hinder bicyclist, pedestrian or motorist traffic in any way and shall promote the health, safety and welfare of the community, both residents and visitors.

C. **Exempt Signs.** In addition to the types of signs found in Section 7.8 Exempt Signs, the following types of signs are exempt as related to all development within the zoning districts listed in this section.
1. **Construction Signs.** Temporary construction signs provided that:

   a. Signs have a maximum area of sixty-four (64) square feet.

   b. Only one (1) such sign oriented per street frontage per premise shall be erected. Any two (2) such signs located on the same premise shall be located at least one hundred (100) feet apart measured using a straight 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 issuance of a Certificate of Occupancy or project completion, whichever occurs first.

2. **Sale, Lease, Rent (onsite).** 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 eight (8) square feet may be located on the property being advertised so long as said sign is located behind the street right-of-way line. If property so advertised lies on a corner lot or double frontage lot, then a second sign may be oriented along the second street so long as the two signs are at least one hundred feet apart as measured by the shortest straight 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.

**D. Prohibited Signs.** In addition to the types of signs found in Section 7.7 Prohibited Signs, the following types of signs are prohibited as related to all development within the zoning districts listed in this section:

1. Any sign not pertinent and clearly incidental to the permitted use on the property where located except as otherwise provided in this article.

2. **Pole E. Permitted Signs and Allowed Dimensions.** The following types of signs are allowed with a permit as related to retail, commercial and industrial development within the zoning districts listed within this section. Measurements of signs shall be calculated per Section 7.8 Measurement of Sign Area and Height:

   3. Placement of either type sign shall allow a minimum of six (6) feet of unobstructed pedestrian walkway and shall be safely placed so as not to interfere with pedestrian traffic or access to parked vehicles, or block the view of vehicular traffic in the sight distance triangle at an intersection.

   4. Either 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 Timnath South Subdivision.
<table>
<thead>
<tr>
<th>Type of Sign</th>
<th>Number of Signs</th>
<th>Maximum Area (sq. ft.)</th>
<th>Maximum Height of Freestanding Signs (feet)</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commercial / Retail Identification Sign</td>
<td>Wall/Projecting Sign 1 per individual tenant</td>
<td>1 per 1 linear foot of building up to 200 maximum</td>
<td></td>
<td>Maximum 5% of wall area: No higher than 25' above finished grade</td>
</tr>
<tr>
<td>Canopy/Awning Sign 1 per individual tenant</td>
<td></td>
<td>10</td>
<td>At least 8' above grade</td>
<td></td>
</tr>
<tr>
<td>Window Signs</td>
<td></td>
<td>40% of window or door</td>
<td></td>
<td>In window or door, not in both</td>
</tr>
<tr>
<td>Informational Signs; 1</td>
<td></td>
<td>5</td>
<td>Height – 6 Width – 8</td>
<td>Rear and loading door entrances</td>
</tr>
<tr>
<td>Monument Signs; 1 per street frontage</td>
<td></td>
<td>3050 per face</td>
<td>Height – 640 Width – 810</td>
<td>Direct illuminating only; may not be illuminated between 12:00 a.m. and 5:00 p.m. if within 500 feet of existing residential; clear of sight distance triangle</td>
</tr>
<tr>
<td>Free standing sign (1)</td>
<td></td>
<td>196 S.F.</td>
<td>Height – 50 Width – 15</td>
<td>There will be one freestanding sign for the Project</td>
</tr>
</tbody>
</table>

In addition, all signs shall be installed and maintained per Section 7.10 Sign Installation and Maintenance and shall meet the standards of Section 7.11 Standards for Specific Types of Signs.

7.15  I-25 Corridor Sign Requirements

A. The following requirements pertain to signage associated with all development within 1/4 mile of Interstate 25.

B. All signs within 1/8 mile of Interstate 25 in addition to meeting all requirements of this Section and all applicable Town of Timnath regulations must also meet the Colorado Department of Transportation (CDOT) requirement 2 CCR 801-3.1 Roadside Advertising Rules and Regulations.

C. All signs along the I-25 corridor shall meet the requirements of the underlying zoning district, with the following additions:

1. Pole-mounted signs

   a. Shall be allowed for businesses that have a gross floor area of at least 150,000 square feet;

   b. Shall have a maximum area of one-hundred ninety-six (196) square feet;

   c. Shall have a maximum height of fifty (50) feet.

7.15 Not Applicable

7.16-7.16 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 spirit; 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 filing fee 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 spirit; 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 image reflecting current or historic character of the Town.
   c. Inventive representation of the use, name or logo of the structure or business.

3. **Architectural criteria.** The sign shall:
   a. Utilize and/or 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.