



PUD Master Plan Summary

FEBRUARY 15, 2019

MONTAVA – PUD MASTER PLAN

The Montava – PUD Master Plan is a long-term plan for the development of approximately 999 acres of contiguous land in the Mountain Vista Subarea of the City of Fort Collins, Colorado (“City”), proposed and approved in accordance with Land Use Code Division 4.29, which master plan will direct and guide subsequent project development plans and final plans therein.

The Montava – PUD Master Plan includes the following documents:

1. This PUD Master Plan Summary
2. Montava PUD Master Plan PUD Design Narrative
3. Sheets 1 through 7 of the Montava – PUD Master Plan:

Sheet 1	Cover Sheet
Sheet 2	Existing Conditions & Natural Features Map
Sheet 3	Overall Master Plan
Sheet 4	Annotated Master Plan
Sheet 5	Existing Zoning
Sheet 6	PUD Transect Districts and Special Districts
Sheet 7	Development Phasing Plan
4. Montava PUD Master Plan Uses, Densities and Development Standards
5. Development Standards of the Land Use Code, Appendix A to this PUD Master Plan Summary
6. Variances from Engineering Design Standards and Proposed Alternate Designs submitted with such variances, Appendix B to this PUD Master Plan Summary

VESTED PROPERTY RIGHTS

Pursuant to the PUD Overlay Regulations, the Montava - PUD Master Plan is eligible for a vested property right with respect to uses, densities and Development Standards, and Engineering Standards for which variances have been granted, all as specified in the approved Montava - PUD Master Plan. The applicant submitted a vested property rights request to the City which requests vested property rights for the following Montava - PUD Master Plan documents:

1. Montava PUD Master Plan Uses, Densities and Development Standards
2. Development Standards of the Land Use Code, Appendix A to this PUD Master Plan Summary
3. Variances from Engineering Design Standards and Proposed Alternate Designs submitted with such variances, Appendix B to this PUD Master Plan Summary

SUPPLEMENTAL DOCUMENTATION

The following documents were submitted to the City as part of the required submittal items for the Montava – PUD Master Plan, and are on file in the Planning Department of the City and are requested to be incorporated into the Montava record:

- Context Diagram
- Master Drainage Report
- Preliminary Water Demand Memorandum
- Master Traffic Impact Study
- Phase 1 Environmental Assessment
- Preliminary Subsurface Exploration Report
- Ecological Characterization Report
- Approved Jurisdictional Determination Letter
- Review Types compared with current Land Use Code
- Staff review comments and applicant's responses
- Mountain Vista Subarea Plan amendment request
- Master Street Plan Amendment Request
- Letters of Intent
- Vested Property Rights Request

The following documents were prepared to assist in the City's evaluation of Montava – PUD Master Plan and to facilitate preparation and evaluation of future project development plans and final development plans within the Montava – PUD Master Plan. They are on file in the Planning Department of the City and are requested to be incorporated into the Montava record. Nothing herein requires that any future project development plans or final development plans be designed in accordance with such supplemental information nor does it prevent the use of designs not included in such information. Rather, the purpose of the following documents is to memorialize discussions which have taken place between City staff and the Developer on these matters as a baseline for future project development plan and final development plan preparation and evaluation.

- Parks Diagram
- Bicycle Plan
- Block Level Detail Studies
- Arterial Intersections Diagram
- Pedestrian Sheds
- Grading and Utility Plans
- Street Sections Booklet
- Information regarding TCEF percentages
- Information regarding stormwater design assumptions
- Information regarding utility location and design assumptions
- Information regarding Natural Areas design and partnership
- Information regarding park, trail, grade-separated crossings
- COGCC well site documentation
- Sampling and Analysis Plan, TRC, June 21, 2018

Vested property rights are not requested for the Supplemental Documentation.

**Appendix A
to Montava PUD Master Plan Summary**

Development Standards of the Land Use Code

Development Standards of the Land Use Code		
Sec.	Description	Appendices*
3.2.1(K)	Utilities and Traffic - Minimum dimension requirements for tree/utility and traffic control device separations, with the exception noted in Appendix A-1	Appendix A-1
3.6.2	Streets, Streetscapes, Alleys And Easements – Transportation Network Design and Implementation	Appendix A-2
3.6.3	Street Pattern and Connectivity Standards	Appendix A-3
3.6.4	Transportation Level of Service Standards	Appendix A-4
3.7.3	Adequate Public Facilities	Appendix A-5
3.8.7	Signs (all provisions of Sec. 3.8.7 that are not modified by Chapter 8 of the Montava PUD Master Plan Uses, Densities and Development Standards)	Appendix A-6 as amended by Ordinance No. 141, 2018
3.8.26	Buffering for Residential and High Occupancy Building Units (all provisions of Sec. 3.8.26 that are not modified by Chapter 11 of the Montava PUD Master Plan Uses, Densities and Development Standards)	Appendix A-7
3.8.31	Urban Agriculture	Appendix A-8

* Appendices A-1 through A-8 include the text of the Land Use Code Development Standards cited herein, as of the Effective Date of the Montava – PUD Master Plan.

Appendix A-1 to PUD Master Plan Summary

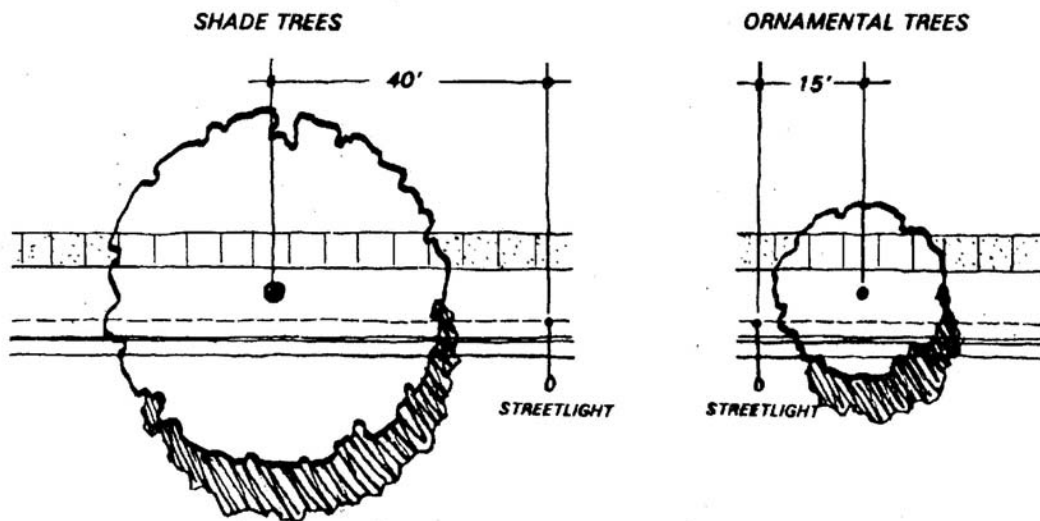
3.2.1 - Landscaping and Tree Protection

(K) **Utilities and Traffic.** Landscape, utility and traffic plans shall be coordinated. The following list sets forth minimum dimension requirements for the most common tree/utility and traffic control device separations. Exceptions to these requirements may occur where utilities or traffic control devices are not located in their standard designated locations, as approved by the Director. Tree/utility and traffic control device separations shall not be used as a means of avoiding the planting of required street trees.

- (1) Forty (40) feet between shade trees and streetlights. Fifteen (15) feet between ornamental trees and streetlights. (See Figure 2.)

Figure 2

Tree/Streetlight Separations



- * (2) Twenty (20) feet between shade and/or ornamental trees and traffic control signs and devices.
- (3) Ten (10) feet between trees and water or sewer mains.
- (4) Six (6) feet between trees and water or sewer service lines.
- (5) Four (4) feet between trees and gas lines.
- (6) Street trees on local streets planted within the eight-foot-wide utility easement may conflict with utilities. Additional conduit may be required to protect underground electric lines.

* Tree/streetlight separations greater than twenty (20) feet between shade and/or ornamental trees and traffic control signs and devices can be required if determined by the City in connection with a project development plan to be necessary for safe traffic operation.

Appendix A-2 to PUD Master Plan Summary

3.6.2 - Streets, Streetscapes, Alleys And Easements

- (A) **Purpose** . This Section is intended to ensure that the various components of the transportation network are designed and implemented in a manner that promotes the health, safety and welfare of the City.
- (B) **General Standard** . Public streets, public alleys, private streets, street-like private drives and private drives shall be designed and implemented in a manner that establishes a transportation network that protects the public health, safety and welfare. Rights-of-way and/or easements for the transportation system shall be sufficient to support the infrastructure being proposed. The transportation network shall clearly identify construction and maintenance responsibilities for the proposed infrastructure. All responsibilities and costs for the operation, maintenance and reconstruction of private streets, street-like private drives and private drives shall be borne by the property owners. The City shall have no obligation to operate, maintain or reconstruct such private streets, street-like private drives and private drives nor shall the City have any obligation to accept such private streets, street-like private drives and private drives.
- (C) Streets on a project development plan or subdivision plat shall conform to the Master Street Plan where applicable. All streets 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. Intersections of streets shall be at right angles unless otherwise approved by the City Engineer.
- (D) Cul-de-sacs shall be permitted only if they are not more than six hundred sixty (660) feet in length and have a turnaround at the end with a diameter of at least one hundred (100) feet. Surface drainage on a cul-de-sac shall be toward the intersecting street, if possible, and if not possible a drainage easement shall be provided from the cul-de-sac. If fire sprinkler systems or other fire prevention devices are to be installed within a residential subdivision, these requirements may be modified by the City Engineer according to established administrative guidelines and upon the recommendation of the Poudre Fire Authority.
- (E) Except as provided in subsection (D) above for cul-de-sacs, no dead-end streets shall be permitted except in cases where such streets are designed to connect with future streets on abutting land, in which case a temporary turnaround easement at the end of the street with a diameter of at least one hundred (100) feet must be dedicated and constructed. Such turnaround easement shall not be required if no lots in the subdivision are dependent upon such street for access.
- (F) If residential lots in a subdivision abut an arterial street, no access to individual lots from such arterial street shall be permitted.
- (G) Lots having a front or rear lot line that abuts an arterial street shall have a minimum depth of one hundred fifty (150) feet.
 - (1) **Alternative Compliance** . Upon request by the applicant, the decision maker may approve an alternative lot plan that does not meet the standard of this subsection if the alternative lot plan includes additional buffering or screening that will, in the judgment of the decision maker, protect such lots from the noise, light and other potential negative impacts of the arterial street as well as, or better than, a plan which complies with the standard of this subsection.
 - (2) **Procedure**. Alternative lot plans shall be prepared and submitted in accordance with the submittal requirements for streets, streetscapes, alleys and easements as set forth in this Section and landscape plans as set forth in Section 3.2.1. The alternative lot plan shall clearly identify and discuss the modifications and alternatives proposed and the ways in which the plan will equally well or better accomplish the purpose of this subsection than would a plan which complies with the standards of this subsection.

- (3) *Review Criteria.* To approve an alternative lot plan, the decision maker must first find that the proposed alternative plan accomplishes the purpose of this subsection as well as, or better than, a lot plan which complies with the standard of this subsection. In reviewing the proposed alternative plan, the decision maker shall take into account whether the lot plan provides screening and protection of the lots adjacent to the arterial street from noise, light and other negative impacts of the arterial street equally well or better than a plan which complies with the standard of this subsection.
- (H) Reverse curves on arterial streets shall be joined by a tangent at least two hundred (200) feet in length.
- (I) The applicant shall not be permitted to reserve a strip of land between a dedicated street and adjacent property for the purpose of controlling access to such street from such property unless such reservation is approved by the City Engineer and the control of such strip is given to the City.
- (J) Street right-of-way widths shall conform to the *Larimer County Urban Area Street Standards* as approved and amended by the City Council from time to time by ordinance or resolution.
- (K) Streetscape design and construction, including medians and parkways, shall conform to the *Larimer County Urban Area Street Standards* as approved and amended by the City Council from time to time by ordinance or resolution. Any permits that are required pursuant to the *Larimer County Urban Area Street Standards* shall be obtained by the applicant before the construction of the street, streetscape, sidewalk, alley or other public way (as applicable) is commenced.
- (L) Public alleys shall be controlled by the following requirements:
- (1) *When Allowed.* Public alleys in residential subdivisions shall be permitted only when: (a) they are necessary and desirable to continue an existing pattern or to establish a pattern of alleys that will extend over a larger development area, and (b) they are needed to allow access to residential properties having garages or other parking areas situated behind the principal structure and the principal structure is on a residential local street. Public alleys shall also be provided in commercial and industrial areas unless other provisions are made and approved for service access.
 - (2) *Design Construction Requirements.* All public alleys shall be constructed in conformance with the *Larimer County Urban Area Street Standards* as adopted by the City Council by ordinance or resolution, except those public alleys within the N-C-L, N-C-M and N-C-B zone districts that do not abut commercially zoned properties and that provide access only for carriage houses and habitable accessory buildings as such terms are described in Article 4. Dead-end alleys shall not be allowed.
- (M) **Private Streets.** Private streets shall be controlled by the following requirements:
- (1) *When Allowed.* Private streets shall be allowed in a development, provided that their function will only be to provide access to property within the development. Private streets shall not be permitted if (by plan or circumstance) such streets would, in the judgment of the City Engineer, attract "through traffic" in such volumes as to render such streets necessary as connections between developments, neighborhoods or other origins and destinations outside of the development plan.
 - (2) *Design Requirements.* Designs for private streets shall meet all standards for public streets in accordance with the *Larimer County Urban Area Street Standards*, as adopted by the City Council by ordinance or resolution. Optional treatments beyond the minimum city standards, such as landscaped medians or other decorative features, will not be approved unless the City determines that such treatments present no safety risk to the public and that the City's utilities will not incur maintenance or replacement costs for their utilities above normal costs associated with the City's standard design. As with public streets, the design of private streets must be completed by or under the charge of a professional engineer licensed by the State of Colorado. The design for all private streets shall be included in the utility plans for the development.

- (3) *Construction Requirements.* The construction of all private streets shall be under the direct supervision of a professional engineer licensed by the State of Colorado, who must certify that all improvements for private streets have been completed in accordance with the plans approved by the City. In addition, the construction of private streets shall be subject to inspection by the City Engineer for compliance with city standards established in the *Larimer County Urban Area Street Standards*, as adopted by the City Council by ordinance or resolution, and in accordance with the approved plans for the development. All private streets shall be subject to the same bonding and warranty requirements as are established for public streets.
 - (4) *Traffic Control.* All traffic control devices for the private street system, such as signs, signals, striping, speed control devices (traffic calming) and speed limits, must meet city standards. All plans for traffic control, including any proposed revisions, must be reviewed and approved by the Traffic Engineer prior to installation thereof.
 - (5) *Operation, Maintenance and Reconstruction.* The developer of a private street system must submit to the City that portion of the covenants, declarations and/or bylaws of the appropriate property owners association which defines the responsibilities for the operation, maintenance and reconstruction of the private street system, the costs of which must be borne by the property owners and not the City. The documents must provide for maintenance, reconstruction, drainage, lighting, landscaping, traffic control devices and any other special conditions. This information must also be shown on the plat and site plan for the development with the added statement that the City has no obligation to perform or pay for repair and maintenance or any obligation to accept the streets as public streets. At the time of recording of the plat, the developer shall also record a notice in the Larimer County, Colorado records showing the location of such street and identifying the property or properties which are burdened with the obligation of operation, maintenance and reconstruction of such street, and affirming that the City has no such obligation, or any obligation to accept such street as a public street.
 - (6) *Naming and Addressing.* Private streets shall be named and addressed in the same manner as public streets, in accordance with the laws and standards of the City.
 - (7) *Gated Developments.* Gated street entryways into residential developments are prohibited in accordance with subsection 3.6.3(G). Gated entryways for private streets are also prohibited.
- (N) ***Private Drives and Street-Like Private Drives.***
- (1) *When Allowed.*
 - (a) Internal access or additional cross-access. Private drives shall be allowed in a development, provided that their function will only be to provide access to property within the development or *additional* cross-access between developments that are also connected by a street(s). Private drives shall not be permitted if (by plan or circumstance) such drives would, in the judgment of the City Engineer, attract "through traffic" in such volumes as to render such drives necessary as connections between developments, neighborhoods or other origins and destinations outside of the development plan.
 - (b) Primary access. A private drive shall be allowed to provide primary access to a development, provided that the drive is in compliance with subparagraph (a) above.
 - (c) Street-Like Private Drives. A street-like private drive shall be allowed as primary access to facing buildings or to parcels internal to a larger, cohesive development plan, or for the purposes of meeting other requirements for streets. Street-like private drives shall be designed to include travel lanes, on-street parking, tree-lined border(s), detached sidewalk(s) and crosswalks. Other features such as bikeways, landscaped medians, corner plazas and pedestrian lighting may be provided to afford an appropriate alternative to a street in the context of the development plan.

On-street parking for abutting buildings may be parallel or angled. Head-in parking may only be used in isolated parking situations.

Such street-like private drives must be similar to public or private streets in overall function and buildings shall front on and offer primary orientation to the street-like private drive.

Street-like private drives may be used in conjunction with other standards, such as block configuration, orientation to connecting walkways, build-to-lines, or street pattern and connectivity.

- (d) Neither a private drive nor a street-like private drive shall be permitted if it prevents or diminishes compliance with any other provisions of this Code.
- (2) **Design Requirements.** Private drives shall be designed to meet the following criteria:
- (a) If any property served by the private drive cannot receive fire emergency service from a public street, then all emergency access design requirements shall apply to the private drive in accordance with Section 3.6.6. An "emergency access easement" must be dedicated to the City for private drives that provide emergency access.
 - (b) Private drives which must comply with Section 3.6.6 for emergency access shall be limited to an overall length of six hundred sixty (660) feet from a single point of access (measured as the fire hose would lay).
 - (c) The design of private drives shall comply with all the standards for *Emergency Access* as contained in Section 3.6.6.
 - (d) Access locations on public or private streets shall be placed in accordance with City standards.
 - (e) The connection of a private drive with a public street shall be made in accordance with City street standards.
 - (f) If drainage from a private drive is channeled or directed to a public street, such drainage shall be in accordance with City street standards.
- (3) **Construction Requirements.** The construction of all private drives shall be under the direct supervision of a professional engineer licensed by the State of Colorado, who must certify that all improvements for private drives have been completed in accordance with the plans approved by the City. In addition, the construction of private drives that will serve emergency access purposes shall be inspected by the City Engineer for compliance with city standards and the approved plans in the same manner as is required by the City for public streets.
- (4) **Operation, Maintenance and Reconstruction.** The developer of a private drive must submit to the City that portion of the covenants, declarations and/or by-laws of the appropriate property owners association which defines the responsibilities for the operation, maintenance and reconstruction of the private drive, the costs of which must be borne by the property owners and not the City. The documents must provide for maintenance, reconstruction, drainage, policing and any other special conditions. This information must also be shown on the plat and site plan for the development with the added statement that the City has no obligation to perform or pay for repair and maintenance or any obligation to accept the private drives as public streets. At the time of recording of the plat, the developer shall also record a notice in the Larimer County, Colorado records showing the location of such drive and identifying the property or properties which are burdened with the obligation of operation, maintenance and reconstruction of such drive, and affirming that the City has no such obligation, nor any obligation to accept such drive as a public street or drive.
- (5) **Naming and Addressing.** Private drives shall be named, if necessary, to comply with the standards for *Emergency Access* as contained in Section 3.6.6. Addressing of the property shall be assigned by the City in conformance with the Larimer County Urban Area Street Standards.
- (6) **Gated Developments.** Gated street entryways into residential developments are prohibited in accordance with subsection 3.6.3(G). Gated entryways for private drives are also prohibited.
- (O) **Easements.** Easements shall be controlled by the following requirements:

- (1) Public and private easements shall be provided on lots for utilities, public access, stormwater drainage or other public purposes as required and approved by the City Engineer.
- (2) Pedestrian and bicycle paths shall be provided to accommodate safe and convenient pedestrian and bicycle movement throughout the subdivision and to and from existing and future adjacent neighborhoods and other development; all such pedestrian and bicycle paths shall be constructed in conformity with the *Larimer County Urban Area Street Standards* as adopted by the City Council by ordinance or resolution.
- (3) Development plans shall incorporate and continue any public access easements so as to connect them to any such easements that exist on abutting properties.
- (4) The subdivider shall be responsible for adequate provisions to eliminate or control flood hazards associated with the subdivision in accordance with Chapter 10 of the City Code. Agreements concerning stormwater drainage between private parties shall be subject to City review and approval.

(Ord. No. 183, 1998 §2, 10/20/98; Ord. No. 228, 1998 §92, 12/15/98; Ord. No. 99, 1999 §14, 6/15/99; Ord. No. 165, 1999 §§24—27, 11/16/99; Ord. No. 186, 2000 §2, 1/2/01; Ord. No. 107, 2001 §26, 6/19/01; Ord. No. 087, 2002 §17, 6/4/02; Ord. No. 063, 2004 §1, 4/20/04; Ord. No. 091, 2004 §§14, 15, 6/15/04; Ord. No. 198, 2004 §§12, 13, 12/21/04; Ord. No. 161, 2005 §7, 12/20/05; Ord. No. 104, 2006 §11, 7/18/06; Ord. No. 120, 2011 §13, 9/20/2011; Ord. No. [025, 2013](#) §12, 2/26/13; Ord. No. [086, 2014](#) §35, 7/1/14)

Appendix A-3 to PUD Master Plan Summary

3.6.3 - Street Pattern and Connectivity Standards

- (A) **Purpose.** This Section is intended to ensure that the local street system is well designed with regard to safety, efficiency and convenience for automobile, bicycle, pedestrian and transit modes of travel.

For the purposes of this Division, "local street system" shall mean the interconnected system of collector and local streets providing access to development from an arterial street.

- (B) **General Standard.** The local street system of any proposed development shall be designed to be safe, efficient, convenient and attractive, considering use by all modes of transportation that will use the system, (including, without limitation, cars, trucks, buses, bicycles, pedestrians and emergency vehicles). The local street system shall provide multiple direct connections to and between local destinations such as parks, schools and shopping. Local streets must provide for both intra- and inter-neighborhood connections to knit developments together, rather than forming barriers between them. The street configuration within each parcel must contribute to the street system of the neighborhood.

Examples & Explanations

- (C) **Spacing of Full Movement Collector and Local Street Intersections With Arterial Streets .** Potentially signalized, full-movement intersections of collector or local streets with arterial streets shall be provided at least every one thousand three hundred twenty (1320) feet or one-quarter ($\frac{1}{4}$) mile along arterial streets, unless rendered infeasible due to unusual topographic features, existing development or a natural area or feature.

- (D) **Spacing of Limited Movement Collector or Local Street Intersections With Arterial Streets .** Additional nonsignalized, potentially limited movement, collector or local street intersections with arterial streets shall be spaced at intervals not to exceed six hundred sixty (660) feet between full movement collector or local street intersections, unless rendered infeasible due to unusual topographic features, existing development or a natural area or feature.

The City Engineer may require any limited movement collector or local street intersections to include an access control median or other acceptable access control device. The City Engineer may also allow limited movement intersection to be initially constructed to allow full movement access.

- (E) **Distribution of Local Traffic to Multiple Arterial Streets .** All development plans shall contribute to developing a local street system that will allow access to and from the proposed development, as well as access to all existing and future development within the same section mile as the proposed development, from at least three (3) arterial streets upon development of remaining parcels within the section mile, unless rendered infeasible by unusual topographic features, existing development or a natural area or feature.

The local street system shall allow multi-modal access and multiple routes from each development to existing or planned neighborhood centers, parks and schools, without requiring the use of arterial streets, unless rendered infeasible by unusual topographic features, existing development or a natural area or feature.

- (F) **Utilization and Provision of Sub-Arterial Street Connections to and From Adjacent Developments and Developable Parcels .** All development plans shall incorporate and continue all sub-arterial streets stubbed to the boundary of the development plan by previously approved development plans or existing development. All development plans shall provide for future public street connections to adjacent developable parcels by providing a local street connection spaced at

intervals not to exceed six hundred sixty (660) feet along each development plan boundary that abuts potentially developable or redevelopable land.

- (G) **Gated Developments.** Gated street entryways into residential developments shall be prohibited.
- (H) **Alternative Compliance.** Upon request by an applicant, the decision maker may approve an alternative development plan that may be substituted in whole or in part for a plan meeting the standards of this Section.
 - (1) *Procedure* . Alternative compliance development plans shall be prepared and submitted in accordance with submittal requirements for plans as set forth in this Section. The plan and design shall clearly identify and discuss the alternatives proposed and the ways in which the plan will better accomplish the purpose of this Section than would a plan which complies with the standards of this Section.
 - (2) *Review Criteria.* To approve an alternative plan, the decision maker must first find that the proposed alternative plan accomplishes the purposes of this Division equally well or better than would a plan and design which complies with the standards of this Division, and that any reduction in access and circulation for vehicles maintains facilities for bicycle, pedestrian and transit, to the maximum extent feasible.

In reviewing the proposed alternative plan, the decision maker shall take into account whether the alternative design minimizes the impacts on natural areas and features, fosters nonvehicular access, provides for distribution of the development's traffic without exceeding level of service standards, enhances neighborhood continuity and connectivity and provides direct, sub-arterial street access to any parks, schools, neighborhood centers, commercial uses, employment uses and Neighborhood Commercial Districts within or adjacent to the development from existing or future adjacent development within the same section mile.

(Ord. No. 90, 1998, 5/19/98; Ord. No. 228, 1998 §§25, 92, 12/15/98; Ord. No. 087, 2002 §18, 6/4/02; Ord. No. 161, 2005, §8, 12/20/05)

Appendix A-4 to PUD Master Plan Summary

3.6.4 - Transportation Level of Service Requirements

- (A) **Purpose.** In order to ensure that the transportation needs of a proposed development can be safely accommodated by the existing transportation system, or that appropriate mitigation of impacts will be provided by the development, the project shall demonstrate that all adopted level of service (LOS) standards will be achieved for all modes of transportation as set forth in this Section 3.6.4.
- (B) **General Standard.** All development plans shall adequately provide vehicular, pedestrian and bicycle facilities necessary to maintain the adopted transportation level of service standards. The vehicular level of service standards are those contained in Table 4-3 of the Larimer County Urban Area Street Standards (LCUASS). The bicycle and pedestrian level of service standards are those contained in Part II of the City of Fort Collins Multi-modal Transportation Level of Service Manual. Mitigation measures for levels of service that do not meet the standards are provided in Section 4.6 of LCUASS. No Transit level of service standards will be applied for the purposes of this Section. Notwithstanding the foregoing, adopted level of service standards need not be achieved where the necessary improvements to achieve such standards are not reasonably related and proportional to the impacts of the development. In such cases, the Director may require improvements or a portion thereof that are reasonably related and proportional to the impacts of the development or the requirement may be varied or waived pursuant to LCUASS Section 4.6.
- (C) **Transportation Impact Study, Nominal Impact.** In order to identify those facilities that are necessary in order to comply with these standards, development plans may be required to include the submittal of a Transportation Impact Study, to be approved by the Traffic Engineer, consistent with the Transportation Impact Study guidelines as established in LCUASS Chapter 4 . Should a Transportation Impact Study not be required pursuant to LCUASS Chapter 4, a proposed development shall be deemed to have a nominal impact and shall not be subject to the transportation level of service requirements described in this Section 3.6.4.

(Ord. No. 192, 2006 §7, 12/19/06; Ord. No. [109, 2018](#), §2, 9/4/18)

Appendix A-5 To PUD Master Plan Summary

3.7.3 - Adequate Public Facilities

- (A) **Purpose.** The purpose of the adequate public facilities (APF) management system is to establish an ongoing mechanism which ensures that public facilities and services needed to support development are available concurrently with the impacts of such development.
- (B) **Applicability.** This Section shall apply to all development in the City.
- (C) **APF Management System.**
- (1) **APF Management System Established.** In order to implement the City's Principles and Policies, the adequate public facilities management system ("APF management system") is hereby established. The APF management system is incorporated into and shall be part of the development review procedures as well as the process for issuance of Building Permits.
 - (2) **General Requirements.** The approval of all development shall be conditioned upon the provision of adequate public facilities and services necessary to serve new development. No Building Permit shall be issued unless such public facilities and services are in place, or the commitments described in subparagraph (E)(1)(a)(2) below have been made, or with respect to transportation facilities, a variance under LCUASS Section 4.6.7 or an alternative mitigation strategy under LCUASS Section 4.6.8 has been approved. Under this APF management system, the following is required:
 - (a) The City shall adopt and maintain level of service standards for the following public facilities: transportation, water, wastewater, storm drainage, fire and emergency services, electrical power and any other public facilities and services required by the City.
 - (b) No site specific development plan or Building Permit shall be approved or issued in a manner that will result in a reduction in the levels of service below the adopted level of service standards for the affected facility, except as expressly permitted under this Section 3.7.3 (and the referenced provisions of LCUASS).
- (D) **Level of Service Standards.** For the purpose of review and approval of new development and the issuance of Building Permits, the City hereby adopts the following level of service standards for the public facilities and services identified below:
- (1) **Transportation.**
 - (a) All development must have access to the Improved Arterial Street Network or to a street for which funds have been appropriated to fund improvement as an arterial street as more specifically required in Division 3.3.2, Subdivision Improvements, (F) Off-site Public Access Improvements.
 - (b) Except as provided in subsection (E)(1) below, all development shall meet or exceed the following transportation level of services standards:
 1. The vehicular level of service standards for overall intersection level of service standards contained in Table 4-3 of the Larimer County Urban Area Street Standards (LCUASS). Alternative mitigation strategies are provided in LCUASS Section 4.6.8
 2. The bicycle and pedestrian level of service standards are contained in Part II of the City of Fort Collins Multi-modal Transportation Level of Service Manual. Variances for levels of service that do not meet the standards are provided in LCUASS Section 4.6.7.
 3. No transit level of service standards contained in Part II of the Multi-modal Transportation Manual will be applied for the purposes of this Section.
 - (c) If any off-site improvements are required by the standards contained in this Section, repayments for the costs of such improvements shall be provided to the developer in accordance with the provisions of 3.3.2(F)(2).

- (2) *Water*. All development shall provide adequate and functional lines and stubs to each lot as required by the current City or special district, as applicable, design criteria and construction standards.
- (3) *Wastewater*. All development shall provide adequate and functional mains and stubs to each lot as required by the current City or special district, as applicable, design criteria and construction standards.
- (4) *Storm Drainage*. All development shall provide storm drainage facilities and appurtenances as required by Sections 26-544 and 10-37 of the Municipal Code and by all current City storm drainage master plans, design criteria and construction standards.
- (5) *Fire and Emergency Services*. All development shall provide sufficient fire suppression facilities as required by the Fire Code.
- (6) *Electrical Power Service*. All development shall have service provided as described in the *Electric Construction Policies, Practices, and Procedures* , and the *Electric Service Rules and Regulations* of the Fort Collins Electric Utility.

(E) **Minimum Requirements for Adequate Public Facilities.**

- (1) The City's APF management system shall ensure that public facilities and services to support development are available concurrently with the impacts of development. In this regard, the following standards shall be used to determine whether a development meets or exceeds the minimum requirements for adequate public facilities:
 - (a) For transportation facilities, at a minimum, the City shall require that, at the time of issuance of any Building Permit issued pursuant to a site specific development plan, all necessary facilities and services, as described in Section (D)(1) above, are either:
 1. in place and available to serve the new development in accordance with the development agreement, or
 2. funding for such improvements has been appropriated by the City or provided by the developer in the form of either cash, nonexpiring letter of credit, or escrow in a form acceptable to the City.
 - (b) Notwithstanding the foregoing, with respect to improvements required to maintain the applicable transportation facilities' level of service where, as determined by the Director, such improvements are not reasonably related to and proportional to the impacts of the development or currently desired by the City, a Building Permit may be issued pursuant to a site specific development plan provided the developer has:
 1. Agreed in the development agreement to install or fund improvements, or a portion thereof, that are reasonably related and proportional to the impacts of the development on the affected transportation facility or facilities; or
 2. Obtained a variance regarding the affected transportation facility or facilities under LCUASS Section 4.6.7; or
 3. Agreed in the development agreement to implement an alternative mitigation strategy as defined by LCUASS Section 4.6.8, or portion thereof, to adequately mitigate the reasonably related and proportional impacts of the development on the affected transportation facility or facilities; or
 4. Funding for such improvements has been appropriated by the City or provided by the developer in the form of either cash, nonexpiring letter of credit, or escrow in a form acceptable to the City.
 - (c) For water and wastewater facilities, at a minimum, the City shall require that, at the time of issuance of any building permit issued pursuant to a site-specific development plan, all necessary facilities and services, as described in Section (D)(2) and (3) above, are in place and available to serve the new development in accordance with the approved utility plan and development agreement for the development.
 - (d) For storm drainage facilities, the City shall require that all necessary facilities and services, as described in Section (D)(4) above, are in place and available to serve the new

development in accordance with the approved drainage and erosion control report, utility plans and development agreement for such development. The timing of installation of such facilities and service shall be as follows:

1. Where multiple building permits are to be issued for a project, twenty-five (25) percent of the building permits and certificates of occupancy may be issued prior to the installation and acceptance of the certification of the drainage facilities. Prior to the issuance of any additional permits, the installation and acceptance of the certification of the drainage facilities shall be required.
 2. For projects involving the issuance of only one (1) building permit and certificate of occupancy, the installation and acceptance of the certification of the drainage facilities shall be required prior to the issuance of the certificate of occupancy.
- (e) For fire and emergency services, at a minimum, the City shall require that, at the time of issuance of any building permit issued pursuant to a site-specific development plan, all necessary facilities and services, as described in Section (D)(5) above, are in place and available to serve the site within the new development where the building is to be constructed in accordance with the Fire Code and the development agreement.
- (f) For electric power facilities, the following minimum requirements shall apply:
1. For residential development: The developer must coordinate the installation of the electric system serving the development with the City's electric utility. In addition, each application for a building permit within the development must show the name of the development, its address, each lot or building number to be served, and the size of electric service required. The size of electric service shall not exceed that originally submitted to the electric utility for design purposes. Costs for installation of the electric service line to the meter on the building will be payable upon the issuance of each building permit.
 2. For Commercial/Industrial Development: The following documents/information shall be provided to the City's electric utility with each application for a building permit:
 - a. an approved and recorded final plat;
 - b. the final plan (two [2] copies);
 - c. the utility plan;
 - d. a one-line diagram of the electric main entrance;
 - e. a Commercial Service Information Form (C-1 form) completed by the developer/builder for each service, and approved by the electric utility (Blank forms are available at the Electric Utility Engineering Department, 970-221-6700);
 - f. the transformer location(s), as approved by the electric utility;
 - g. the name and address of the person responsible for payment of the electric development charges; and
 - h. the name, of the development, building address and lot or building number.
 3. Compliance with Administrative Regulations: The developer shall also comply with all other administrative regulations and policies of the electric utility, including, without limitation, the *Electric Construction Policies, Practices and Procedures*, and the *Electric Service Rules and Regulations*, copies of which may be obtained from the electric utility.

- (F) **Transportation APF Exception. Nominal Impact.** For the purpose of the transportation APF requirements contained in this Section, a proposed development shall be deemed to have a nominal impact and shall not be subject to the APF requirements for transportation if the development proposal is not required to complete a Traffic Impact Study per the requirements in Chapter 4 - Transportation Impact Study of the Larimer County Urban Area Street Standards.

(Ord. No. 107, 2001 §29, 6/19/01; Ord. No. [109, 2018](#), §3, 9/4/18)

Appendix A-6 to PUD Master Plan Summary

3.8.7 - Signs

3.8.7.1 - Permanent Signs

(A) **General.**

- (1) *Signs Permitted.* Permanent signs shall be permitted in the various zone districts as accessory uses in accordance with the regulations contained in this Section. The regulations contained in this Section 3.8.7.1 apply to permanent signs while temporary signs are regulated under Section 3.8.7.2 unless specifically provided herein.
- (2) *Prohibited Permanent Signs.* Rooftop signs and all other signs which project above the fascia wall, portable signs, revolving and rotating signs, inflatable signs, and wind-driven signs (except flags in compliance with this Section 3.8.7.1) shall be prohibited in all zone districts.
- (3) *Nonconforming Signs.*
 - (a) Existing signs which were erected without a permit and which, although legally permissible at the time they were erected, have become nonconforming because of subsequent amendments to this Code must be brought into conformance with the provisions of this Section, as amended, within ninety (90) days of the effective date of the amendment which caused the nonconformity.
 - (b) Existing on-premise signs for which a sign permit was issued pursuant to the previous provisions of this Code, and which have become nonconforming because of an amendment to this Code, shall be brought into conformance with the provisions of this Section 3.8.7.1 within the period of time specified in the ordinance containing the amendment which causes the nonconformity. In determining such period of time, the City Council shall consider the length of time since the last Code change affecting that same category of signs as well as the cost of bringing the signs into compliance. During the period of time that the signs may remain nonconforming, such signs shall be maintained in good condition and no such sign shall be:
 1. structurally changed to another nonconforming sign, although its content may be changed;
 2. structurally altered in order to prolong the life of the sign, except to meet safety requirements;
 3. altered so as to increase the degree of nonconformity of the sign;
 4. enlarged;
 5. continued in use if a change of use occurs as defined in the zoning ordinance, or if the premises promoted by the sign comes under new ownership or tenancy and such sign is proposed to be remodeled, repainted or otherwise changed for the purpose of displaying the new name or other new identification of the premises; or
 6. re-established after damage or destruction if the estimated cost of reconstruction exceeds fifty (50) percent of the appraised replacement cost.
 - (c) Except as provided in subsection (d) below, all existing nonconforming signs located on property annexed to the City shall be removed or made to conform to the provisions of this Article no later than seven (7) years after the effective date of such annexation; provided, however, that during said seven-year period, such signs shall be maintained in good condition and shall be subject to the same limitations contained in subparagraphs (b)(1) through (b)(6) above. This subsection shall not apply to off-premises signs which are within the ambit of the just compensation provisions of the Federal Highway Beautification Act and the Colorado Outdoor Advertising Act.
 - (d) All existing signs with flashing, moving, blinking, chasing or other animation effects not in conformance with the provisions of this Article and located on property annexed to the City

after November 28, 1971, shall be made so that such flashing, moving, blinking, chasing or other animation effects shall cease within sixty (60) days after such annexation, and all existing portable signs, vehicle-mounted signs, banners and pennants located on property annexed to the City after November 28, 1971, shall be removed or made to conform within sixty (60) days after such annexation.

(B) Administration.

(1) Permit Required; Exceptions.

(a) The erection, remodeling, reface, or removal of any permanent sign shall require a permit from the Director, except that no permit shall be required for the erection, remodeling or removal of any of the following signs:

1. Signs that are required by law at the minimum size required, including but not limited to address signs that are required by the applicable Fire Code;
2. One (1) attached sign of any type per building elevation or entrance (whichever provides for more signs on an elevation), provided that the sign does not exceed two (2) square feet in sign area;
3. Three (3) or fewer flags per property, or group of properties that were planned or developed with shared pedestrian or vehicle access, hung separately or together from a rigid, straight, building or ground-mounted flagpole, or flagpoles, and where no flag exceeds thirty-two (32) square feet in area;
4. Signs that are less than one (1) square foot in sign area that are attached to machines, equipment, fences, gates, walls, gasoline pumps, public telephones, utility cabinets, and other such structures, provided that no more than two (2) of such signs are spaced less than ten (10) feet apart, or such signs are not visible from public rights-of-way; and
5. Window signs that are less than six (6) square feet.

(b) All sign permit applications shall be accompanied by detailed drawings indicating the dimensions, location and engineering of the particular sign, plat plans when applicable, and the applicable processing fee.

(2) *Permit Processing.* The Director shall review the sign permit application within two (2) business days to determine if it is complete. If it is complete, the Director shall approve or deny the application within three (3) business days after such determination. If it is incomplete, the Director shall cause the application to be returned to the applicant within one (1) business day of the determination, along with written reasons for the determination of incompleteness.

(C) Standards and Limitations.

(1) *Limitations for Residential Districts and Uses.* Signs in the N-C-L, N-C-M, U-E, R-F, R-L, L-M-N, M-M-N, H-M-N, N-C-B, R-C and P-O-L Districts may include and shall be limited to the following:

(a) one (1) sign per public vehicular entry to a multi-family development or residential subdivision, provided such sign does not exceed thirty-five (35) square feet in area per face or six (6) feet in height, and has only indirect illumination

When such signs are placed on subdivision entry wall structures, only the sign face shall be used to calculate the size of the sign;

(b) one (1) detached or attached sign per nonresidential use, provided such sign does not exceed thirty-five (35) square feet in area per face or eight (8) feet in height (for detached signs), and has only indirect illumination;

(c) one (1) detached or attached sign per single-family or duplex building with lot frontage on an arterial street, provided that such sign does not exceed four (4) square feet in area per face or five (5) feet in height, and has no illumination.

(D) **General Limitations for Nonresidential Districts and Uses.** Signs in the D, R-D-R, C-C, C-C-N, C-C-R, C-G, C-S, N-C, C-L, H-C, E and I districts, or for any institutional/civic/public, business, commercial or industrial use in a mixed-use district shall be limited to the following:

- (1) such signs as are permitted in the R-L District;
- (2) one (1) flag larger than thirty-two (32) square feet in area and within the permitted sign area allowance for the property, provided no other flags are displayed;
- (3) flush wall signs, projecting wall signs, window signs, freestanding signs and ground signs, provided that the placement and use of all such signs shall be governed by and shall be within the following limitations:
 - (a) For the first two hundred (200) feet in building frontage length, the maximum sign area permitted shall be equal to two (2) square feet of sign area for each linear foot of building frontage length.
 - (b) For that portion of a building frontage which exceeds two hundred (200) feet in length, the maximum sign area permitted shall be equal to one (1) square foot of sign area for each linear foot of building frontage length over such two hundred (200) feet. The sign area permitted hereunder shall be in addition to the sign area permitted under (3)(a) above.
 - (c) In no event shall the total sign allowance for any property be less than one (1) square foot of sign allowance for each linear foot of lot frontage.
 - (d) In no event shall more than three (3) street or building frontages be used as the basis for calculating the total sign allowance as permitted in subsections (3)(a) and (3)(c) above, inclusive.
 - (e) For flush wall signs consisting of framed banners, all banners shall be sized to fit the banner frame so that there are no visible gaps between the edges of the banner and the banner frame.
- (4) For the purpose of this Section, the sign allowance shall be calculated on the basis of the length of the one (1) building frontage which is most nearly parallel to the street it faces. If a building does not have frontage on a dedicated public street, the owner of the building may designate the one (1) building frontage which shall be used for the purpose of calculating the sign allowance. If the only building frontage which fronts on a dedicated street is a wall containing no signs, the property owner may designate another building frontage on the building on the basis of which the total sign allowance shall be calculated, provided that no more than twenty-five (25) percent of the total sign allowance permitted under this Article may be placed on frontage other than the building fascia which was the basis for the sign allowance calculation. In all other cases, the sign allowance for a property may be distributed in any manner among its building and/or street frontages except that no one (1) building or street frontage may contain more sign area than one hundred (100) percent of the sign area provided for by (3)(a) through (3)(c) above, inclusive.
- (5) In addition to the sign allowance calculation described in paragraph (4) above, a building located in the Downtown (D) Zone District that abuts an alley which has been improved pursuant to the Downtown Development Authority's Alley Enhancement Project may be allowed one (1) flush wall sign not to exceed six (6) square feet, or one (1) projecting wall sign not to exceed six (6) square feet per side, on the rear wall of such building, provided that a public entrance to the building exists in said wall.

(E) **Limitations for Nonresidential Districts and Nonresidential Uses in the Residential Neighborhood Sign District.** There is hereby established a "Residential Neighborhood Sign District" for the purpose of regulating signs for nonresidential uses in certain geographical areas of the City which may be particularly affected by such signs because of their predominantly residential use and character. The boundaries of the "Residential Neighborhood Sign District" shall be shown on a map which shall be maintained in the office of the City Clerk. Any amendments to this map shall be made in the same manner as amendments to the Zoning Map of the City, as provided in Article 2.

The following provisions shall only apply to project development plans proposed in the Neighborhood Commercial Districts and neighborhood service centers, convenience shopping centers, business service uses and auto-related and roadside commercial uses in the "Residential Neighborhood Sign District" which are developed on or after January 15, 1993. In addition, all such provisions, except paragraphs (14) and (15) below, shall apply to signs in neighborhood service centers, neighborhood commercial districts, convenience shopping centers, business service uses and auto-related and roadside commercial uses in the "Residential Neighborhood Sign District" which were developed prior to the effective date of this Code, whenever such signs are erected or remodeled pursuant to a permit after January 15, 1993.

- (1) Signs regulated under this Section shall generally conform to the other requirements of this Section, except that when any of the following limitations are applicable to a particular sign, the more restrictive limitation shall apply.
- (2) Signs regulated under this Section shall also conform to any locational requirements imposed by the decision maker as a condition of the approval of the development plan.
- (3) No sign shall project more than twelve (12) inches beyond the building fascia. Under-canopy signs which are perpendicular to the face of the building shall be exempted from this requirement, except that they shall be limited to four (4) square feet in area per face.
- (4) Freestanding or ground signs shall comply with the following requirements with respect to size, number and height:

Use	Maximum area per sign face (sf. = square feet)	Maximum number of signs permitted per street frontage	Maximum height
All Institutional, Business and Commercial Uses Not Otherwise Specified in this Table	Primary - 32 sf.	Primary - 1	Primary - 5 ft.
Convenience Shopping Center	Primary - 40 sf.	Primary - 1	Primary - 8 ft.
Neighborhood Service Center, Neighborhood Commercial District	Primary - 55 sf. Secondary - 32 sf.	Primary - 1 Secondary - 1	Primary - 10 ft. Secondary - 6 ft.

- (5) Freestanding signs shall be permitted only if constructed with a supporting sign structure, the width of which exceeds seventy (70) percent of the width of the sign face. Freestanding or ground signs shall contain no more than two (2) faces. No freestanding or ground sign shall be located less than seventy-five (75) feet from any directly abutting property which contains an existing or approved residential use or is zoned for residential use. For the purposes of this subsection, the term *approved* shall mean having current project development plan or final plan approval.
- (6) All supporting sign structures of a freestanding or ground sign shall match the primary finish and colors of the associated building(s).
- (7) All signs which are greater than four (4) square feet in area, except ground signs individual letter signs or cabinet signs wherein only the letters are illuminated.
- (8) The maximum size of flush wall cabinets or individual letters shall be as follows:

Use	Maximum Cabinet or Individual Letter Height
All Institutional, Business and Commercial Uses Not Otherwise Specified in this Table	18"
Convenience Shopping Center	24"
Neighborhood Service Center, Neighborhood Commercial District	30"*

* Any individual tenant space exceeding forty-five thousand (45,000) square feet in floor area shall be permitted one (1) flush wall sign with individual letters not to exceed fifty-four (54) inches in height. The maximum cabinet height shall be fifty-four (54) inches in height.

- (9) If signs are illuminated, only internal illumination shall be permitted. This requirement shall not apply to freestanding or ground signs.
- (10) The length of any flush wall sign for an individual tenant space shall be limited to seventy-five (75) percent of the width of the tenant storefront, but no sign shall exceed forty (40) feet in length; provided, however, that any individual tenant space exceeding forty-five thousand (45,000) square feet in floor area shall be permitted one (1) flush wall sign not exceeding fifty-five (55) feet in length. Each tenant space shall be allowed one (1) such flush wall sign on each exterior building wall directly abutting the tenant space. In the event that a tenant space does not have a directly abutting exterior wall, one (1) sign not exceeding thirty (30) square feet may be erected on an exterior wall of the building for the purpose of identifying that tenant space.
- (11) The location of any flush wall sign shall be positioned to harmonize with the architectural character of the building(s) to which they are attached, including, but not limited to, any projection, relief, cornice, column, change of building material, window or door opening. Flush wall signs shall align with other such signs on the same building.
- (12) No illuminated sign visible from or within three hundred (300) feet of any property which contains an existing or approved residential use or is zoned for residential use, may be illuminated between the hours of 11:00 p.m. (or one-half [$\frac{1}{2}$] hour after the use to which it is pertains is closed, whichever is later) and 6:00 a.m.; provided, however, that this time limitation shall not apply to any lighting which is used primarily for the protection of the premises or for safety purposes or any signage which is separated from a residential use by an arterial street. For the purposes of this subsection, the term "approved" shall mean having current project development plan or final plan approval.
- (13) One (1) flush wall sign or under-canopy sign per street frontage, not to exceed twelve (12) square feet in area, shall be permitted on or under the fascia of a canopy covering an area used by motor vehicles (including but not limited to service station canopies, canopies over drive-in or drive-through facilities, etc.)
- (14) For the first two hundred (200) feet in building frontage length in a neighborhood service center, the maximum sign area permitted shall be equal to one and one-quarter ($1\frac{1}{4}$) square feet for each linear foot of building frontage length. For that portion of a building frontage which exceeds two hundred (200) feet in length, the maximum sign area permitted shall be equal to two-thirds ($\frac{2}{3}$) foot for each linear foot of building frontage length over such two hundred (200) feet.
- (15) For the first two hundred (200) feet in building frontage length in a convenience shopping center, or any other business or commercial use that is not a neighborhood service center or neighborhood commercial district, the maximum sign area permitted shall be equal to one (1) square foot for each linear foot of building frontage length. For that portion of a building frontage

which exceeds two hundred (200) feet in length, the maximum sign area permitted shall be equal to one-half (½) foot for each linear foot of building frontage over such two hundred (200) feet.

- (16) Window signs shall cover no more than twenty-five (25) percent of the surface area of the window or door in which such signs are placed. Temporary window signs shall not be allowed above the first story of a building. A window sign shall be considered to be a temporary window sign if it is displayed in the same window or door, or same approximate location outside of a window or door, for no more than thirty (30) calendar days within a calendar year. Changes in the message displayed on such sign shall not affect the computation of the thirty-day period of time provided for herein.

(F) Measurement of Signs.

- (1) The area of signs with regular geometric shapes shall be measured using standard mathematical formulas. Regular geometric shapes shall include, but not be limited to, squares, rectangles, triangles, parallelograms, circles, ellipses or combinations thereof.
- (2) The area of signs with irregular shapes or of individual letter signs shall be the entire area within a single continuous perimeter of not more than eight (8) straight lines enclosing the extreme limits of the sign.
- (3) The total measured area of a sign shall include the area of all writing, representation, lines, emblems or figures contained within all modules, together with any air space, material or color forming an integral part or background of the display if used to differentiate such sign from the backdrop or structure against which it is placed.
- (4) The total surface area of all sign faces shall be counted and considered to be part of the maximum total sign area allowance.
- (5) The area of all freestanding and ground signs shall include the area of the sign face(s) as calculated in subsections (1) through (4) above, together with any portion of the sign structure which exceeds one and one-half (1½) times the area of the sign face(s).

(G) Freestanding and Ground Sign Requirement.

- (1) Ground signs which exceed forty-two (42) inches in height, and freestanding signs which do not maintain free air space between a height of forty-two (42) inches and seventy-two (72) inches above the abutting street elevation, shall be set back from the right-of-way line a distance as established in the sight distance triangle table contained in this subsection. A freestanding sign shall not be construed to have free air space if such sign has a base, the width of which exceeds fifty (50) percent of the width of its face or three (3) feet, whichever is smaller. In addition, freestanding and ground signs shall not be located closer to the right-of-way line than allowed in the tables below that apply to such signs.

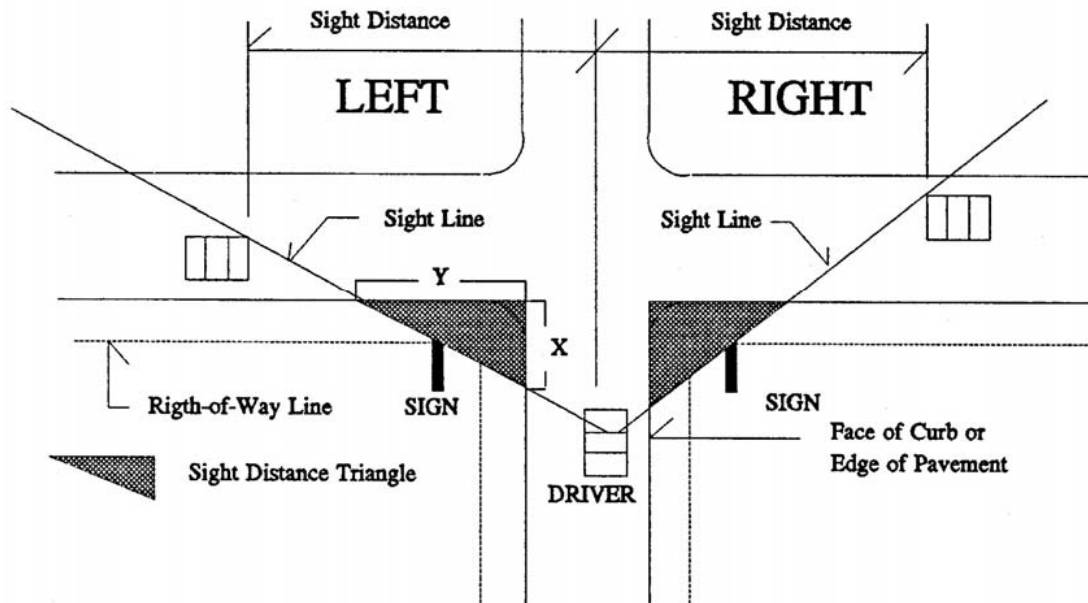
Sight Distance Triangle Setbacks (See Figure 16)

<i>Type of street</i>	<i>Y distances (feet)</i>	<i>X distances (feet)</i>	<i>Safe sight distance (feet)</i>
Arterial	Right 135	15	500
	Left 270		
Collector	Right 120	15	400
	Left 220		
Local	Right 100	15	300

Figure 16

Safe Distance Triangle Setbacks

Note: All "X" distances shall be fifteen (15) feet measured perpendicular from the project flowline of the intersecting street. For explanation of distances, see the diagram following. These distances are typical sight distance triangles to be used under normal conditions and may be modified by the Director of Engineering in order to protect the public safety and welfare in the event that exceptional site conditions necessitate such modification.



Requirements for Freestanding Signs
(See Accompanying Text Below)

<i>Distance from street right-of-way line (feet)</i>	<i>Maximum height above grade (feet)</i>	<i>Maximum size allowed per side (square feet)</i>
0	10	20
5	10	30
10	12	40
15	12	50
20	14	60
25	16	70
30	18	80
36 and more	18	90

Requirements for Ground Signs
(See Accompanying Text Below)

<i>Distance from street right-of-way line (feet)</i>	<i>Maximum height above grade (feet)</i>	<i>Maximum size allowed per side (square feet)</i>
0	7	45
5	8.5	60
10	10	75
15 and more	12	90

- (2) The maximum size for ground and freestanding signs shall be ninety (90) square feet per side. The maximum height for freestanding signs shall be eighteen (18) feet above grade. The maximum height for ground signs shall be twelve (12) feet above grade. No freestanding or ground sign shall be built within fifteen (15) feet of any interior side lot line. The minimum horizontal distance between freestanding or ground signs located on the same lot shall be seventy-five (75) feet.
- (3) The maximum combined sign area of all faces of a freestanding or ground sign shall be two (2) times the maximum sign area allowed per side, based on setback. Any limitation imposed under this Article on the size of the face of a sign shall also apply to the entire side of the sign.
- (4) The required setback of any freestanding or ground sign shall be measured from the street right-of-way line of the street frontage which is the basis for the allotment of such sign. Any such setback shall be measured perpendicularly from the street right-of-way line to the nearest portion of the sign face or structure.
- (5) When a freestanding or ground sign is placed on a lot with two (2) or more street frontages, such sign shall be said to abut a particular street frontage when it is located closer to that street frontage than any other street frontage.
- (6) No more than one (1) permanent freestanding or ground sign per street frontage shall be permitted for any property or group of properties that were planned or developed with shared pedestrian or vehicle access. No permanent freestanding or ground sign shall contain more than three (3) cabinets or modules.
- (7) If a lot has more than one (1) street frontage, the freestanding or ground sign permitted for each frontage must abut the street frontage which is the basis for the allotment of such sign.
- (8) The sign face of a single face sign must be most nearly parallel to the abutting street frontage. The sign faces of a multi-face sign must be most nearly perpendicular to the abutting street frontage.
- (9) A drive through use, when located on a lot with frontage on only one (1) street, shall be permitted one (1) additional freestanding or ground that is physically oriented to the drive through lane. Such sign shall not exceed five (5) feet in height and thirty-five (35) square feet in area and shall be limited to one (1) face. Fifty (50) percent of the square footage of such sign shall be exempted from the total allowed for the property.

- (10) A drive-in use shall be permitted up to eight (8) square feet of signage at each drive-in station (including but not limited to menu boards, signs affixed to gasoline pumps, etc.), provided that the sign is physically oriented to the drive-in station. The square footage of such sign shall be exempted from the total allowed for the property.
 - (11) All supporting structures of ground signs shall be of the same or similar materials or colors of the associated building(s) which house the businesses or activities advertised on the sign.
 - (12) When electrical service is provided to freestanding signs or ground signs, all such electrical service shall be underground.
 - (13) Freestanding signs (pole signs) shall contain no more than thirty (30) percent (forty [40] percent if located within the site distance triangle as described in paragraph 3.8.7.1(G)(1) above) free air space between the top of the sign and the ground, vertically and between the extreme horizontal limits of the sign extended perpendicular to the ground. A base or pole cover provided to satisfy this requirement shall be integrally designed as part of the sign by use of such things as color, material and texture. Freestanding signs that existed prior to December 30, 2011, and that do not comply with this regulation shall be removed or brought into compliance by December 31, 2019, provided that such signs otherwise comply with subparagraph (A)(3)(b) of this Section.
- (H) **Projecting Signs.**
- (1) Signs projecting over private property shall not project more than six (6) feet from the face of the building or beyond the minimum required building setback for the zone district in which located. Such signs shall not exceed fifteen (15) square feet per face.
 - (2) No sign may project over a public right-of-way in any zone district, except that signs eight (8) feet or more above grade may project up to forty-eight (48) inches from the face of the building if the total area for such signs is the lesser of one (1) square foot of sign for each linear foot of building or twelve (12) square feet per face.
 - (3) No projecting sign shall exceed seven (7) feet in height.
- (I) **Flush Wall Signs and Individual Letter Signs.** No flush wall or individual letter sign shall exceed seven (7) feet in height. Flush wall and individual letter signs may not project more than twelve (12) inches horizontally from the face of the building on which they are erected. Flush wall and individual letter signs that are mounted on mansards or similar architectural features may not project more than twelve (12) inches horizontally, measured at the bottom of the sign, from the surface to which they are mounted. If the individual sections of an individual letter sign are connected by a common structure, commonly known as a "raceway," which provides for the electrical and/or mechanical operation of said sign, the "raceway" must be painted to match the color of the wall to which the sign is mounted and must be limited to a height of no more than one-half ($\frac{1}{2}$) of the height of the tallest letter.
- (J) **Canopy Signs.** No canopy sign shall project above the top of the canopy upon which it is mounted. No canopy sign shall project from the face of a canopy. 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 (8) feet above grade and shall be deemed to be flush wall signs.
- (K) **Awning Signs.**
- (1) No awning sign shall project above the top of the awning on which it is mounted. No awning sign shall project from the face of an awning. Awnings on which awning signs are mounted may extend over a public right-of-way no more than seven (7) feet from the face of a supporting building. Awnings on which awning signs are mounted shall be at least eight (8) feet above any public right-of-way, except that any valance attached to an awning may be no less than seven (7) feet above a public right-of-way.
 - (2) Awning signs shall not be back-lit, except that letters and graphics may be back-lit if the background is completely opaque. The amount of signage on an awning shall be limited to the

lesser of thirty-five (35) square feet per individual tenant space or twenty-five (25) percent of the total area of the awning. Awning signs shall not be allowed above the first story of a building.

(L) *Repealed as of August 25, 2017*

(M) **Electrical Signs and Electronic Message Center Signs.**

- (1) Flashing, moving, blinking, chasing or other animation effects shall be prohibited on all signs.
- (2) Illuminated signs shall avoid the concentration of illumination. The intensity of the light source shall not produce glare, the effect of which constitutes a traffic hazard or is otherwise detrimental to the public health, safety or welfare.
- (3) Every electric sign shall have affixed thereon an approved Underwriters' Laboratories label, and all wiring connected to such sign shall comply with all provisions of the National Electrical Code, as adopted by the City.
- (4) Signs that contain an electronic message center shall be subject to the following limitations.
 - (a) The electronic message center must be programmed so that the displayed message does not change more frequently than once per minute and so that the message change from one (1) static display to another occurs instantaneously without the use of scrolling, flashing, fading or other similar effects. The message or image displayed must be complete in itself without continuation in content to the next message. Messages published by federal, state, or local government to communicate information to the public regarding an immediate threat to public health safety may be displayed notwithstanding the limitations set forth in this subsection (4)(a).
 - (b) The electronic message center must be provided with automatic dimming software or solar sensors to control brightness for nighttime viewing and variations in ambient light. Lighting from the message center shall not exceed three-tenths (0.3) foot-candles over the ambient light as measured using a foot-candle meter at the following distances from the face of the message center: thirty-two (32) feet for a sign face greater than zero (0) square feet and not more than ten (10) square feet per side; thirty-nine (39) feet for a sign face greater than ten (10) square feet and not more than fifteen (15) square feet per side; forty-five (45) feet for a sign face greater than fifteen (15) square feet and not more than twenty (20) square feet per side; fifty (50) feet for a sign face greater than twenty (20) square feet and not more than twenty-five (25) square feet per side; fifty-five (55) feet for a sign face greater than twenty-five (25) square feet and not more than thirty (30) square feet per side; fifty-nine (59) feet for a sign face greater than thirty (30) square feet and not more than thirty-five (35) square feet per side; sixty-three (63) feet for a sign face greater than thirty-five (35) square feet and not more than forty (40) square feet per side; and sixty-three (63) feet for a sign face greater than forty (40) square feet and not more than forty-five (45) square feet per side. Lighting measurements shall be taken with the meter aimed directly at the message center face, with the message center turned off, and again with the message center turned on to a full white image for a message center capable of displaying a white color, or a full amber or red image for a message center capable of displaying only an amber or red color. The difference between the off and the white, amber or red message measurements shall not exceed three-tenths (0.3) foot-candles. All such signs shall contain a default mechanism that will cause the message center to revert immediately to a black screen if the sign malfunctions.

Prior to the issuance of a permit for a sign containing an electronic message center, the permit applicant shall provide written certification from the sign manufacturer that the light intensity has been factory pre-set not to exceed the levels specified above. Prior to acceptance of the installation by the City, the permit holder shall schedule and inspection with the City Zoning Department to verify compliance. The permit holder and the business owner, business manager or property manager shall be in attendance during the inspection.

- (c) A displayed message must be presented in a single color, value and hue and the background must also be a single color, value and hue.
 - (d) The maximum allowed size of an electronic message center shall be fifty percent (50%) of the total area of the sign face.
 - (e) Electronic message centers shall be integrated harmoniously into the design of the larger sign face and structure, shall not be the predominant element of the sign, shall not be allowed on a freestanding pole sign, and if located at the top of the sign, must include a substantial cap feature above the electronic message center which consists of the same material, form, color or texture as is found on the sign face or structure.
 - (f) With respect to sign permits issued after December 30, 2011, the pixel spacing of an electronic message center shall not exceed sixteen (16) mm, except that the maximum pixel spacing for a message center that is manufactured as a monochrome-only sign shall not exceed twenty (20) mm.
 - (g) In the Downtown (D) District, wall signs with electronic message centers are not permitted on properties located within the boundaries of the Portable Sign Placement Area Map.
 - (h) With respect to sign permits issued after December 30, 2011, no more than one (1) electronic message center sign shall be allowed to face each street abutting or within any property and/or site specific development plan. The minimum horizontal distance between electronic message center signs located on the same side of a street shall be one hundred (100) feet measured in a straight line.
 - (i) An electronic message center located inside a building but visible from a public sidewalk or public street is subject to all of the regulations contained in this subsection.
 - (j) Signs that contain an electronic message center which do not comply with the provisions of this Section shall be removed or made to conform by the dates specified in subparagraphs 1., 2. and 3. below and provided that such signs otherwise comply with subparagraph 3.8.7.1(A)(3)(b).
1. Electronic message centers that contain dimming software or solar sensors capable of meeting the brightness levels described in subparagraph 3.8.7.1(M)(4)(b) shall be required to comply with such levels by January 31, 2012, and all electronic message centers located inside a building but not visible from a public sidewalk or public street shall be required to comply with paragraph 3.8.7.1(M)(1) and subparagraphs 3.8.7.1(M)(4)(a) and (c) by January 31, 2012.
 2. Except as otherwise required in subparagraph (j)1. above, all signs that do not comply with the requirements of subparagraphs 3.8.7.1(M)(4)(a), (b) and/or (c) shall be made to comply with those requirements by December 31, 2015.
 3. Structural changes or sign removal that may be required in order to comply with the requirements of subparagraphs 3.8.7.1(M)(4)(d), (e) and/or (g) shall be completed by December 31, 2019.

(N) *Repealed as of August 25, 2017*

(O) **Structural Requirements; Exceptions.**

- (1) All signs shall be maintained in good structural condition at all times. All signs, including sign structures and sign faces, shall be kept neatly painted, including all metal parts and supports that are not galvanized or of rust-resistant metals, and in a general state of good repair. For the purposes of this Section, good repair shall mean that there are no loose, broken or severely weathered portions of the sign structure or sign face. The Director may inspect any sign governed by this Division and shall have 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.

- (2) Permanent signs shall be engineered to withstand a wind load of thirty (30) pounds per square foot.
- (P) **Off-Premise Signs.** No off-premise sign shall be constructed in any zone district after February 25, 1994. No illumination shall be added to any off-premise sign already in existence.
- (Q) **Vehicle-Mounted Signs.**
- (1) All vehicle-mounted signs shall be permanently affixed, painted, magnetically applied or otherwise mounted upon a vehicle and shall not project more than eighteen (18) inches above the surface to which they are attached; and any sign which is mounted upon the roof, hood or trunk of a vehicle and which projects above such surface upon which it is mounted shall not exceed two (2) square feet in area per face.
 - (2) No sign shall be placed or erected in the bed of a truck or on the deck of a trailer or a truck.
 - (3) The primary purpose of any vehicle upon which a vehicle-mounted sign is affixed must be to serve a useful function in the transportation or conveyance of persons or commodities from one (1) place to another, including transportation to and from work, and such intermittent delays and stops as are customary in the routine conduct of the business or activity for which the transportation or conveyance occurs.
 - (4) No vehicle upon which a vehicle-mounted sign is affixed may be parked on any lot for the primary purpose of directing or attracting the attention of the public to a building, institution, product, organization, event or location offered or existing elsewhere than upon the same lot where such vehicle is parked.
 - (5) Banners displayed on vehicles shall be subject to the regulations contained in Section 3.8.7.2.
 - (6) Vehicle-mounted signs used in connection with a special event are exempted from the requirements of this Section during the term of the special event only. Upon the conclusion of the special event, such signs must either be dismantled, moved to a location where the sign is not visible from public rights-of-way or made to comply with the provisions of this Section. For the purposes of this subsection, the term *special event* shall mean a parade, circus, fair, carnival, festival or other similar event that is intended to or likely to attract substantial numbers of persons and is different in character from the customary or usual activities generally associated with the property upon which the special event is to occur.
 - (7) This Section shall not apply to signs that are being transported for installation.
- (R) **Removal of Abandoned Sign(s).** Abandoned sign(s) shall be removed by the person or entity owning or having possession of the property.
- (S) **Window Signs.**
- (1) Nonilluminated window signs of no more than six (6) square feet are exempt from permit requirements when the total area of all window signs fills less than twenty-five (25) percent of the area of the architecturally distinct window in which they are situated, or when the total area of all window signs does not exceed twenty-five (25) percent of the total allowable sign area for the premises.
 - (2) Illuminated window signs, regardless of size, require a sign permit, and the area of such signs shall be calculated as part of, and be limited by, the total allowable sign area for the premises.
 - (3) The area of window signs not exempt from permit requirements shall be calculated as a part of, and be limited by, the total allowable sign area for the premises.
 - (4) Notwithstanding any other provision to the contrary, the maximum total area of all window signs in an architecturally distinct window shall not exceed eighty (80) square feet, nor shall window signs cover more than fifty (50) percent of the area of the window in which they are located.

- (5) No window sign shall exceed seven (7) feet in height.

3.8.7.2 - Temporary Signs

(A) **Applicability.** The regulations contained in this Section 3.8.7.2 apply to temporary signs while permanent signs are regulated under Land Use Code Section 3.8.7.1 unless specifically provided herein.

(B) **Measurements.**

(1) **Sign Area.**

- (a) **Generally.** In general, sign area is the area within a continuous polygon with up to eight (8) straight sides that completely encloses the limits of text and graphics of a sign, together with any frame or other material or color forming an integral part of the display or used to differentiate the sign's contents from the background against which they are placed.
- (b) **Exclusions.** The sign area does not include the structure upon which the sign is placed (unless the structure is an integral part of the display or used to differentiate it), but does include any open space contained within the outer limits of the display face, or between any component, panel, strip, or figure of any kind composing the display face, whether this open space is enclosed by a frame or border or not.
- (c) **Multiple Sign Faces.** Freestanding temporary signs may have multiple faces. The area of such signs is measured using the vertical cross-section that represents the sign's maximum projection upon a vertical plane (e.g., for a sign with two (2) opposite faces on the same plane, only one (1) of the sign faces is measured).

(2) **Sign Height.** Sign height is measured for detached temporary signs as the distance between ground level at the base of the sign and the top of the sign or sign structure, whichever is higher.

(3) **Property Frontage.** Property frontage is measured as the length of each property boundary that abuts a public street right-of-way.

(C) **Prohibited Signs and Sign Elements.**

(1) **Generally.** The prohibitions in this Section apply to temporary signs in all zone districts of the City.

(2) **Prohibited Sign Structures.** The following sign structures are not allowed:

- (a) portable signs, except as permitted in the Code of the City of Fort Collins Chapter 24, Article IV;
- (b) wind-driven signs except feather flags, banners, and pennants in compliance with this Section 3.8.7.2;
- (c) inflatable signs;
- (d) abandoned signs;

(3) **Prohibited Design Elements.** The following elements shall not be incorporated as an element of any sign or sign structure:

- (a) animated or moving parts, including any moving, swinging, rotating, or spinning parts or flashing, blinking, scintillating, fluctuating, or otherwise animated light; except as expressly allowed in this Section 3.8.7.2;
- (b) cardboard, card stock, or paper, except when laminated or used as a window sign located on the interior side of the window;
- (c) motor vehicles, unless:

1. the vehicles are operational, and either:
 - a. automobile dealer inventory; or
 - b. regularly used as motor vehicles, with current registration and tags;
 2. the display of signage on the motor vehicle would not interfere with the immediate operation of the motor vehicle (e.g. , signs that are held in place by an open hood or trunk are not allowed; signs that cover windows are not allowed; and signs that would fall off of the vehicle if the vehicle were in motion are not allowed); and
 3. the motor vehicle is legally parked in a vehicle use area depicted on an approved site plan.
- (d) semi trailers, shipping containers, or portable storage units, unless:
1. the trailers, containers, or portable storage units are:
 - a. structurally sound and capable of being transported;
 - b. used for their primary purpose (e.g., storage, pick-up, or delivery); and
 - c. if subject to registration, have current registration and tags; and
 2. the display of signage is incidental to the primary purpose; and
 3. the semi-trailer, shipping container, or portable storage unit is parked or placed in a designated loading area or on a construction site in an area that is designated on an approved construction staging plan.
- (e) stacked products (e.g. , tires, soft drink cases, bagged soil or mulch) that are placed in unapproved outdoor storage locations;
- (f) materials with a high degree of specular reflectivity, such as polished metal, installed in a manner that creates substantial glare from headlights, street lights, or sunlight. This prohibition does not include retroreflective materials that comply with the standards set forth in the Manual on Uniform Traffic Control Devices;
- (g) rooftop signs and all other signs which project above the fascia wall.
- (4) *Prohibited Obstructions.* In no event shall a temporary sign obstruct the use of:
- (a) building ingress or egress, including doors, egress windows, and fire escapes;
 - (b) operable windows (with regard to movement only, not transparency);
 - (c) equipment, structures, or architectural elements that are related to public safety, building operations, or utility service (e.g., standpipes, downspouts, fire hydrants, electrical outlets, lighting, vents, valves, and meters).
- (5) *Prohibited Mounts.* No temporary sign shall be posted, installed, mounted on, fastened, or affixed to any of the following:
- (a) any tree or shrub;
 - (b) any utility pole or light pole, unless:
 1. the sign is a banner or flag that is not more than ten (10) square feet in area;
 2. the owner of the utility pole or light pole consents to its use for the display of the banner or flag;
 3. the banner or flag is mounted on brackets or a pole that extend not more than thirty (30) inches from the utility pole or light pole;
 4. the banner or flag is either situated above an area that is not used by pedestrians or vehicles, or the bottom of the banner or flag is at least eight (8) feet above grade; and
 5. any applicable City encroachment and banner permits are obtained.
 - (c) utility cabinets or pedestals (except signs that are applied by or with the consent of the owner of the utility cabinet or pedestal).
- (6) *Prohibited Locations.* In addition to applicable setback requirements and other restrictions of this Section 3.8.7.2, no sign shall be located in any of the following locations:

- (a) in or over public rights-of-way (which, in addition to streets, may include other sidewalks, parkways, trails, multi-use pathways, retaining walls, utility poles, traffic calming devices, medians, and center islands that are within public rights-of-way), except:
 - 1. signs painted on or affixed to transit shelters and bus benches as authorized by the provider of the shelter or bench, but not extending beyond the physical structure of the shelter or bench;
 - 2. signs that are the subject of a revocable license agreement with the City, installed and maintained in accordance with the terms of that agreement;
 - 3. portable signs permitted pursuant to the Code of the City of Fort Collins, Chapter 24, Article IV; or
 - 4. signs posted by the City or jurisdiction that owns or maintains the right-of-way.
- (b) within any sight distance triangle that is described in Section 3.8.7.1.

(D) Temporary Sign Districts.

- (1) *Generally.* In recognition that the City is a place of diverse physical character, and that different areas of the City have different functional characteristics, signs shall be regulated based on sign district in which they are located.
- (2) *Temporary Sign Districts Created.* The following sign districts are created: Downtown, Commercial/Industrial, Multifamily, and Single-Family. Sign districts shall correspond to zoning districts as provided in Table D, Temporary Sign Districts.

Table D TEMPORARY SIGN DISTRICTS	
Sign District	Corresponding Zoning Districts
Downtown	D; R-D-R
Commercial/Industrial	T; C-C; C-C-N; C-C-R; C-G; C-S; C-L; H-C; E; I
Multifamily/Mixed-Use	L-M-N; M-M-N; N-C-M; N-C-B; H-M-N; N-C
Single-Family	R-U-L; U-E; R-F; R-L; N-C-L; P-O-L; R-C

(E) Standards for Attached Temporary Signs.

- (1) *Generally.* The standards of this Section apply to temporary signs that are attached to buildings. Temporary signs that are not attached to buildings are subject to the standards of Section 3.8.7.2(F). The standards of this Section are applied in conjunction with all other applicable standards. Duration of display is limited by Section 3.8.7.2(G).
- (2) *Attached Temporary Banners and Pennants.* Attached temporary banners and pennants may only be displayed provided a permit is obtained pursuant to Section 3.8.7.2(I).
- (3) *Temporary Sign Covers.* Temporary sign covers are permitted in all sign districts, provided that they are used during a period not to exceed forty (40) days in which a new permanent sign or sign component is being fabricated and such sign or sign component is permitted and installed in accordance with Section 3.8.7.1.
- (4) *Temporary Window Signs.*
 - (a) Temporary window signs are allowed in all locations where permanent window signs are allowed, provided that the transparency standards of Section 3.8.7.1 are met as to the combination of temporary and permanent window signs.

- (b) Temporary window signs shall be affixed to the window such that the fastener (e.g., tape) is not highly visible, or shall be mounted vertically inside of the building for viewing through the window.

(F) **Standards for Detached Temporary Signs.**

- (1) *Generally.* The standards of this Section apply to temporary signs that are not attached to buildings. Temporary signs that are attached to buildings are subject to the standards of Section 3.8.7.2(E). The standards of this Section (F) are applied in conjunction with all other applicable standards of this Section 3.8.7.2. Duration of display is limited by Section 3.8.7.2(G).
- (2) *Detached Temporary Signs.* Detached temporary signs are allowed according to the standards in Table F, Detached Temporary Signs. Detached temporary sign types that are not listed in Table F (including but not limited to inflatable signs) are not allowed. Detached banners and pennants may only be displayed provided a permit is obtained pursuant to Section 3.8.7.2(I). Portable signs may only be displayed provided a permit is obtained pursuant to the Code of the City of Fort Collins, Chapter 24, Article IV.

Table F				
DETACHED TEMPORARY SIGNS				
(sf. = square feet / ft. = linear feet / N/A = not applicable)				
Type of Sign Standards	Sign District			
	Downtown	Commercial-Industrial	Multifamily/Mixed Use	Single-Family
Yard Signs				
Max. #	Single-Family and Duplex Residential Buildings: Not Limited	Single-Family and Duplex Residential Buildings: Not Limited	Single-Family and Duplex Residential Buildings: Not Limited	Residential Buildings: Not limited
	Multi-Family Residential Buildings: 1 per 20 ft. of property frontage or fraction thereof	All other uses: 2 per vehicular access point	Multi-Family Residential Buildings: 1 per 20 ft. of property frontage or fraction thereof	Nonresidential and Residential Mixed Use Buildings: 1 per 80 ft. of property frontage or fraction thereof
	Nonresidential and Residential Mixed Use Buildings: 1 per 80 ft. of property frontage or fraction thereof		Nonresidential and Residential Mixed Use Buildings: 1 per 80 ft. of property frontage or fraction thereof	

Max. Sign Area (per sign)	6 sf.	8 sf.	8 sf.	6 sf.
Max. Sign Height	4 ft.	4 ft.	4 ft.	4 ft.
Allowed Lighting	None	None	None	None
Setbacks and Spacing	2 ft. from property lines; 2 ft. from all other signs	2 ft. from property lines; 2 ft. from all other signs	2 ft. from property lines; 2 ft. from all other signs	2 ft. from property lines; 2 ft. from all other signs
Other Standards	Must be installed in permeable landscaped area.	Must be installed in permeable landscaped area that is at least 8 sf. in area and 2 ft. in any horizontal dimension, not more than 10 ft. from vehicular access point	Must be installed in permeable landscaped area that is at least 8 sf. in area and 2 ft. in any horizontal dimension	Must be installed in permeable landscaped area that is at least 8 sf. in area and 2 ft. in any horizontal dimension
Site Signs				
Max. #	Residential Buildings: Not Limited	1 per 600 ft. of property frontage or fraction thereof	1 per 600 ft. of property frontage or fraction thereof, provided that the area of the property is at least 2 acres; properties that are less than 2 acres shall not display site signs	1 per 600 ft. of property frontage or fraction thereof, provided that the area of the property is at least 2 acres; properties that are less than 2 acres shall not display site signs
	Nonresidential and Residential Mixed Use Buildings: 1 per property			
Max. Sign Area	16 sf.	32 sf.	32 sf.	32 sf.

Max. Sign Height	6 ft.	6 ft.	6 ft.	6 ft.
Allowed Lighting	External, down directional and concealed light source	External, down directional and concealed light source	External, down directional and concealed light source	External, down directional and concealed light source
Setbacks and Spacing	2 ft. from front property lines	2 ft. from front property lines	2 ft. from front property lines	2 ft. from front property lines
	10 ft. from all other property lines	10 ft. from all other property lines	10 ft. from all other property lines	10 ft. from all other property lines
	10 ft. from all other signs	10 ft. from all other signs	10 ft. from all other signs	10 ft. from all other signs
	12 ft. from building walls	12 ft. from building walls	12 ft. from building walls	12 ft. from building walls
Other Standards	Where allowed, site signs shall be installed in permeable landscaped areas or hardscaped areas other than vehicular use areas and sidewalks that are at least 5 ft. in every horizontal dimension and at least 40 sf. in area	Where allowed, site signs shall be installed in permeable landscaped areas or hardscaped areas other than vehicular use areas and sidewalks that are at least 5 ft. in every horizontal dimension and at least 40 sf. in area	Where allowed, site signs shall be installed in permeable landscaped areas or hardscaped areas other than vehicular use areas and sidewalks that are at least 5 ft. in every horizontal dimension and at least 40 sf. in area	Where allowed, site signs shall be installed in permeable landscaped areas or hardscaped areas other than vehicular use areas and sidewalks that are at least 5 ft. in every horizontal dimension and at least 40 sf. in area
Swing Signs				
Max. #	Not allowed	Not allowed	1 per property frontage	1 per property frontage
Max. Sign Area	N/A	N/A	5 sf., including riders	5 sf., including riders

Max. Sign Height	N/A	N/A	5 ft.	5 ft.
Allowed Lighting	N/A	N/A	None	None
Setbacks and Spacing	N/A	N/A	2 ft. from all property lines	2 ft. from all property lines
Other Standards	N/A	N/A	Swing signs shall be installed in permeable landscaped areas that are at least 4 ft. in every horizontal dimension and at least 20 sf. in area	Swing signs shall be installed in permeable landscaped areas that are at least 4 ft. in every horizontal dimension and at least 20 sf. in area
Feather Flags				
Max. #	1 per 100 ft. of property frontage or fraction thereof; may be clustered	1 per 100 ft. of property frontage or fraction thereof; may be clustered	1 per 100 ft. of property frontage or fraction thereof; may be clustered	Not allowed
Max. sign area	40 sf.	40 sf.	40 sf.	N/A
Max. sign height	15 ft.	15 ft.	15 ft.	N/A
Other Standards	Not allowed if freestanding banner is present Must be installed in a permeable landscaped area with a radius that extends not less than 3 ft. from the flag pole	Not allowed if freestanding banner is present Must be installed in a permeable landscaped area with a radius that extends not less than 3 ft. from the flag pole	Must be installed in a permeable landscaped area with a radius that extends not less than 3 ft. from the flag pole	N/A

(G) **Duration of Display of Temporary Signs.**

- (1) *Generally.* The purpose of temporary signs is to display messages for a temporary duration. Temporary signs shall not be used as a subterfuge to circumvent the regulations that apply to permanent signs or to add permanent signage to a property in addition to that which is allowed by Section 3.8.7.1.
- (2) *Classification of Temporary Sign Materials.* Temporary signs are constructed from a variety of materials with varying degrees of durability. Common materials are classified in Table G1, Classification of Temporary Sign Materials.

Table G1					
Classification of Temporary Sign Materials					
Material	Material Class				
	1	2	3	4	5
Paper, card stock, foam core board, or cardboard	✓				
Laminated paper or cardstock, polyethylene bags		✓			
Cloth, canvas, nylon, polyester, burlap, flexible vinyl, or other flexible material of comparable durability			✓		
Inflexible vinyl, hard plastic, composite, or corrugated plastic ("coroplast")				✓	
Wood or metal					✓

(3) *Duration of Display.*

- (a) In general, a temporary sign shall be removed as of the earlier of the date that:
 1. it becomes an abandoned sign; or
 2. it falls into disrepair (see Section 3.8.7.2(H)); or
 3. the number of days set out in Table G2, Duration of Temporary Sign Display by Material Class, expires.

Table G2						
Duration of Temporary Sign Display by Material Class						
Sign Type	Max. Duration for Individual Sign by Material Class					Max. Posting Days/Year
	1	2	3	4	5	
Yard Sign	Not Allowed	45 days	Not Allowed	60 days	180 days	180 days
Site Sign	Not Allowed	Not Allowed	Not Allowed	60 days	180 days	180 days ¹
Swing	Not	Not	Not	60 days	180 days	180 days ¹

Sign	Allowed	Allowed	Allowed			
Window Sign	30 days per sign	30 days per sign	30 days per sign	30 days per sign	30 days per sign	30 days per sign
Feather Flags	Not Allowed	Not Allowed	20 days	Not Allowed	Not Allowed	20 days

TABLE

NOTES:

¹ alternatively, the sign type may be displayed for three hundred sixty (360) days every two (2) calendar years.

(b) Temporary signs that are required due to governmental regulation (e.g., public notices) shall be removed as required by the applicable regulation.

(4) *Administrative Interpretations.* Materials for signage that are not listed in this Section 3.8.7.2(G) may be introduced into the market. When a material is proposed that is not listed in this Section 3.8.7.2(G), the Director shall determine the class of materials with which the new material is most closely comparable, based on the new material's appearance, durability, and colorfastness. No temporary sign shall be displayed for a longer period than a site sign constructed of class 5 material, regardless of the durability material (although such a sign may be permissible under Land Use Code Section 3.8.7.1).

(H) **Temporary Sign Maintenance.** Temporary signs and temporary sign structures of all types shall be maintained as follows:

- (1) *Paint and Finishes.* Paint and other finishes shall be maintained in good condition. Peeling finishes shall be repaired. Signs with running colors shall be repainted, repaired, or removed if the running colors were not a part of the original design.
- (2) *Mineral Deposits and Stains.* Mineral deposits and stains shall be promptly removed.
- (3) *Damage.* Temporary signs that are obviously damaged shall be removed within twenty-four (24) hours.
- (4) *Upright, Level Position.* Signs that are designed to be upright and level shall be installed and maintained in an upright and level position. Feather flag poles shall be installed in a vertical position. Signs that are not upright and level shall be removed or restored to an upright, level position.

(I) **Banners and Pennants.**

- (1) Attached unframed banners, detached banners, and attached and detached pennants are allowed in any zone district pursuant to the restrictions in below Table I provided a permit is obtained from the Director. The Director shall issue a permit for the display of banners and pennants only in locations where such banners and pennants will not cause unreasonable annoyance or inconvenience to adjoining property owners or other persons in the area and on such additional conditions as deemed necessary to protect adjoining premises and the public. All banners and pennants shall be removed on or before the expiration date of the permit. If any person, business or organization erects any banners or pennants without receiving a permit, as herein provided, the person, business or organization shall be ineligible to receive a permit for a banner or pennant for the remainder of the calendar year.
- (2) Each business or non-profit entity or other organization, and each individual not affiliated with an entity or organization, shall be eligible to display banners and pennants pursuant to a valid permit for a maximum of forty (40) days per calendar year.

- (3) The Director shall review a banner or pennant permit application within two (2) business days to determine completeness. If it is complete, the Director shall approve or deny the application within three (3) business days after such determination. If it is incomplete, the Director shall cause the application to be returned to the applicant within one (1) business day of the determination, along with written reasons for the determination of incompleteness.
- (4) Notwithstanding the size and time limitations contained in Table I, noncommercial banners or pennants may be larger in size and displayed for such additional periods of time as may be established by the City Manager during community events that, in the judgment of the City Manager, advance a goal or policy of the City Council and contribute to the health, safety or welfare of the City.

Table I				
ATTACHED UNFRAMED BANNERS AND PENNANTS				
(sf. = square feet / ft. = linear feet / N/A = not applicable)				
Standard	Sign District			
	Downtown	Commercial-Industrial	Multifamily/Mixed Use	Single-Family
Max. # on each building elevation	1	1 per 300 ft. of building elevation or fraction thereof, but not more than 3 banners per building	1	Residential Buildings: Not Allowed Nonresidential Buildings: 1
Max. Sign Area	40 sf.	40 sf.	40 sf.	Residential Buildings: N/A Nonresidential Buildings: 40 sf.
Allowed Lighting	None	External	None	None
Max. Sign Height	7 ft.	7 ft.	4 ft.	4 ft.
Other Standards	None	If more than one banner is allowed on a building elevation, banners may be clustered	None	None
DETACHED BANNERS AND PENNANTS				
Max. #	Either framed or unframed: 1 per	Either framed or unframed: 1 per	Either framed or unframed: 1 per	Not allowed

	property frontage; or 1 per 100 ft. of property frontage if secured to temporary construction fencing related to permitted construction (may be clustered)	property frontage; or 1 per 100 ft. of property frontage if secured to temporary construction fencing related to permitted construction (may be clustered)	property frontage; or 1 per 100 ft. of property frontage if secured to temporary construction fencing related to permitted construction (may be clustered)	
Max. Sign Area (per banner)	40 sf.	40 sf.	40 sf.	40 sf.
Allowed Lighting	None	None	None	None
Max. Sign Height (applies to freestanding banner frames)	6 ft.	6 ft.	6 ft.	6 ft.

(5) For banners and pennants in all sign districts, the following shall apply:

- (a) mounting hardware shall be concealed from view;
- (b) banners shall be stretched tightly to avoid movement in windy conditions;
- (c) all banners that are installed in banner frames shall be sized to fit the banner frame so that there are no visible gaps between the edges of the banner and the banner frame;
- (d) banners are not allowed if any of the following are present on the property: feather flag, yard sign, site sign, or swing sign;
- (e) any common line of pennants must be stretched tightly to avoid movement in windy conditions.

(Ord. No. 228, 1998 §§28, 29, 12/15/98; Ord. No. 165, 1999 §30, 11/16/99; Ord. No. 59, 2000 §25, 6/6/00; Ord. No. 183, 2000 §§14, 16, 12/19/00; Ord. No. 107, 2001 §§32, 33, 6/19/01; Ord. No. 177, 2002 §16, 12/17/02; Ord. No. 173, 2003 §18, 12/16/03; Ord. No. 091, 2004 §§18—20, 6/15/04; Ord. No. 198, 2004 §§14—16, 12/21/04; Ord. No. 139, 2006 §1, 10/3/06; Ord. No. 192, 2006 §§11—13, 12/19/06; Ord. 081, 2007 §6, 7/17/07; Ord. No. 028, 2009 §2, 3/24/09; Ord. No. 068, 2010 §§8, 9, 7/6/10; Ord. No. 036, 2011 §1, 3/22/11; Ord. No. 178, 2011, §§1—3, 12/20/11; Ord. No. [031, 2013](#), 3/5/13; Ord. No. [088, 2017](#), §§2, 3, 8/15/17)

Appendix A-7 to PUD Master Plan Summary

3.8.26 - Buffering for Residential and High Occupancy Building Units

- (A) **Applicability** . These standards apply only to applications that include residential uses and, to the extent legally applicable, high occupancy building units. Standards regarding Buffer Yard D shall not apply to any lot for which a site specific development plan with vested rights was approved prior to September 14, 2018 so long as such site specific development plan was, or is, valid at the time of issuance of any building permit for the construction or modification of any dwelling unit or high occupancy building unit on such lot.
- (B) **Purpose** . The purpose of this Section is to provide standards to separate residential land uses and high occupancy building units from existing industrial uses in order to eliminate or minimize potential nuisances such as dirt, litter, noise, glare of lights and unsightly buildings or parking areas, or to provide spacing to reduce adverse impacts of noise, odor, air pollutants, hazardous materials or site contamination, or danger from fires or explosions.
- (C) **Buffer standards** . Buffer yards shall be located on the outer perimeter of a lot or parcel and may be required along all property lines for buffering purposes and shall meet the standards as provided in this Section.
- (1) Only those structures used for buffering and/or screening purposes shall be located within a buffer yard. The buffer yard shall not include any paved area, except for pedestrian sidewalks or paths or vehicular access drives which may intersect the buffer yard at a point which is perpendicular to the buffer yard and which shall be the minimum width necessary to provide vehicular or pedestrian access. Fencing and/or walls used for buffer yard purposes shall be solid, with at least seventy-five (75) percent opacity.
 - (2) There are four (4) types of buffer yards which are established according to land use intensity as described in Chart 1 below. Buffer yard distances are established in Chart 2 below and specify deciduous or coniferous plants required per one hundred (100) linear feet along the affected property line, on an average basis.
 - (3) The buffer yard requirements shall not apply to temporary or seasonal uses or to properties that are separated by a major collector street, arterial street, or highway.
 - (4) **Additional Standards Applicable to Buffer Yard D** . The following requirements shall also apply to development located in Buffer Yard D:
 - (a) **Measured** . For purposes of Buffer Yard D standards, the buffer yard shall be measured as either the distance from the outer edge of an oil and gas location to the nearest wall or corner of any dwelling or high occupancy building unit location or, if any Colorado Oil and Gas Conservation Commission adopted setback measurement method applicable to a dwelling or high occupancy building unit results in a greater distance between the existing oil and gas operation site location and the dwelling or high occupancy building unit at issue, then the Colorado Oil and Gas Conservation Commission setback measurement method shall be used. Buffer Yard D areas may include paved areas, notwithstanding paragraph (1) above.
 - (b) **Minimum Buffer Distances**. The following minimum buffer distances shall apply:
 1. **Residential Development**. The minimum buffer between a dwelling and any oil and gas location shall be five hundred (500) feet, or the Colorado Oil and Gas Conservation Commission designated setback distance, whichever is greater. Public playgrounds, parks, recreational fields, or community gathering spaces shall not be placed within a buffer. Private common areas within a buffer shall not contain playgrounds, parks, recreational fields, or community gathering spaces.

2. *High Occupancy Building Units.* The minimum buffer between a high occupancy building unit and any oil and gas location shall be one thousand (1,000) feet, or the Colorado Oil and Gas Conservation Commission designated setback distance, whichever is greater. Public or private playgrounds, parks, recreational fields, or community gathering spaces shall not be allowed within a buffer.
 - (c) *Alternative compliance buffer reduction from plugged and abandoned wells.* Upon applicant request, the decision maker may approve a reduced buffer distance from a plugged and abandoned well for which reclamation has been completed, all of the aforementioned in accordance with Colorado Oil and Gas Conservation Commission regulations, in lieu of the minimum buffer distances set forth in the immediately preceding Subsection (b), provided that the approved reduced buffer is no less than 150 feet from the permanently abandoned well and meets the requirements specified below.
 1. *Procedure.* To request alternative compliance, an alternative compliance buffer reduction plan shall be prepared and submitted in accordance with the submittal requirements established by the Director. At a minimum, the plan must:
 - a. Clearly identify and discuss the proposed buffer reduction and the ways in which the plan will equally well or better eliminate or minimize the nuisances and reduce the adverse effects referenced in the purpose of this Section than would a plan which complies with the separation and spacing standards of this Section.
 - b. Include information regarding environmental testing and monitoring for the site. Site investigation, sampling, and monitoring shall be conducted to demonstrate that the well has been properly abandoned and that soil, air and water quality have not been adversely impacted by oil and gas operations or facilities or other sources of contamination. Such sampling and monitoring shall be conducted by a qualified environmental engineering or consulting firm with experience in oil and gas investigations. Director approval that the sampling and monitoring plan contains the information required pursuant to this subsection b) is required prior to sampling occurring and such plan shall include, but is not limited to, the following:
 - i. Site survey, historical research, and/or physical locating techniques to determine exact location and extent of oil and gas operations and facilities.
 - ii. Documentation of plugging activities, abandonment and any subsequent inspections.
 - iii. Soil sampling, including soil gas testing.
 - iv. Groundwater sampling.
 - v. Installation of permanent groundwater wells for future site investigations.
 - vi. A minimum of five (5) years of annual soil gas and groundwater monitoring at the well location.
 - c. Upon completion of the site investigation and sampling, not including the ongoing monitoring, the consultant must provide a written report verifying that the soil and groundwater samples meet applicable EPA and State residential regulations and that a reduced buffer would not pose a greater health or safety risk for future residents or users of the site. Otherwise, the decision maker may specify an appropriate buffer distance or require that the following actions be completed by a qualified professional before development may occur, including but not limited to:
 - i. Remediation of environmental contamination to background levels.
 - ii. Well repair or re-plugging of a previously abandoned well.
 2. *Review Criteria.* To approve an alternative compliance buffer reduction plan, the decision maker must first find that the proposed alternative plan eliminates or minimizes the nuisances and reduces the adverse effects referenced in the purpose of this Section equally well or better than would a plan which complies with the separation and spacing standards of this Section. An approved alternative compliance buffer reduction plan shall be exempt from the screening requirements of Chart 2 - Buffer Yard Types and below Subsection (e) regarding fencing.
 - (d) *Disclosure.* If any residential development or dwelling, or high occupancy building unit is proposed to be located within one thousand (1,000) feet of an oil and gas location, the following requirements shall apply:

1. At such time as the property to be developed is platted or replatted, the plat shall show the one-thousand-foot radius on the property from such oil and gas location and shall contain a note informing subsequent property owners that certain lots shown on the plat are in close proximity to an existing oil and gas location.
 2. For residential developments requiring a declaration pursuant to the Colorado Common Interest Ownership Act, a statement shall be included in such declaration specifying the lots within such residential development upon which dwellings may be constructed that are within one thousand (1,000) feet of an oil and gas location. The approved plat for such residential development shall be attached to the recorded declaration. Where no such declaration is required, the property owner shall record a statement on the property where the dwelling is located indicating that such property is located within one thousand feet of an oil and gas location.
- (e) *Fencing* . If any residential development is proposed to be located within five hundred (500) feet of an oil and gas location, and if an existing fence does not surround the oil and gas location, the developer must erect a fence that restricts public access to the oil and gas location along the property boundary between the oil and gas location and the development.

Chart 1

Land Use Intensity Categories

<i>Land Use</i>	<i>Intensity Category</i>	<i>Buffer Yard</i>
Airports/airstrips	Very High	C
Composting facilities	High	B
Dry cleaning plants	Very High	C
Feedlots	Very High	C
Heavy industrial uses	Very High	C
Light industrial uses	High	B
Junkyards	High	B
Outdoor storage facilities	High	B
Recreation vehicle, boat, truck storage	Medium	A
Recycling facilities	High	B
Agricultural research laboratories	High	B
Resource extraction	Very High	C
Oil and gas operations, including plugged and abandoned wells	Very High	D
Transportation terminals (truck, container storage)	High	B
Warehouse & distribution facilities	High	B
Workshops and custom small industry	Medium	A

Chart 2

Buffer Yard Types

<i>Type - Base Standard (plants per 100 linear feet along affected property line)*</i>	<i>Option Width</i>	<i>Plant Multiplier**</i>	<i>Option: Add 6' Wall</i>	<i>Option: Add 3' Berm or 6' Fence</i>
Buffer Yard A:	15 feet	1.00		
	20 feet	.90		
3 Shade Trees	25 feet	.80		
2 Ornamental Trees or Type 2 Shrubs***	30 feet	.70	.65	.80
3 Evergreen Trees	35 feet	.60		
15 Shrubs (33% Type 1, 67% Type 2)	40 feet	.50		
Buffer Yard B:	15 feet	1.25		
	20 feet	1.00		
	25 feet	.90		
4 Shade Trees	30 feet	.80	.75	.85
4 Ornamental Trees or Type 2 Shrubs***	35 feet	.70		
3 Evergreen Trees	40 feet	.60		
25 Shrubs (Type 2)	45 feet	.50		
Buffer Yard C:	20 feet	1.25		
	25 feet	1.00		
	30 feet	.90		
5 Shade Trees	35 feet	.80	.75	.85
6 Ornamental Trees or Type 2 Shrubs***	40 feet	.70		
4 Evergreen Trees	45 feet	.60		
30 Shrubs (Type 2)	50 feet	.50		
Buffer Yard D:	500 feet	1.25		
	525 feet	1.00		
	550 feet	.90		
6 Shade Trees	575 feet	.80	.75	.85
7 Ornamental Trees or Type 2 Shrubs	600 feet	.70		

5 Evergreen Trees	625 feet	.60		
35 Shrubs (Type 2)	650 feet	.50		

* "Base standard" for each type of buffer yard is that width which has a plant multiplier.

** "Plant multipliers" are used to increase or decrease the amount of required plants based on providing a buffer yard of reduced or greater width or by the addition of a wall, berm or fence.

*** Shrub types: Type 1: 4' - 8' High Type 2: Over 8' High

(Ord. No. 173, 2003 §20, 12/16/03; Ord. No. [108, 2013](#) §§1—4, 8/20/13; Ord. No. [114, 2018](#), §2, 9/4/18)

Appendix A-8 to PUD Master Plan Summary

3.8.31 - Urban Agriculture

- (A) **Applicability.** These standards apply to all urban agriculture land uses, except those urban agriculture land uses that are approved as a part of a site-specific development plan.
- (B) **Purpose.** The intent of these urban agriculture supplementary regulations is to allow for a range of urban agricultural activities at a level and intensity that is compatible with the City's neighborhoods.
- (C) **Standards.**
 - (1) **License required.** Urban agriculture land uses shall be permitted only after the owner or applicant for the proposed use has obtained an urban agriculture license from the City. The fee for such a license shall be the fee established in the Development Review Fee Schedule. If active operations have not been carried on for a period of twenty-four (24) consecutive months, the license shall be deemed to have been abandoned regardless of intent to resume active operations. The Director may revoke any urban agriculture license issued by the City if the holder of such license is in violation of any of the provisions contained in paragraph (2) below, provided that the holder of the license shall be entitled to the administrative review of any such revocation under the provisions contained in Chapter 2, Article VI of the City Code.
 - (2) **General Standards.** Urban agriculture shall be allowed as a permitted use, provided that all of the following conditions are met:
 - (a) **Mechanized Equipment.** All mechanized equipment used in the urban agriculture land use must be in compliance with Chapter 20, Article II of the City Code regarding noise levels.
 - (b) **Parking.** Urban agriculture land uses shall provide additional off-street vehicular and bicycle parking areas adequate to accommodate parking demands created by the use.
 - (c) **Chemicals and Fertilizers.** Synthetic pesticides or herbicides may be applied only in accordance with state and federal regulations. All chemicals shall be stored in an enclosed, locked structure when the site is unattended. No synthetic pesticides or herbicides may be applied within a Natural Habitat Buffer Zone.
 - (d) **Trash/Compost.** Trash and compost receptacles shall be screened from adjacent properties by utilizing landscaping, fencing or storage within structures and all trash shall be removed from the site weekly. Compost piles and containers shall be set back at least ten (10) feet from any property line when urban agriculture abuts a residential land use.
 - (e) **Maintenance.** All urban agriculture land uses shall be maintained in an orderly manner, including necessary watering, pruning, pest control and removal of dead or diseased plant materials, and shall be maintained in compliance with the provisions of Chapter 20 of the City Code.
 - (f) **Water Conservation and Conveyance.** To the extent reasonably feasible, the use of sprinkler irrigation between the hours of 10:00 a.m. and 6:00 p.m. shall be minimized. Drip irrigation or watering by hand may be done at any time. The site must be designed and maintained so that any water runoff is conveyed off-site into a City right-of-way or drainage system without adversely affecting downstream property.
 - (g) **Identification/Contact Information.** A clearly visible sign shall be posted near the public right-of-way adjacent to all urban agriculture land uses, which sign shall contain the name and contact information of the manager or coordinator of the agricultural land use. If a synthetic pesticide or herbicide is used in connection with such use, the sign shall also include the name of the chemical and the frequency of application. The contact information for the manager or coordinator shall be kept on file with the City. All urban agriculture signs must comport with Section 3.8.7 of this Code.

- (h) If produce from an urban agriculture land use is proposed to be distributed throughout the City, the applicant must provide a list of proposed Food Membership Distribution Sites in the application.
 - (i) Floodplains. If urban agriculture is proposed within a floodplain, then a Floodplain Use Permit is required in accordance with Chapter 14 of the City Code.
 - (j) Hoop Houses. If an urban agriculture land use contains a hoop house, then the hoop house shall be set back a minimum of five (5) feet from any property line and shall also be located in such a manner that the hoop house does not generate potential adverse impacts on adjacent uses, such as shading or glare.
 - (k) Additional Impact Mitigation. Measures such as landscaping, fencing or setbacks to mitigate potential visual, noise or odor impacts on adjoining property may be required by the Director. There shall be no offensive noise, vibration, smoke, dust, odors, heat or glare noticeable at or beyond the property line of the parcel where the urban agriculture land use is conducted. Where an urban agriculture land use abuts a residential use, there shall be a minimum setback of five (5) feet between the operation and the property line.
- (3) *Notice.* At the time of an initial application for an urban agriculture land use within a residential zone (N-C-L, N-C-M, U-E, R-F, R-L, L-M-N, M-M-N, H-M-N, N-C-B, R-C and P-O-L) or if the urban agriculture land use exceeds one-half (0.5) acre in size, the Director shall determine whether the proposed urban agriculture land use presents a significant impact on the affected neighborhood, and, if so, the Director shall schedule a neighborhood meeting and provide mailed and posted notice for such meeting. Such notice and neighborhood meeting shall be conducted in accordance with Sections 2.2.2 and 2.2.6 of this Code.

(Ord. No. [096, 2013](#) §1, 7/16/13; Ord. No. [034, 2014](#) §2, 3/18/14)

**Appendix B
to Montava PUD Master Plan Summary**

Engineering Variances

Appendix B-1: Variance from Larimer County Urban Area Street Standards, Chapter 8, Section 8.23, Angle of Intersection, and Proposed Alternate Designs.

Appendix B-2: Variance from Larimer County Urban Area Street Standards, Chapter 7, Street Design and Technical Criteria for City of Fort Collins street section, Figures 7-1F through 7-13F, and Proposed Alternate Designs for right-of-way width, roadway width and medians.

With regard to this Appendix B, attached to each variance is supporting information including maps, diagrams, etc., which illustrate various methods of applying and using the respective variances and approved Alternate Designs in the design of future project development plans and final plans. Nothing herein requires that any future project development plans or final plans be designed in accordance with such supporting information nor does it prevent the use of designs not included in such information. Rather, the purpose of this supporting information is to provide background and context information to facilitate interpretation and application of the approve variances. Vested property rights are not requested for the supporting information.

NOTE: When approved, attach the variance requests and the City approvals therefor as Appendices B-1 and B-2, respectively.