



Mayor

John Gates

Councilmembers

Tommy Butler
Ward I

Brett Payton
Ward II

Michael Fitzsimmons
Ward III

Dale Hall
Ward IV

Kristin Zasada
At-Large

Ed Clark
At-Large

A City Achieving
Community Excellence
Greeley promotes a
healthy, diverse economy
and high quality of life
responsive to all its
residents and
neighborhoods,
thoughtfully managing its
human and natural
resources in a manner
that creates and sustains
a safe, unique, vibrant
and rewarding
community in which to
live, work, and play.

City Council Agenda

April 21, 2020 at 6:00 PM

This meeting will be conducted remotely. (See instructions on previous page to view the YouTube live stream.)

- [1.](#) Call to Order
- [2.](#) Pledge of Allegiance
- [3.](#) Roll Call
- [4.](#) Recognitions and Proclamations
- [5.](#) Citizen Input
- [6.](#) Approval of the Agenda
- [7.](#) Reports from Mayor and Councilmembers
- [8.](#) Initiatives from Mayor and Councilmembers

Consent Agenda

The Consent Agenda is a meeting management tool to allow the City Council to handle several routine items with one action.

Council or staff may request an item be "pulled" off the Consent Agenda and considered separately under the next agenda item in the order they were listed.

- [9.](#) Acceptance of the Report of the April 3, 2020, Council Briefing: COVID-19 Update
- [10.](#) Approval of the City Council Proceedings of April 7, 2020
- [11.](#) Acceptance of the Report of the April 10, 2020, Council Briefing: COVID-19 Update
- [12.](#) Approval of the Special City Council Proceedings of April 14, 2020
- [13.](#) Acceptance of the Report of the April 14, 2020, City Council Worksession
- [14.](#) Consideration of a resolution adopting the Sharktooth Bluffs Basin Storm Drainage Master Plan
- [15.](#) Consideration to approve a change order in the amount of \$68,673.24 to the contract with DeFalco Construction Company for the 48" CMP/Replacement on #3 Ditch Project and bringing the revised contract amount from \$257,316.87 to \$325,990.11

- [16.](#) Consideration to approve a change order in the amount of \$60,193.88 to the contract with YEH & Associates for the 10th Street Access Improvements Phase II Project and bringing the revised contract amount from \$201,911.15 to \$262,105.03
- [17.](#) Consideration of a change order in the amount of \$147,828.54 to the contract with Olsson Associates for the Turn Lanes on 20th St. Clubhouse Drive to 59th Ave. Project, bringing the revised contract amount from \$209,543.00 to \$357,371.54 and increasing the contract time by 180 days
- [18.](#) Introduction and first reading of an ordinance adopting amendments to the Greeley Municipal Code, consisting of Chapter 18.54 – *Signs*, in order to comply with recent Court decisions regarding content neutrality

End of Consent Agenda

- [19.](#) Pulled Consent Agenda Items
- [20.](#) Public hearing and final reading of an ordinance authorizing the acquisition of interests in real property located in the City of Greeley for road improvements by purchase or exercise of power of eminent domain pursuant to Section 7 of Article XVI, Section 15 of Article II, and Sections 1 and 6 of Article XX of the Colorado Constitution and Colorado Revised Statute § 38-1-101, et seq. (35th Avenue, 4th Street to F Street Road Improvement Project)
- [21.](#) University of Northern Colorado Update
- [22.](#) COVID-19 Update
- [23.](#) Historic Preservation Program Overview
- [24.](#) Appointment to Greeley/Weld Housing Authority
- [25.](#) Scheduling of Meetings, Other Events
- [26.](#) Consideration of a motion authorizing the City Attorney to prepare any required resolutions, agreements, and ordinances to reflect action taken by the City Council at this meeting and at any previous meetings, and authorizing the Mayor and City Clerk to sign all such resolutions, agreements and ordinances
- [27.](#) Adjournment

Council Agenda Summary

April 21, 2020

Agenda Item Number 1

Title

Call to Order

Council Agenda Summary

April 21, 2020

Agenda Item Number 2

Title

Pledge of Allegiance

Council Agenda Summary

April 21, 2020

Agenda Item Number 3

Title

Roll Call

Summary

Mayor Gates

Councilmember Butler

Councilmember Payton

Councilmember Hall

Councilmember Fitzsimmons

Councilmember Clark

Councilmember Zasada

Council Agenda Summary

April 21, 2020

Agenda Item Number 4

Title

Recognitions and Proclamations

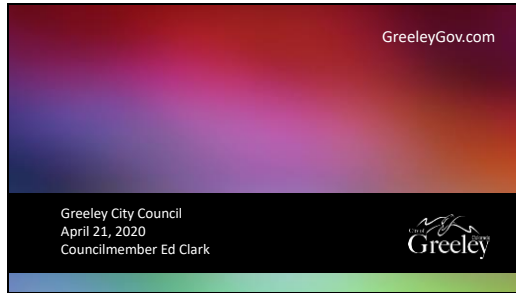
Summary

Councilmember Clark will present the What's Great about Greeley Report.

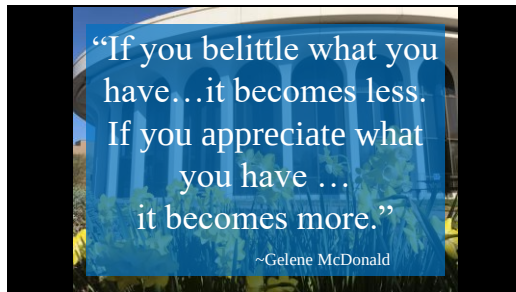
Attachments

April 21, 2020 What's Great about Greeley Report

Slide 1

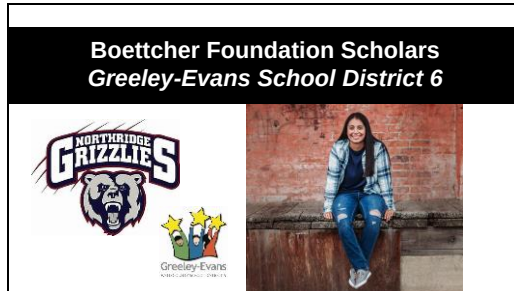


Slide 2



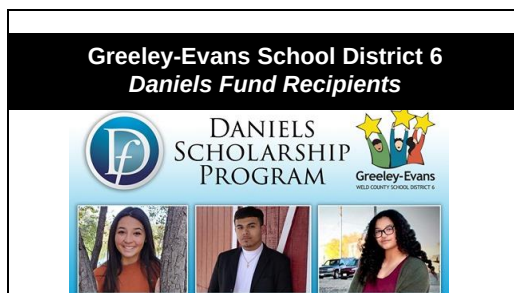
At each Council Meeting, we recognize the people, organizations and businesses that make Greeley Great. Tonight it's my turn to announce the recognitions. I'll start with a quote, "If you belittle what you have, it becomes less. If you appreciate what you have, it becomes more." With these announcements we are appreciating the good work of our residents, showing support for their efforts, and encouraging everyone to share the word that Greeley is Great.

Slide 3



Congratulations to Mikyla Bowen of Northridge High School who has been selected to receive the prestigious Boettcher Scholarship. The Boettcher Foundation awards 40 scholarships per year that pay the full cost of tuition at any four-year college or university in Colorado, as well as fees, a book allowance and more. Students are selected based on their superior scholastic abilities, evidence of leadership and involvement, service to the community and their school, and outstanding character. "Grace" Chahal of Greeley West was chosen as an alternate recipient.

Slide 4



In addition, three Greeley-Evans School District 6 seniors have received the prestigious Daniels Scholarship. These scholarships cover four years of tuition and fees, room and board, books and miscellaneous educational expenses for scholars who attend any accredited nonprofit college or university in the United States. The District 6 Daniels Scholarship recipients for 2020 are: Raeann Renee Mosqueda and Oscar Emmanuel Perez-Luna of Greeley West High School and Miah Marie Lipford of Northridge High School.

Slide 5



Congratulations to the City of Greeley traffic services division for receiving the Institute of Transportation Engineers Mountain District's Achievement Award for their Traffic Systems Operations Upgrade Project. This project includes a multifaceted effort to upgrade the aging traffic signal infrastructure, facilities and operations for the purpose of improving service levels for the travelling public.

Slide 6



Council Agenda Summary

April 21, 2020

Agenda Item Number 5

Title

Citizen Input

Summary

During this 15 minute portion of the meeting, anyone may address the Council on any item of City Business appropriate for Council consideration that is not already listed on this evening's agenda. Individual comments read into the record will be limited to 3 minutes and must include the name and address of the person submitting the comments for the record.

Council Agenda Summary

April 21, 2020

Agenda Item Number 6

Title

Approval of the Agenda

Council Agenda Summary

April 21, 2020

Agenda Item Number 7

Title

Reports from Mayor and Councilmembers

Summary

During this portion of the meeting any Councilmember may offer announcements or reports on recent events and happenings. These reports should be a summary of the Councilmember's attendance at assigned board/commission meetings and should include key highlights and points that may require additional decision and discussion by the full Council at a future time.

Council Agenda Summary

April 21, 2020

Agenda Item Number 8

Title

Initiatives from Mayor and Councilmembers

Summary

During this portion of the meeting any Councilmember may bring before the Council any business that the member feels should be deliberated upon by the Council. These matters need not be specifically listed on the Agenda, but formal action on such matters shall be deferred until a subsequent Council meeting.

Initiatives will generally fall into three categories:

- 1) A policy item for Council deliberation and direction for a future Worksession, Committee meeting, or regular/special Council meeting;
- 2) A request to the City Manager for information or research;
- 3) A request involving administrative processes or procedures.

At the close of this portion of the meeting, the Mayor will confirm Council's consensus that the individual requests be pursued.

Attachments

Status Report of Council Initiatives and Related Information

Greeley City Council

Status Report of Council Initiatives

Council Request	Council Meeting, Worksession, or Committee Meeting Date Requested	Status or Disposition (After completion, item is shown one time as completed and then removed.)	Assigned to:
Councilmember Butler shared that he had a discussion with Downtown Development Authority (DDA) Executive Director, Bianca Fisher, who has polled the Downtown bars and restaurants about their pain points in terms of layoffs, health and safety of staff and customers, and possibilities for getting back to work and what role the City could play in that through grants, tax abatements, Small Business (SBA) loan opportunities, sales tax deferment, waivers to allow draft beer to-go, a hospitality bailout, and communications from the City that Downtown businesses are still open for business.	March 17, 2020	Benjamin Snow, Economic Health & Housing Director, briefed Council during the March 31st Special Meeting on the City's joint-efforts with the Downtown Development Authority (DDA) and the Greeley Chamber of Commerce (Chamber) concerning business outreach and response. Roy Otto, City Manager, provided an update during the April 7th Council Meeting on the progress toward simplifying and connecting businesses with the CARES Act resources/aid while other avenues of potential assistance (working with the Chamber, etc.) are still in progress.	Ben Snow

Consent Agenda

April 21, 2020

The Consent Agenda is a meeting management tool to allow the City Council to handle several routine items with one action.

Once the Clerk has read each Consent Agenda item into the record, along with Council's recommended action, Council or staff may request the item be "pulled" off the Consent Agenda and considered separately under the next agenda item in the order they were listed.

The Consent Agenda includes Items No. 9 through 18 and their recommended actions.

Council's Recommended Action

To approve Items No. ____ through ____ or

To approve Items No. ____ through ____ with the exceptions of No.(s) ____

Council Agenda Summary

April 21, 2020

Agenda Item Number 9

Key Staff Contact: Cheryl Aragon, Interim City Clerk, 970-350-9743

Title:

Acceptance of the Report of the April 3, 2020, Council Briefing: COVID-19 Update

Summary:

A virtual City Council Briefing was held on April 3, 2020, via Zoom Meetings.

Decision Options:

1. To accept the Report as presented; or
2. Amend the Report if amendments or corrections are needed, and accept as amended.

Council's Recommended Action:

A motion to accept the Report as presented.

Attachments:

April 3, 2020 Report

City of Greeley, Colorado
COUNCIL BRIEFING
 April 3, 2020

The Council Briefing began at 4:00 p.m. on Friday, April 3, 2020, via a remote Zoom Meeting between City Staff and the City Council. It was live-streamed on the City of Greeley's YouTube Channel.

1. CALL TO ORDER

Mayor Gates called the Zoom Meeting to Order.

2. PLEDGE OF ALLEGIANCE

Mayor Gates led the Pledge of Allegiance to the American Flag.

3. ROLL CALL

Cheryl Aragon, Interim City Clerk, called the roll. Those virtually present were Mayor John Gates and Councilmembers Ed Clark, Michael Fitzsimmons, Dale Hall, Brett Payton, and Kristin Zasada. Councilmember Tommy Butler virtually arrived at 4:06 p.m.

4. COVID-19 (CORONAVIRUS) PANDEMIC UPDATE

Roy Otto, City Manager, stated that this report would include a report on the City's response to this pandemic, as well as a report on how this is impacting operations.

Dan Frazen, Greeley's Emergency Manager, provided an update to Council on the number of cases in Colorado, as well as in Weld County, and the number of patients in Greeley hospitals. All represented increases from the previous day.

Mr. Frazen went on to discuss the operations of the Emergency Operations Center including a cold weather shelter update, first responder quarantine options, Bureau of Justice grant opportunities, the City's business recovery fund, and the CARES Act status. He also spoke of local businesses and individuals who are donating personal protective equipment for use by first responders.

In response to a question from Councilmember Butler, Mr. Frazen advised that the cold weather shelter is running at about 80 percent capacity.

Mayor Gates expressed a desire to see those utilizing the homeless shelter stay at the homeless shelter rather than congregating somewhere in public which poses a danger to them and to others.

Mark Jones, Police Chief, reported on enforcement efforts of the Governor's Stay-at-Home Order. He stated that the approach is a common sense one and to try and talk and inform individuals about the Order and give warnings initially. Tickets would be the last option. He stated no tickets have been issued at this point.

Councilmember Payton inquired about the status of a police officer in quarantine, and Chief Jones indicated that three have been tested; they are all negative but it fluctuates based on symptoms and quarantine situations.

Dale Lyman, Fire Chief, reported that one firefighter tested positive and has been out. He added that there are 14 firefighters in quarantine, and he is moderately concerned about staffing.

Chief Jones added that his officers will be monitoring worship services and they will notify him of any that occur so that he can visit and talk with pastors and other church personnel.

Mr. Otto provided a brief summary on operational items of note which included the idea of a regional recovery effort and the outreach by the City of Loveland. He reported that while the City is willing to be a partner in that, the City's focus now is business recovery and those efforts. He also reported on the recent layoff of seasonal and temporary staff, the hiring freeze for the month of April, and the intentional work being done to look at Council's future agenda schedule.

Councilmember Clark asked about support for businesses in Greeley who are trying to help, and Mr. Otto affirmed that he is tracking those businesses for future recognition.

Councilmember Hall reported that the Greeley Chamber of Commerce has been working diligently to establish a business-friendly process that will help any businesses with needs and to try and act as a conduit for business assistance.

Councilmember Payton added that the Chamber Foundation is also very supportive of those business support efforts.

The Council Briefing adjourned at 4:33 p.m.

Cheryl Aragon, Interim City Clerk

Council Agenda Summary

April 21, 2020

Agenda Item Number 10

Key Staff Contact: Cheryl Aragon, Interim City Clerk, 350-9743

Title:

Approval of the City Council Proceedings of April 7, 2020

Summary:

A virtual meeting of the City Council was held on April 7, 2020, via Zoom Meetings.

Decision Options:

1. To approve the proceedings as presented; or
2. Amend the proceedings if amendments or corrections are needed, and approve as amended.

Council's Recommended Action:

A motion to approve the City Council proceedings as presented.

Attachments:

April 7, 2020 Proceedings

City of Greeley, Colorado
CITY COUNCIL PROCEEDINGS
 April 7, 2020

1. Call to Order

Mayor John Gates called the meeting to order at 6:00 p.m. This was a remote meeting conducted via Zoom Meetings and live streamed to the public via YouTube.

2. Pledge of Allegiance

Mayor Gates led the Pledge of Allegiance to the American Flag.

3. Roll Call

Cheryl Aragon, Interim City Clerk, called the roll. Those remotely present were Mayor John Gates and Councilmembers Tommy Butler, Ed Clark, Michael Fitzsimmons, Dale Hall, Brett Payton and Kristin Zasada.

4. Recognitions and Proclamations

Councilmember Butler presented the What's Great About Greeley Report.

Mayor Gates presented a proclamation recognizing National Volunteer Week and National Library Week.

Becky Safarik, Assistant City Manager, accepted the National Volunteer Week Proclamation and stated that volunteers are certainly the lifeblood of the community, especially during times of crisis like COVID-19.

A statement from Matthew Hортt, Executive Director of the High Plains Library District, was read accepting the Proclamation for National Library Week and encouraging everyone to take advantage of quality virtual and digital services being offered.

5. Citizen Input

An email was read into the record from Greeley resident Nathan Swisher who expressed concern that he continues to see golfers along the third hole at Boomerang Golf Course who are not practicing proper social distancing. He stated that he could understand some of the rationale for opening the courses with extra precautions, but overall he is not seeing compliance which is setting a poor precedent.

6. Approval of Agenda

The agenda was approved upon noting additional documentation for Agenda Item No. 24

7. Reports from Mayor and Councilmembers

Councilmember Butler reported on a recent Virtual Town Hall he participated in with Mayor Gates and Representative Mary Young and all who participated.

Mayor Gates echoed those comments about the Virtual Town Hall and expressed appreciation for all who participated including other local leaders.

8. Initiatives from Mayor and Councilmembers

There were no initiatives offered from Councilmembers.

*** * * * Consent Agenda * * * ***

9. Acceptance of the Report of the March 10, 2020, City Council Worksession

The Council action recommended was to accept the Report.

10. Approval of the City Council Proceedings of March 17, 2020

The Council action recommended was to approve the Proceedings.

11. Approval of the Special City Council Proceedings of March 31, 2020

The Council action recommended was to approve the Proceedings.

12. Consideration of a resolution authorizing the City to enter into an Intergovernmental Agreement with the Colorado Department of Transportation for cost reimbursements for pipeline relocations near the Prospect Road interchange on Interstate 25 in Ft. Collins

The Council action recommended was to adopt the resolution. **(Resolution No. 13, 2020)**

13. Consideration of a resolution amending the Capital Funding and Pledge Agreement by and among the City of Greeley, Greeley Downtown Development Authority, and Lincoln Park Hotel, LLC

The Council action recommended was to adopt the resolution. **(Resolution No. 14, 2020)**

14. Introduction and first reading of an ordinance authorizing the acquisition of interests in real property located in the City of Greeley for road improvements by purchase or exercise of power of eminent domain pursuant to Section 7 of Article XVI, Section 15 of Article II, and Sections 1 and 6 of Article XX of the Colorado Constitution and Colorado Revised Statute § 38-1-101, et seq. (35th Avenue, 4th Street to F Street Road Improvement Project)

The Council action recommended was to introduce the ordinance and schedule the public hearing and final reading for April 21, 2020.

15. Consideration to approve a change order in the amount of \$81,900 to the contract with Northstar Concrete for the 2019 Concrete Infrastructure Improvement Project and bringing the revised contract amount from \$680,224.50 to \$762,124.50

The Council action recommended was to approve the Change Order. **(Change Order No. 1, 2020)**

16. Consideration of the City of Greeley's Consolidated Annual Performance and Evaluation Report (CAPER) for Program Year 2019 for Submission to the U. S. Department of Housing and Urban Development

***** End of Consent Agenda *****

Councilmember Payton moved, seconded by Councilmember Hall to approve the items on the Consent Agenda and their recommended actions. The motion carried: 7-0

17. Pulled consent agenda items

No items were pulled from the Consent Agenda.

18. Public hearing and final reading of an ordinance authorizing a salary increase for the City Manager

Sharon McCabe, Human Resources Director, reported that the Council conducted reviews of the City Manager in February 2020. Along with that, staff prepared ordinances setting compensation for this position, and referenced the review comments in Council's agenda packet.

She went on to state that COVID-19 has created economic ramification, and the City Manager has expressed a desire to defer a salary increase in light of that to a later date.

Ms. McCabe asked that Council consider this request.

Mayor Gates opened the public hearing at 6:47 p.m., and Ms. Aragon noted that there have not been any written comments submitted regarding this item.

Mayor Gates indicated that Council does evaluate the City Manager and written summations show that he has been performing in exemplary fashion. He stated that he on his own volition stepped up to defer a salary increase, which he stated is honorable.

Councilmember Payton moved, seconded by Councilmember Hall to amend the ordinance removing Sections 1 and 2 The motion carried: 7-0

Councilmember Hall moved, seconded by Councilmember Payton to adopt the amended ordinance and publish it in full. The motion carried: 7-0 **(Ordinance No. 06, 2020)**

19. Public hearing and final reading of an ordinance authorizing a salary increase for the City Attorney

Ms. McCabe reported that the Council conducted a review of the City Attorney in February 2020. Along with that, staff prepared ordinances setting compensation for this position, and referenced the review comments in Council's agenda packet.

She went on to state that COVID-19 has created economic ramification, and the City Attorney has expressed a desire to defer the salary increase in light of that to a later date.

Council Agenda Summary

April 21, 2020

Agenda Item Number 11

Key Staff Contact: Cheryl Aragon, Interim City Clerk, 970-350-9743

Title:

Acceptance of the Report of the April 10, 2020, Council Briefing: COVID-19 Update

Summary:

A virtual City Council Briefing was held on April 10, 2020, via Zoom Meetings.

Decision Options:

1. To accept the Report as presented; or
2. Amend the Report if amendments or corrections are needed, and accept as amended.

Council's Recommended Action:

A motion to accept the Report as presented.

Attachments:

April 10, 2020 Report

City of Greeley, Colorado
COUNCIL BRIEFING
 April 10, 2020

The Council Briefing began at 4:00 p.m. on Friday, April 10, 2020, via a remote Zoom Meeting between City Staff and the City Council. It was live-streamed on the City of Greeley's YouTube Channel.

5. CALL TO ORDER

Mayor Gates called the Zoom Meeting to Order.

6. PLEDGE OF ALLEGIANCE

Mayor Gates led the Pledge of Allegiance to the American Flag.

7. ROLL CALL

Cheryl Aragon, Interim City Clerk, called the Roll. Those virtually present were Mayor John Gates and Councilmembers Tommy Butler, Ed Clark, Michael Fitzsimmons, Dale Hall, Brett Payton, and Kristin Zasada.

8. COVID-19 (CORONAVIRUS) PANDEMIC UPDATE

Roy Otto, City Manager, reported that staff has been collaborating with the Greeley Chamber of Commerce on a program known as the COVID-19 Crisis Recovery Program that will provide grant dollars to Greeley businesses. He noted that the City's contribution would be \$250,000 coming from the City's Downtown Incentive Fund and then the Chamber would be working to match those dollars from private donations from individuals and businesses. He stated that if Council is supportive of this effort, a Special Meeting would be requested for Tuesday, April 14th for formal action.

Jaime Henning, Chamber of Commerce President, and Scott Warner and Bryce Jacobson, Chamber Foundation Members, were also in attendance at the remote meeting.

Ms. Henning noted that there is a definite need for this in the community and expressed appreciation for the public/private partnership at play here. She added that national funds and rapid response funds are also being sought.

Scott Warner, echoed what has been said and stated that he appreciates the work being done in this regard and the collaborative efforts. He stated that there are a lot of people who want to do the right thing for the community, and a strategic group of individuals who know this business community are coming together to help.

Mr. Warner added that there are about 370 businesses in need, and this will be a good start to assisting these businesses. He stated that since this is investor driven, a drastically reduced membership will be offered.

Mr. Otto advised that an agreement would be drawn up that would guide how this program moves forward.

Councilmember Clark stated that this is a great idea to help get these businesses over this hump, and that he likes the initial idea of \$250,000 and then revisit things as needed.

In response to a question from Councilmember Fitzsimmons, Mr. Otto noted that the task force overseeing disbursements will be created by the Chamber Foundation, and the City will have a seat at the table.

He also stated that currently, the City is proposing a \$250,000 contribution, and that the Chamber has raised \$30,000 so far for this effort.

Mr. Warner advised that this would be open to all businesses in Greeley.

Mr. Jacobson stated that the disbursement would occur fairly quickly once funds arrive and that they are proposing a 48-hour application process.

Councilmember Zasada inquired about any required proof of application for a Federal relief program and the status of such applications as a requirement, and Mr. Warner advised that any prudent business should be looking at leveraging all available dollars, federally or statewide.

Councilmember Payton recused himself to avoid the appearance of a conflict of interest.

Discussion ensued about qualifying a Greeley business, and Mr. Otto noted that he would work with the City's Finance Department to provide a list of Greeley licensed businesses to help with verification.

Dan Frazen, Greeley's Emergency Manager, provided a COVID-19 Update to Council that included number of cases in the State and in Weld County, as well as deaths and numbers of patients hospitalized.

He reported that all City employees are now required to wear cloth masks and that the City has provided one to everyone for now with additional masks ordered.

With regard to the Homeless Shelter, he reported that the County staff that works at the Exhibition Building are wanting to return to their work sites but don't want to while the Homeless Shelter is under the same roof citing safety concerns. As such, he stated that the Event Center next door is being considered.

Mr. Frazen went on to discuss the personal isolation facility that City staff and the County are looking into at Bonell that would house COVID-19 patients who are released from the hospital and need an isolation space.

In response to a question about the potential cost to the City for that, Becky Safarik, Assistant City Manager, advised that a budget is being developed and that the County has agreed to lease the facility. She added that some repairs are needed and what the management would look like for this facility is being developed. Some dollars may be available that could be tapped into through Housing and Urban Development (HUD) and other emergency funds.

Mr. Otto stated that the tension will be the use of any General Fund dollars given that this is not a municipal operation. He added that the City has also been the major funder of the homeless shelter which the County has not helped with. He stressed that the County has not stepped up and that Greeley residents are also Weld County residents.

Ms. Safarik confirmed that this effort has morphed into more of a City function than initially anticipated.

In response to a question from Councilmember Clark, Mr. Frazen advised that it would be a good idea to maintain the cold weather shelter because that population is still transient and the fear of spread as they hung out at parks and public places is very real.

Councilmember Zasada inquired about COVID-19 testing and noted that this will be critical moving forward.

Mr. Frazen agreed that it will be critical and noted that the antibody testing takes about 5-10 minutes and that other testing is for inpatient only or those with very severe symptoms.

Councilmember Clark expressed his frustration with the lack of action by the County for Greeley residents, and Ms. Safarik advised that a lot of discussions have occurred, and that if this proposal comes back to the County through an Intergovernmental Agreement the City would have an opportunity to discuss this further with the County.

Mr. Otto provided a brief summary on operational items of note.

The Council Briefing adjourned at 5:02 p.m.

Cheryl Aragon, Interim City Clerk

Council Agenda Summary

April 21, 2020

Agenda Item Number 12

Key Staff Contact: Cheryl Aragon, Interim City Clerk, 350-9743

Title:

Approval of the Special City Council Proceedings of April 14, 2020

Summary:

A Special meeting of the City Council was held virtually on April 14, 2020.

Decision Options:

1. To approve the proceedings as presented; or
2. Amend the proceedings if amendments or corrections are needed, and approve as amended.

Council's Recommended Action:

A motion to approve the Special City Council proceedings as presented.

Attachments:

April 14, 2020 Special Proceedings

City of Greeley, Colorado
SPECIAL CITY COUNCIL PROCEEDINGS
 April 14, 2020

1. Call to Order

Mayor John Gates called the meeting to order at 6:00 p.m. This was a remote meeting conducted via Zoom Meetings and live streamed to the public via YouTube.

2. Pledge of Allegiance

Mayor Gates led the Pledge of Allegiance to the American Flag.

3. Roll Call

Cheryl Aragon, Interim City Clerk, called the roll. Those present were Mayor John Gates and Councilmembers Tommy Butler, Ed Clark, Michael Fitzsimmons, Dale Hall, Brett Payton and Kristin Zasada.

4. Consideration of a Resolution Authorizing the City Manager to Enter Into an Intergovernmental Agreement with Weld County for the Establishment, Funding, and Management of a COVID-19 Personal Isolation Facility

Becky Safarik, Assistant City Manager, reported that this item has come forward as the City has worked with the County and other partners to establish a safe environment for those who are recovering from COVID-19 to convalesce after being released from the hospital in an isolated place to not spread the virus further.

She stated that locally, the teams working on this became aware of a possible location on the Bonell campus, and when Bonell was approached, they were willing to work out a lease of this space.

She spoke of the process for people being referred to this facility, as well as resources needed for security and overall management at the facility. She briefly reviewed the process, and she stated that the County will lease this facility and will be taking care of needed repairs to get it ready for occupancy while the City will be responsible for the management, transportation, and related cleaning services through about June.

In terms of funding, Ms. Safarik reported that fortunately between the Federal Emergency Management Agency (FEMA), Housing and Urban Development (HUD), and Transportation dollars, costs are covered for overall management, while JBS has donated \$90,000 to the City that could be applied to this effort.

This resolution would authorize the City Manager to enter into the needed Intergovernmental Agreement with the County to get the facility up and available.

In response to a question from Councilmember Clark, Ms. Safarik stated that this has been a work in progress and the lease amount is \$18,000 including utilities. After an on-site visit, some needed repairs were identified and costs were estimated up until yesterday, and those costs would be incorporated into the lease that the County would be responsible for.

Councilmember Fitzsimmons noted that while he is one of the team leaders at Bonell, he checked in with the City Attorney, and no conflict of interest was identified. He expressed his support for this endeavor.

Councilmember Hall moved, seconded by Councilmember Clark to adopt the resolution. The motion carried: 7-0 (**Resolution No. 16, 2020**)

5. CONSIDERATION OF A RESOLUTION TO REALLOCATE FUNDS FROM THE CITY'S REDEVELOPMENT INCENTIVE FUND TO GREELEY AREA RECOVERY FUND

Ben Snow, Economic Health and Housing Director, reported that he and his team have been working closely with local partners on efforts to keep businesses solvent during these unprecedented times. He spoke of the CARES Act that serves to provide immediate and short-term relief to businesses, and the Chamber has been working to develop a program that will compliment that. That work has resulted in the Greeley Area Recovery Fund that will help businesses during this crisis and will offer a maximum of \$5,000 to qualified businesses hardest hit by this crisis. This Fund is a public/private partnership whereby City dollars will be leveraged to garner private donations from businesses and individuals. City dollars will be reserved for grants to Greeley businesses.

In terms of funding, Mr. Snow reported that staff is proposing to reallocate \$250,000 from the existing Redevelopment Incentive Fund for this purpose and enter into an agreement for services with the Greeley Chamber of Commerce to manage this fund.

Councilmember Butler questioned whether or not this is enough money to contribute to this, and noted that all of the businesses that he's talked to have said they will be applying, so in his estimation more money is needed.

Councilmember Zasada asked about the timeline it would take to replenish funds if needed, and Doug Marek, City Attorney, advised that it would expedite matters if Council proceeded with the recommended amount, but special meetings can be scheduled fairly quickly if needed to allocate additional funds.

Roy Otto, City Manager, advised that there is roughly \$750,000 left in this fund that could be allocated with a simple motion by Council in the future if needed.

Councilmember Clark indicated a preference for be conservative here and make sure conditions are good before allocated an additional amount and expressed hope that this amount helps as many businesses as possible.

Councilmember Hall indicated that this is a good opportunity to do some good with an ability to commit additional funds if needed. He noted that he would like to see a solid public/private partnership as it is intended to be with Chamber members.

In response to a question from Councilmember Zasada about timing of launching the program, Mr. Snow advised that a website will tentatively launch April 15th with a fundraising component for private individuals and businesses through the Chamber. It is also hoped that the grant allocation committee will meet and review applications as early as the week of April 20th. Timing will be critical, he noted.

Councilmember Butler asked about marketing and what registry of businesses will be used.

Mr. Snow stated that the biggest impact will come in the next 24-hours and provide a big catalyst for the fundraising effort and a lot of media attention will be generated. There is a robust business list that the Chamber and the City have access to.

Mr. Snow added that the City will have a seat on the selection committee, and will include 6-8 additional members appointed by the Chamber of Commerce Foundation Board.

Mayor Gates noted for the record that Councilmember Payton recused himself from discussion of this item given his membership on the Chamber of Commerce Foundation Board.

Councilmember Butler moved to increase the City's contribution amount to \$500,000. The motion died for the lack of a second.

Mayor Gates noted that Councilmember Butlers' intention is good, and at this time, the \$250,000 seems appropriate until it is shown that additional dollars are needed.

Councilmember Hall moved, seconded by Councilmember Butler to adopt the resolution as presented. The motion carried: 6-0 (Councilmember Payton recused) **(Resolution No. 17, 2020)**

6. CONSIDERATION OF A MOTION AUTHORIZING THE CITY ATTORNEY TO PREPARE ANY REQUIRED RESOLUTIONS, AGREEMENTS, AND ORDINANCES TO REFLECT ACTION TAKEN BY THE CITY COUNCIL AT THIS MEETING AND AT ANY PREVIOUS MEETINGS, AND AUTHORIZING THE MAYOR AND CITY CLERK TO SIGN ALL SUCH RESOLUTIONS, AGREEMENTS AND ORDINANCES

Councilmember Payton moved, seconded by Councilmember Clark to approve the above authorizations. The motion carried: 7-0

7. ADJOURNMENT

Mayor Gates adjourned the Special Meeting at 6:24 p.m.

John Gates, Mayor

Cheryl Aragon, Interim City Clerk

Council Agenda Summary

April 21, 2020

Agenda Item Number 13

Key Staff Contact: Cheryl Aragon, Interim City Clerk, 970-350-9743

Title:

Acceptance of the Report of the April 14, 2020, City Council Worksession

Summary:

A virtual City Council Worksession was held on April 14, 2020, via Zoom Meetings.

Decision Options:

1. To accept the Report as presented; or
2. Amend the Report if amendments or corrections are needed, and accept as amended.

Council's Recommended Action:

A motion to accept the Report as presented.

Attachments:

April 14, 2020 Report

City of Greeley, Colorado
COUNCIL WORKSESSION REPORT
 April 14, 2020

1. CALL TO ORDER

Mayor John Gates opened the Worksession at 4:00 p.m. via a remote Zoom Meeting between City Staff and the City Council. It was live-streamed on the City of Greeley's YouTube Channel.

2. PLEDGE OF ALLEGIANCE

Mayor Gates led the Pledge of Allegiance to the American Flag.

3. ROLL CALL

Cheryl Aragon, Interim City Clerk, called the roll. Those remotely present were Mayor John Gates and Councilmembers Tommy Butler, Ed Clark, Michael Fitzsimmons, Dale Hall, Brett Payton, and Kristin Zasada.

4. REPORTS FROM MAYOR AND COUNCILMEMBERS

There were no Reports offered by the Mayor and Councilmembers.

5. COVID-19 Update

Dan Frazen, Emergency Manager, provided Council with an update that included cases in Colorado and Weld County and shared numbers hospitalized and casualties.

He advised that the City has a 90-day supply of personal protective equipment and that the goal will be to always have a 90-day supply.

In response to a question from Councilmember Zasada, Mr. Frazen stated that Greeley is the main population center in Weld County so he is unsure if the high Weld County numbers are just because Weld County is large.

6. DISCUSSION ON CHANGES TO PROPOSED AMENDMENT TO CHAPTER 18.54 - SIGNS

Brad Mueller, Community Development Director, reported that this request proposes amendments to Chapter 18.54 – Signs – in order to comply with recent Court decisions regarding sign content neutrality.

He noted that after a review with Council on March 3rd, Planning staff formulated optional revisions to this Chapter as it pertains to yard signs and site signs which include cumulative sign area allowances pursuant to lot size, and display duration restrictions.

Brittany Hathaway, Planner, provided a review of the specific changes and noted that the proposed regulations would allow up to 32 square feet for yard signage for lots smaller than ¼ acre, lot sizes up to 5 acres could have double that amount, and lots over 5 acres could have three times the amount.

Relative to duration, Ms. Hathaway stated that this new draft would limit all yard signs to 180 days per year.

Councilmember Zasada expressed concerns about confusion that could be created about when a temporary sign permit is needed.

Mr. Mueller stated that staff would not actively police the time those signs are up, but noted that if a sign was in disrepair, discretion would be used about enforcement.

Councilmember Zasada inquired about being able to differentiate between signs, and Mr. Mueller confirmed that there would be no differentiation relative to yard signs.

Councilmember Clark stated that he is not a fan of putting something on the books if the City is not going to enforce it.

Mayor Gates asked whether or not the Supreme Court ruling would trump anything the City does with signs and asked if time limits would be waived.

Doug Marek, City Attorney, reported that regulation of signs must be content neutral. He added that the City is unable under case law to control content of signs but the City can regulate timing and size, just not the content.

Mayor Gates stated that this product is much improved but added that he still cannot support Section (7) a. 1., which relates to the total cumulative sign area allowed, as currently written.

Councilmember Butler agreed and noted that he would like to see some larger numbers for the quarter acre lots and then much larger for the 1/4 - 5 acres and over 5 acres categories.

Councilmember Zasada added that she would like to see 180 days extended to a year.

Councilmember Clark expressed agreement with Mayor Gates and Councilmember Butler.

Mayor Gates stated that he would be able to support this if the sign areas were doubled from what is proposed.

Ms. Hathaway stated that this could be worked on and that the lot size categories could be increased along with the sign areas.

Councilmember Payton stated that he wants to be as permissive as possible, and Councilmember Fitzsimmons agreed.

Ms. Hathaway stated that there is no urgency here, and that it is important that Greeley's Code be legal, hopefully by the summer.

Mr. Marek emphasized that the changes need to be content neutral, and that signs placed in the right-of-way without the permission of a property owner could be enforced.

Mr. Mueller summarized that Council has a desire to see no limits on time and a desire for more allowance in each of the lots size categories and increase the number of categories to parcel out lot sizes better.

Council consensus was reached on that summarization.

7. OVERVIEW OF DEVELOPMENT IMPACT FEE STUDY

Renee Wheeler, Finance Director, reported that this item is to get everyone on the same page about Development Impact Fees, methodologies, and focus areas.

Todd Cristiano, Raftelis Project Director, stated that he has worked with the City of Greeley and has a lot of history with the City on the utility side of things. He went on to speak of the City's current fee structure, fee methodologies, and provided an overview of the project.

Melissa Elliot, Director of Communications, then spoke about input received from the development community and stakeholder engagement efforts. She stated that feedback received will be woven into recommendations coming to the Council in late July.

Dwayne Guthrie, Project Manager, reported on impact fee fundamentals. Trying to make sure impact fees pay for pro share of new development, not full share. He then reviewed fees by type.

Councilmember Zasada expressed a desire for median home prices to be considered, and Councilmember Butler stated that his focus would be on incentivizing affordable housing.

Mayor Gates stated that he appreciates the pending outreach to stakeholders about plant investment fees and that he is happy with the direction being taken here.

Councilmember Payton expressed agreement and stated that it will be important for developers to be able to scratch out what their impact fees will be.

8. SHARKTOOTH BLUFFS STORM DRAINAGE BASIN MASTER PLAN

Joel Hemesath, Public Works Director, reported that staff attempts to do these master plans every few years for needed infrastructure in an effort to be well positioned for new developments coming in to help mitigate flooding impacts.

Andrew Fisher, Project Manager, provided some background about both this project and stormwater generally and talked about the overall methodology going into this specific plan.

He highlighted several alternatives that were looked at to address problem areas.

He also stated that this will help developers to have a good understanding of all of the flow that could be coming onto that site. It gives them the tools to pull numbers and data out of the Master Plan and helps things move quicker through the process.

He went on to review the specific Sharktooth Bluffs Storm Drainage Basin Master Plan and went over the various neighborhood characteristics and design information.

Councilmembers expressed gratitude for this good information and great presentation.

9. SCHEDULING OF MEETINGS, OTHER EVENTS

No additional meetings or events were scheduled.

10. ADJOURNMENT

There being no further business to come before the Council, Mayor Gates adjourned the meeting at 8:08 p.m.

Cheryl Aragon, Interim City Clerk

Council Agenda Summary

April 21, 2020

Agenda Item Number 14

Key Staff Contact: Joel Hemesath, Public Works Director, 970-350-9795

Title:

Consideration of a resolution adopting the Sharktooth Bluffs Basin Storm Drainage Master Plan

Summary:

The City Council authorized the completion of a Drainage Master Plan to the Sharktooth Bluffs Basin with the 2018 Budget in order to guide development in an area of projected developmental growth.

The City retained the services of ICON Engineering, Inc. (ICON) in 2018 to produce the Master Plan. ICON prepared a Master Plan report for the Selected Plans titled "Sharktooth Bluffs Basin Storm Drainage Master Plan" (Report) that included the size and location of proposed improvements, cost estimates, and the installation priority of the recommended improvements. This Report was presented to the City Council in its April 14, 2020 work session.

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	Yes
If yes, what is the initial, or, onetime impact?	Multi-year
What is the annual impact?	Varies
What fund of the City will provide Funding?	412 – Stormwater Capital Improvement
What is the source of revenue within the fund?	
Is there grant funding for this item?	Stormwater Rate Revenue, Development Impact Fees
If yes, does this grant require a match?	
Is this grant onetime or ongoing?	
Additional Comments:	

Legal Issues:

None.

Other Issues and Considerations:

The Sharktooth Bluffs Basin encompasses area within the current City of Greeley, City of Windsor and unincorporated Weld County. This report will be shared with Weld County and the City of Windsor for consideration of any development that occurs outside the City of Greeley.

Applicable Council Priority and Goal:

Safety: Manage the health, safety and welfare in a way that promotes a sense of security and well-being for residents, businesses and visitors.

Infrastructure & Growth: Establish the capital and human infrastructure to support and maintain a safe, competitive, appealing and successful community.

Decision Options:

- 1) Adopt the resolution as presented; or
- 2) Amend the resolution and adopt as amended; or
- 3) Deny the resolution; or
- 4) Continue consideration of the resolution to a date certain.

Council's Recommended Action:

A motion to adopt the Resolution.

Attachments:

Resolution

Executive Summary

Sharktooth Bluffs Basin Storm Drainage Master Plan Map

THE CITY OF GREELEY, COLORADO
RESOLUTION NO. _____, 2020

**A RESOLUTION ADOPTING THE SHARKTOOTH BLUFFS BASIN STORM
DRAINAGE MASTER PLAN**

WHEREAS, the City Council authorized the completion of the Sharktooth Bluffs Basin Storm Drainage Master Plan (Master Plan) with the 2018 Budget, in order to identify drainage issues in the basin and guide projected land development in the basin;

WHEREAS, the City retained the services of ICON Engineering, Inc. (ICON) in 2018 to produce the Master Plan;

WHEREAS, ICON analyzed the existing and proposed full-development drainage conditions of the basin and produced a “Sharktooth Bluffs Basin Master Plan Hydrology and Hydraulics Report;”

WHEREAS, City Staff and ICON identified the areas of problem flooding within the basin and evaluated four capital improvement plan alternatives for each location, of which one alternative was Chosen as the Selected Plan for each alternative, as presented in ICON’s “Sharktooth Bluffs Basin Master Plan Alternatives Analysis Report;”

WHEREAS, implementation of these alternatives may be completed via land development projects or municipal capital improvement projects;

WHEREAS, the Selected Plans, if implemented, would reduce projected damages to insurable structures, improve road-crossing safety, and increase development potential of undeveloped land;

WHEREAS, recommendations set forth in the Sharktooth Bluffs Basin Storm Drainage Master Plan shall take precedence over recommendations set forth in the Sheep Draw Drainage Basin Master Plan in the 1.9 square miles of shared study area;

WHEREAS, ICON prepared a conceptual design report for the Selected Plans titled “Sharktooth Bluffs Basin Storm Drainage Master Plan Conceptual Design Report” that included the size and location of proposed improvements, cost estimates, and the installation priority of the recommended improvements;

WHEREAS, ICON prepared a complete Master Plan report incorporating the Hydrology and Hydraulics Report, Alternatives Analysis Report, and Conceptual Design Report into one final document titled “Sharktooth Bluffs Basin Drainage Master Plan;” and,

WHEREAS, the Report was presented to the City Council in work session on April 14, 2020.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREELEY, COLORADO, AS FOLLOWS:

1. The City Council hereby accepts and adopts the Sharktooth Bluffs Basin Storm Drainage Master Plan as presented.

2. This Resolution becomes effective immediately upon its passage as provided by the Greeley City Charter.

PASSED AND ADOPTED, SIGNED, APPROVED AND IN EFFECT THIS ____ day of _____, 2020.

THE CITY OF GREELEY, COLORADO

By:

Mayor

ATTEST:

City Clerk

ES EXECUTIVE SUMMARY

ES 1.0 PURPOSE AND OBJECTIVE

The purpose of this study is to develop a storm drainage master plan to be used by the City of Greeley as a guideline for future storm drainage infrastructure within the Sharktooth Bluffs Basin. This study developed design flows, analyzed the existing storm drainage systems, identified problem areas, developed alternatives to mitigate flooding hazards, and provides a preliminary design for future improvements.

ES 2.0 PLANNING PROCESS

The planning process began by reviewing previous studies within the basin and holding a kickoff meeting with City staff to discuss project goals and objectives. Aside from site specific development reports, most of the basin had not been studied previously. Eastern portions of the basin had previously been included in the 2006 Sheep Draw Comprehensive Drainage Plan. The original Sheep Draw Basin boundary can be seen on [Figure ES.1](#).

Several progress meetings were held throughout the duration of the project. Meeting minutes for each progress meeting can be found in [Appendix A](#). On February 13th, 2019 a public meeting was held at the Greeley Family FunPlex to gather community input regarding the baseline hydrology, problem areas, and initial alternatives developed to mitigate flooding hazards throughout the basin.

The team members who were involved within this study are listed in the table below:

Table ES 1: Project Participants

Participant	Representing	Title
Andrew Fisher, P.E., CFM	City of Greeley	Stormwater Capital Projects Engineer
Joel Hemesath	City of Greeley	Public Works Director
Craig Jacobson, P.E., CFM	ICON Engineering, Inc.	Project Manager
Jaclyn Michaelsen, P.E., CFM	ICON Engineering, Inc.	Project Engineer
Jeremy Deischer, P.E.	ICON Engineering, Inc.	Project Engineer
Monica Ramirez, EI	ICON Engineering, Inc.	Project Engineer

ES 3.0 PROJECT AREA DESCRIPTION

The Sharktooth Bluffs Basin, named after fossilized shark teeth found in the area, has a rich history dating back to World War II. The basin was home to a 320 acre World War II Prisoner of War Camp that housed Germans and Austrians from 1944 – 1946. Several years later, in 1961, one of four Atlas E nuclear missile silos constructed in Weld County was built in the basin. The missile site was deactivated in 1965, but still serves as an amenity to the basin, providing tours of the site and is home to a campground. Sharktooth Ski Area, referred to as the world's smallest ski resort, was in operation from 1971-1986. During the construction of the ski area, the fossilized shark teeth, in which the area was named after, were found.

Located within the City of Greeley, Town of Windsor, and unincorporated Weld County, the Sharktooth Bluffs Basin covers an area of approximately 7.8 square miles. Previously known as West Poudre Basin, Sharktooth Bluffs Basin generally slopes from the southwest near 10th Street to the northeast where stormwater runoff discharges into the

Cache La Poudre River. The basin is generally bounded by US Highway 257 to the west, the Cache La Poudre to the north, N 71st Avenue to the east and 10th Street to the south. Of the total basin area, 3.7 square miles are currently within the City of Greeley, with 6.8 square miles located in the City's Long Range Growth boundary.

The current study area encompasses the West Poudre Basin and areas previously studied as part of the *Comprehensive Drainage Plan for Sheep Draw Basin* in 2006. Four watersheds, Wiedeman Creek, Poudre River Ranch, Fairway Tributary, and Northridge Draw, located in the eastern portion of Sharktooth Bluffs are not directly tributary to Sheep Draw and were incorporated into the Sharktooth Bluffs Basin.

Currently the basin is approximately ten percent built-out with various residential developments in addition to notable landmarks; Missile Site Park, Sharktooth Bluff, Boomerang Links Golf Course, Northridge High School, and Winograd K-8 School. Some commercial properties exist along the eastern edge of the watershed south of Canberra Commons.

Sharktooth Bluffs Basin is made up of numerous drainageways which outfall into the Cache La Poudre River. These drainageways include; Spur Draw, Hertzke Draw, Orr Gulch, Sharktooth Draw, Poudre Learning Center Tributary, Wiedeman Creek, Fairway Tributary, and Northridge Draw.

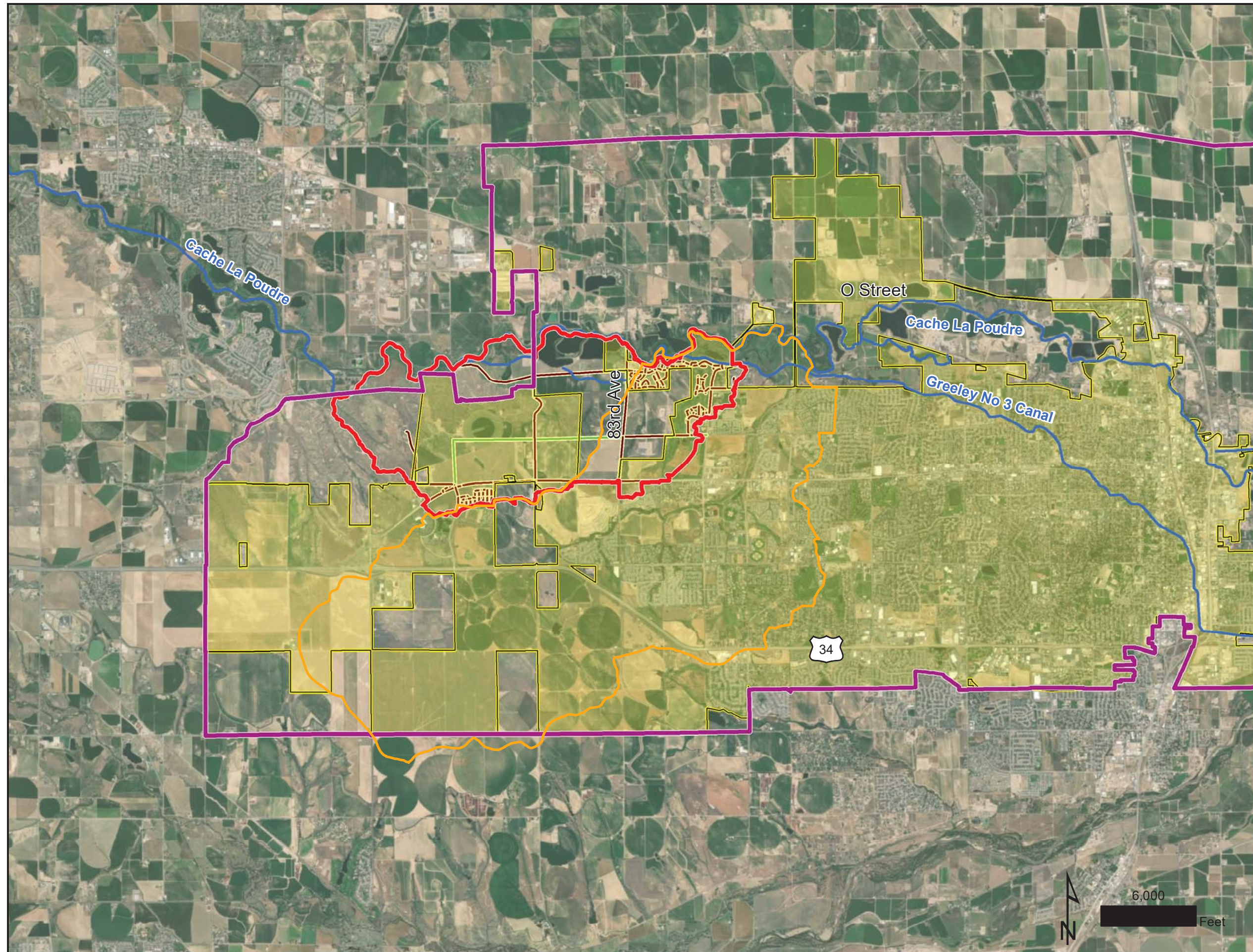
Two irrigation canals are found within the watershed. The Greeley No. 3 Canal, a 13-mile long canal conveying flow east through downtown Greeley, originates in the eastern portion of the basin. The William R. Jones Ditch conveys flow from the Cache La Poudre River just east of the bluffs to Siebring Reservoir. Siebring Reservoir, a series of ponds located between N 95th Avenue and N 83rd Avenue, is a raw water storage facility owned by Central Colorado Water Conservancy District. On the eastern edge of Siebring Reservoir is the Poudre Learning Center, a 65 acre area donated to the local community after the gravel mining operations ceased.

Bisecting the watershed are water transmission lines from the Bellevue Water Treatment Plant.

In the next twenty years, Greeley's population is expected to grow by up to fifty percent, per Greeley's 2035 *Comprehensive Transportation Plan*. Much of this growth will push development west of the downtown area, into the Sharktooth Bluffs Basin. Roadway improvements to 83rd Avenue and 4th Street are planned in the 2035 *Comprehensive Transportation Plan* to accommodate the increase in population, connecting Windsor, Greeley, Milliken and Platteville. Much of the area is currently located within unincorporated Weld County but lies within the City of Greeley Long Term Growth Area.

Sharktooth Bluffs Basin Storm Drainage Master Plan

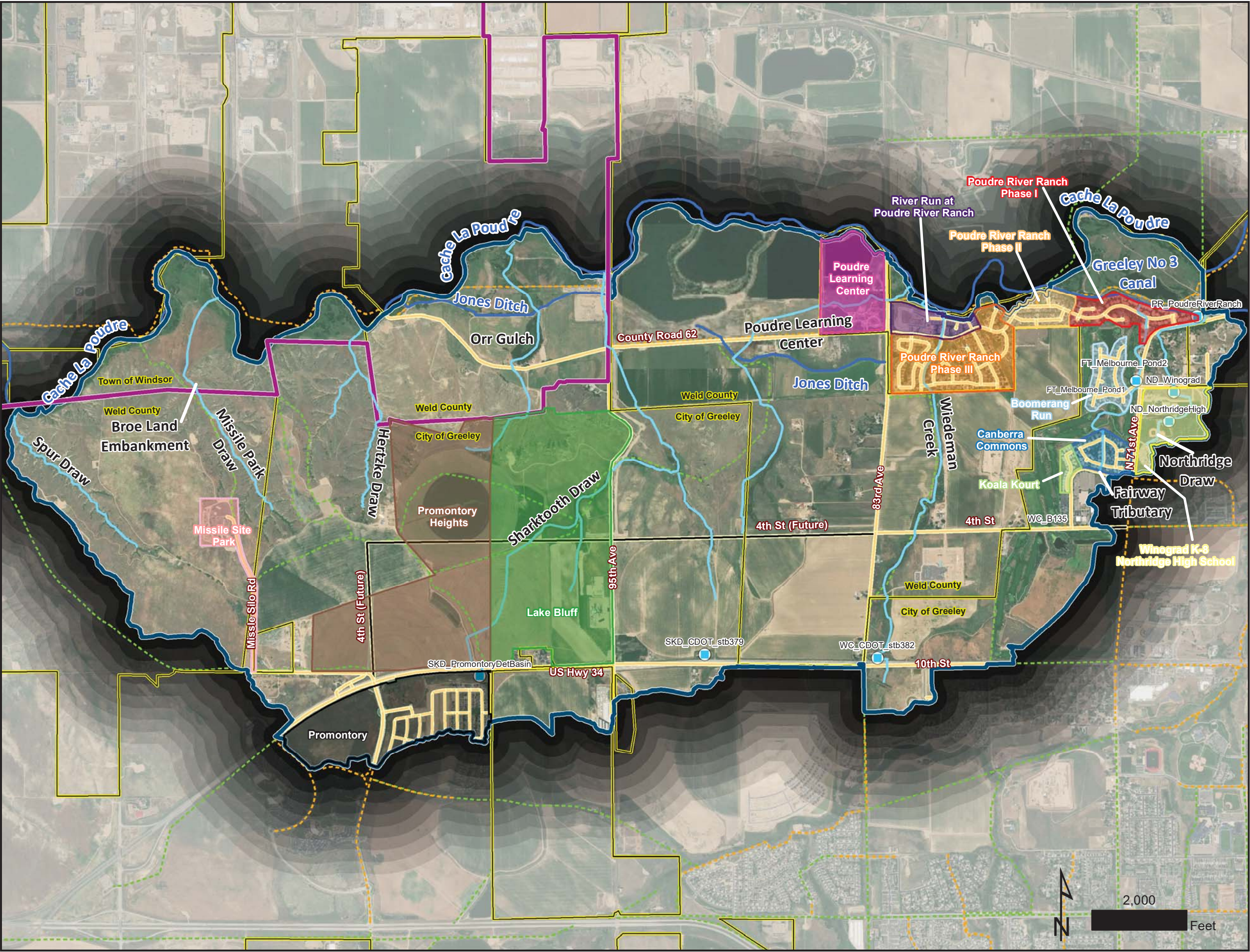
Figure ES.1 - Vicinity Map



- Sheep Draw Basin
- Long Range Expected Growth Boundary
- Sharktooth Bluffs Boundary
- City of Greeley Boundary
- Existing Roads
- Future Roads

Sharktooth Bluffs Basin
Storm Drainage Master Plan

Figure ES.2 - Study Area Map



- Neighborhoods**
- Boomerang Run
 - Canberra Commons
 - Koala Kourt
 - Lake Bluff
 - Missile Site Park
 - Poudre Learning Center
 - Poudre River Ranch Phase I
 - Poudre River Ranch Phase II
 - Poudre River Ranch Phase III
 - Promontory
 - Promontory Heights
 - River Run at Poudre River Ranch
 - Winograd K-8 Northridge High School
- Legend**
- Existing Detention Basin
 - Drainageway
 - Long Range Expected Growth Boundary
 - Basin Boundary
 - Jurisdictional Boundary
 - Existing Trails
 - Future Trails

ES 3.1 PROJECT AREA HYDROLOGY

A new hydrologic model was prepared for the Sharktooth Bluffs Basin. The model establishes hydrology for the 2-, 5-, 10-, 50-, and 100-year storm frequencies for both existing and future land use conditions. The Colorado Urban Hydrograph Procedure 2005 version 2.0.0 (CUHP) was used to develop runoff hydrographs for each subwatershed. Subwatershed hydrographs were then routed using the EPA Stormwater Management Model version 5.1.012 (SWMM) to determine discharges at each design point.

FLO-2D, a two-dimensional hydrodynamic model, was used to develop diversion curves for two separate areas where flow splits were observed to occur.

During the existing conditions evaluations, agricultural irrigation was accounted for by adjusting soil infiltration parameters within the hydrologic model.

City of Greeley stormwater criteria requires any future development to detain to historic 5-year discharges. To evaluate the impact development will have on design flows, a future conditions hydrologic model was developed to simulate the change in land use and estimate the required detention.

ES 3.2 PROJECT AREA HYDRAULICS

No previous hydraulic analysis had been completed for the watershed. Site specific drainage reports existed independently for each development. For this study, flooding hazards were identified using hydraulic models for the 10-, and 100-year events. Areas of high hazard, representing flood hazards more likely to affect the safety of people and property was also identified for the basin by routing the baseline hydrology through the drainages using FLO-2D. Hydraulic analysis in this study was also completed to evaluate roadway crossings and existing storm drainage systems to determine whether they met current City drainage criteria.

ES 4.0 ALTERNATIVE ANALYSIS

Alternatives were developed to improve the conveyance of roadway crossings, mitigate existing flooding hazards observed in the hydraulic analysis, and separate stormwater runoff from entering the irrigation canals.

For each roadway crossing, alternatives were developed to increase the conveyance of the crossing to meet current City criteria, allowing overtopping during the 100-year event. An additional alternative to convey the entire 100-year discharge without any overtopping was also developed. Flood control and flood hazard mitigation alternatives were also developed to best manage the major split flows occurring, or to alleviate flooding on homes and buildings through drainageway improvements, storm drain systems, or detention.

Finally, guidance regarding the future management of the stream and riparian corridors has also been provided such that natural function of the stream corridors can continue to thrive as development becomes more prevalent in the basin.

ES 5.0 MASTER PLAN

The Selected Plan identifies the alternatives selected by the project team to include in the Conceptual Design phase of the project. The Selected Plan generally follows the recommended plan alternatives, with the modification to the proposed improvements in Sharktooth Draw. A memo, dated June 11, 2019, summarizes new alternatives for the

basin and explains why the previously proposed alternatives were revised. This memo can be found in [Appendix A](#). In summary, a detention pond and storm drain outfall are now being proposed near 95th Avenue and County Road 62, in lieu of extensive channel improvements to the outfall to the Cache La Poudre River. An additional alternative was developed at the Bellevue Pipeline crossing of Sharktooth Draw to provide further protection against future stream erosion.

The master plan improvements are intended to mitigate existing flooding hazards, ensure current and future roadway crossings are compliant with City criteria, to address any channel stability issues and concerns, separate base flows from irrigation ditches, enhance water quality, and provide general guidance for preservation and improvement to the drainageways throughout the Sharktooth Bluffs Basin. Finally, the master plan improvements identify and incorporate trail connections to the regional networks, where applicable.

Culverts were sized for existing conditions land use scenario. Prior to construction and final design, any development that has occurred upstream of the roadway crossing should be added into the existing conditions model to update the design discharge.

Cost estimates can be found in [Table ES 4](#). A schematic of the master plan improvements can be found in [Figure ES.4](#) and [Figure ES.5](#).

ES 5.1 SPUR DRAW

Spur Draw, the western most watershed in the Sharktooth Basin, is located just east of US Highway 257. Stormwater runoff from the basin sheet flows to the Sharktooth Bluffs where the narrow gullies convey water northwest to the Cache La Poudre River. All flow is confined to the bluff areas. The watershed is currently undeveloped and future land use projects the watershed to remain open space. No roadway crossings, or other infrastructure is currently proposed in the watershed. Beyond monitoring runoff and potential sediment transport from the bluffs areas, no improvements are currently proposed for this watershed.

ES 5.2 MISSILE PARK DRAW

This 275 acre watershed is bounded by Spur Draw to the west, Hertzke Draw to the east, Sharktooth Draw to the south and Cache La Poudre River to the north. The watershed spans three jurisdictions: Town of Windsor at the downstream end of the watershed, unincorporated Weld County, and the City of Greeley. Similar to Spur Draw, stormwater runoff is conveyed in narrow gullies which converge into a drainageway that bisects the watershed. Near the downstream end of the watershed, in the Town of Windsor and Weld County, there is an approximately 10-foot high embankment which detains flows from continuing north to the Cache La Poudre River. No records were found regarding this being a regulated detention basin or registered state dam.

With exception to ponding that could occur behind this embankment, no other significant drainage problems were identified for this watershed, particularly within the limits of the City of Greeley. Beyond monitoring runoff and potential sediment transport from the bluffs areas, and monitoring the effects of the embankment for water collection, repair, or need to breach, no improvements are currently proposed for this watershed.

ES 5.3 HERTZKE DRAW

Hertzke Draw, located to the east of Missile Park Draw and west of Sharktooth Draw watersheds, primarily consists of steep gullies conveying stormwater runoff to the north. Upstream of the outfall into the Cache La Poudre River, the watershed transitions from the confined gully drainageway to an alluvial fan. The watershed lies within Town of Windsor, unincorporated Weld County, and City of Greeley. The bluffs in the southeastern portion of the watershed, within the City of Greeley, lie on property proposed to be developed as part of the Promontory Heights Development.

Flooding potential within the watershed is minimal with more flooding potential located in the alluvial zones near the Poudre River. No buildings or structures are shown to be inundated and flooding potential will be lessened with future development in the watershed. Beyond monitoring runoff and potential sediment transport from the bluffs areas, no improvements are currently proposed for this watershed.

ES 5.4 ORR GULCH

Orr Gulch is bounded by Hertzke Draw to the west and Sharktooth Draw to the south and east. The northern portion of the watershed falls within unincorporated Weld County, while the southern portion is located within the City of Greeley. The portion within the City of Greeley is proposed to remain open space as part of the proposed Lake Bluff Development. The narrow bluff gullies collect stormwater runoff in the headwater of the basin before the flow is spread into an alluvial fan south of County Road 62. North of County Road 62, the William R. Jones Ditch bisects the lower watershed, conveying irrigation flows from the Cache La Poudre River to Siebring Reservoir.

Flooding problems within the watershed are primarily related to ponding south of the William R. Jones Ditch, where flow depths approach 3-feet in what appears to be a historic oxbow from the Cache La Poudre River and potential overtopping of County Road 62. Since this area is located outside of the City of Greeley with no current plans for expansion of this roadway system, no alternatives were evaluated in this watershed.

ES 5.5 SHARKTOOTH DRAW

Sharktooth Draw extends from south of 10th Street to the Cache La Poudre River. The watershed lies within the City of Greeley and unincorporated Weld County. The headwaters of Sharktooth Draw begin south of 10th Street, east of Promontory Circle near the State Farm property. Stormwater runoff then continues in a northeast direction to the river.

Flooding within the watershed is generally confined near 10th Street, then transitions between overland and confined flow through 95th Avenue when entering the bluffs region. Downstream, flood flows again become unconfined when Sharktooth Draw splits to the north and the east, in an alluvial pattern, near County Road 62, where nearly half of the 100-year discharge diverts to the Poudre Learning Center watershed.

Problem areas within the watershed focus around overtopping of existing roadway crossings, including: 95th Avenue, both north of 10th Street and closer to the Poudre River near County Road 62; and County Road 62, which currently has no defined drainage system and is located within Greeley's anticipated expansion area. These areas experience overtopping in both the 10- and 100-year events. In addition to the roadway crossings, the split flow near 95th Avenue and County Road 62 has the potential to impact roadway improvements and future development

during the larger storm events (above the 10-year level). Finally, the future expansion of 4th Street will require planning as it crosses drainages within the Sharktooth Draw watershed. Currently, the proposed 4th Street alignment is proposed to cross three local drainages.

ES 5.5.1 SHARKTOOTH DRAW – FUTURE 4TH STREET CROSSING WEST

The western most future 4th Street crossing is located approximately 1600 ft. west of 95th Avenue. A 10 ft. wide by 4.5 ft. high RCBC is proposed to convey the 10-year design discharge, while limiting overtopping during the 100-year design storm to a depth less than 6 inches.

ES 5.5.2 SHARKTOOTH DRAW – FUTURE 4TH STREET CROSSING CENTRAL

The central future 4th Street crossing is located approximately 700 ft. west of 95th Avenue. A 48-inch RCP is proposed to convey flow underneath the road and limit overtopping in accordance with City criteria.

ES 5.5.3 SHARKTOOTH DRAW – FUTURE 4TH STREET CROSSING EAST

The third of the 4th Street future crossings of Sharktooth Draw is located approximately 2,000 ft. east of 95th Avenue. A 48-inch RCP is proposed such that the future crossing meets City overtopping criteria.

ES 5.5.4 SHARKTOOTH DRAW – 95TH AVENUE CULVERT CROSSING

Approximately 4,200 ft. north of 10th Street, Sharktooth Draw crosses 95th Street. The existing crossing is undersized to convey flow within City criteria. Flow overtops the roadway to the north of the current culvert crossing, with one to two feet of flooding inundating the roadway during the 100-year event.

Proposed improvements at 95th Street to meet City criteria include a dual cell 8 ft. wide by 4.5 ft. high RCBC. Although the roadway will still overtop during the existing conditions 100-year event, overtopping depths are limited to within City criteria.

ES 5.5.5 SHARKTOOTH DRAW – BELLEVUE PIPELINE STABILITY

Three water mains from the Bellevue Water Treatment Plant cross Sharktooth Bluffs downstream of 95th Avenue. Runoff within the drainageway has the potential to erode the channel, exposing the water mains. Cutoff walls are proposed upstream and downstream of the crossing location to stabilize the drainageway at this location.

Prior to installation, further investigation into the actual depths of the pipelines should be done to further confirm the risk and stabilization needs at this location. Depths are unknown at this time.

ES 5.5.6 SHARKTOOTH DRAW – COUNTY ROAD 62

As part of the alternatives review process, the Central Colorado Water Conservancy District (CCWCD), the owners of Siebring Reservoir, were engaged to discuss the possibility of discharging stormwater into the reservoir. After discussions with CCWCD, concerns regarding costs to manage the system and water rights of any stormwater discharged in the reservoir determined that the outfall as proposed in one of the alternatives was not feasible. The alternate alignment proposed, channel downstream of County Road 62 parallel to 95th Avenue, was also determined to be infeasible due to the recent development of a gas extraction site spanning west from 95th Avenue.

A supplemental alternative analysis developed four additional alternatives for this area. After discussion with City staff, the chosen improvements in this location include: a regional detention basin to manage existing runoff to the area; a drainage channel paralleling 95th Avenue; and a 38 inch by 60 inch horizontal elliptical reinforced concrete pipe (HERCP) storm drain system in 95th Avenue, downstream of County Road 62 to the Cache La Poudre River.

The detention basin as proposed will provide a multi-objective function for the local natural area in Sharktooth Draw, providing flood management, but also improving the ecological function, wildlife habitat, and public access within the site. Future trails currently proposed along Sharktooth could be incorporated into the facility located through the bottom and along the top of the facility. The detention facility area would also help promote wildlife through preservation of native vegetation and habitat areas, as well as be designed to provide regional water quality benefits. Natural hydrologic function could continue to exit by conveying bankfull, base, flows undetained through the pond area, up to the capacity of the proposed downstream infrastructure and acceptable roadway overtopping. Pond landscaping could include seeding with drought-tolerant native seed mixes, infrequent or no-mow areas. Any needed mowing practices could occur outside of ground-nesting bird seasons in the spring.

The proposed detention basin layout for the conceptual design is such that it does not exceed the requirements of a jurisdictional dam in the State of Colorado. However, given the changing dam safety requirements, it is still recommended that the City consult the State for current guidance prior to purchasing land or designing the detention facility.

Similar to other improvements mentioned above, the pond has been sized for existing conditions discharges to reduce overtopping at 95th Avenue and County Road 62 to meet City Criteria, as if no changes in hydrology occur upstream. Prior to implementation, the pond site should be reevaluated to determine if upstream development has reduced flows and volume into the pond. The downstream channel and pipe system at 95th Avenue and County Road 62 has been sized for future discharges as if all proposed development is in place. Once development is in place, the pond may be significantly reduced, or not needed altogether. This scenario would be indicative of Alternative D, as presented in the supplemental alternatives analysis found in [Appendix A](#). Regardless of the proposed detention facility, all developments in the Sharktooth Draw Basin are to adhere to current City of Greeley detention standards, detaining to the 5-yr historic discharge.

Similarly, it should be noted that under existing conditions, these alternatives, as proposed, will still result in overtopping of County Road 62, following the existing flow path, north to the Cache La Poudre River. As the basin develops further, this overtopping will eventually be eliminated.

ES 5.6 POUFRE LEARNING CENTER

The Poudre Learning Center watershed extends from the Cache La Poudre River south to 10th Street, between N 83rd Avenue to the east and N 95th Avenue to the west. Flow in the upper portion of the watershed primarily consists of sheet flow down into the bluffs. The stormwater runoff spreads from the confined flow in the bluffs into an alluvial fan south of County Road 62. Flow crosses the William R. Jones Ditch and County Road 62 into Siebring Reservoir. An outlet channel from the most eastern portion of Siebring Reservoir conveys flow east to 83rd Avenue before the outfall location into the Cache La Poudre River.

Future development near the Poudre Learning Center Basin is zoned to occur in the areas where potential flooding is shown in the models. For these future developments to be protected, careful consideration should be taken in site layout and future storm drainage infrastructure.

An out-building is potentially inundated from flooding, north of the Jones Ditch near the westernmost sump location. Even after improvements are made to the western spill flows in the Sharktooth Draw basin, this building may remain in a potential inundation area due to its proximity with the canal. No other buildings are identified to be inundated during the existing conditions 100-year event; however, it should be noted that an oil and gas well site does exist within the headwaters channel of the draw, near the future 4th Street alignment.

Discharges at the future 4th Street alignment remain less than 100-cfs at this location; therefore, improvement alternatives were not developed within the Poudre Learning Center watershed for the roadway system.

ES 5.6.1 POUFRE LEARNING CENTER – COUNTY ROAD 62 (WEST) CROSSING

The westernmost crossing of the Poudre Learning Center is located approximately 3,000 ft. east of 95th Avenue. Dual 10 ft. wide by 4 ft. high RCBCs are proposed to limit overtopping to City criteria. The culvert is proposed to be installed in a sump condition discharging towards the quarry area located in the center of the western flow path.

ES 5.6.2 POUFRE LEARNING CENTER – COUNTY ROAD 62 (CENTRAL) CROSSING

The central crossing of Poudre Learning Center at County Road 62 is located approximately 2,300 ft. west of North 83rd Avenue. A 36 inch RCP culvert is proposed to provide adequate conveyance underneath the roadway and Poudre River trail for the localized sump. The proposed culvert will discharge into the swale in the Poudre Learning Center property.

ES 5.6.3 POUFRE LEARNING CENTER – COUNTY ROAD 62 (EAST) CROSSING

The easternmost crossing of County Road 62 is located approximately 150 ft. west of North 83rd Avenue. A 6 ft. wide by 4 ft. tall RCBC is proposed to convey flow through the roadway crossing, limiting overtopping to City criteria. Downstream of the culvert, channel grading is proposed to convey the flow to the main stem of the Poudre Learning Center channel just west of 83rd Avenue.

ES 5.6.4 POUFRE LEARNING CENTER – NORTH 83RD AVENUE CROSSING

Approximately 650 ft. north of County Road 62, a dual cell 13 foot wide by 6 foot tall RCBC is proposed to convey flow underneath 83rd Avenue to the Cache La Poudre River. 83rd Avenue is a major arterial, requiring 100-year conveyance capacity of the culvert with no overtopping.

ES 5.6.5 POUFRE LEARNING CENTER – WILLIAM R. JONES CANAL BASEFLOW SEPARATION

In the Poudre Learning Center Basin, flow crosses an old remnant of the William R. Jones Ditch and County Road 62 into Siebring Reservoir. The Jones Ditch downstream of Siebring Reservoir is no longer used for irrigation purposes. During storm events, the Jones Ditch has the potential to intercept runoff from flow exiting the Poudre Learning Center main draw, and from backwater behind County Road 62. Formalizing a spill location just upstream of 83rd Avenue is proposed to help mitigate flooding hazards on downstream property created from uncontrolled spill flows.

ES 5.7 WIEDEMAN CREEK

The Wiedeman Creek watershed extends from the Cache La Poudre River south beyond 10th Street. The watershed lies within the City of Greeley and unincorporated Weld County. Runoff generally drains from south of 10th Street, north to the Cache La Poudre River. Poudre River Ranch Phase III and the River Run at Poudre River Ranch Phases I and II developments are present within this watershed. Two main drainage patterns convey flow through Poudre River Ranch. Street flooding along Poudre River Road and North 81st Avenue pose flooding hazards with flooding depths exceeding City maximum flow depth criteria. Additional flood hazards were identified south of the 4th Street roadway crossing, east of Wiedeman Creek in a localized sump area.

ES 5.7.1 WIEDEMAN CREEK – 4TH STREET CROSSING

Wiedeman Creek crosses 4th Street approximately 900 ft. east of 83rd Avenue. A proposed 6 ft. wide by 4 ft. high RCBC will convey flows such that overtopping during the 100-year event is within City overtopping criteria.

ES 5.7.2 WIEDEMAN CREEK – 81ST AVENUE

Primary problems within the Wiedeman Creek watershed focus on drainage within the Poudre River Ranch Phase III development. Infrastructure within the development is undersized for existing conditions design flows. As flow enters the development, the undersized 7 ft. wide by 4 ft. tall RCBC leads to flow overtopping Skyview Street in excess of City criteria. Downstream of Skyview Street, the drainage system continues in an open channel parallel 81st Avenue before the system is intercepted in a 5 foot wide by 4 foot tall RCBC. Flows in excess of the storm drain system spill onto 81st Avenue, resulting in flood depths exceeding City criteria. Two homes are inundated west of the 5 foot by 4 foot box culvert entrance where flow spills onto 81st Avenue.

Upstream of the development, a 22.7 Ac-ft. regional detention basin is proposed to mitigate the flooding hazards. A 72 inch RCP is proposed as the outlet structure to the facility, limiting the peak release such that the downstream infrastructure meets City criteria at Skyview Street and 81st Avenue.

Construction of a detention basin could provide the City an opportunity to work with the surrounding land owners to minimize costs of the pond while maximizing the potential benefit of the pond. Future development in the area could use the detention pond footprint to help minimize the remaining on-site detention requirements, thus promoting a working relationship between the City and development groups.

The proposed detention pond has been designed such that it does not exceed the requirements of a jurisdictional dam in the State of Colorado. However, given the changing dam safety requirements, it is still recommended that the City consult the State for current guidance prior to purchasing land or designing the detention facility.

Prior to implementation of the detention pond, the pond would need to be re-evaluated based upon upstream development and possible reduction in volume. Regardless of the proposed detention facility, all developments in the Wiedeman Creek Basin are to adhere to current City of Greeley detention standards, detaining to the 5-yr historic discharge.

Similarly to in Sharktooth Draw, the proposed detention pond in could provide a multi-objective function for a natural area. A future trail is currently proposed to extend along Wiedeman Creek through the proposed detention basin. The detention facility would also promote wildlife activities by maintaining adequate flows to preserve native

vegetation and habitat, as well to improve water quality. It should be noted that the conceptual design cost estimate for the pond assumes minimal facility enhancements since the pond itself may no longer be needed as the upstream property develops.

ES 5.7.3 WIEDEMAN CREEK – 78TH AVENUE

At the upstream end of Poudre River Ranch Phase III at 78th Avenue, offsite flow inundates one structure along the west side of 78th Avenue. A swale is proposed south of the Poudre River Ranch Phase III development to capture flows from the south east to 78th Avenue. A combination of storm drain and surface flow conveyance will carry the flow north, meeting City of Greeley depth criteria without inundating structures.

ES 5.7.4 WIEDEMAN CREEK – AMOUR HILL DRIVE

An existing 30 inch storm drain intercepts stormwater runoff from the agricultural land east of Amour Hill Drive. The shallow unconfined flow from the Wiedeman Family Farm runoff potentially inundates two structures as the stormwater continues west to Amour Hill Drive. The storm drain flow is conveyed west between two residential properties where the flow is discharged into an open channel between N 78th Avenue and Amour Hill Drive. The open channel is conveyed underneath Poudre River Road in a 36-inch storm drain which outfalls in the same open channel as the storm drain in N 78th Avenue. The capacity in the existing storm drain is greatly reduced by the slope of the system.

Improving the slope of the system at Amour Hill Drive will greatly increase the capacity of the system. Relaying the 30 inch storm drain as it crosses Amour Hill Drive will collect the majority of the flow. The flow that is not collected in the proposed system will travel overland through a defined channel to Amour Hill Drive.

The improvements also consist of replacing two inlets on Amour Hill Drive, one manhole and relaying 55ft of 30-inch pipe. Since this project improves the drainage on the existing system, any changes to future hydrology are not anticipated to impact this proposed improvement.

ES 5.8 FAIRWAY TRIBUTARY

The Fairway Tributary Watershed extends from the Greeley No. 3 Canal south past Dundee Court. The watershed lies within the City of Greeley and unincorporated Weld County. Stormwater runoff is conveyed from the south through Boomerang Links Golf Course north to Poudre River Road in the Poudre River Ranch Phase I development. Runoff is ultimately discharged into the Greeley No. 3 Canal.

Flows near the upstream end of the watershed meander through the golf course converging at the corner of C Street and Melbourne Street. Baseline hydrologic modeling does not account for the unformalized and inadvertent detention on the golf course and indicates overtopping of Melbourne Street at a depth less than 6 inches. Overtopping flows not intercepted by the storm drain inlet at the C Street and Melbourne Street intersection continue north along 71st Avenue into the Northridge Draw Watershed.

Runoff from the Wiedeman Family Farm property on the northwest edge of the watershed is conveyed in a northeast direction, crossing Vallevue Drive to the east where flows enter a storm drain crossing Poudre River Road. The storm drain continues north and is flumed in the 36 inch storm drain over the Greeley No. 3 Canal.

ES 5.8.1 FAIRWAY TRIBUTARY – MELBOURNE STREET

The proposed storm drain system improvements at Melbourne Street include intercepting flow from Boomerang Links Golf Course south of Melbourne Street. A proposed 42 inch RCP storm drain will convey the discharge into the existing Northridge Draw channel north of C Street.

The improvement requires removal of a portion of the existing storm drain system, resetting the existing inlet laterals at West C Street and 71st Avenue, and CDOT Type D inlets to collect water from the fairway.

Minor channel improvements to the drainageway will be required upstream and downstream of the storm drain system in order to promote drainage.

The culvert was sized for existing conditions land use scenario. Prior to construction and final design, any development that has occurred upstream of the roadway crossing should be added into the existing conditions model to update the design discharge.

ES 5.8.2 FAIRWAY TRIBUTARY – CACHE COURT CANAL BASEFLOW SEPARATION

To separate stormwater flow from the Greeley No. 3 Canal, a flume is proposed just west of Cache Court. Conveying the flows over the canal and discharging the stormwater into the open space north of the canal will reduce flows in excess of the decreed flow entering the canal that pose flooding hazarding downstream. Improvements to the open space north of the canal include a low flow crossing such that the open space trail is not inundated by nuisance runoff.

ES 5.9 NORTH RIDGE DRAW

On the eastern edge of the basin, Northridge Draw is home to Northridge High School, Winograd K-8, and Northridge Estates. Runoff drains from south to north, passing through the school property to C Street where the existing drainageway continues north onto private property. No formal conveyance is provided north of C Street with flows overtopping 71st Avenue to the north, at a depth less than six inches, into the Foothills Tributary Watershed. At the downstream end of the watershed stormwater runoff is discharged into the Greeley No. 3 Canal.

ES 5.10 NORTH RIDGE DRAW – C STREET AND 71ST AVENUE

The proposed storm drain system proposed in the Fairway Tributary discharges into an existing swale north of C Street. The Winograd detention basin also contributes to the existing swale, conveying flow from south of C Street to the north through the 18 inch RCP outlet. The existing drainage swale is proposed to convey flow north to an existing retention pond. A 42 inch RCP outlet is proposed to intercept any runoff in excess of the normal water pool elevation and discharge to the northwest. A CDOT Type D inlet will intercept flow near 71st Avenue in a 42 inch RCP storm drain system. The culvert will discharge into an existing drainage swale that will convey flow north to 71st Street.

Approximately 5 acres of easement acquisition is proposed. Property acquisition costs were estimated based from a unit cost per acre. Property acquisition may or may not be needed should the City take on management of the drainage swale and retention pond.

At 71st Avenue, a proposed inlet will collect the 100-year flow of 71 cfs and convey it into a proposed 42 inch storm drain system that will discharge into a drainage swale along the south side of 71st Avenue. The swale will be conveyed under 71st Avenue into an existing detention pond in the Poudre River Ranch Phase I development. Slight regrading of the existing detention basin from Poudre River Drive downstream is proposed to encourage better drainage in the area.

A 7 foot wide by 3 foot deep flume is proposed to be installed at the existing spillway elevation of the pond. The flume will convey flows to the north side of the Greeley No. 3 ditch, separating stormwater runoff from the Greeley No. 3 Canal. On the north side of the canal, flow will travel to 71st Avenue where a proposed 24 inch culvert will increase the drainage capacity of the two existing RCP crossing. East of 71st Avenue, the flow is conveyed along the historic drainage path in a wetland channel continuing into the Sheep Draw Basin. The wetland channel, within the 100-year Cache La Poudre River floodplain, outfalls into the Poudre River approximately 200 feet upstream of the main stem of Sheep Draw.

CDOT Type D inlets were estimated as the pond outlet to maintain the existing pool elevation in the pond such that the facility is used for stormwater detention beyond the current storage elevations. The official water right requirements associated with the existing retention pond should be investigated prior to implementation.

ES 5.11 STREAM BUFFER WIDTH

In order to ensure the long-term stability of a stream system, a buffer is recommended to be preserved between the stream and anthropogenic influences. In natural streams, the stream belt width or floodplain width often serves as the buffer. The stream belt width is diagrammatically shown in Figure ES 3. Belt width is the lateral distance from the outside edge of one meander to the outside edge of the next meander. Channel meanders shift through time, generally moving in a downstream direction. By preserving the land within the belt width of a stream, one can allow the channel to continue to evolve and change its planform without coming into conflict with human infrastructure.

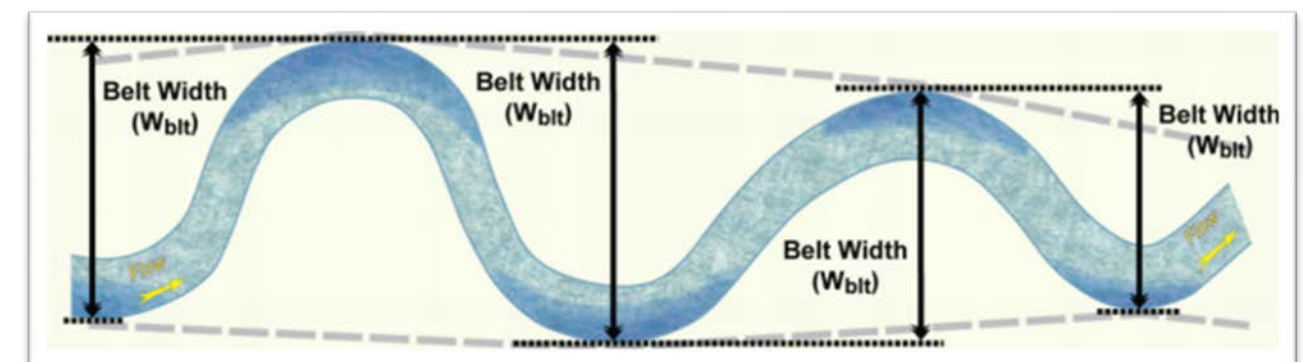


Figure ES 3: Stream Belt Width (Wildland Hydrology, 2013)

Two methods were used to estimate stream belt widths for major drainageways within the Sharktooth Basin. The Stream Belt Width method is an empirical procedure based on a relationship of the meander belt width to channel bankfull width through a power equation. The second method utilizes the ideal stream belt width based on shear stress. If the shear stress applied on a floodplain by flowing water exceeds the carrying capacity of the floodplain vegetation, the vegetation will be destroyed, and subsequent erosion, scour, and channel avulsions could occur. In

order to prevent this, the critical shear stress at which the vegetation will begin to fail was reviewed. The two methods were compared for each scenario for existing and future hydrology with the most conservative values shown in the table below.

Table ES 2: Stream Buffer Width

Drainageway	Channel Buffer Width	
	Ex. Conditions	Fut. Conditions
Sharktooth Draw	186	73
Poudre Learning Center	130 ¹	56
Wiedeman Creek	119	64

1- Value adjusted based on Rosgen classification

As shown by the table, the required belt or floodplain width has the potential to change over time with projected hydrology changes from new development. It is recommended that at a minimum, the existing stream belt widths be preserved within the basin to maintain stream health and maximize drainageway resiliency. Further evaluations may be required as the basin develops over time. The approximate buffer width for both existing and future hydrologic scenarios can be found in [Figure 7.4](#).

As development occurs in each watershed, City detention criteria will reduce peak flows along the drainageways. As such, channel buffer widths may reduce accordingly to the future condition widths shown above. It is recommended that this transition be considered after the upstream watershed has reached approximately 80 percent development density. At this time it is also recommended that a more detailed geomorphic study be completed to best determine the appropriate thresholds for the bankfull channel and floodplain areas within the buffer width. Additional design considerations are discussed below.

ES 5.12 STREAM MANAGEMENT CORRIDOR

Given an adequate floodplain corridor, natural streams adjust to changing hydrologic and sediment supply regimes have well-established, healthy riparian corridors that provide bank stabilization, and have increased resiliency to higher flow rates. A healthy stream corridor is generally comprised of a multi-stage channel, promoting riparian vegetation during smaller flows while providing flood terraces, activating the overbanks to relieve pressure on the system during periodic higher flow events. The multi-stage channel allows for energy to dissipate as flow spreads on the floodplain terraces, naturally transports and deposits sediment, and promotes a healthy biodiversity of vegetation.

As urbanization occurs within a basin, buildings, roadways, and infrastructure often encroach on a stream corridor. Allowable widths and depths of floodplains are often restricted, increasing the velocities and erosive power of flood flows. With development anticipated throughout the Sharktooth Basin in coming years, existing stream corridors should be protected in order to maintain or establish High-Functioning, Low Maintenance (HFLM) stream systems and promote the overall health of the drainageway.

Channel parameters for the stream management corridor were developed using Rosgen stream classifications. Bankfull areas were estimated using regional regression equations developed for the Front Range based on tributary area to each design reach. General geomorphic bankfull channel parameters can be found in [Table ES 3](#).

Guidance for other stream parameters such as pool to pool spacing, entrenchment ratio, meander width, and sinuosity for each reach are summarized in [Table 7-22](#). These values were developed as guidance for planning purposes but further analysis would be required during design. The complete geomorphic analysis for each reach can be found in [Appendix D](#).

Several recent stream restoration projects completed by ICON were used to approximate a stream restoration cost per linear foot of drainageway along the major drainageway corridors in the Sharktooth Basin: Sharktooth Draw, Poudre Learning Center Tributary, and Wiedeman Creek. The unit cost per linear foot reflects: earthwork; installation stream restoration items such as riffle structures, bank protection, riprap, and other stabilization measures; reseeding and native vegetation that might be beneficial. An average cost per linear foot of \$750 was used. It is recommended that through a City budget, or property reimbursement fees, the costs presented in Table ES 3 be used to plan for future stream restoration needs which may develop as the hydrology changes overtime.

Table ES 3: Geomorphic Analysis

Watershed	Design Pt	Reach Length (ft.)	Bankfull Channel		Cost Estimate
			Approx. Width (ft.)	Approx. Depth (ft.)	
Sharktooth Draw	95th Ave	4050	9.6	0.9	\$3,037,500
Sharktooth Draw	Sharktooth Bluffs to CR 62	2660	10.4	1.0	\$1,995,000
Poudre Learning Center	CR 62 to Poudre	3900	9.3	0.5	\$2,925,000
Poudre Learning Center	DS of Bluffs to CR 62	2140	5.9	0.5	\$1,605,000
Wiedeman Creek	4th St. to 81st Ave	2860	9.3	0.8	\$2,145,000
Wiedeman Creek	10th St to 4th St	3240	7.3	0.7	\$2,430,000

ES 5.13 PRIORITIZATION AND PHASING

In general, drainage improvements should be constructed from downstream to upstream within each watershed, with exception to improvements which may reduce downstream discharges, such as detention basin projects. Proposed improvements were ranked based on: effectiveness in mitigating flood hazards, feasibility of construction, and performance of existing storm drainage infrastructure in the vicinity of each project.

High priority should be given to any project that mitigates flooding hazards and increases public health and safety. This includes the proposed improvements in Wiedeman Creek at 81st Avenue and Amour Hill Drive that removes structures from being inundated during the 100-year design storm and improvements in Northridge Draw which protect structures near the drainageway in Northridge Estates.

Medium priority was assigned to projects where existing flooding hazards were not imminent but proposed improvements provided protection against future flooding hazards. These projects include separating stormwater runoff from the irrigation canals within the basin that were not designed to convey runoff and the improvements along Sharktooth Draw at County Road 62 that provides a drainageway downstream of the bluffs.

Low priority was given to roadway crossing improvements to bring them up to current City criteria. The roadway crossing improvements should be completed in conjunction as planned roadway improvement and expansion occur.

The following projects have phasing impacts that need to be considered prior to final design and construction:

- The County Road 62 (east) roadway crossing in the Poudre Learning Center watershed needs to be constructed prior to, or in conjunction with, the Jones ditch canal baseflow separation.
- The flood mitigation project at Melbourne Street, in the Fairway Tributary watershed, cannot be installed until the flood mitigation projects in the Northridge Draw watershed have been completed.

A benefit cost analysis was completed for the proposed improvements along 81st Avenue. The proposed improvements mitigate \$175,656 total expected damages over the project life of 50 years. The project cost estimate including maintenance of \$4,996,304 resulted in a benefit to cost ratio of 0.04.

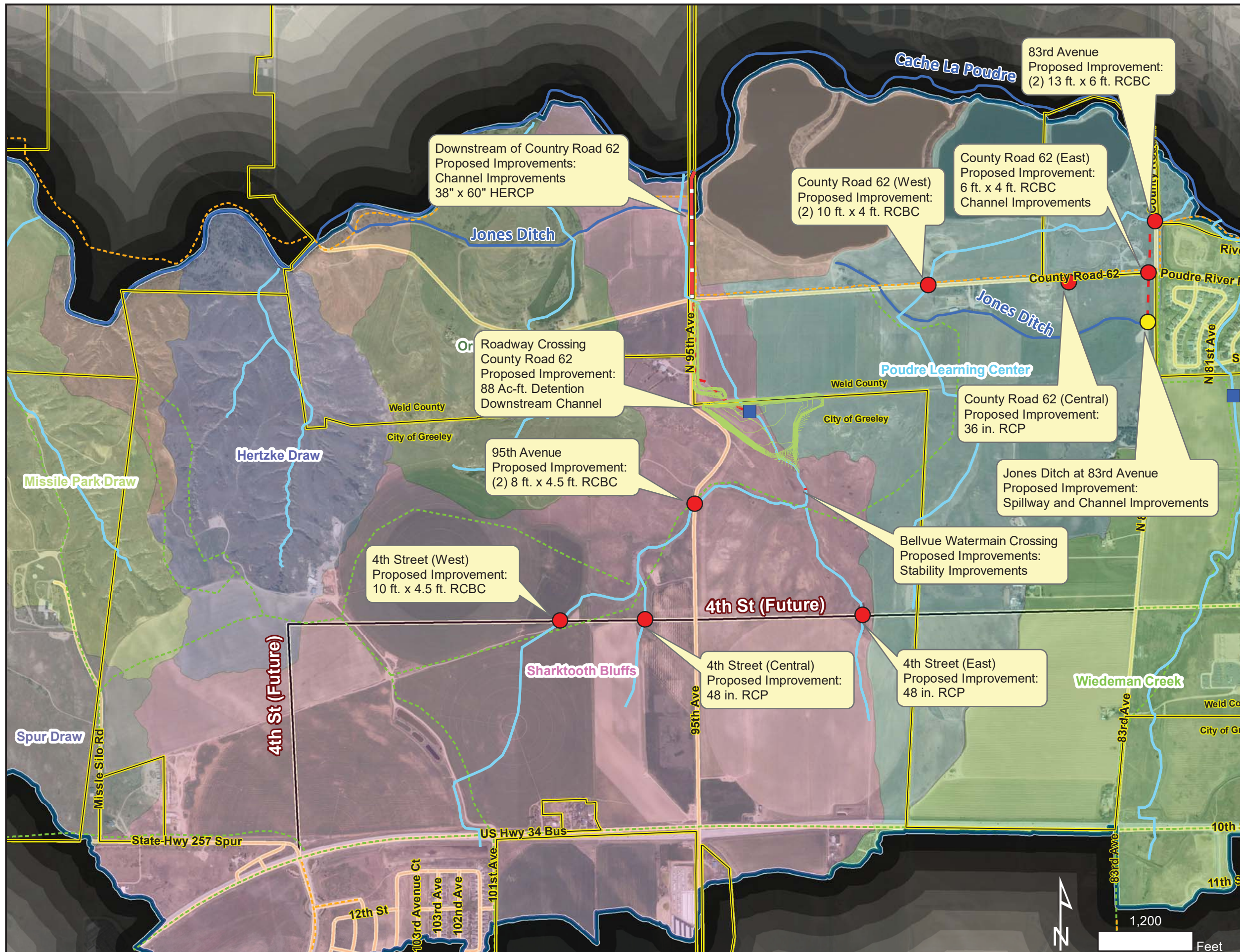
Although the benefit from mitigating flood damages does not solely justify the project, the proposed improvements accomplish several other project goals such as removing overtopping of roadways and flooding depths in streets in excess of City criteria. More information on the benefit cost analysis can be found in [Section 7.3](#). No other proposed improvements mitigated significant damage on insurable structures warranting a benefit cost analysis.

Prioritization and costs of each improvement can be found in [Table ES 4](#).

Table ES 4: Master Plan Cost Estimate Summary

Watershed	Location	Priority	Capital	Easement / ROW	Engineering	Legal / Admin	Contract Admin / CM	Contingency	Total Capital Cost	Annual O&M	50-year O&M
Sharktooth Draw	Future 4th Street (West) Roadway Crossing	Low	\$ 125,408	\$ -	\$ 18,811	\$ 6,270	\$ 12,541	\$ 31,352	\$ 194,382	\$ 50	\$ 1,571
	Future 4th Street (Central) Roadway Crossing	Low	\$ 45,134	\$ -	\$ 6,770	\$ 2,257	\$ 4,513	\$ 11,284	\$ 69,958	\$ 50	\$ 1,571
	Future 4th Street (East) Roadway Crossing	Low	\$ 45,134	\$ -	\$ 6,770	\$ 2,257	\$ 4,513	\$ 11,284	\$ 69,958	\$ 50	\$ 1,571
	95th Avenue Roadway Crossing	Low	\$ 214,015	\$ -	\$ 32,102	\$ 10,701	\$ 21,402	\$ 53,504	\$ 331,724	\$ 120	\$ 3,771
	County Road 62 Improvements & Upstream Detention Pond	Medium	\$ 7,626,086	\$ 2,114,000	\$ 1,143,913	\$ 381,304	\$ 762,609	\$ 1,906,522	\$ 13,934,434	\$ 90,019	\$ 2,828,722
	Bellevue Pipeline Stabilization	Medium	\$ 79,900	\$ -	\$ 11,985	\$ 3,995	\$ 7,990	\$ 19,975	\$ 123,845	\$ 670	\$ 21,054
	Total		\$ 8,135,677	\$ 2,114,000	\$ 1,220,351	\$ 406,784	\$ 813,568	\$ 2,033,921	\$ 14,724,301	\$ 90,959	\$ 2,858,260
Poudre Learning Center	County Road 62 (West) Roadway Crossing	Low	\$ 311,206	\$ -	\$ 46,681	\$ 15,560	\$ 31,121	\$ 77,802	\$ 482,370	\$ 100	\$ 3,142
	County Road 62 (Central) Roadway Crossing	Low	\$ 38,892	\$ -	\$ 5,834	\$ 1,945	\$ 3,889	\$ 9,723	\$ 60,283	\$ 50	\$ 1,571
	County Road 62 (East) Roadway Crossing	Low	\$ 401,548	\$ 96,800	\$ 60,232	\$ 20,077	\$ 40,155	\$ 100,387	\$ 719,199	\$ 2,125	\$ 66,775
	83rd Avenue Roadway Crossing	Low	\$ 420,038	\$ -	\$ 63,006	\$ 21,002	\$ 42,004	\$ 105,010	\$ 651,060	\$ 160	\$ 5,028
	Jones Ditch at 83rd Avenue Canal Baseflow Separation	Medium	\$ 100,193	\$ 96,800	\$ 15,029	\$ 5,010	\$ 10,019	\$ 25,048	\$ 252,099	\$ 1,034	\$ 32,492
	Total		\$ 1,271,877	\$ 193,600	\$ 190,782	\$ 63,594	\$ 127,188	\$ 317,970	\$ 2,165,011	\$ 3,469	\$ 109,008

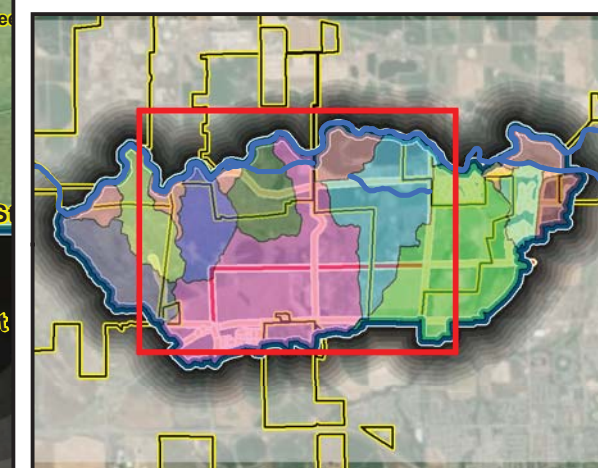
Watershed	Location	Priority	Capital	Easement / ROW	Engineering	Legal / Admin	Contract Admin / CM	Contingency	Total Capital Cost	Annual O&M	50-year O&M
Wiedeman Creek	4th Street Roadway Crossing	Low	\$ 90,415	\$ -	\$ 13,562	\$ 4,521	\$ 9,042	\$ 22,604	\$ 140,144	\$ 100	\$ 3,142
	Skyview Street	---	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,502	\$ 47,198
	81st Avenue Detention Basin	High	\$ 1,799,261	\$ 998,000	\$ 269,889	\$ 89,963	\$ 179,926	\$ 449,815	\$ 3,786,854	\$ 23,589	\$ 1,179,450
	78th Avenue	High	\$ 100,152	\$ 59,000	\$ 15,023	\$ 5,008	\$ 10,015	\$ 25,038	\$ 214,236	\$ 1,224	\$ 61,200
	Amour Hill Drive	High	\$ 110,013	\$ 22,000	\$ 16,502	\$ 5,501	\$ 11,001	\$ 27,503	\$ 192,520	\$ 1,073	\$ 53,650
	Total		\$ 2,099,841	\$ 1,079,000	\$ 314,976	\$ 104,993	\$ 209,984	\$ 524,960	\$ 4,333,754	\$ 27,488	\$ 1,344,640
Poudre River Ranch Phase I and II	Poudre River Road	---	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 818	\$ 25,705
	Total		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 818	\$ 25,705
Fairway Tributary	Cache Court Canal Baseflow Separation	Medium	\$ 86,021	\$ -	\$ 12,903	\$ 4,301	\$ 8,602	\$ 21,505	\$ 133,332	\$ 434	\$ 13,638
	Melbourne Street	High	\$ 93,050	\$ 8,800	\$ 13,958	\$ 4,653	\$ 9,305	\$ 23,263	\$ 153,029	\$ 301	\$ 9,459
	Detention North of Melbourne Street	---	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 702	\$ 22,059
	Total		\$ 179,071	\$ 8,800	\$ 26,861	\$ 8,954	\$ 17,907	\$ 44,768	\$ 286,361	\$ 1,437	\$ 45,156
Northridge Draw	C Street and 71st Avenue	High	\$ 942,378	\$ 470,000	\$ 141,357	\$ 47,119	\$ 94,238	\$ 235,595	\$ 1,930,687	\$ 4,739	\$ 148,916
	Total		\$ 942,378	\$ 470,000	\$ 141,357	\$ 47,119	\$ 94,238	\$ 235,595	\$ 1,930,687	\$ 4,739	\$ 148,916



Sharktooth Bluffs Basin Storm Drainage Master Plan

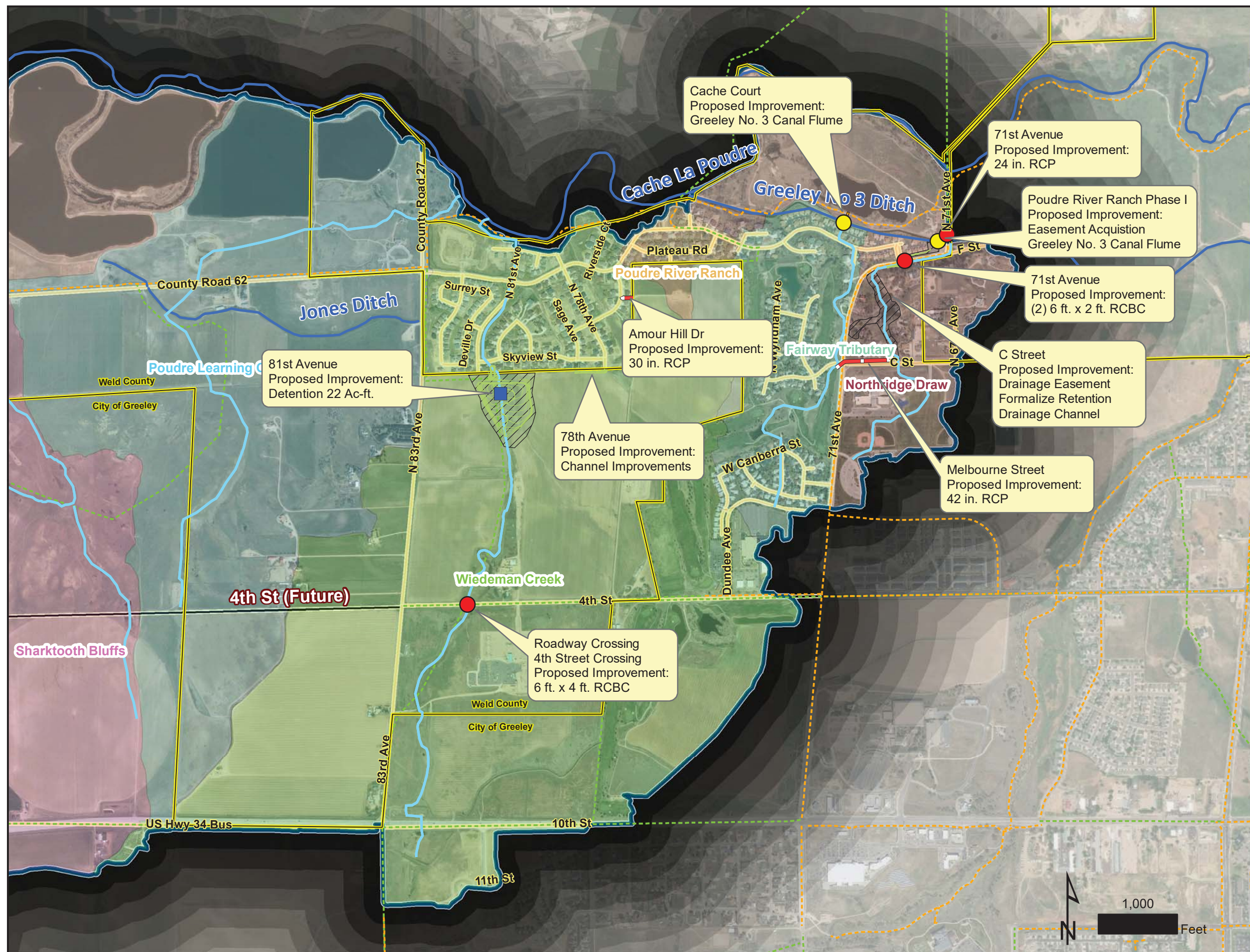
Figure ES.4 - Master Plan Schematic -
Sharktooth Draw and
Poudre Learning Center

- Detention Basin
- Canal Crossing Improvement
- Roadway Crossing Improvement
- Proposed Grading
- - - Channel Improvement
- ▬▬▬ Storm Drain Improvements
- Drainageway
- Jurisdictional Boundary
- - - Existing Trails
- - - Future Trails

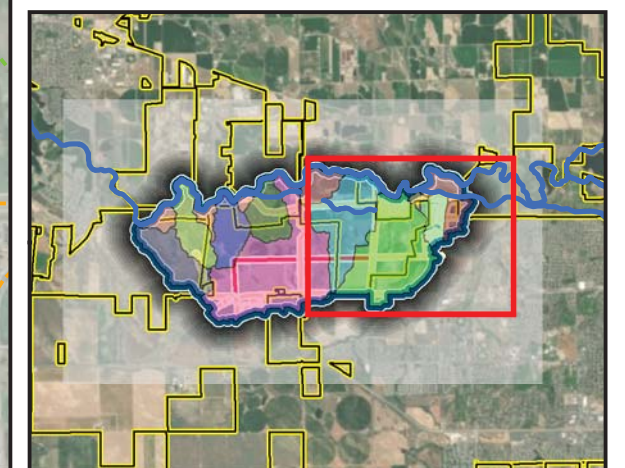


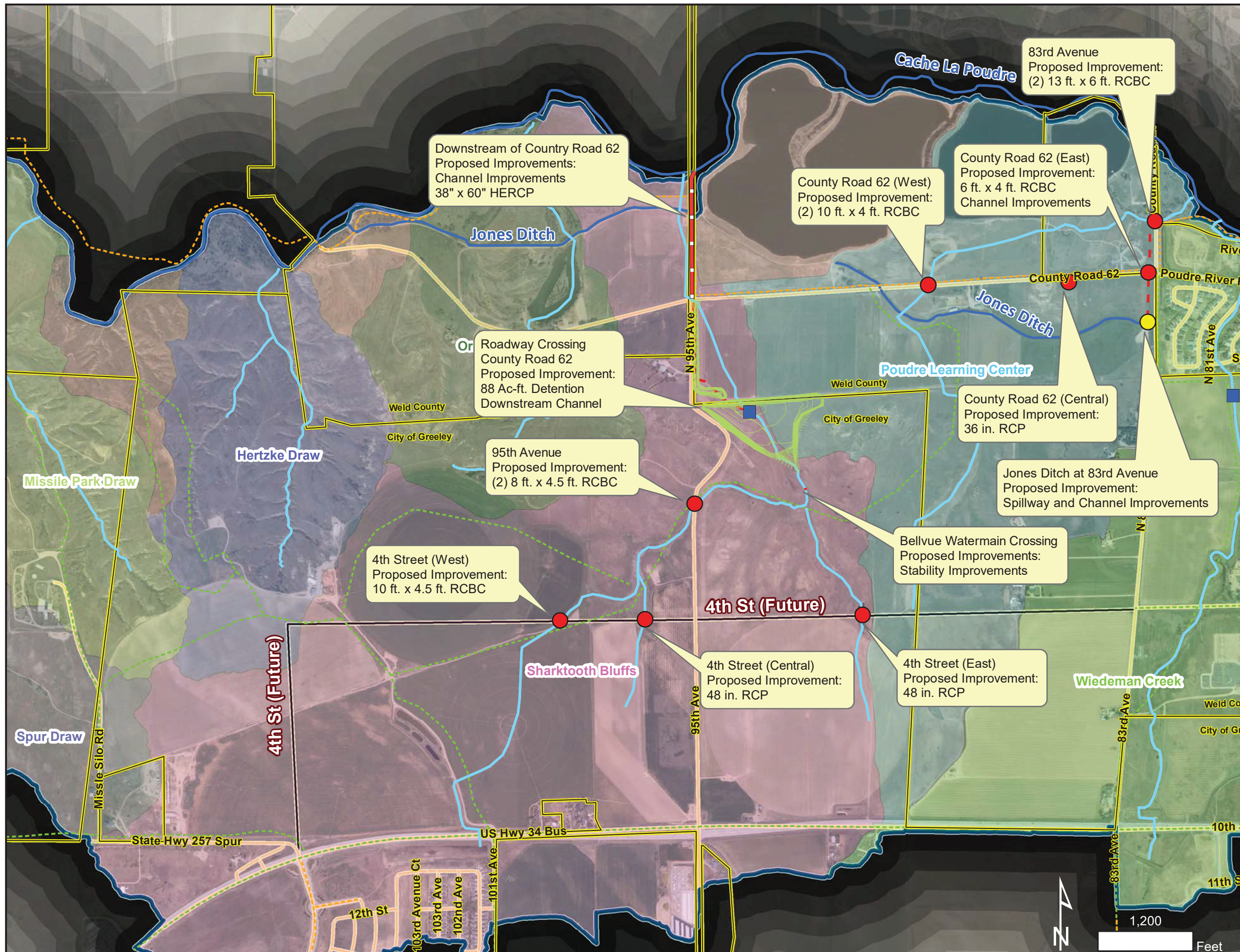
Sharktooth Bluffs Basin Storm Drainage Master Plan

Figure ES.5 - Master Plan Schematic -
Wiedeman Creek, Fairway Tributary,
and Northridge Draw



- Detention Basin Improvement
- Storm Drain Improvements
- Roadway Crossing Improvement
- Canal Crossing Improvement
- Proposed Grading
- Drainageway
- Jurisdictional Boundary
- Approximate Easement
- - - Existing Trails
- - - Future Trails

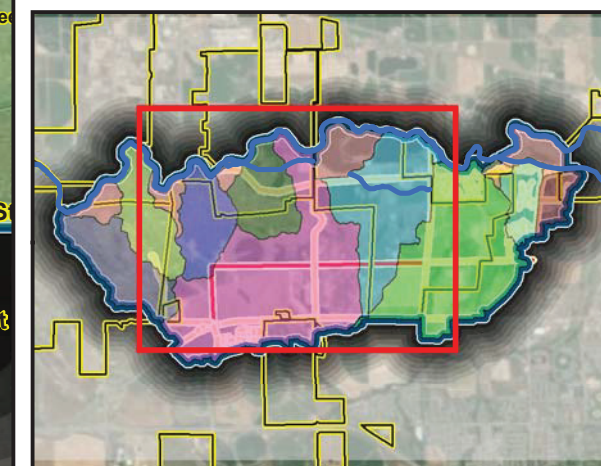




Sharktooth Bluffs Basin Storm Drainage Master Plan

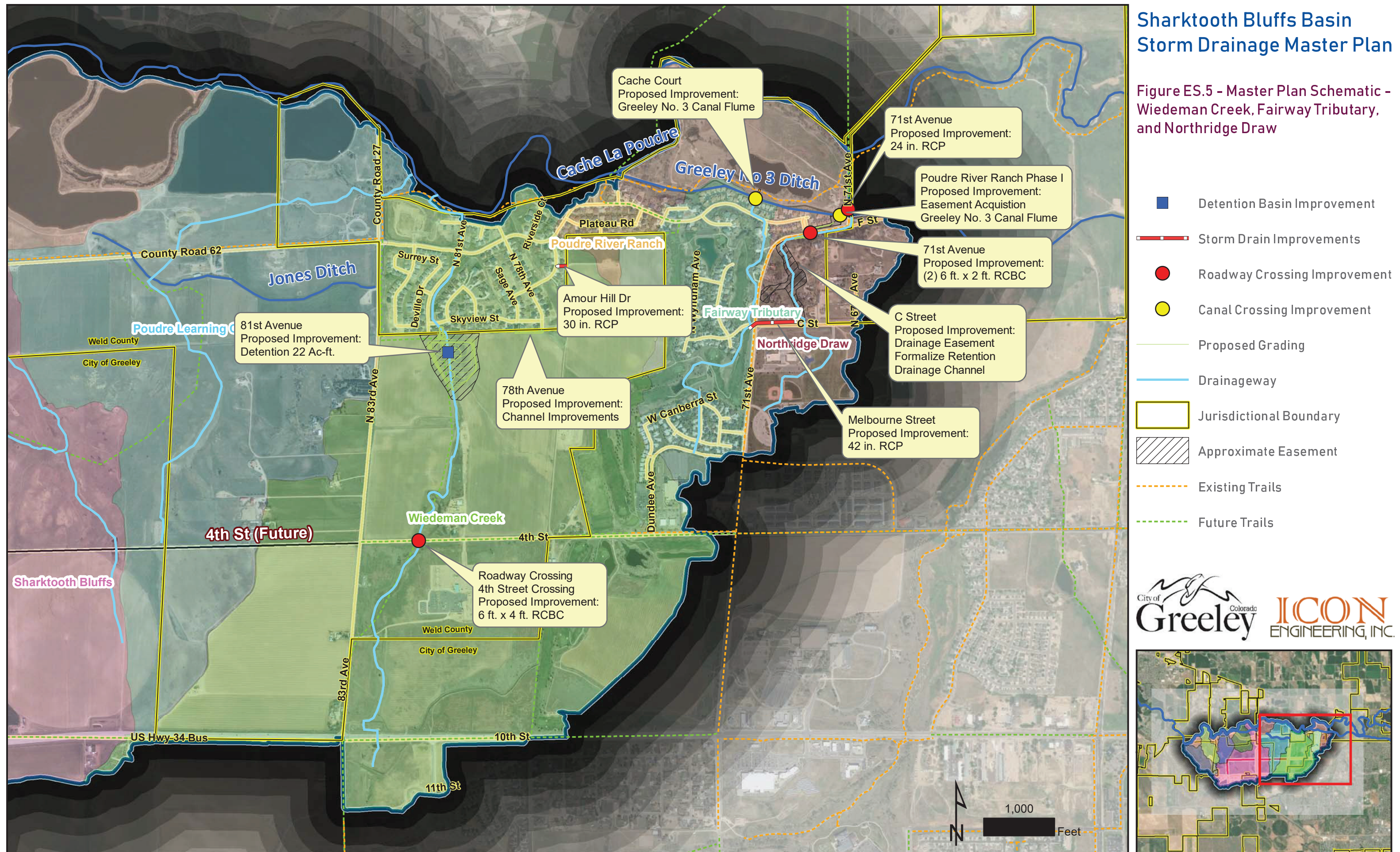
Figure ES.4 - Master Plan Schematic -
Sharktooth Draw and
Poudre Learning Center

- Detention Basin
- Canal Crossing Improvement
- Roadway Crossing Improvement
- Proposed Grading
- - - Channel Improvement
- + — Storm Drain Improvements
- Drainageway
- Jurisdictional Boundary
- - - Existing Trails
- - - Future Trails



Sharktooth Bluffs Basin Storm Drainage Master Plan

Figure ES.5 - Master Plan Schematic -
Wiedeman Creek, Fairway Tributary,
and Northridge Draw



Council Agenda Summary

April 21, 2020

Agenda Item Number 15

Key Staff Contact: Joel Hemesath, Public Works Director, 970-350-9795

Title:

Consideration to approve a change order in the amount of \$68,673.24 to the contract with DeFalco Construction Company for the 48" CMP/Replacement on #3 Ditch Project and bringing the revised contract amount from \$257,316.87 to \$325,990.11

Summary:

This project was an emergency situation that occurred in late summer 2019 when an existing 48 inch metal pipe had deteriorated and holes developed in it, causing the No.3 ditch to drain into the stormwater pipe. A temporary repair was done at that time until the end of irrigation season concluded and the pipe could be evaluated and a repair determined. Change Order #1 with DeFalco Construction Company is attributed to not being able to determine the length of the damaged metal pipe that was in need of being repaired until excavation due to it being full of mud. Of the increase in cost, 32% is due to fill materials and trucking costs; conditions unknown until excavation was undertaken at the time of repair. The trucking costs were necessary to get rid of mixed organic and unstable material that could not be used for backfill and replace it with good quality structural fill. Another 53% of the increase in cost is for the Bentomat liner to seal the Ditch, a requirement of the Ditch Company.

Change Order #1 for \$68,673.24 and will increase the contract total from \$257,316.87 to \$325,990.11 this is an increase of 27%.

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	yes
If yes, what is the initial, or, onetime impact?	\$68,673.24
What is the annual impact?	Onetime
What fund of the City will provide Funding?	Stormwater Construction
What is the source of revenue within the fund?	Stormwater Rate Fees
Is there grant funding for this item?	No
If yes, does this grant require a match?	
Is this grant onetime or ongoing?	
Additional Comments:	

Legal Issues:

Greeley Municipal Code 4.20.160 requires that change orders over 25% of the contract amount be referred to City Council for approval.

Other Issues and Considerations:

None.

Applicable Council Priority and Goal:

Infrastructure & Growth: Establish the capital and human infrastructure to support and maintain a safe, competitive, appealing and successful community.

Decision Options:

1. Approve change order as recommended,
2. Amend change order and approve as amended,
3. Deny change order, or
4. Continue item to a date specific.

Council's Recommended Action:

A motion to approve Change Order #1.

Attachments:

Change Order #1



CHANGE ORDER FORM

Project Information

Change Order #:	1 (Final)	Date:	April 1, 2020
Project Name:	Emergency Removal 48" CMP/Replace w/48" RCP on No 3 Ditch		
Bid Number:	FL19-12-100	Dept/Division:	PW SW Div.
Budget Unit #:	412 00 585 5895 0000	PO #:	20000163
Project Manager:	Bert Leautaud	Title:	P M

Contractor/Consultant Information

Contractor/Consultant:	DeFalco Construction Company	Phone /Extension:	303.651.1100
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The CONTRACTOR/CONSULTANT is hereby directed to perform the WORK described in the CONTRACT for design/construction as amended by this CHANGE ORDER.

See attached **16** sheets with full explanation for the change order.

Compensation to Contractor/Consultant

The original contract sum was:	\$257,316.87
The net change by previous change order was:	\$0.00
The contract sum prior to this change order was:	\$257,316.87
The contract sum will be: (See List) Increased	\$68,673.24
The new contract sum, including this change order is:	\$325,990.11
The contract time will be: (See List) Unchanged	0 days
The new date for project completion is:	April 9, 2020

This CHANGE ORDER is intended to, and the OWNER agrees that it shall, fairly and adequately compensate the CONTRACTOR/CONSULTANT for the extra direct costs (time and materials, etc.) as well as all expenses and damages which may result from any delays, suspensions, stretch-outs, scheduling, inefficiencies and accelerations in the WORK associated with this CHANGE ORDER, and the CONTRACTOR/CONSULTANT releases the OWNER from any claims for such expenses and damages.

This CHANGE ORDER is intended to, and the CONTRACTOR/CONSULTANT agrees that it does, provide the CONTRACTOR/CONSULTANT a reasonable and adequate period of time in which to complete the WORK in accordance with the CONTRACT for establishment of policies, as amended by this CHANGE ORDER, and the CONTRACTOR/CONSULTANT releases the OWNER from any claims for additional time to perform the WORK associated with this CHANGE ORDER.

The Contract Documents may be executed in two or more counterparts, each of which shall be deemed an original but all of which together shall constitute one and the same document. The Contract Documents, including all component parts set forth above, may be executed and delivered by electronic signature by any of the parties and all parties consent to the use of electronic signatures.

Signatures for City Manager

IN WITNESS WHEREOF, the parties have caused this instrument to be executed in two (2) original counterparts as of the day and year first above written.

Approved as to Substance	Reviewed as to Legal Form
City Manager	City Attorney
Certification of Contract Funds Availability	Departmental Certification
Director of Finance	Department Director
Purchasing Official	Project Manager

Certification of Content by Contractor/Consultant

Representative of Contractor/Consultant	Title

Additional Approval:

_____ **Budget** _____ **Supervisor** _____ **CPC** _____ **Finance** _____

CHANGE ORDER FORM



Project Information

Change Order #: **Emergency Removal 48" CMP/Replace w/48" RCP on No 3 Ditch**

Project Name: **Emergency Removal 48" CMP/Replace w/48" RCP on No 3 Ditch**

Date: **4/1/2020**

Project Manager: **Bert Leautaud**

Change Order Justification

Location	24th Avenue on the south side of 4th St. Project replaced 400 LF of existing 48" CMP with new 48" RCP pipe and lined a 48 LF section of existing 48" CMP that lies under the gate structure. The pipe that was replaced or lined lies under the No 3 Ditch. The project was completed during winter months to avoid disruption to the irrigation season.
Summary of Change Order	This is the first and final Change Order for this project. The original Bid received from DeFalco was for \$322,730.00. Through negotiations with DeFalco we were able to reduce the Bid amount to 257,316.87. Attachment A is the final Bid Schedule as awarded to DeFalco Construction Company. Attachment B is a summary of all Change Order items. A number of the Pay Items are either additions or deductions to the original awarded Bid Schedule. Also listed are a number of additional items that are not listed on the original awarded Bid Schedule. There is a total of \$26,960.26 deductions and a total of \$95,633.50 additions to the Contract. The total Change Order No. 1 amounts to an increase of \$68,673.24. The final Contract amount is \$325,990.11. We are very pleased that DeFalco was able to complete this project ahead of schedule to allow the Ditch to go in on time.
Why was this not in original contract?	This was an emergency project due to collapse under the #3 Ditch. 28% of the increase in cost to the Contract is due to extra lining of the old 48" CMP pipe. We were not able to determine the length of the CMP that was in need of lining until we excavated, located and determined the condition of the pipe. We wanted to make sure we started the new RCP pipe install far enough up stream so that there is no disturbance to the gate structure. 32% of the increase in cost to the Contract is due to placing 1-1/2" rock and trucking costs. We did not know how unstable the base material at the bottom of the pipe would be until we excavated. The soil borings did not seem to indicate that ground water would be much of a problem. Conditions were wet enough, however, to cause enough of a problem to warrant the addition of rock material to stabilize the base material to set the pipe. The trucking costs were necessary to get rid of mixed organic and unstable material that could not be used for backfill and replace it with good quality structural fill. The pipe is located under a major irrigation ditch that has existed for many years. It was not possible to determine these conditions until excavation occurred. 53% of the increase in cost is for the Bentomat liner to seal the Ditch. The Ditch Company required that the disturbed areas of the Ditch be lined. The extra cost is justified. The Comp Plan update for the 28th Av Basin identified the Ditch from the 28th Av outfall to the Clarkson Gate as having deficient conveyance capacity to accommodate major storm events. Widening the Ditch bottom and flattening the slopes has greatly increased the conveyance capacity in this section of the Ditch. Lining the entire slope of the north bank of the Ditch will help protect the Ditch from a possible breach during a large storm event. We did not realize ahead of time the extent of disturbance that would be necessary to remove the existing CMP pipe and construct a new RCP pipe in this major irrigation ditch that has running surface water from the 28th Av Basin all year around.
Budget Impact/Funding	The project ran over the amount of money budgeted for this project. An additional appropriation or transfer of funds are needed to cover the extra costs.
Impact to project schedule	No impact to the project schedule. The project was completed ahead of schedule.
Detailed Explanation	See attachments A, B, C, and 11 other sheets that are Change Order requests from the Contractor.

Attachment - A
Bid Schedule as awarded to DeFalco

Final

Proposal

DEFALCO CONSTRUCTION CO.

Job Code: 01254A

Description: Remove 48" CMP & Replace w/ 48" RCP Clarkson Gate Structure

Job Location

Proposal				
Line No.	Description Subtotal Description	Quantity	Unit of Measure	Unit Price Total Price
1	Mobilization	1.00	LS	17,389.15 17,389.15
2	Traffic Control	1.00	LS	2,195.58 2,195.58
3	Construction Surveying (As-builts)	1.00	LS	1,776.00 1,776.00
4	Stormwater Management/ Erosion Control	1.00	Each	6,310.25 6,310.25
5	Support Power Pole	1.00	Each	2,775.00 2,775.00
6	Clearing & Grubbing	1.00	LS	2,563.21 2,563.21
7	Remove 48" CMP (Stockpile on Site)	490.00	LF	52.31 25,631.90
8	48" RCP Class 2 3	490.00	LF	228.51 111,969.90
9	Fabrication Charges for 48" Bends	4.00	Each	2,019.53 8,078.12
10	Tie into Existing 12" Storm Pipe	1.00	LS	0.00 0.00
11	Lining at Existing 48" CMP Clarkson Gate Structure	1.00	LS	20,277.70 20,277.70
12	Tie in the new 48" RCP to Existing Box (Sta. 6+41	1.00	LS	4,043.95 4,043.95
13	Remove /Reset Turn out structure (Sta. 4+	1.00	LS	2,050.06 2,050.06
14	Place Bentomat DN in Ditch Location	5,500.00	SF	3.37 18,535.00
15	Finish Grade & Shape Ditch	1.00	LS	8,864.02 8,864.02
16	Salvage, Stockpile & replace Riprap	100.00	CY	34.11 3,411.00
17	3" x3/4" Rock Trench Stabilization/ Water Control	0.00	TN	0.00 0.00
18	Surface/ Groundwater Control (Bypass Piping)	1.00	LS	20,281.03 20,281.03
19	Dewatering per Day (24 Hour)	1.00	Day	1,165.00 1,165.00
				Subtotal: 257,316.87
				Running Total: 257,316.87
				GRAND TOTAL: 257,316.87

Proposal Certification

Submitted By: Trent Casey
Senior Estimator / Project Manager

DeFalco Construction Company

Signed: _____
Title: _____

48" CMP remove/replace w/48" RCP on No 3 Ditch					
Defalco Construction Company					
Change Order No. 1 (FINAL)					
Item No.	Description	Unit	Quantity	Unit Price	Deduction or Addition
5	Delete Support Power Pole	EA	-1	\$2,775.00	(\$2,775.00)
7	Reduction of - Remove 48" CMP	LF	-30	\$52.31	(\$1,569.30)
8	Reduction of 48" RCP Class 3	LF	-90	\$228.51	(\$20,565.90)
9	Fabrication Charges for 48" Bends	EA	1	\$2,019.53	\$2,019.53
11	Lining of 48" CMP at Clarkson Gate Struc.	LS	1	\$19,314.30	\$19,314.30
13	Delete - Remove/Reset Turnout Struc.	LS	-1	\$2,050	(\$2,050.06)
14	Additional - Place Bentomat DN @ Ditch	SF	10,880	\$3.37	\$36,665.60
16	Salvage, Stockpile, & Replace Riprap	CY	27	\$34.11	\$920.97
17	1-1/2" Rock Trench Stable/water Control	TN	395.22	\$55.00	\$21,737.10
18	Add - Surface Flow Control - Bypass piping	LS	1	\$775.00	\$775.00
19	Add - Dewatering groundwater per Day	Day	2	\$1,165.00	\$2,330.00
					\$0.00
	Additional Change Order Items				\$0.00
A	Trucking Import/Export Dirt)	LS	1	\$6,482.00	\$6,482.00
B	Concrete Removal	LS	1	\$2,949.00	\$2,949.00
C	Camera new 48" RCP Pipe	LS	1	\$1,400.00	\$1,400.00
D	IPS Vacuum Clean 48" RCP Pipe	HR	4	\$260.00	\$1,040.00
	Subtotal Change Order No. 1				\$68,673.24
	Original Contract Amount				\$257,316.87
	Total Completed to Date				\$325,990.11
	Early Substantial Completion				
	5 days @ \$500.00 per Day				\$2,500.00
	Total Construction Cost				<u>\$328,490.11</u>

Attachment - B

48" CMP remove/replace w/48" RCP on No 3 Ditch

Order No. 1 DeFalco

Attachment C

Pay Item No. 5 – Support power pole: This item was deleted. The new 48" RCP pipe was installed further to the north than the existing 48" CMP, so support for the power pole was not needed.

Pay Item No. 7 – Remove 48" CMP: This item was reduced by 55 LF. The new 48" RCP was routed more directly reducing the length of the new pipeline. Also there was a longer length of 48" CMP that was lined which reduced the required length of the new 48" RCP pipe.

Pay Item No. 8 – 48" RCP Class 3: This item was reduced by 55 LF for the same reason as stated in Pay Item No. 7 above.

Pay Item No. 9 - Fabrication Changes for 48" Bends: This item was increased by one. There were 4 bends included in the original awarded Bid Schedule. There were a total of 5 bends needed to complete the installation of the new pipeline. Rerouting of the new pipeline was the reason for the change in number of bends required.

Pay Item No. 11 - Lining of 48" CMP at the Clarkson Gate Structure: The original Bid Schedule included a total of 20 LF of lining. Because the concrete approach apron extended further south than originally thought, it was necessary to line an additional 28 LF of 48" CMP pipe. IPS (subcontractor) did reduce the cost per linear foot for the extra lining.

Pay Item No. 13 – Remove/Reset Turnout Struc.: This item was deleted. Because the new 48" RCP pipe was installed further north than the original pipe it was not necessary to remove and reset the pump station turn out structure.

Pay Item No. 14 – Place Bentomat DN @ Ditch: The original Bid Schedule included a total of 5,500 SF of Bentomat. The quantity of Bentomat used to reconstruct the Ditch was increased by 10,880 SF. It was necessary to remove a significant portion of the north berm of the Ditch to allow space for the 24" temporary by-pass pipe to carry surface water. The Ditch Company wanted disturbed areas of the Ditch to be lined with Bentomat to seal against leakage. We also reconstructed the Ditch with flatter side slopes and a wider bottom. This required a significant increase in the SF of Bentomat. A wider Ditch with flatter side slopes gives the Ditch a significant increase in conveyance capacity. This is a significant improvement since the estimated runoff into the Ditch from the 28th Av Basin during a large storm event could exceed the capacity of the Ditch to deliver water to the Clarkson Gate where it can be released to the river. This will help protect properties on the north side of the Ditch including the entire Downtown area. Lining the north berm of the Ditch with Bentomat also seals it from potential saturation and destabilization which could occur with a large flow of water. This will help to protect the berm from a possible breach situation.

Attachment C page 2

Pay Item No. 16 – Salvage, Stockpile, and Replace Riprap: An additional 27 CY of riprap was produced from a large block of concrete that was used to stop a leak in the old 48" CMP pipe. This large block of concrete had to be removed and broken into small pieces so that it could be used for riprap on the south bank of the Ditch.

Pay Item No. 17 – 1-1/2" Rock Trench Stabilization and Water Control: The trench excavation needed to install the new 48" RCP pipe was into ground water. As a result a layer of 1-1/2" rock was needed to stabilize the Ditch bottom to support the new pipe. This also required extra excavation.

Pay Item No. 18 – Surface Water Flow Control/Bypass Piping: \$20,281.03 was included in the original Bid Schedule for surface water control. An additional \$775.00 was needed to extend the bypass pipe further west to dewater the last segment of the new pipe installation.

Pay Item No. 19 – Dewatering groundwater per Day: One Day (24 hours) of dewatering was included in the original Bid Schedule. Two additional days of pumping was required to complete the pipe installation. This was due to excess groundwater interfering with setting the pipe.

Additional Change Order Items not included in the original Bid Schedule:

Item A. – Trucking Import/Export Dirt: A LS amount of \$6,482.00 was needed to haul materials. The Ditch bottom was very wet and included organic material that is not suitable to be used for backfill material. As a result, the wet organic material had to be hauled away. New structural material was hauled in from the City's Bestway storage to backfill the new pipeline. This extra trucking was not included in the original Contract.

Item B. – Concrete Removal: A LS amount of \$2,949.00 was needed to remove concrete from the Ditch. There was a large chunk of concrete that had been used to patch a leak in the old 48" CMP that had to be removed. This concrete had to be broken apart in smaller pieces and stored on site so that it could be used to riprap the south bank of the Ditch. This also eliminated the need to haul the concrete away.

Item C. – Camera the new 48" RCP Pipe: A LS amount of \$1,400 was needed to complete a video of the inside of the new 48" RCP pipe. The IPS liner crew was on site with a camera truck to complete a video of the new lined pipe. We requested that the Contractor pay them to also complete a video of the new 48" RCP since they were already set up with the camera equipment.

Item D. – IPS Vacuum Clean the 48" RCP Pipe: An hourly rate of \$260/HR was needed for IPS to extend their vacuum cleaning of the new pipeline. This was necessary before the camera crew could complete the video of the inside of the pipe. This item pays the Contractor for IPS to spend an extra 4 hours cleaning the new pipeline.

Early Substantial Completion: The Contractor was able to complete the project early so the Ditch could go in on time. The Contract allowed a bonus for early completion of \$500 per Day for up to 5 days.

**CHANGE ORDER**P.O. BOX 820
LONGMONT, CO 80502

PHONE: (303) 651-1100

FAX: (303) 651-1171

CHANGE ORDER # 1PROJECT: Clarkson Ditch Structure 48" Pipe ReplacementJOB # 2014OWNER: City of GreeleyDate: February 18, 2020

The following changes are hereby made to the Contract Documents:

Additional fabrication charges for 48" RCP bends. Original Contract included 4 EA. Through submittal review, it was determined that 7 EA would need to be fabricated. Cost for 3 additional bends at the original contract price.

Description	QTY (+/-)	Units	\$/ Unit	Total
1 Fabrication charges for 48" bends (Additional)	<u>1</u> <u>3</u>	EA	2,019.53	6,058.59 <u>2,019.53</u> ✓
Total: (±) =				6,058.59 <u>2,019.53</u> ✓

Justification for Change Order:

Revised scope of work

Ref. Owner's Change Order No.: N/AAdditional Time Requested: N/AOriginal CONTRACT PRICE: \$ 257,326.87Current CONTRACT PRICE adjusted by previous Change Orders: \$ 257,326.87The CONTRACT PRICE due to this Change Order will be (increased) by: \$ ~~6,058.59~~ 2,019.53The new CONTRACT PRICE including this CHANGE ORDER will be: \$ ~~263,385.46~~ 259,346.40

All work specified in this CHANGE ORDER shall be performed in accordance with the original Contract requirements except as modified by this Change Order. This Change Order is part of the Contract Documents.

DeFALCO CONSTRUCTION CO. Authorized Signature

Date

OWNER Authorized Signature

Date

CHANGE ORDER # 4PROJECT: Clarkson Ditch Structure 48" Pipe ReplacementJOB # 2014OWNER: City of GreeleyDate: February 26, 2020

The following changes are hereby made to the Contract Documents:

The original bid item and budget included a line item for 20 LF of lining of the existing 48" CMP at the Clarkson ditch structure based on Pre-construction meetings and budget review. However, it was determined in the field and after pipe was exposed that approximately 48 LF of existing 48" CMP will be required. Below is the additional costs from I.P.S. Inc. for the additional lining required. Please note, IPS has discounted their cost per LF for the increase length.

Description	QTY (+/-)	Units	\$/ Unit	Total
1 Delete Item 11: Lining at 48" CMP Clarkson Gate Structure. (incl. 20 LF of Lining + Conc. Collar)	(1)	LS	20,277.70	(20,277.70) ✓
2 ADD: Lining at 48" CMP Clarkson Gate Structure. (Incl. 48 LF of Lining + Conc. Collar)	1	LS	39,592.00	39,592.00 ✓

Total: (±) = 19,314.30 ✓**Justification for Change Order:**

Additional scope of work due to conditions discovered in the field.

Ref. Owner's Change Order No.: N/AAdditional Time Requested: N/A

Original CONTRACT PRICE:

\$ 257,326.87

Current CONTRACT PRICE adjusted by previous Change Orders:

\$ 286,160.46

The CONTRACT PRICE due to this Change Order will be (increased) by:

\$ 19,314.30 ✓

The new CONTRACT PRICE including this CHANGE ORDER will be:

\$ 305,474.76

All work specified in this CHANGE ORDER shall be performed in accordance with the original Contract requirements except as modified by this Change Order. This Change Order is part of the Contract Documents.

DeFALCO CONSTRUCTION CO. Authorized Signature

Date

OWNER Authorized Signature

Date

CHANGE ORDER # 7PROJECT: Clarkson Ditch Structure 48" Pipe ReplacementJOB # 2014OWNER: City of GreeleyDate: March 5, 2020

The following changes are hereby made to the Contract Documents:

Additional bentonite mat installation as required by the Ditch Company. Original contract specified 5,500 SF. However after review with the ditch company and the City of Greeley, it was determined that approximately 16,380 SF will be required in the ditch. This requires an additional 10,880 SF.

Description	QTY (+/-)	Units	\$/ Unit	Total
1 Additional Bentomat Installation	10,880	SF	3.37	36,665.60
				0.00

Total: (±) = 36,665.60**Justification for Change Order:**

Additional scope of work.

Ref. Owner's Change Order No.: N/AAdditional Time Requested: N/A

Original CONTRACT PRICE:

\$ 257,326.87

Current CONTRACT PRICE adjusted by previous Change Orders:

\$ 313,043.80
317,345.76

The CONTRACT PRICE due to this Change Order will be (increased) by:

\$ 36,665.60 ✓

The new CONTRACT PRICE including this CHANGE ORDER will be:

\$ 349,708.80
354,011.36

All work specified in this CHANGE ORDER shall be performed in accordance with the original Contract requirements except as modified by this Change Order. This Change Order is part of the Contract Documents.

DeFALCO CONSTRUCTION CO. Authorized Signature

Date

OWNER Authorized Signature Authorized Signature

Date

**CHANGE ORDER**P.O. BOX 820
LONGMONT, CO 80502

PHONE: (303) 651-1100

FAX: (303) 651-1171

CHANGE ORDER # 2PROJECT: Clarkson Ditch Structure 48" Pipe ReplacementJOB # 2014OWNER: City of GreeleyDate: February 18, 2020

The following changes are hereby made to the Contract Documents:

Furnish and install 1-1/2" washed rock to be utilized as trench stabilization and water control for pipe installation. Original bid items included a line item for stabilization rock but was removed from the contract prior to award. Change was discussed and approved at the preconstruction meeting.

Description	QTY (+/-)	Units	\$/ Unit	Total
1 1-1/2" Wash Rock (Stabilization/ water control)	400 395.22	TN	55.00	22,000.00
Total: (±) =				22,000.00

21,737.10 ✓

21,737.10 ✓

Justification for Change Order:

Revised scope of work

Ref. Owner's Change Order No.: N/AAdditional Time Requested: N/A

Original CONTRACT PRICE:

\$ 257,326.87

Current CONTRACT PRICE adjusted by previous Change Orders:

\$ 263,385.46

The CONTRACT PRICE due to this Change Order will be (increased) by:

\$ 22,000.00

The new CONTRACT PRICE including this CHANGE ORDER will be:

\$ 285,385.46

All work specified in this CHANGE ORDER shall be performed in accordance with the original Contract requirements except as modified by this Change Order. This Change Order is part of the Contract Documents.

DeFALCO CONSTRUCTION CO. Authorized Signature

Date

OWNER Authorized Signature

Date



CHANGE ORDER

P.O. BOX 820
LONGMONT, CO 80502

PHONE: (303) 651-1100
FAX: (303) 651-1171

CHANGE ORDER # 3R PROJECT: Clarkson Ditch Structure 48" Pipe Replacement

JOB # 2014 OWNER: City of Greeley

Date: February 18, 2020 Revised 3/5/20

The following changes are hereby made to the Contract Documents:

REVISED: This change order is to replace DCC Change Order #03. Change order 3 was submitted and approved to purchase an additional 160 LF of 24" ADS Pipe for a total of \$5240. DCC was able to utilize 12" irrigation pipe from stock for the water bypass. Costs on revised change order are for loading and delivery of the 12" pipe.

Description	QTY (+/-)	Units	\$/ Unit	Total
1 24" ADS Pipe - NOT REQUIRED	0	LF	32.75	0.00
2 Loading/ Delivery of 12" Irrigation Pipe	1	LS	775.00	775.00 ✓
Total: (±) =				775.00 ✓

Justification for Change Order:

Additional Water diversion piping

Ref. Owner's Change Order No.: N/A

Additional Time Requested: N/A

Original CONTRACT PRICE: \$ 257,326.87

Current CONTRACT PRICE adjusted by previous Change Orders: \$ 281,083.50
~~285,385.46~~

The CONTRACT PRICE due to this Change Order will be (increased) by: \$ 775.00 ✓
~~281,258.50~~

The new CONTRACT PRICE including this CHANGE ORDER will be: \$ 286,160.46

All work specified in this CHANGE ORDER shall be performed in accordance with the original Contract requirements except as modified by this Change Order. This Change Order is part of the Contract Documents.

DeFALCO CONSTRUCTION CO. Authorized Signature

Date

OWNER Authorized Signature

Date

CHANGE ORDER # 5PROJECT: Clarkson Ditch Structure 48" Pipe ReplacementJOB # 2014OWNER: City of GreeleyDate: March 5, 2020

The following changes are hereby made to the Contract Documents:

- 1) Additional costs for import/ export of dirt (See attached breakdown). Haul off of unsuitable soils and import of City supplied fill material. 2) Time and material costs for removal of large Concrete used to repair existing pipe. Concrete was approximately 10' x 15' x 5'. Concrete to be broke up and remain on site as riprap stabilization.

Description	QTY (+/-)	Units	\$/ Unit	Total
1 Tandem Dump Truck (Import/Export)	1	LS	6,482.00	6,482.00 ✓
2 Concrete removal	1	LS	2,949.00	2,949.00

Total: (±) = 9,431.00 ✓**Justification for Change Order:**

Additional scope of work with unforeseen conditions.

Ref. Owner's Change Order No.: N/AAdditional Time Requested: N/A

Original CONTRACT PRICE:

\$ 257,326.87

301,172.80

Current CONTRACT PRICE adjusted by previous Change Orders:

\$ 305,474.76

The CONTRACT PRICE due to this Change Order will be (increased) by:

\$ 9,431.00

310,603.80

The new CONTRACT PRICE including this CHANGE ORDER will be:

\$ 314,905.76

All work specified in this CHANGE ORDER shall be performed in accordance with the original Contract requirements except as modified by this Change Order. This Change Order is part of the Contract Documents.

DeFALCO CONSTRUCTION CO. Authorized Signature

Date

OWNER Authorized Signature

Date

DeFALCO CONSTRUCTION

CLARKSON DITCH STRUCTURE 48" PIPE REPLACEMENT

Job # 2014

Cost Code: 260

Customer: City of Greeley

Address:

Description: 2) Remove & break up concrete

LABOR & EQUIPMENT	Rate	2/18/2020	2/19/2020	Total Hrs	TOTAL
Excavator w/ Operator (70,000lb)	\$165.00	2.0	4.0	6.0	\$990.00
Excavator w/ Operator (50,000lb)	\$135.00	2.0	4.0	6.0	\$810.00
Rubber tire backhoe & breaker w/ Op	\$85.00	2.0	8.0	10.0	\$850.00
Laborer	\$45.00	2.0	4.0	6.0	\$270.00
					\$0.00

MATERIALS	QTY	UOM	\$/UNIT	Mark up	TOTAL
					\$0.00
					\$0.00
					\$0.00
					\$0.00

SUBCONTRACTORS	QTY	UOM	\$/UNIT	Mark up	TOTAL
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00
					\$0.00

SUBTOTAL : 2,920
BOND COST @ 1%: 29
TOTAL: 2,949 ✓

DeFALCO CONSTRUCTION

CLARKSON DITCH STRUCTURE 48" PIPE REPLACEMENT

Job # 2014

Cost Code: 260

Customer: City of Greeley

Address:

Description: 1) Additional Trucking. Remove unsuitable soil, import fill material

LABOR & EQUIPMENT	Rate	WED 2/19	THUR 2/20	FRI 2/21	MON 2/24	TUE 2/25	WED 2/26	THUR 2/27	FRI 2/28	Total Hrs	TOTAL
Tandem w/ driver (Unit 350)	\$85.00	8.0	7.5	8.0	0.0	8.0	0.0	0.0	0.0	31.5	\$2,677.50
Tandem w/ driver (Unit 351)	\$85.00	8.0	7.5	8.0	0.0	8.5	0.0	6.0	6.0	44.0	\$3,740.00
										0.0	\$0.00
										0.0	\$0.00
										0.0	\$0.00

SUBTOTAL : 6,418
 BOND COST @ 1%: 64
 TOTAL: 6,482 ✓



CHANGE ORDER

P.O. BOX 820
LONGMONT, CO 80502

PHONE: (303) 651-1100

FAX: (303) 651-1171

CHANGE ORDER # 6

PROJECT: Clarkson Ditch Structure 48" Pipe Replacement

JOB # 2014

OWNER: City of Greeley

Date: March 5, 2020

The following changes are hereby made to the Contract Documents:

Additional Costs to camera the newly installed 48 inch RCP and vac clean dirt and sand piles at the Clarkson Structure as requested by City of Greeley. Costs approved by emails on 3/2/2020.

Description	QTY (+/-)	Units	\$/ Unit	Total
1 Camera 48" RCP	1	LS	1,400.00	1,400.00 ✓
2 Vac Cleaning	4	HOUR	260.00	1,040.00

Total: (±) = 2,440.00

Justification for Change Order:

Additional scope of work.

Ref. Owner's Change Order No.: N/A

Additional Time Requested: N/A

Original CONTRACT PRICE: \$ 257,326.87

310,603.80

Current CONTRACT PRICE adjusted by previous Change Orders: \$ 314,905.76

The CONTRACT PRICE due to this Change Order will be (increased) by: \$ 2,440.00

313,043.80

The new CONTRACT PRICE including this CHANGE ORDER will be: \$ 317,345.76

All work specified in this CHANGE ORDER shall be performed in accordance with the original Contract requirements except as modified by this Change Order. This Change Order is part of the Contract Documents.

DeFALCO CONSTRUCTION CO. Authorized Signature

Date

OWNER Authorized Signature

Date

DeFALCO
CONSTRUCTION COMPANY



CHANGE ORDER

P.O. BOX 820
LONGMONT, CO 80502

PHONE: (303) 651-1100

FAX: (303) 651-1171

CHANGE ORDER # 8

PROJECT: Clarkson Ditch Structure 48" Pipe Replacement

JOB # 2014

OWNER: City of Greeley

Date: March 31, 2020

The following changes are hereby made to the Contract Documents:

Quantity adjustments for actual installed. Please see attached.

Description	QTY (+/-)	Units	\$/ Unit	Total
1 Quantity Adjustments (See Attached)	1	EA	(28,021.25)	(28,021.25)

Total: (±) = (28,021.25)

Justification for Change Order:

Quantity Reconciliation

Ref. Owner's Change Order No.: N/A

Additional Time Requested: N/A

Original CONTRACT PRICE: \$ 257,326.87

Current CONTRACT PRICE adjusted by previous Change Orders: \$ 354,011.36

The CONTRACT PRICE due to this Change Order will be (increased) by: \$ (28,021.25)

The new CONTRACT PRICE including this CHANGE ORDER will be: \$ 325,990.11

All work specified in this CHANGE ORDER shall be performed in accordance with the original Contract requirements except as modified by this Change Order. This Change Order is part of the Contract Documents.

DeFALCO CONSTRUCTION CO. Authorized Signature

Date

OWNER Authorized Signature

Date

DeFALCO CONSTRUCTION CHANGE ORDER No. 8

Reconciliation of estimated quantities to actual installed quantities

3/31/2020

Bid Item	Description	Qty Change Unit	\$/ Unit	Total Change	
5	Support Power Pole <u>Reason:</u> Change in alignment didn't require the power pole to be supported	-1 EA	\$2,775.00	\$ (2,775.00)	✓
7	Remove 48" CMP <u>Reason:</u> Due to the concrete structure, less existing pipe was removed to not damage the structure	-30 LF	\$ 52.31	\$ (1,569.30)	✓
8	48" RCP Class III <u>Reason:</u> Less pipe was required to be installed based on field measurements. Alignment adjusted in the field	-90 LF	\$ 228.51	\$ (20,565.90)	✓
13	Remove/ Reset Turnout Structure <u>Reason:</u> Revised pipe alignment avoided impact on the existing turnout structure.	-1 EA	\$2,050.06	\$ (2,050.06)	✓
16	Salvage, Stockpile & Replace Riprap <u>Reason:</u> During removal of existing pipe a previous concrete repair was encountered. The concrete was approx. 10'x15'x5' (27 CY) (reference DCC CO #5). This concrete was stockpiled and utilized as additional riprap onsite	27 CY	\$ 34.11	\$ 920.97	✓
19	Dewatering per Day <u>Reason:</u> Original bid item was for per day pumping to be utilized if necessary. 3 days of pumping was required on the project for the tie ins of the new pipe.	2 DAY	\$1,165.00	\$ 2,330.00	✓
CO 1	Additional Pipe Bends <u>Reason:</u> At beginning of construction it was determined we would fabricate 7 total pipe bends. Based on field adjustments, 5 total bends were installed. The pipe supply has taken the 2 remaining bends and returned them to their stock at no charge	-2 EA	\$2,019.53	\$ (4,039.06)	✓
CO 2	1-1/2" Gravel <u>Reason:</u> Original CO estimated 400 tons. Scale tickets show 395.22 total tons delivered to the site.	-4.78 Tons	\$ 55.00	\$ (262.90)	✓
MISC	Misc. Adjustment <u>Reason:</u> The original contract was issued for \$257,326.87. The total of all bid items on the bid schedule was \$10.00 less than the contract amount.	-1 EA	\$ 10.00	\$ (10.00)	✓
TOTAL CHANGES				\$ (28,021.25)	

Council Agenda Summary

April 21, 2020

Agenda Item Number 16

Key Staff Contact: Joel Hemesath, Public Works Director, 970-350-9795

Title:

Consideration to approve a change order in the amount of \$60,193.88 to the contract with YEH & Associates for the 10th Street Access Improvements Phase II Project and bringing the revised contract amount from \$201,911.15 to \$262,105.03

Summary:

Change Order #2 with YEH & Associates involves ongoing construction inspection for the 10th Street Access Improvement Project – Phase 2, in conformance with CDOT Standards. This revision to the contract results from design issues which resulted in both slow progress and a 2-month shut down in 2019.

Change Order #2 for \$60,193.88 will increase the contract total from \$201,911.15 to \$262,105.03 this is an increase of 30%, but 55% between change orders #1 and #2. (Change order #1 was for \$32,769.46 for YEH & Associates to continue with processing the CDOT required documentation while construction was stopped during the winter.)

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	Yes
If yes, what is the initial, or, onetime impact?	\$60,193.88
What is the annual impact?	Onetime
What fund of the City will provide Funding?	Public Improvement
What is the source of revenue within the fund?	Public Improvement
Is there grant funding for this item?	Yes
If yes, does this grant require a match?	Yes
Is this grant onetime or ongoing?	On-time
Additional Comments:	Additional funding from CDOT through the NFRMPO is anticipated in May with an accompanying IGA. City Attorney's office is also discussing reimbursement from the design engineering firm for the additional costs for construction delays.

Legal Issues:

Greeley Municipal Code 4.20.160 requires that change orders over 25% of the contract amount be referred to City Council for approval.

Other Issues and Considerations:

None.

Applicable Council Priority and Goal:

Safety: Manage the health, safety and welfare in a way that promotes a sense of security and well-being for residents, businesses and visitors.

Infrastructure & Growth: Establish the capital and human infrastructure to support and maintain a safe, competitive, appealing and successful community.

Decision Options:

1. Approve change order as recommended,
2. Amend change order and approve as amended,
3. Deny change order, or
4. Continue item to a date specific.

Council's Recommended Action:

A motion to approve Change Order #2.

Attachments:

Change Order #2



CHANGE ORDER FORM

Project Information

Change Order #:	2	Date:	March 27, 2020
Project Name:	10th Street Access Improvements Phase 2		
Bid Number:	FA19-01-014	Dept/Division:	PW/Engineering
Budget Unit #:	3010006008260000	PO #:	19000559
Project Manager:	Tom Hellen	Title:	City Engineer

Contractor/Consultant Information

Contractor/Consultant:	Yeh & Associates	Phone /Extension:	970-451-5026
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The CONTRACTOR/CONSULTANT is hereby directed to perform the WORK described in the CONTRACT for design/construction as amended by this CHANGE ORDER.

See attached **4** sheets with full explanation for the change order.

Compensation to Contractor/Consultant

The original contract sum was:	\$169,141.69
The net change by previous change order was:	\$32,769.46
The contract sum prior to this change order was:	\$201,911.15
The contract sum will be: (See List) Increased	\$60,193.88
The new contract sum, including this change order is:	\$262,105.03
The contract time will be: (See List) Increased	0 days
The new date for project completion is:	August 31, 2020

This CHANGE ORDER is intended to, and the OWNER agrees that it shall, fairly and adequately compensate the CONTRACTOR/CONSULTANT for the extra direct costs (time and materials, etc.) as well as all expenses and damages which may result from any delays, suspensions, stretch-outs, scheduling, inefficiencies and accelerations in the WORK associated with this CHANGE ORDER, and the CONTRACTOR/CONSULTANT releases the OWNER from any claims for such expenses and damages.

This CHANGE ORDER is intended to, and the CONTRACTOR/CONSULTANT agrees that it does, provide the CONTRACTOR/CONSULTANT a reasonable and adequate period of time in which to complete the WORK in accordance with the CONTRACT for establishment of policies, as amended by this CHANGE ORDER, and the CONTRACTOR/CONSULTANT releases the OWNER from any claims for additional time to perform the WORK associated with this CHANGE ORDER.

The Contract Documents may be executed in two or more counterparts, each of which shall be deemed an original but all of which together shall constitute one and the same document. The Contract Documents, including all component parts set forth above, may be executed and delivered by electronic signature by any of the parties and all parties consent to the use of electronic signatures.

Signatures for City Manager

IN WITNESS WHEREOF, the parties have caused this instrument to be executed in two (2) original counterparts as of the day and year first above written.

Approved as to Substance

City Manager
Certification of Contract Funds Availability
Director of Finance
Purchasing Official

Reviewed as to Legal Form

City Attorney
Departmental Certification
Department Director
Project Manager

Certification of Content by Contractor/Consultant

Representative of Contractor/Consultant	Title

Additional Approval:

Budget Supervisor CPC Finance

CHANGE ORDER FORM



Project Information

Change Order #:	2
Project Name:	10th Street Access Improvements Phase 2
Date:	3/27/2020
Project Manager:	Tom Hellen

Change Order Justification

Location	10th Street - 23rd to 35th Avenues
Summary of Change Order	Revise the contract with Yeh & Associates for construction inspection and project record management in conformance with CDOT standards to cover additional expenses due to project construction delays related to design issues
Why was this not in original contract?	The contract did include these activities but the design error delays were not anticipated.
Budget Impact/Funding	The City of Greeley will be receiving additional CDOT funding through the FRMPO for this project which will allow us to cover these additional expenses. However the IGA for this funding from CDOT is behind schedule necessitating the need to limit this Change Order to a 2 month period. The latest update on the IGA is May 7 for submittal to Greeley. In addition, we are currently meeting with the design engineering firm requesting their contribution of funds to cover our additional costs.
Impact to project schedule	The delay due to design issues previously delayed the completion of the project from November, 2019 to July, 2020. This Change Order will be in place through August, 2020 to allow for final project record completion to CDOT standards.
Detailed Explanation	Yeh & Associates was contracted to provide Construction inspection and project record keeping services in accordance with CDOT standards. Delays in the project schedule due to design errors resulted in slow progress on construction activities resulting in full use of the initially proposed contract hours. Yeh & Associates has continued with project record keeping activities during both the summer shut down and through the winter.

PROJECT COST WORKSHEET (SPECIFIC RATE OF PAY)

Project Number: 219-048
Location: 10th Street - Greeley
Firm Name: Yeh and Associates, Inc.
Name of Preparer: S. Sherwood 3-27-20
Scope of Work Date: February 10, 2020 2 Month Extension thru May 2020
Type of Proposal: Specific Rate of Pay

Firm phone No: (303) 781-9590
Contract # _____ **Task order #** _____

1A. LABOR RATES

EMPLOYEE NAME	EMPLOYEE CLASSIFICATION	DIRECT SALARY COST/HOUR (a)	INDIRECT COST (%) (b)	Fee (c)	MULTIPLIER (d)	LABOR RATE \$/HOUR (e)
Buck	Tammera	Technician Leader	\$ 46.50	156.76%	10.00%	\$ 131.33
Chapman	Rick	Project Manager	\$ 52.50	156.76%	10.00%	\$ 148.28
Ellis	Michael	Construction Observer 3	\$ 44.00	156.76%	10.00%	\$ 124.27
Hieber	Steven	Senior Project Manager	\$ 63.00	156.76%	10.00%	\$ 177.93
Kaup	Matthew	Construction Manager	\$ 46.00	156.76%	10.00%	\$ 129.92
Klepac	Thomas	Construction Observer 2	\$ 38.00	156.76%	10.00%	\$ 107.33
Sherwood	Samantha	Project Manager	\$ 50.00	156.76%	10.00%	\$ 141.22
Walz	Michael	CAD Designer	\$ 44.00	156.76%	10.00%	\$ 124.27
Kostal	James	Construction Observer 1	\$ 31.50	156.76%	10.00%	\$ 88.97
TBD		Technician 1	\$ 27.50	156.76%	10.00%	\$ 77.67
TBD		Technician 2	\$ 19.40	156.76%	10.00%	\$ 54.79

1B. LABOR COSTS

EMPLOYEE NAME		EMPLOYEE CLASSIFICATION	LABOR RATE \$/Hour ((e) from 1A)	ESTIMATED NUMBER OF WORK HOURS	ESTIMATED COST PER EMPLOYEE
Buck	Tammera	Technician Leader	\$ 131.33	0	\$ -
Chapman	Rick	Project Manager	\$ 148.28	160	\$ 23,724.80
Ellis	Michael	Construction Observer 3	\$ 124.27	0	\$ -
Hieber	Steven	Senior Project Manager	\$ 177.93	4	\$ 711.72
Kaup	Matthew	Construction Manager	\$ 129.92	20	\$ 2,598.40
Klepac	Thomas	Construction Observer 2	\$ 107.33	0	\$ -
Sherwood	Samantha	Project Manager	\$ 141.22	8	\$ 1,129.76
Walz	Michael	Construction Manager	\$ 124.27	0	\$ -
Kostal	James	Construction Observer 1	\$ 88.97	360	\$ 32,029.20
TBD		Technician 1	\$ 77.67	0	\$ -
TBD		Technician 2	\$ 54.79	0	\$ -
TOTAL LABOR				\$	60,193.88

3A. OTHER DIRECT COSTS (In-house)*:

ITEM	ESTIMATED UNITS	UNIT RATE	UNITS	ESTIMATED COST
Vehicle Mileage ^[1]	0	0.52	mile	\$ -

^[1] At current actual state government allowed rate

* Prior Approval from CDOT Project Manager required

SUBTOTAL \$ -

3B. OTHER DIRECT COSTS (Outside)*:

ITEM	ESTIMATED UNITS	UNIT RATE	UNITS	ESTIMATED COST
Lodging ^[2]	Actual Cost (see footnote)	0	-	Per Day \$ -
Per Diem Meals ^[3]	Allowable Cost (see footnote)	0	-	Per Day \$ -
Miscellaneous ^[4]	Actual Cost (see footnote)	0	-	Each \$ -
Express mail/courier services	At actual reasonable cost	0	-	Each \$ -
Postage for major mailings	At actual reasonable cost	0	-	Each \$ -
Major Reproduction	At actual reasonable cost	0	-	Each \$ -
Parking/Tolls	At actual reasonable cost	0	-	Each \$ -
SUBTOTAL				\$ -

^[2] At actual cost, not to exceed the allowable conus rates by county, per State Fiscal Rules.

^[3] In accordance with current Colorado State Fiscal Rules applying the allowable Conus rate for meals and incidentals applicable county. (No receipt necessary)

^[4] At actual reasonable cost subject to approval of the CDOT Project Manager

* Prior Approval from CDOT Project Manager required

OTHER DIRECT COST TOTAL \$ -

4A. OUTSIDE SERVICES RATES (SUBCONSULTANTS):

FIRM NAME

ESTIMATED
COST

\$	-
\$	-
\$	-
SUBTOTAL	\$ -

4B. OUTSIDE SERVICES RATES (VENDORS)*:

FIRM NAME

ESTIMATED
COST

\$	-
\$	-
\$	-
SUBTOTAL	\$ -

* Prior Approval from CDOT Project Manager required

 OUTSIDE SERVICES TOTAL \$ -

TOTAL ESTIMATED COST \$ 60,193.88

I am a representative of Yeh and Associates, Inc., duly authorized to contractually bind the firm. My signature below constitutes formal agreement (without further signature) to a Task Order, which is issued by the State pursuant to the terms of this Task Order Proposal, without substantive change. I also declare that to the best of my knowledge the wage rates and other factual unit rates supporting the compensation to be paid by the Department for the professional services on this document are accurate, complete, and current at the time of contracting, and include no unallowable or duplicate costs.

Philip Hull P.E.

Principal Engineer



(SIGNATURE)

March 27, 2020

(DATE SIGNED)



March 27th, 2020

219-048

City of Greeley
1001 11th Avenue
Greeley, CO 80631

Attn: Mr. Tom Hellen

**Re: Contract Modification for Inspection and CM Services
10th Street Phase II
Greeley, Colorado**

Dear Mr. Hellen:

Yeh and Associates, Inc. is responding to your request for a month to month contract modification extension to continue to provide construction management and inspection services for the 10th Street Phase 2 project.

For the duration of the project, we anticipate we will need one full-time and one part-time inspector to provide on-site inspections, review project submittals, and process project documentation. Upon completion of construction, we anticipate two weeks will be required to close out project books.

COST OF MONTHLY SERVICES

Fees for our testing services for end of March-May 30th, 2020 will be charged time and materials, based on our 2019 CDOT MPA, with a not to exceed budget of \$60,200.00. The estimate provided herein is based on the ongoing work and an early July completion date. Additional monthly extensions will be needed to continue services beyond May. Should additional fees or services be needed, we will notify you prior to performing the work. Approved additional work will be billed based on the MPA.

We appreciate your consideration of Yeh and Associates for this work and look forward to working as your geotechnical consultant on this and future projects. If we can be of further assistance, please contact us at 303-781-9590.

Sincerely,

Yeh and Associates, Inc.

Samantha C. Sherwood, P.E.
Project Manager

Reviewed by:
Phil Hull, PE
Principal Engineer



Council Agenda Summary

April 21, 2020

Agenda Item Number 17

Key Staff Contact: Joel Hemesath, Public Works Director, 970-350-9795

Title:

Consideration of a change order in the amount of \$147,828.54 to the contract with Olsson Associates for the Turn Lanes on 20th St. Clubhouse Drive to 59th Ave. Project, bringing the revised contract amount from \$209,543.00 to \$357,371.54 and increasing the contract time by 180 days

Summary:

Change Order #1 with Olsson Associates is to provide additional field survey work needed to establish the Right-of-Way requirements and to complete the final design. The information provided by the initial preliminary design scope requires additional information in order to provide a detailed design for construction. In addition, the Traffic Engineering Division recommends an eastbound right turn lane to improve the Level of Service at the 20th St and 59th Ave intersection. This change order will allow Olsson & Associates to provide the necessary survey and design for this right turn. Change Order #1 for \$147,828.54 will increase the contract total from \$209,543.00 to \$357,371.54. This is an increase of 70%.

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	yes
If yes, what is the initial, or, onetime impact?	\$147,828.54
What is the annual impact?	Onetime
What fund of the City will provide Funding?	Public Improvement
What is the source of revenue within the fund?	Public Improvement
Is there grant funding for this item?	No
If yes, does this grant require a match?	
Is this grant onetime or ongoing?	
Additional Comments:	

Legal Issues:

Greeley Municipal Code 4.20.160 requires that change orders over 25% of the contract amount be referred to City Council for approval.

Other Issues and Considerations:

None.

Applicable Council Priority and Goal:

Infrastructure & Growth: Establish the capital and human infrastructure to support and maintain a safe, competitive, appealing and successful community.

Safety: Pedestrian Safety

Decision Options:

1. Approve change order as recommended,
2. Amend change order and approve as amended,
3. Deny change order, or
4. Continue item to a date specific.

Council's Recommended Action:

A motion to approve Change Order #1.

Attachments:

Change Order #1



CHANGE ORDER FORM

Project Information

Change Order #:	1	Date:	April 7, 2020
Project Name:	Turn Lanes on 20th St Clubhouse Drive to 59th Ave		
Bid Number:	FA19-05-047	Dept/Division:	PW/Engineering
Budget Unit #:	3120006008800000	PO #:	19001220
Project Manager:	Tom Hellen	Title:	City Engineer

Contractor/Consultant Information

Contractor/Consultant:	Olsson Associates	Phone /Extension:	970-461-7733
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The CONTRACTOR/CONSULTANT is hereby directed to perform the WORK described in the CONTRACT for design/construction as amended by this CHANGE ORDER.

See attached **9** sheets with full explanation for the change order.

Compensation to Contractor/Consultant

The original contract sum was:	\$209,543.00
The net change by previous change order was:	\$0.00
The contract sum prior to this change order was:	\$209,543.00
The contract sum will be: (See List) Increased	\$147,828.54
The new contract sum, including this change order is:	\$357,371.54
The contract time will be: (See List) Increased	180
The new date for project completion is:	November 15, 2020

This CHANGE ORDER is intended to, and the OWNER agrees that it shall, fairly and adequately compensate the CONTRACTOR/CONSULTANT for the extra direct costs (time and materials, etc.) as well as all expenses and damages which may result from any delays, suspensions, stretch-outs, scheduling, inefficiencies and accelerations in the WORK associated with this CHANGE ORDER, and the CONTRACTOR/CONSULTANT releases the OWNER from any claims for such expenses and damages.

This CHANGE ORDER is intended to, and the CONTRACTOR/CONSULTANT agrees that it does, provide the CONTRACTOR/CONSULTANT a reasonable and adequate period of time in which to complete the WORK in accordance with the CONTRACT for establishment of policies, as amended by this CHANGE ORDER, and the CONTRACTOR/CONSULTANT releases the OWNER from any claims for additional time to perform the WORK associated with this CHANGE ORDER.

The Contract Documents may be executed in two or more counterparts, each of which shall be deemed an original but all of which together shall constitute one and the same document. The Contract Documents, including all component parts set forth above, may be executed and delivered by electronic signature by any of the parties and all parties consent to the use of electronic signatures.

Signatures for Council (Council minutes need to be attached)

IN WITNESS WHEREOF, the parties have caused this instrument to be executed in two (2) original counterparts as of the day and year first above written.

Approved as to Substance	Reviewed as to Legal Form
City Manager	City Attorney
Certification of Contract Funds Availability	Departmental Certification
Director of Finance	Department Director
Purchasing Official	Project Manager

Certification of Content by Contractor/Consultant

Representative of Contractor/Consultant	Title

Additional Approval:

Budget **Supervisor** **CPC** **Finance**

CHANGE ORDER FORM



Project Information

Change Order #:	1
Project Name:	Turn Lanes on 20th St Clubhouse Drive to 59th Ave
Date:	4/7/2020
Project Manager:	Tom Hellen

Change Order Justification

Location	20th Street, 50th Ave to 59th Ave
Summary of Change Order	1. Increase the scope of work for Olsson Associates to conduct the topographic survey needed for final design and ROW descriptions 2. Checking adjusting concept design phase horizontal and vertical information 3. Additional project management time 4. Perform survey and design work for a right turn at 59th Ave.
Why was this not in original contract?	1. A different consultant performed a preliminary design for this project without a Quality Assurance review of the survey information in the design. Accurate information is require for final design to ensure both constructability as well as determining the ROW acquisitiion needs. 2. The survey information collected will be used to confirm and/or adjust the concept design in order to assure a correct final design. 3. The increase timeline to achieve a final design will require additional project management time by the consultant. 4. PW Traffic Engineering recommends adding an eastbound right turn lane at 59th Ave to improve the Level of Service (LOS) for the intersection. The original scope of work was completed prior to a close look at the intersection's LOS.
Budget Impact/Funding	The 2020 CIP budget currently has \$3.5 million for construction of this project. Budget transfers would revise the budget to include both design and ROW acquisition needs.
Impact to project schedule	With the loss of two Project Managers within Engineering Services the project schedule has slipped from construction in 2020 to 2021 or later. This will align better with new engineering staff being hired.
Detailed Explanation	This project was expanded from an initial scope of work for improvement of the 20th St and Clubhouse Dr intersection to an expansion of 20th St to improve both traffic flow and safety by adding a center turn lane while also upgrading pedestrian facilities and landscaping amenities. A design for a eastbound right turn lane at 59th Ave also expanded the scope of this project. This Change Order will address shortcomings in the preliminary design work.



March 6, 2020

Tom Hellen P.E.
City Engineer
Public Works
City of Greeley
1001 9th Avenue
Greeley, CO 80631

Re: 20th Street Turn Lanes – Final Design F19-05-047
Additional Service – Complete Resurvey Project Extents & Site Areas

Dear Tom:

This letter presents Olsson's proposal to completely survey the 20th Street Turn Lanes project extents. As a part of the original project scope task "2.1.2 Survey Control & Base File Verification" and "2.1.6 Field Evaluation" Olsson reviewed for completeness and suitability for use in design, all survey files and data provided by Greeley prepared by Drexel Barrel & Co.(DBC). This Initial Survey by DBC was performed in 2018 prior to Olsson's involvement in the project.

As a part of these verification tasks field survey and acquisition of control and property monuments was performed in order to correlate the provided survey with the field conditions and existing control and property monumentation. These investigations revealed numerous inconsistencies between the existing conditions and the survey base files, including errors, missing features, inaccurate surface model with errors ranging between (.44' – 8'). Field conditions have also changed in several relevant areas due to site development since the Initial Survey by DBC was performed. Finally, critical monumentation points used in the Initial Survey could not be found in the field. Likely due to the length of time since the initial survey.

Critical project control data for the original survey was not present in the Initial Survey digital data or plan sheet files given to Olsson for review. Olsson's initial analysis of the data and files did not reveal use of a known public control system or datum.

Based on these investigations it is estimated that 65% of the area would need resurveyed and updated, including additional survey control field work and adjustments to the original survey. Preliminary design also indicates private site areas beyond the right of way that need surveyed to design proper integration of the project with these properties. The effort to adjust the original survey to a known coordinate system and knit together this adjusted survey and the areas that need to be redone without access to the original surveyor's data, would involve considerable amounts of time to deduce the original surveyors methodology.

These issues were discussed with Greeley and you have requested that Olsson estimate the effort and cost to do a complete resurvey of the project area.

The remainder of this letter presents the scope and fee for these resurvey services and if approved would be based on the original contract nomenclature. The summary of the fee increases for each relevant task based on the original contracts scope identifiers.

Part 1: General Project Coordination and Management

1.2(a) General Project Management

This is effort to coordinate, track, and process contract changes related to this additional scope of work.

Part 2.1 : Corridor Evaluation

2.1.3(a) Olsson shall provide the following Land Surveying services (Scope of Services) to the Client for the Project

Survey

Olsson shall perform and prepare topographic survey on the land shown on Figure “Investigation Area” and being located in the Northeast Quarter of Section 16 and Southeast Quarter of section 9, Township 5 North, Range 66 West of the 6th P.M. in the city of Greeley, Weld County, Colorado.

Project Control)

- Olsson will establish site control using Colorado State Plane North Coordinate System (NAD83) for horizontal and The City of Greeley Control Network for vertical.

Topographic Survey

- The topographic survey limits shall be from the intersection of 59th Ave and 20th Street (ROW to ROW) to the intersection of 47th Ave and 20th Street (ROW to ROW) shown in red on Exhibit “A”.
- The survey shall depict topographic features including showing contours at a 1’ vertical interval, all physical improvements including trails, sprinkler vaults, water features, signs, buildings, roads, driveways, curb ramps, parking, irrigation channels, fencing, general vegetation, and visible utilities, as well as underground utilities as located by the Colorado One-Call system. *(Does not include any SUE level of quality items. SUE services are covered in other items of the current contract)*

Boundary Survey

- Olsson will complete a boundary survey along 20th Street from shown on the below noted limits from the intersection of 59th Ave and 20th Street (ROW to ROW) to the intersection of 47th Ave and 20th Street (ROW to ROW) shown in red on Exhibit “A”.

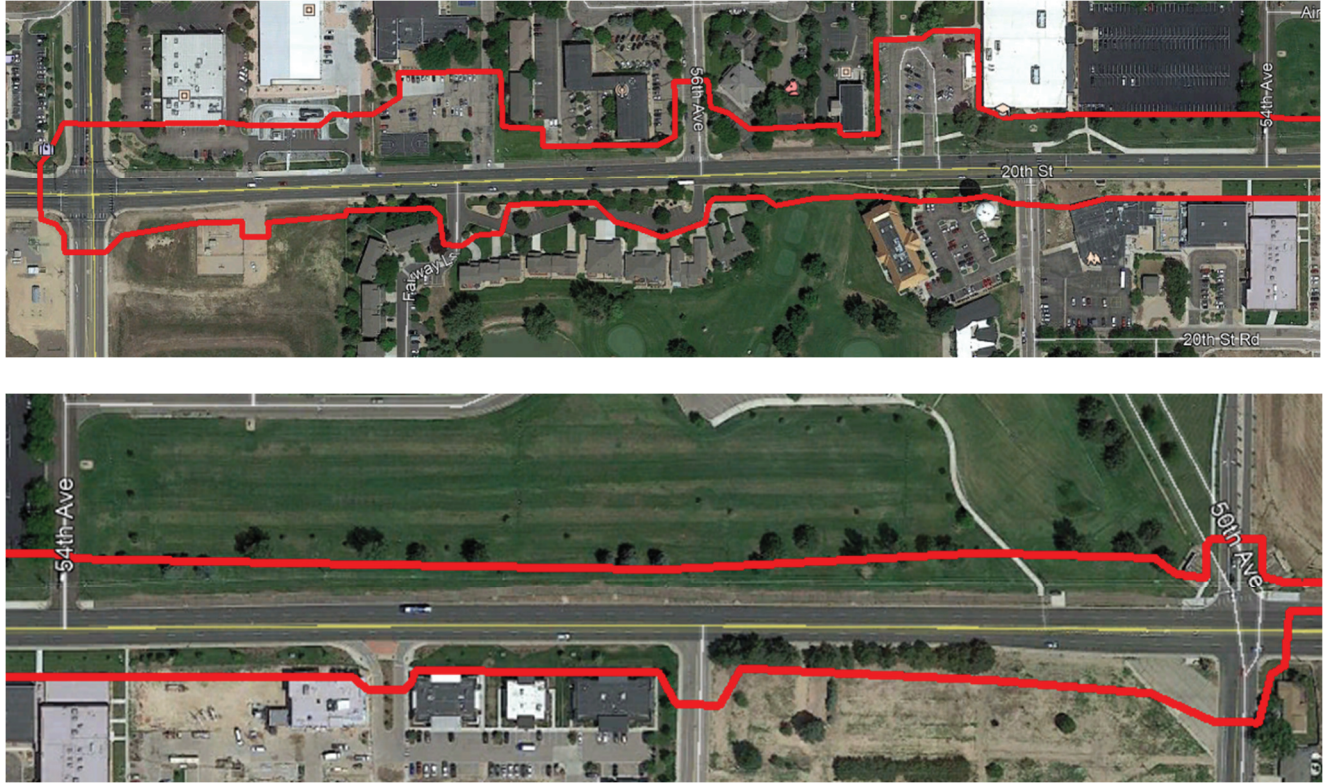
Sewer Invert Measure downs

- Olsson will provide rim elevations and pipe inverts for all storm manholes, inlets, culverts and all sewer manholes for existing invert elevations within the red outlined project area.

Deliverables:

- Olsson shall provide a pdf of the final topographic/boundary survey (a hard copy will be available upon request).

Figure - INVESTIGATION AREAS outlined in red





2.1.8(a) Alternative development (check and adjustment to new survey)

The preliminary concept development is 100% complete to date and this task will involve translating, checking and adjusting the design to integrate with the new survey in areas that it differs from the initial survey.

2.2.1(a) 50% vertical design (check and adjustment to new survey)

The preliminary concept development vertical design is 20% complete to date and this task will involve translating, checking and adjusting the vertical design to integrate with the new survey in areas that it differs from the initial survey.

Please see the attached fee worksheet for details on estimated effort and costs to perform the scope of work described above.

Services will be provided on a not to exceed time and material basis, as detailed in the attached table. These not to exceed amounts will be added to the current contract for an amended and increased contract value. If you have questions or need additional information, please call me at 970-461-7733.

Sincerely,

Christopher M. Rolling, PE, PTOE
Team Leader

Daniel Feller, PE,
Senior Engineer

Project Name: Greeley 20th Street, Turn Lanes - Final Design



Additional Service Complete Resurvey Project Extents & Site Areas Topo & Boundary

Project Number: FA19-05-047

Project Manager: Dan Feller PE.

Principal: Chris Rolling, PE, PTOE.

Date: 3/6/2020

TASK		Estimated Hours												Total Labor Cost (\$)	Sub-Consultant (\$)	Reimb Expenses (\$)	Sub Total Task Cost (\$)	Total Phase Cost
		Team Leader	Technical Leader	Senior Engineer	Survey Team Leader PLS	Assoc. Engineer	Assistant Engineer	Associate Engineer (inspect)	*Senior Survey Tech	Surveyor	1-Man Survey Crew	2-Man Survey Crew	Team Coord					
HOURLY RATES		\$205.00	\$186.00	\$182.00	\$175.00	\$119.00	\$103.00	\$119.00	\$115.00	\$110.00	\$129.00	\$185.00	\$55.00					
Part 1 - Project Management																		
1.2a	General Project Management	-	10	45		-	-	-	-	-	-	-	-	\$10,050	\$ -	\$ -	\$10,050	
		-	10	45		-	-	-	-	-	-	-	-	\$10,050	\$0	\$0	\$10,050	\$10,050
Part 2.1 - Corridor Evaluation																		
2.1.3a	Project Control	-	-	4		-	-	-	10	-	-	26	-	\$6,688	\$ -	\$ 186.00	\$6,874	
2.1.3a	Topo Survey	-	-	4	4	-	5	-	95		-	40	-	\$20,268	\$ -	\$ 3,165.00	\$23,433	
2.1.3a	Boundary Survey	-	-	4	41				51			40		\$21,168	\$ -	\$ 1,365.00	\$22,533	
2.1.3a	Dipping Manhole		-	-								30		\$5,550	\$ -	\$ 1,272.00	\$6,822	
2.1.8a	Preferred Alternativecheck to new topo	-	9	40		-	88	-	-	-	-	-	-	\$18,018	\$ -		\$18,018	
2.2.1a	50% Vertical design check to new topo	-	-	24		40	16	-	-	-	-	-	-	\$10,776	\$ -	\$ -	\$10,776	
		-	9	76	45	40	109	-	156	-	-	136	-	\$82,468	\$0	\$5,988	\$88,456	\$88,456
TOTAL		-	19	121	45	40	109	-	156	-	-	136	-	92,518	-	5,988	98,506	98,506

TOTAL NTE COST \$ 98,506.00



October 17, 2019

Tom Hellen P.E.
City Engineer
Public Works
City of Greeley
1001 9th Avenue
Greeley, CO 80631

Re: 20th Street Turn Lanes – Final Design F19-05-047
Additional Service – 20th Street & 59th Ave East Bound Right Turn

Dear Tom:

This letter presents Olsson's proposal to complete investigation, design, and full construction documents for a new eastbound to south bound right turn lane on 20th Street at 59th Avenue. It is presented under the assumption that it will be developed simultaneous with and incorporated into the 20th Street Turn Lanes – Final Design project plans.

Greeley request inclusion of this right turn lane as a scope element of the final 20th street Turn Lanes project. This turn lane element was not a part of the original F19-05-047 request for proposal or included in the current agreement scope.

Right Turn Lane Feasibility and Design Approach - Preliminary analysis from Greeley's ORIGIN aerial imagery and parcel features indicates that if the adjacent gas facilities are contained within the existing yard fence that a right turn may be developed with the following approach.

- **Rt turn widen to south** - Widen the road section pavement to the south and establish a new curb and walk to develop the taper and turn lane for the east bound lane at the intersections south west corner. Utilize an attached walk that is 6 to 8 feet wide in order to fit between the existing gas facility fence the back of the new curb, this is narrower than the existing walk but avoids ROW purchase and gas facility relocations. It appears this can be accomplished without additional right of way, but boundary and detail topo and utility survey will need to be conducted to confirm this prior to full design.
- **Realign Lanes west side of intersection.** – Pavement markings for the east bound and west bound lanes on the west side of the intersection will need to be changed to align with the new section on the east. It is assumed that the median and north curb line of the section will not need to be adjusted.
- **Signal Redesign** - Development of the right turn lane will modify the intersections south east corner and require the reconfiguration of the traffic signal on this corner. This modification combined with the original project scope planned modification on the opposite north east corner would amount to half the current signal being modified. This will require the redesign of the entire signal in order to prevent prolonged shut down of the traffic signal during construction.

Scope Task Definition

Attachment A to this letter is a detailed labor and cost estimate for the tasks necessary to complete this additional scope. The tasks and number are as defined in the original contract. A few additional tasks have been created and are defined below.

New Survey Tasks

2.1.3(b) - Olsson shall perform and prepare topographic and boundary survey on the land shown in the figure below and being located in the Northeast Quarter of Section 16 and Southeast Quarter of section 9, Township 5 North, Range 66 West of the 6th P.M. in the city of Greeley, Weld County, Colorado.

59th and 20th Boundary Survey

- Boundary lines shall be determined based upon field investigation and public information at the Weld County Assessor and Clerk's/Recorder's office.
- Boundary lines determined shall be the right of way lines within the survey area as shown on Figure "Survey Investigation Area"
- The survey shall show all right of way lines, found property corners, addresses and easements including those owned by the City of Greeley. **(CLIENT TO PROVIDE ALL EASEMENT AND TITLE COMMITMENT INFORMATION)**
- The survey shall also conform to current Colorado Minimum Standards for Land Surveys and Plats and shall be performed under the direct supervision of a Licensed Professional Land Surveyor.

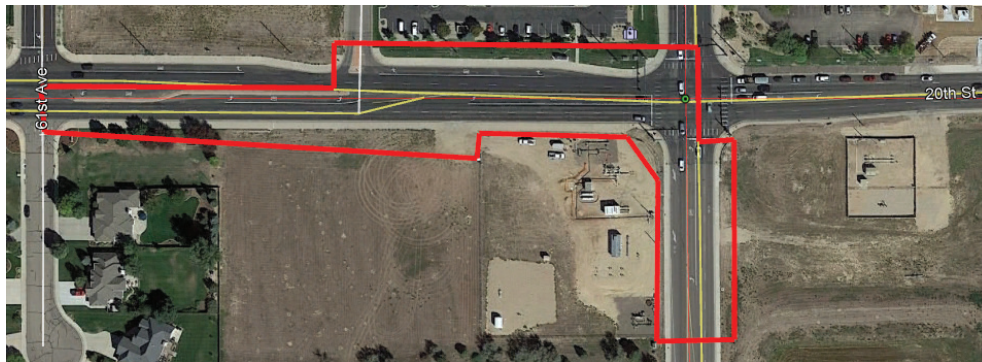
59th and 20th Topographic Survey Scan /GPS

- The topographic survey limits shall be those shown on Figure " Survey Investigation Area Starting at the centerline of the intersection of 20th St. and 61st Ave (Right-of-Way to Right-of-Way) extending to the intersection of 20th St and 59th Ave (Right-of-Way to Right-or-Way) then continuing South along 59th Ave 330 feet (Right-of-Way to Right-of-Way).
- Olsson shall use 3D scanning technology to collect all topographic data and will supplement with conventional survey methods.
- The survey shall depict topographic features including showing contours at a 1' vertical interval, all physical improvements including trails, sprinkler vaults, water features, signs, buildings, roads, driveways, curb ramps, parking, irrigation channels, fencing, general vegetation, and visible utilities, as well as underground utilities as located by the Colorado One-Call system. *(Does not include any SUE level of quality items. An optional private locate cost can be provided upon request.) (SUE Utility services provided in other tasks)*

Survey Deliverables:

- Olsson shall provide a pdf of the final topographic/boundary survey (a hard copy will be available upon request).

Figure Survey Investigation Area

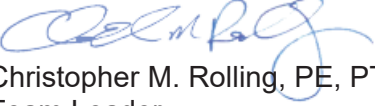


Topo limits outlined in red

Cost

Services will be provided on a total not to exceed time and material plus sub consultant basis, as detailed in Attachment A. If approved these not to exceed amounts will be added to the current contract for an amended and increased contract value. If you have questions or need additional information, please call me at 970-461-7733.

Sincerely,


Christopher M. Rolling, PE, PTOE
Team Leader

Daniel Feller, PE,
Senior Engineer

Project Name: Greeley 20th Street, Turn Lanes - Final Design**Additional Service – 20th Street & 59th Ave East Bound Right Turn**Project Number: FA19-05-047Project Manager: Dan Feller PE.Technical Leader: Erik Bracke, PE, PTOE.Principal: Chris Rolling, PE, PTOE.Date: 10/17/2019

TASK		Estimated Hours												Total Labor Cost (\$)	Sub-Consultant (\$)	Reimb Expenses (\$)	Sub Total Task Cost (\$)
		Team Leader	Technical Leader	Senior Engineer	Assistant Engineer	Proj. Engineer Geotech	Assistant Geotech Eng.	Sr. Engineer Drainage	Project. Engineer Drainage	Asst. Engr. Drainage	Surveyor	2-Man Survey Crew	Team Coord				
HOURLY RATES		\$205.00	\$186.00	\$182.00	\$103.00	\$165.00	\$103.00	\$205.00	\$142.00	\$103.00	\$110.00	\$176.00	\$55.00				
Part 1 - Project Management																	
1.1	PMP/QMP	0	0	4	-	-	-	-	-	-	-	-	1	\$872	\$ -	\$ -	\$872
1.2	General Project Management	-	2	6	-	-	-	-	-	-	-	-	2	\$1,594	\$ -	\$ -	\$1,594
1.3	General Project Meetings (1)	-	2	2	2	-	-	-	-	-	-	-	1	\$997	\$ -	\$ -	\$997
		0	4	12	2	-	-	-	-	-	-	-	4	\$3,464	\$0	\$0	\$3,464
Part 2.1 - Corridor Evaluation																	
2.1.1	Records Collection and Review	-	2.0	2.0	-	-	-	-	-	-	-	-	-	\$736	\$ -	\$ -	\$736
2.1.3b	Survey 59th and 20th SW Topo Scan/GPS	-	-	4.0	-	-	-	-	-	-	21.0	8.0	-	\$4,446	\$ -	\$ 992.00	\$5,438
2.1.3b	Survey 59th and 20th SW Boundary /GPS	-	-	4.0	-	-	-	-	-	-	12.0	12.0	-	\$4,160	\$ -	\$ 392.00	\$4,552
2.1.5	Geotech Investigation	-	-	-	-	2.0	3.0	-	-	-	-	-	-	\$639	\$ 3,000.00	\$ -	\$3,639
2.1.6	Field Evaluation	-	1.0	2.0	2.0	-	-	-	-	-	-	-	-	\$756	\$ -	\$ -	\$756
2.1.8	Preferred Alternative Development	1.0	2.0	8.0	12.0	-	-	-	-	-	-	-	-	\$3,269	\$ -	\$ -	\$3,269
		1	5	20	14	2	3	-	-	-	33	20	-	\$14,006	\$3,000	\$1,384	\$18,390
Part 2.2 - 50% Design																	
2.2.1	50% Design Plans, Specs, and Estimate	1.3	6.0	8.0	24.0	-	-	-	-	-	-	-	-	\$5,300	\$ -	\$ -	\$5,300
2.2.2	Summary of Quantities and Opinion of Cost	1.0	1.0	2.0	3.0	-	-	-	-	-	-	-	-	\$1,064	\$ -	\$ -	\$1,064
2.2.3	Conceptual Drainage Analysis & Report	-	-	-	-	-	-	2.0	4.0	4.0	-	-	-	\$1,390	\$ -	\$ -	\$1,390
2.2.4	Property Acquisition Map & Descriptions Est. 2 @ \$800/EA	-	-	2.0	2.0	-	-	-	-	-	-	-	2.0	\$680	\$ -	\$ 1,600.00	\$2,280
2.2.5	QA/QC Pre Submittal Reviewed Set	1.0	2.0	1.0	1.0	-	-	-	-	-	-	-	1.0	\$917	\$ -	\$ -	\$917
2.2.6	Geotechnical Analysis and Recommendations Report	-	-	-	-	1.0	2.0	-	-	-	-	-	1.0	\$426	\$ -	\$ -	\$426
		3	9	13	30	1	2	2	4	4	-	-	4	\$9,777	\$0	\$1,600	\$11,377
Part 2.3 - 100% Design Final Constuction Documents																	-
*2.3.1	Sight Utility Engineering (Level A) (1.5/days)	-	-	2.00	4.00	-	-	-	-	-	-	-	-	\$776	\$ 2,843.75	\$ -	\$3,620
2.3.2	100% Design Plan Set	1.00	2.00	4.00	16.00	-	-	-	-	-	-	-	-	\$2,953	\$ -	\$ -	\$2,953
2.3.3	Summary of Quantities and Opinion of Cost	-	1.00	2.00	4.00	-	-	-	-	-	-	-	-	\$962	\$ -	\$ -	\$962
2.3.4	Project Specifications and Special Provisions	-	1.00	4.00	-	-	-	-	-	-	-	-	2.00	\$1,024	\$ -	\$ -	\$1,024
2.3.5	Final Drainage Report	-	-	-	-	-	-	2.00	4.00	8.00	-	-	-	\$1,802	\$ -	\$ -	\$1,802
2.3.6	100% Geotechnical & Pavement Recommendations Report	-	-	-	-	2.00	4.00	-	-	-	-	-	-	\$742	\$ -	\$ -	\$742
2.3.7	QA/QC Review	1.00	2.00	1.00	1.00	-	-	-	-	-	-	-	-	\$862	\$ -	\$ -	\$862
2.3.8	NA	-	-	-	-	-	-	-	-	-	-	-	-	\$0	\$ -	\$ -	\$0
2.3.9	Final Bid Ready Plans & Specifications	1.00	2.00	2.00	4.00	-	-	-	-	-	-	-	-	\$1,353	\$ -	\$ -	\$1,353
		3	8	15	29	2	4	2	4	8	-	-	2	\$10,474	\$2,844	\$0	\$13,318
Part 3.0 - Construction Administration Services																	
3.1	RFI - Review and Response (10)	-	2.00	1.00	-	-	-	-	-	-	-	-	2.00	\$664			\$664
3.2	Preconstruction Meetings (2)	-	1.00	1.00	-	-	-	-	-	-	-	-	1.00	\$423		\$ -	\$423
3.3	Submittals Review	-	1.00	1.00	-	1.00	-	-	-	-	-	-	1.00	\$588			\$588
3.4	Substantial Completion Walkthrough	-	1.00	1.00	1.00	-	-	-	-	-	-	-	1.00	\$526			\$526
3.5	Final Acceptance punchlist & Verification of Completion	1.00	1.00	1.00	-	-	-	-	-	-	-	-	-	\$573			\$573
		1	6	5	1	1	-	-	-	-	-	-	5	\$2,774	\$0	\$0	\$2,774
														-			
TOTAL		8	32	65	76	6	9	4	8	12	33	20	15	40,495	5,844	2,984	49,323

TOTAL NTE COST \$ 49,322.54

Council Agenda Summary

April 21, 2020

Agenda Item Number 18

Key Staff Contact: Brad Mueller, Community Development Director, 970-350-9786

Brittany Hathaway, Planner III, 970-350-9823

Title:

Introduction and first reading of an ordinance adopting amendments to the Greeley Municipal Code, consisting of Chapter 18.54 – *Signs*, in order to comply with recent Court decisions regarding content neutrality

Summary:

The City of Greeley began regulating signage in 1958. Prior to this time signage was wholly unregulated. The result can be seen in a proliferation of commercial signage in the mid- to late-1950's.

In the years since, the City's Sign Code has evolved, with the most recent substantial update in 2010. There are now dimensional standards based on an applicant's zoning, permanency of the sign, lot frontage, and setback from the right-of-way, among other regulations, including design and materials. These standards ensure fair distribution of signage allowances while maintaining our streetscapes.

Part of keeping the Sign Code current involves ensuring enforceability and legality of its regulatory language. This proposed update does not affect commercial signage nor how the City calculates allowances for permitted signs. Rather, this update focuses on compliance with recent Court decisions regarding content neutrality for non-commercial signage.

In 2015, The U.S. Supreme Court decided *Reed v. Gilbert* (135 S. Ct. 2218). The Court struck down a Gilbert, Arizona ordinance that distinguished between different types of non-commercial signs for content regulation such as ideological, political, and directional. The Court held that "Content-based laws—those that target speech based on its communicative content—are presumptively unconstitutional and may be justified only if the government proves that they are narrowly tailored to serve compelling state interests."

Since this decision, Courts have reviewed sign codes by examining the text to see if any distinction is made among signs based on content. At this time, the ruling only affects non-commercial speech.

In spite of the removal of content-based language, the City will still be able to regulate non-commercial signage based on size, materials, location, height, and other physical attributes to keep with aesthetic standards, while remaining content-neutral in our enforcement. How the City measures and enforces permitted commercial signs, such as wall or freestanding signs, is not proposed to be changed with this amendment.

The Planning Commission heard this item on January 14, 2020, and Council reviewed this item in two worksessions, on March 3 and April 14, reviewing the proposal and providing feedback.

Although Council entertained options for limits on duration, the attached draft Code reflects Council's consensus in the last worksession against imposing any time limits for temporary non-commercial signs. However, the attached draft does reflect changes at the same worksession regarding non-commercial sign allowances based on lot size. Specifically, the draft proposed for adoption includes provisions that add more sign size allowances for all yard and lot sizes, and it provides more lot size categories, as specifically found at Section 18.54.110(a)(7).

Planning Commission has unanimously recommended approval.

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	No
If yes, what is the initial, or, onetime impact?	
What is the annual impact?	
What fund of the City will provide Funding?	
What is the source of revenue within the fund?	
Is there grant funding for this item?	N/A
If yes, does this grant require a match?	No
Is this grant onetime or ongoing?	
Additional Comments:	

Legal Issues:

Consideration of this matter is a legislative process.

Other Issues and Considerations:

None noted.

Applicable Council Priority and Goal:

Consistency with Comprehensive Plan

Decision Options:

- 1) Introduce the ordinance as presented; or
- 2) Amend the ordinance and introduce as amended; or
- 3) Deny the ordinance; or
- 4) Continue consideration of the ordinance to a date certain.

Council's Recommended Action:

A motion to introduce the ordinance and schedule the public hearing and final reading for May 5, 2020.

Attachments:

Ordinance, with attachments

Planning Commission Summary (Staff Report) January 14, 2020

Planning Commission Minutes, January 14, 2020

CITY OF GREELEY, COLORADO

ORDINANCE NO. ____, 2020

CASE NO. CU2019-0001

AN ORDINANCE ADOPTING AMENDMENTS TO THE GREELEY MUNICIPAL CODE, CONSISTING OF CHAPTER 18.54 - SIGNS, IN ORDER TO COMPLY WITH RECENT COURT DECISIONS REGARDING CONTENT NEUTRALITY

BE IT ORDAINED BY THE CITY COUNCIL OF GREELEY, COLORADO:

WHEREAS, it becomes necessary to update the Greeley Municipal Code from time to time to adopt zoning codes and development standards that continue to align with public values and Council priorities; and,

WHEREAS, recent court rulings have made it necessary to revise the existing Sign code; and,

WHEREAS, amending the Development Code in this manner will update those elements of the Code relative to such court cases and provide for the public interest and further protect the health, safety and welfare of City residents; and,

WHEREAS, the Planning Commission conducted a public hearing to review and consider the proposed changes on January 14, 2020, and recommended their adoption by City Council.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF GREELEY, COLORADO:

Section 1. Portions of the Greeley Municipal Code Chapter 18.54 - Signs - are hereby amended as described in Exhibit A, attached hereto.

Section 2. This ordinance shall become effective five (5) days after its final publication as provided by the Greeley City Charter.

PASSED AND ADOPTED, SIGNED AND APPROVED, THIS ____ DAY OF _____, 2020.

ATTEST:

THE CITY OF GREELEY

City Clerk

Mayor

Exhibit A

Chapter 18.54
Signs

[THIS IS A SEPARATE DOCUMENT OF THE CODE THAT SHOULD BE ATTACHED
HERE]

Chapter 18.54 - Signs

18.54.010 - Purpose and intent.

- (a) The purpose of this Chapter is to promote, preserve and protect the health, safety and general welfare of the inhabitants of the City by providing reasonable regulations and standards relating to signs. ~~An important function of signage is to assist in the efficient identification and advertisement of business locations, products and services; public facilities; and residential developments. In order to promote efficient identification, it is necessary to set standards which allow each business, public facility or residential development to be reasonably identified. These standards should not only ensure that efficient identification is promoted, but also that signage contributes positively to the City's image, thus enhancing the economic, cultural and social viability of the community.~~
- (b) This Chapter shall be referred to as the "City of Greeley Sign Code." It may also be referred to herein as the "Sign Code."
- (c) The intent of this Chapter is to provide regulations and standards ~~to promote~~ regarding signs, such that:
- ~~(1) — Identify the location of businesses, public places, residential developments and similar establishments and uses;~~
 - ~~(2) — Advertise commercial locations, products and services;~~
 - ~~(3)~~ (1) The signs visually enhance the property on which they are located, adjacent land uses and the overall City;
 - ~~(4)~~ (2) Accommodate flexibility is provided with respect to ~~in~~ the location, dimensions and design of signage, consistent with other intents expressed in this Sign Code;
 - ~~(5)~~ (3) The public is protected from damage or injury caused by poorly designed or maintained signs or distractions and hazards to pedestrians or motorists caused by the indiscriminate placement or use of signs;
 - ~~(6)~~ (4) Signs are appropriate for the size of street to which they are oriented;
 - ~~(7)~~ (5) Signs are appropriate to the type of zoning and land uses to which the signs pertain and ~~minimize~~ any incompatibility between signs and their surroundings is minimized;
 - ~~(8)~~ (6) Signs are consistent with other community planning, land use, traffic, building and development standards;
 - ~~(9)~~ (7) This Sign Code assists in the implementation of the City of Greeley Comprehensive Plan goal of fostering attractive design that promotes unique Greeley style; values and priorities and excellence; coordinates and complements historical elements, where appropriate; and supports First Amendment values and Greeley economic development; and

~~(10)~~(8) Signs that are lawfully nonconforming, are induced to come into full compliance with these regulations.

(Ord. 34, 2010 §1)

18.54.020 - Application and installation.

The provisions in this Chapter shall apply to all signage within the City.

(1) It shall be unlawful for any person to erect, place, enlarge, alter, repair or convert a sign in the City except in accordance with the provisions of this Chapter.

(2) All signs require a permit unless specifically exempted, by this Chapter. Fees for sign permits are as established in Chapter 18.10.040 of the Development Code.

(3) Installation. Except for signs not requiring a permit as described in Section 18.54.100, a permit must be obtained from the City prior to installation.

(Ord. 34, 2010 §1)

18.54.030 - Variances and appeals.

(a) Variances to the dimensional standards established in this Chapter shall be administered in accordance with the provisions in Chapter 18.22, Variances, and this Section of this Code. Variances to any other provision of this Chapter shall not be permitted.

(b) Sign variances shall only be granted after a finding of the Zoning Board of Appeals that the application complies with all of the considerations for a variance as specified in Chapter 18.24 and this Chapter of this Code. In addition to the criteria identified in Chapter 18.22, Variances, the Board shall consider, but not be limited to, the following factors as applicable in granting a variance:

(1) Historic value as determined by the Historical Preservation Commission;

(2) Architectural integrity;

(3) Any variance granted shall be the minimum needed to accommodate or alleviate the difficulty or hardship involved;

(4) A variance is necessary to accommodate an unusual or atypical lot configuration or physical aspect of the site which makes a reasonable use of the property unreasonable without a variance;

(5) Any difficulty or hardship constituting the basis for a variance shall not be created by the party seeking the variance, nor shall it be due to or a result of the general conditions in the area;

(6) Granting the variance is necessary to alleviate a health or safety issue related to the site;

(7) Granting the variance is consistent with the Comprehensive Plan, area and/or neighborhood plans, or may achieve a better result in meeting the intent of the plan objectives than if the codes were strictly applied.

(c) Sign variances shall not be transferable to a new location on the property unless first approved in writing by the Community Development Director that the changed location on the site substantially complies with the conditions of the original variance. Changes to a sign that received a variance, with the exception of changes in sign text or copy that do not result in any structural changes to the sign, shall require compliance with all applicable provisions of this Code.

(d) Any sign variance which was in effect and applied to an installed sign still in place prior to the adoption of this Code, as amended, may be continued under the provisions of that variance until a change to a sign is requested, at which time a new variance shall be applied for or the sign shall comply with all applicable provisions of this Code.

(e) Appeals shall be conducted under the provisions of Chapter 18.24, Appeals.

(Ord. 34, 2010 §1)

18.54.040 - Enforcement.

(a) Enforcement of the provisions of this Chapter shall be by the Community Development Director or her or his designee in accordance with Section 1.33 of the Municipal Code.

(b) ~~Public~~ Right-of-way - illegal or unauthorized sign.

(1) In addition to all other enforcement authority available to the City, the City may also remove or cause to be removed any illegal or unauthorized sign from the public right-of-way without notice to any party. The cost of removal as may be assessed by the City is the responsibility of the owner of the sign or, if unknown, the owner of the property.

(2) The City shall have the authority to dispose of all unauthorized or illegal signs removed from the public right-of-way without notice to the owner of such signs. The cost of removal and storage of removed signs as may be assessed by the City shall be the sole responsibility of the owner of the sign.

(c) Private Property – illegal or unauthorized sign. The property owner or resident of the property may ~~also~~ remove signage that is unauthorized or illegal.

(Ord. 34, 2010 §1)

18.54.050 - Definitions and interpretations.

(a) Definitions. The following words, terms and phrases used in this Chapter shall have the following meanings:

Abandoned sign:

(1) A sign or sign structure and components, for which no legal owner can be found; and/or

(2) A sign and structure which are used to identify or advertise a business, tenant, owner, product, service, use, event or activity that has not been located on the premises for a period of ninety (90) consecutive days or longer.

Address sign shall mean a type of required sign that displays the address of a building or property, as required by the applicable fire and/or building code. ~~Address sign shall mean signs that give only the address or name of a building or residence, without reference to, or inclusion of, the name or logo of a product sold, or service performed on the lot or in a building or structure, or name of the business enterprise occupying the property.~~

Advertise shall mean to attract attention to a business, product, service, use or event with a sign, display item or other device, such as flags, pennants, air driven devices and lights.

Animated sign (see *Flashing or animated* or *Imitating sign*) ~~sign~~.

Art shall mean all forms of original creations of visual art, including but not limited to sculpture; mosaics; painting, whether portable or permanently fixed, as in the case of murals; photographs; crafts made from clay; fiber and textiles; wood; glass; metal; plastics; or any other material or any combination thereof; calligraphy; mixed media composed of any combination of forms or media; unique architectural styling or embellishment, including architectural crafts; environmental landscaping; or restoration or renovation of existing works of art of historical significance. Works of art are not intended to be used for commercial advertising purposes.

Awning shall mean a framed exterior architectural feature, attached to and supported from the wall of a building and/or held up by its own supports, which provides or has the appearance of providing shelter from the elements to pedestrians, vehicles, property or buildings.

Awning, internally illuminated shall mean any transparent or translucent backlit awning or awning lettering which transmits light from within the awning to the outside surface of the awning.

Awning sign shall mean a sign that is mounted or painted on or attached to an awning.

Backing shall mean the background area of a sign, which differentiates the total sign display from the background against which it is placed.

Banner shall mean a sign applied to flexible materials (e.g., cloth, paper or fabric of any kind) with no enclosing framework.

Beacon (see *Searchlight, strobe light or beacon*).

~~*Billboards and bus bench/shelter sign* (see *Off-premises advertising device*).~~

Building appurtenance shall mean the visible, functional or ornamental object accessory to and part of a building.

Building frontage, principal shall mean the horizontal linear dimension which is designated as the primary façade of that portion of a building occupied by a single use or occupancy.

Building frontage, secondary shall mean that dimension of a building abutting a public right-of-way other than the principal building frontage.

Building signs shall mean signs that are attached to and supported by a building; whether the wall, window, or roof of building.

~~*Business identification sign shall mean a sign giving the name, nature, logo, trademark or other identifying symbol of a business, and which may also include the address of the business.*~~

Candela is a unit of luminous intensity, defined as the luminous intensity of a source that emits monochromatic radiation of frequency 540×10^{-12} Hertz and that has a radiant intensity of 1/683 watt/steradian, and adopted in 1979 as the international standard of luminous intensity.

Canopy shall mean a roofed structure for the purpose of shielding pedestrian walkways or driveways which service operations or equipment, such as with a gas station or bank drive-up facility.

Center line (of public right-of-way) shall mean a line running midway between the bounding right-of-way lines of a street or alley. For the purposes of signage calculation, the center line shall mean the apparent center line of the road determined by finding the point midway between the outer edges of the road surface.

Changeable copy sign (also known as a *marquee sign*-) shall mean a sign designed to allow the changing of copy as with individual letters through manual means, without altering the sign backing or structure in any such way.

Channel letters, individual letters, raceway and-or channel sign shall mean individual letters, flat cutout letters, or symbols constructed to be applied singly in the formation of a wall sign or a freestanding sign.

Clear vision zone or area shall mean that area within which the City requires an unobstructed line of sight necessary for most drivers stopped at an intersection to see an approaching vehicle, pedestrian or bicyclist to avoid a collision.

~~*Commemorative sign* shall mean a sign, tablet, cornerstone or plaque memorializing a person, event, structure, site or landmark and not used to advertise a product, service or activity.~~

~~*Commercial or industrial development identification sign* shall mean an on-premises sign for identifying a commercial or industrial development, park or subdivision.~~

~~*Community event sign* shall mean a sign that provides information relating to any community event sponsored by a nonprofit group or agency.~~

~~*Contractor sign* shall mean a sign naming those engaged in the design, financing or construction on the property where the sign is located.~~

Cornerstone shall mean a stone forming a part of a corner or angle in a wall that provides building identification.

Day shall mean a calendar day.

~~*Directional on-site* shall mean signs that direct the movement or placement of pedestrian or vehicular traffic on a lot without reference to, or inclusion of, the name or logo of a product sold or services performed on the lot or in a building, structure or business enterprise occupying property, such as "welcome," "entrance," "exit," "restrooms," "parking," "loading area" and "drive-thru."~~

~~*Directory sign* shall mean a sign listing the names, uses or locations of the various businesses or activities conducted within a building or group of buildings, that is centrally located and intended to provide on-site directions and not legible off-site.~~

Dissolve shall mean a mode of message transition on an electronic message display accomplished by varying the light intensity or pattern, where the first message gradually appears to dissipate and lose legibility simultaneously with the gradual appearance and legibility of the second message.

187 ~~*Election sign* shall mean a sign related to public election.~~

188 *Electronic message display* shall mean a sign capable of displaying words, symbols, figures or images
 189 that can be electronically or mechanically changed by remote or automatic means.

190 *Exposed incandescent or high intensity discharge lighting* shall mean any sign or portion of a sign
 191 that utilizes an exposed incandescent or high intensity lamp, with the exception of neon.

192 *Fade* shall mean a mode of message transition on an electronic message display accomplished by
 193 varying the light intensity, where the first message gradually reduces intensity to the point of not
 194 being legible and the subsequent message gradually increases intensity to the point of legibility.

195 *Figure* shall mean outline, shape or pattern of numbers, letters or abstract images.

196 *Flag* shall mean a finished piece of flexible material designed to be attached to or ~~designed to be~~
 197 flown from a flagpole or similar device, and which ~~may typically (but not necessarily)~~ displays the
 198 name, insignia, emblem or logo ~~of representing any a~~ nation, state, municipality, civic group, idea,
 199 sports team, or other commercial or noncommercial organization (see also *Pennants*).

200 *Flashing or animated* shall mean signs or lighting with flashing, blinking, moving or other animation
 201 effects, or that give the visual impression of such movement by use of lighting, or intermittent
 202 exhibits or sequential flashing of natural or appearance of artificial light or colors, including those
 203 signs that rotate, revolve, spin, swing, flap, wave, shimmer or make any other motion, or illusion of
 204 motion, or which imitate official governmental protective or warning devices (see *Imitating sign*).

205 *Frame (EMD)* shall mean ~~a complete, static display screen on the content (images, text, background~~
 206 colors, etc.) that is displayed on an electronic message display at a fixed point in time.

207 *Frame effect* shall mean a visual effect that is used on an electronic message display ~~applied to a~~
 208 ~~single frame~~ to attract the attention of viewers by displaying modified versions of a frame (e.g.,
 209 changes in brightness, contrast, color, perspective, or content elements) in succession, providing
 210 the effect of animation or transition (e.g., fade or dissolve).

211 *Freestanding sign* shall mean a sign which is not attached to a building. A freestanding sign shall
 212 include, but is not limited to, a pole, monument, a canopy and freestanding wall sign. A sign that
 213 extends more than four (4) feet from a wall but is attached and/or is part of a canopy, or an awning
 214 shall be considered a freestanding sign.

215 *Freestanding wall or fence* shall mean either a wall that is not attached to a building, or a wall
 216 attached to a building that projects more than four (4) feet beyond the exterior wall of the habitable
 217 portion of the building.

218 *Frontage lot/property* shall mean that portion of a lot that is directly adjacent to a public street.

219 *Ghost sign* shall mean old hand-painted signage that has been preserved on a building for an
 220 extended period of time, whether by actively keeping it or choosing not to destroy it.

221 *Grade* shall mean the average elevation of the finished surface of the ground, paving or sidewalk
 222 with a radius of five (5) feet from the base of the structure.

223 *Graphic* shall mean drawings, decals, paint or illustrations.

Ground kites are freestanding frames usually covered with flexible fabric and designed to be animated by the wind to attract attention. Ground kites may also be referred to as “feather flags” or “teardrop flags.”

Historic sign shall mean a sign that has been officially designated as a historic landmark.

Holiday decoration shall mean temporary decorations, lighting or displays which are clearly incidental to and customarily and commonly associated with any national, state, local, religious or commonly celebrated holiday, ~~and which contain no commercial message.~~

Human sign shall mean a person carrying or wearing a sign.

~~*Ideological sign* shall mean a sign which is not used for the purpose of advertising, identifying or announcing any commercial product, goods, establishment, facilities or services and which conveys ideas, philosophy or religious or political views not related to a specific election.~~

Illumination shall mean the use of artificial or reflective means for the purpose of lighting a sign.

Imitating sign shall mean signs which purport to be, are an imitation of, or resemble an official traffic sign, signal or equipment which attempt to direct the movement of pedestrian or vehicular traffic using the words such as "Stop," "Danger" or "Caution" to imply a need or requirement to stop, or a caution for the existence of danger, such as flashing red, yellow and green (see *Flashing or animated sign*).

Incidental sign shall mean ~~nondescript~~ signs, emblems or decals attached to a building or permanent structure ~~informing the public only of those facilities or services available on the premises, such as a credit card sign, or a sign indicating hours of business~~ that are less than 80 square inches in sign area, and not applied in a cumulative manner so as to circumvent the provisions of this Sign Code.

Indirect lighting shall mean reflected light or lighting directed toward or across a surface.

Individual letters (see *Channel letters*).

Inflatable sign or *inflatable object* shall mean any object filled with air or other gas, whether sealed (e.g. balloons) or driven by a fan (e.g., “sky dancers”), ~~including balloons, which characterize a commercial symbol or contain a message~~ is intended to attract attention from adjacent properties or rights-of-way.

Internal illumination shall mean a light source that is contained within the sign itself, or where light is visible through a translucent surface.

Joint ~~identification~~-sign shall mean a sign, structure or surface which serves as a common or collective ~~identification medium~~ for display of messages by two (2) or more ~~uses occupants of on~~ the same ~~premises property~~ (see *Multi-tenant sign-sign*).

Kiosk shall mean a freestanding structure upon which temporary information, such as ~~and/or~~ posters, notices, or ~~and~~ announcements, are posted.

Leading edge shall mean the point of a sign, including its support structure, nearest to the public road right-of-way.

Legally nonconforming signs are signs which were lawfully constructed and erected prior to the most recent enactment of this Chapter and have been maintained as a sign, but which no longer comply with the provisions of this Chapter as amended.

Legible shall mean a sign capable of being read with certainty without visual aid by a pedestrian of normal visual acuity from a specified vantage point (or if no vantage point is specified, from the adjacent street right-of-way or adjacent private property).

Maintenance of a sign shall mean cleaning, repairing, painting or replacement of defective parts in a manner that does not alter the dimension, material or structure.

Menu board shall mean a permanently mounted sign ~~which lists the products or services available~~ at a drive-in or drive-thru facility ~~and that is~~ not legible from the adjacent street right-of-way.

Monument sign shall mean a freestanding sign supported primarily by an internal structural framework or other solid structure features where at least sixty percent (60%) of the base of the sign is in contact with the ground.

Multi-tenant sign shall mean a sign which displays messages for two (2) or more tenants of a multi-tenant property. ~~*Multi-tenant sign shall mean a sign which serves as a common or collective identification for two (2) or more uses on the same premises (see Joint identification sign).*~~

~~*Mural* shall mean a graphic displayed on that is painted on or otherwise applied directly to the exterior wall of a building, generally for the purposes of decoration or artistic expression, including but not limited to painting, frescoes or mosaics, with the exception that any portion of the mural that references the business name, logo, words, text or brand-specific merchandise shall be considered a sign.~~

~~*Nameplate sign* shall mean a door entrance sign indicating the name and address of a building or the name of an occupant.~~

Neon shall mean a sign illuminated by a light source consisting of a neon or gas tube that is bent to form letters, symbols or other shapes.

Nits shall mean a unit of measurement of luminance, or the intensity of visible light, where one (1) nit is equal to one (1) candela per square meter.

~~*Noncommercial sign* (see also *Residential complex, subdivision or residential identification sign*).~~

Nonconforming sign (see *Legally nonconforming signs*).

Off-premises advertising device shall mean a sign or device that advertises a business establishment, good, facility, service or product which is not sold or conducted on the premises on which the sign or device is located, and which may be designed to change copy on a periodic basis.

On-premises sign shall mean a sign which advertises or directs attention to a business, product, service or activity which is available on the premises where the sign is located.

Parapet wall shall mean an extension of the fascia wall above the roofline, which appears contiguous architecturally.

Pennants shall mean any long, narrow, usually triangular flag typically made of lightweight plastic, fabric or other material, ~~and not containing a message, image or representative symbol,~~ usually found in a series on a line and designed to move in the wind.

Permanent sign shall mean a sign attached to a building, structure, or the ground in a manner that precludes ready removal or relocation of the sign.

Permitted sign shall mean a sign having a legal permit issued in accordance with the provisions of this Chapter.

Pole or Pylon sign shall mean a freestanding sign that is permanently supported in a fixed location by a structure of one or more poles, posts, uprights, or braces from the ground and not supported by a building or base structure (other than a footer). ~~*Pole sign* shall mean a sign that is affixed, attached or mounted on a freestanding pole or structure that is not itself an integral part of or attached to a building or structure.~~

Portable sign shall mean a sign that is not permanently affixed to a building, structure or the ground and that is easily moved, such as a sandwich board sign.

Premises shall mean the land, site or lot at which, or from which, a principal land use and activity is conducted.

~~*Private sale or event sign* shall mean a sign that provides information relating to a sale or event being held by an individual or group of individuals on private property, which may include, but not be limited to, a garage or yard sale.~~

~~*Prohibited activities sign* shall mean signs located on a property posting said property for warning or prohibition, such as "no hunting," "no swimming" or "no parking."~~

Projecting wall sign shall mean any sign attached to a building and that extends more than twenty (20) inches from the surface to which it is attached, but no more than four (4) feet from the wall of the building. Signs projecting more than four (4) feet from the building shall be considered freestanding signs.

~~*Public affairs sign* shall mean a sign erected and maintained by or on behalf of the government for civic purposes.~~

Public sign shall mean a sign erected and maintained by or on behalf of the City or a governmental entity that is not subject to the City's jurisdiction, on property owned or controlled by the City or governmental entity; or a sign that is required or specifically authorized for a public purpose by any law, statute, ordinance, resolution, or approved development plans, including way-finding signs installed by a governmental entity within the public right-of-way, traffic control devices; public notices, and the like. ~~*Public sign* shall mean a sign required or specifically authorized for a public purpose by any law, statute or ordinance, including public directional signs on the right-of-way; signs which identify the City by name; signs that direct travelers to public buildings, parks or attractions; interpretative signs; way-finding signs, Municipal Uniform Traffic Control devices; and the like.~~

~~*Real estate model home sign* shall mean a sign identifying a model home within a subdivision and/or a temporary real estate sales office.~~

~~*Real estate open house sign* shall mean a sign indicating that a building or portion of a building is available for inspection by prospective buyers or renters.~~

~~*Real estate sign* shall mean a sign on the offered property which advertises the sale, rental or lease transfer or exchange of the premises upon which said sign is located.~~

Required sign means a sign that is required to be displayed on private property by an applicable law (e.g., a sign displaying the address of property as required by the building code, signs required by the Occupational Health and Safety Act, etc.)

~~Residential complex, subdivision or residential identification sign shall mean an on-site sign that identifies a specific residential complex or subdivision.~~

Roof sign shall mean a sign that is mounted on the roof of a building or structure, such as a portico, which is wholly dependent upon a building for support and which projects above the parapet of a building with a flat roof or above the peak of the roof of that portion of the roof on which the sign is placed.

Searchlight, strobe light or beacon shall mean a stationary or revolving light that flashes or projects illumination, single color or multicolored, in any manner that is intended to attract or divert attention; excluding any device required or necessary under the safety regulations described by the Federal Aviation Administration or similar agencies.

Sight distance (see *Clear vision zone or area*).

Sign shall mean any device, surface, object, structure, building architecture or part thereof using graphics, symbols or written copy for the purpose of advertising, identifying, or announcing or drawing attention to any establishment, product, goods, facilities, services or ideas, whether of a commercial or noncommercial nature.

Sign allowance shall mean the amount of signage that is allowable under the provisions of this Chapter.

Sign alteration shall mean any change of copy (excluding changeable copy signs), sign face, color, size, shape, illumination, position, location, construction or supporting structure of any sign.

Sign area shall mean the entire face of a sign and any backing, frame, trim or molding, and which may include the supporting structure.

Sign backing shall mean the surface, pattern or color of which any sign is displayed upon, against or through and that forms an integral part of such display and differentiates the total display from the background against which it is placed.

Sign face shall mean the area of the sign on which the copy is placed, or, for individual cutout letters, painted letters, channel letters or symbols, the perimeter of the individual elements shall be considered the area of the sign.

Sign frame shall mean a sign cabinet or that portion of the sign that holds the sign face in place.

Sign height shall mean the vertical distance measured from the grade, as defined herein, to the highest point of the sign or sign structure.

Sign, interior to a building shall mean signs inside buildings that are not legible from the public right-of-way.

Sign, interior to development shall mean any sign that is located so that it is not legible from any adjoining property or the public right-of-way and not oriented in such a way as to attract the attention of those traveling along the right-of-way.

Sign permit shall mean a permit issued by a Building Official and which is required for any sign specified under Section 18.54.060.

Sign separation shall mean the distance or spacing between individual signs, whether they are on the same structure or on separate structures, as measured by a straight line.

Sign setback shall mean the minimum distance required from the apparent centerline of the right-of-way to any portion of a sign or sign structure.

Sign structure shall mean the supports, uprights, bracing or framework of any structure for the purposes of displaying a sign.

Site sign shall mean a temporary freestanding sign constructed of vinyl, plastic, wood or metal and designed or intended to be displayed for a short period of time on a construction project.

Sky dancers shall mean freestanding tubes which often simulate the shape of a person into which air is forced to inflate and animate and which do not characterize a commercial message or contain a message.

Symbol shall mean a graphic device which stands for a concept or object.

Teardrop sign (see Ground kites).

Temporary sign shall mean any sign not intended for permanent installation, such as, but not limited to, a yard sign, site sign, banner, balloon, pennant, searchlight or beacon. ~~Generally, these signs are intended to be used for a limited period of time or for a purpose announcing a special event or presenting other miscellaneous or incidental information or instructions.~~

~~*Time or temperature sign* shall mean a sign or portion thereof on which the only copy that is capable of being changed is an electronic or mechanical indication of time and/or temperature.~~

Transition shall mean a ~~visual~~ frame effect used on an electronic message display to change from one (1) message to another.

Vehicle signs shall mean signs which are attached to or located on licensed vehicles, trailers or semi-trailers and contain or display signage for the primary purpose of advertisement, excluding bumper stickers on the bumper, and similar-sized adhesive decals.

Wall sign shall mean a sign attached parallel to and extending less than twenty (20) inches from the wall of a building, fence or freestanding wall. Wall signs shall include painted, individual letter, cabinet signs and those signs located below the peak of the roof of a building which are not specifically defined as roof signs.

Wind sign (see *Pennants*, *Ground kites* and *Sky dancers*).

Window sign shall mean any signage or graphics applied directly to a window surface or any sign hanging within twelve (12) inches of the interior surface of a window, or which is clearly evident through a window and oriented to attract the public on to the premises.

Yard sign shall mean a temporary portable sign constructed of paper, vinyl, plastic, wood, metal or other comparable material, and designed or intended to be displayed for a short period of time.

(b) Interpretation. This Sign Code is not intended to, and does not restrict speech on the basis of its content, viewpoint, or message. No part of this Sign Code shall be construed to favor commercial speech over non-commercial speech. Messages may be changed without the need for any approval or permit, provided that the size and structure of the sign are not

altered. To the extent any provision of this Code is ambiguous, the provision shall be interpreted not to regulate on the basis of the content of the message

(Ord. 34, 2010 §1)

18.54.060 - Sign permits.

- (a) The Building Official shall be responsible for issuing all sign permits once approved by the Planning Division staff, which shall be responsible for reviewing all sign permits for compliance with this Code.
- (b) A sign permit shall be required for all signs unless exempted from the provisions of this Chapter. The replacement, repair or major alteration of a sign shall require a new sign permit.
- (c) The following information shall be submitted for a sign permit:
 - (1) Completed sign permit application signed by the property owner, tenant and/or licensed sign contractor, which shall include the following:
 - a. The name, address and telephone number of the property owner, business owner or licensed sign contractor;
 - b. The location, by street address, of the proposed sign; valuation of proposed work; and
 - c. The zoning district in which the property is located. An affidavit (sworn statement) of notice to the property owner is required, if submitted by a business owner or contractor.
 - (2) Plans for the proposed sign, including but not limited to:
 - a. For each sign:
 - 1. Scaled drawing of sign elevation, including area to be occupied by lettering, symbols or images, with dimensions; sign type; method of illumination, construction materials; projection or depth of sign cabinet;
 - 2. Site plan showing the adjacent streets and location of property lines;
 - 3. Plans showing the scope and structural detail of the proposed work, including details of structural connections, guidelines, supports and footings, and materials to be used;
 - 4. An inventory of all existing signs located on the property (a tenant may provide this information for the lease holder area only) related to the specific business that will remain and be removed, including location, dimensions, height and types of sign; and
 - 5. If reasonably known, identify any signs that are nonconforming, have received a variance, have utilized a nonconforming one-time change

rule, have combined two (2) smaller signs into one (1) larger sign, or have utilized any bonuses.

b. For wall signs: scale drawing with building dimensions, the square footage for each tenant and the total square footage for the building; elevations showing the sign location, facade dimensions and roof lines.

c. For freestanding signs: scale drawing of site layout including sign location, property lines, setbacks, adjacent public right-of-ways, street names, buildings and improvements, parking areas, drive aisles and landscaped areas in the vicinity of the proposed sign; dimensions of the sign and its support structure and members; and proposed height of the sign.

(3) An indication of application for electrical permits for all electric signs; when applicable, such permits will be issued separately through the Building Inspection Division.

(4) Other information, as required by the City, to ensure a complete and comprehensive review of the proposed sign.

(Ord. 34, 2010 §1)

18.54.070 - Reserved.

Editor's note— Ord. 43, 2016 , §1, adopted Dec. 20, 2016, repealed § 18.54.070, which pertained to sign contractor license and derived from Ord. 34, 2010 §1.

18.54.080 - General provisions.

(a) Written Interpretations. The Community Development Director shall be responsible for interpretation of this Chapter. Appeals to interpretations by the Community Development Director shall be subject to the provisions of Section 18.54.030, Variances and Appeals (see Section 18.24 of the Development Code).

(b) Sign Classification. If the provisions within this Chapter do not identify a particular type of sign, or if a sign may be classified under two (2) or more definitions, the sign shall be classified according to that description which most specifically describes it and which furthers the purposes of this Chapter.

(c) Interior to a development signs not legible beyond the boundaries of the property on which they are located and which are not intended to attract off-site attention shall not be counted for the purpose of zoning regulations toward signage calculations, except window signage that exceeds twenty-five percent (25%) of the window area. Any sign constructed interior to the development may be subject to building permit provisions.

(d) Primary structure required. With the exception of ~~real estate, election, ideological and prohibited activities~~ required and temporary signs, signs shall not be permitted unless there is a primary structure on the parcel.

(e) Other Code requirements. All signs within the City shall comply with the adopted building and electrical codes, Model Traffic Code, Historic Preservation and other codes and

ordinances as adopted by the City. All electric signs shall comply with and bear independent testing laboratory labels. In the event of any conflict between any of these codes or ordinances and this Chapter, the more restrictive provision shall apply.

- (f) Trees and shrubs. No person may, for the purposes of increasing or enhancing the visibility of any sign, damage, destroy, trim or remove any trees or shrubs located within the public right-of-way or as per an approved use by special review, design review or any other land use zoning permit unless the work is done pursuant to written authorization of the Community Development Department.
- (g) Signs in right-of-way. Except as otherwise permitted elsewhere in this Code, no signs other than regulatory signs are allowed in the public right-of-way except as provided by a right-of-way revocable sign permit.
- (h) Consistent and complementary. All signs installed after the adoption of the ordinance in this Chapter shall be designed to be consistent and compatible with the character of the principal buildings to which the signs relate, including the use of similar or complementary colors and materials in the design and construction of signs and its surroundings.
- (i) Sign lighting. Signs may be internally illuminated, backlit or illuminated by down-lighting or by ground-mounted light fixtures that illuminate only the sign face and base and shall conform to the following:
 - (1) Illuminated signs on the C-D, H-A and all residentially zoned properties or illuminated signs on commercial or industrial zoned properties immediately adjacent to residentially zoned properties shall either have an opaque background and translucent letters or letters without background lighting;
 - (2) In no case shall sign lighting create more than one-tenth (0.1) foot candle impact on habitable residential uses in residentially zoned areas;
 - (3) Neon lighting shall only be permitted within the [graphics \(e.g., logos or images\)](#) or lettering ~~or logo~~ of a sign;
 - (4) Illumination of the sign face by down-lighting or ground mounted light fixtures shall not exceed fifty (50) foot-candles as measured on the sign face; and
 - (5) Flashing or strobe lighting shall not be permitted, whether used as part of a sign or to draw attention to a site or location.

(Ord. 34, 2010 §1)

18.54.090 - Sign measurements and orientation.

- (a) The following rules shall apply to the measurement of signs in all zoning districts:
 - (1) The area of a sign is measured by determining the total sign face, which includes the backing and the frame of the sign.
 - (2) The area of a sign shall be measured utilizing a single, continuous rectilinear perimeter of not more than twelve (12) straight lines, the extreme limits of writing, representation, lines, emblems or figures contained within all modules, together

with any air space, materials or colors forming an integral part or background of the display or materials used to differentiate such sign from the structure against which the sign is placed. For replacement of existing signs, the applicant may choose to utilize an exact calculation of sign area in lieu of this requirement.

(3) A freestanding sign area and its support structure may be equal in size to one and one-half ($1\frac{1}{2}$) times the maximum-sized sign allowance at that location. The base of a monument sign shall not be counted as part of the calculation, provided that:

- a. The base does not account for more than one-third ($1/3$) of the combined area of the sign face and the base; and
- b. At least sixty percent (60%) of the bottom edge of the sign, including its supports and structure, has contiguous contact with the ground. Where the base has an unusual shape, such as circular or diamond-shaped, the bottom of the base shall be determined by measuring at a point that is one-third ($1/3$) of the distance from the ground to the top of the base; and
- c. Any portion of the base that contains signage will be counted, with the exception of a numeral address that is clearly incidental to the sign.

(4) The area of a sign which has multiple sign faces not parallel to the right-of-way, such as V-shaped, triangles or cubes, shall be calculated using the total of all faces which may be viewed at the same time from the public right-of-way or adjacent property.

(5) All writing, representations, emblems or figures forming an integral part of a display used on an awning to identify, direct or attract the attention of the public shall be considered to be a sign for the purposes of measurement.

(6) Internally illuminated awning signs that are translucent, with backlighting, shall include the entire area of the awning in the calculation of the sign area (see also Subsection 18.54.140(a)).

(b) The height of a sign shall be determined by measuring the vertical distance from the adjacent grade to the highest point of the sign or sign structure. For purposes of this section, "grade" as a point of measure shall mean either of the following, whichever yields a greater sign height:

(1) The elevation of the highest ground surface within a five-foot horizontal distance from the leading edge of the sign, when there is less than a ten-foot difference between the highest and lowest ground surfaces within a five-foot horizontal distance from said sign (see Figure 18-38); or

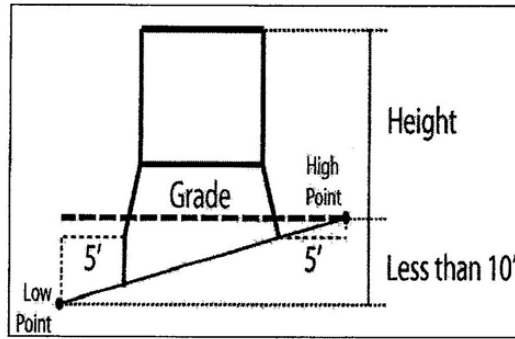


Figure 18-38

- (2) An elevation ten (10) feet higher than the lowest ground surface within a five-foot horizontal distance from the leading edge of the sign, when there is greater than a ten-foot difference between the highest and lowest ground surface within a five-foot horizontal distance from said sign (see Figure 18-39).

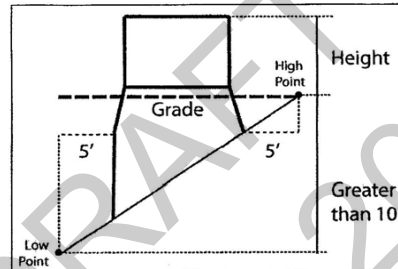


Figure 18-39

- (c) The determination of sign orientation shall be as follows:
- (1) The orientation of a freestanding sign is to the nearest public right-of-way to which it is perpendicular or parallel;
 - (2) The orientation of a wall sign is to the nearest street with the highest traffic volume;
 - (3) The orientation of a projecting wall sign is to the nearest street with the highest traffic volume and to which the sign is most nearly perpendicular;
 - (4) The orientation of all other signs, including canopy signs, shall be to the nearest public right-of-way; or
 - (5) The principal orientation of any sign shall be determined by the Administrative Official in accordance with the standards in this Chapter, street classification and the intent of the Code.

(Ord. 34, 2010 §1)

18.54.100 - Sign setbacks.

The minimum distance required between the apparent centerline of the right-of-way and any portion of a sign or sign structure. Where the property is adjacent to a frontage road, the centerline of the highway to the leading edge of the sign is used to determine setback (i.e., frontage road is disregarded for calculation of the setback). (See Figures 18-40 and 18-41.)

Figure 18-40: Typical Centerline

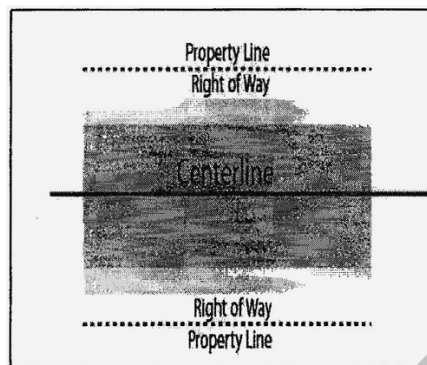
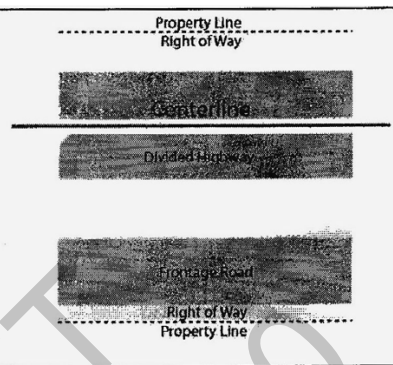


Figure 18-41: Centerline with frontage road



18.54.110 - Signs not requiring a sign permit.

- (a) Any sign listed in this Section shall not require a sign permit if the sign complies with the provisions of this Section. Except as may be required under the adopted building and electrical codes, such signs shall not require a sign permit and are allowed. Signs that exceed these provisions for size ~~or usage or sign area~~ shall require a sign permit as provided for in Section 18.54.140.

- (1) ~~Address-Required signs. Two (2) address signs are allowed in the H-A, C-D and all residentially zoned properties per lot or building per street frontage, each with a maximum size of two (2) square feet. In all other zoning districts, one (1) address sign is allowed per structure or store front with a maximum of five (5) square feet in size or two (2) signs which, combined, total five (5) square feet in size. (An address may also be placed upon a monument sign base).~~
- (2) Change of copy. Once a structure receives legally conforming status from the City, the sign copy may thereafter be changed without a permit. All other copy changes, such as painted signs or channel lettering, shall require a sign permit.
- (3) Changeable copy. Where a sign frame or structure has been approved as a changeable copy sign, subsequent changes of copy only shall not require a permit.
- ~~(4) Commemorative sign. One (1) sign up to ten (10) square feet in size is allowed per lot.~~
- ~~(5) Temporary signs associated with approved temporary uses under Section 18.53.050, provided that the schedule for display and removal of the signs is set out in the temporary use permit. Community event sign. With the exception of banners~~

administered by the City over public rights-of-way, off-site community event signs are allowed with the following limitations:

- ~~(6)~~ — The total on-site community event signage per property shall be determined at a rate of one (1) square foot of signage for every four (4) linear feet of building frontage to which the sign is attached. If the site does not contain a building, the site will be allowed up to one (1), six (6) square feet in size sign per lot frontage. All community event signs shall not exceed five (5) feet in height;
- ~~(7)~~ — Off-site community event signs are allowed to be six (6) square feet in size and up to five (5) feet in height;
- ~~(8)~~ — Community event signs shall be displayed no more than forty-five (45) calendar days before and five (5) calendar days after the event;
- ~~(9)~~ — No more than fifteen percent (15%) of the sign can display a sponsor name and/or logo; and

Banners may be a maximum of one hundred twenty (120) square feet in size and may be displayed for City-authorized community events or public service announcements over City rights-of-way and as approved, installed and administered by the City.

~~(10)~~ (4) Contractor-Construction Site sign. Up to three (3) ~~contractor~~-site signs per street frontage are allowed as follows:

- a. ~~Contractor~~-Construction Site signs on H-A, C-D and all residentially zoned properties shall not exceed seven (7) square feet of sign area per face and five (5) feet in height. Properties greater than two and one-half (2½) acres are allowed up to one (1) thirty-two-square-foot sign.
- b. ~~Contractor~~-Construction Site signs on nonresidential zoned properties with less than two hundred (200) feet of lot frontage shall not exceed twenty-four (24) square feet of sign area per face and eight (8) feet in height;
- c. ~~Contractor~~-Construction Site signs on nonresidential zoned properties greater than two hundred (200) feet and less than five hundred (500) feet of frontage shall not exceed thirty-two (32) square feet of sign area per face and eight (8) feet in height;
- d. ~~Contractor~~-Construction Site signs on nonresidential zoned properties with greater than five hundred (500) feet of frontage shall not exceed sixty-four (64) square feet per sign face and ten (10) feet in height; and
- e. The sign may be displayed no more than forty-five (45) calendar days before and forty-five (45) calendar days after the completion of construction.

~~(11)~~ (5) Cornerstone sign. A cornerstone may be up to a total of four (4) square feet in size.

~~(12)~~ (6) Directional on-premises sign. A property may have any number of directional on-premises signs sufficient to safely direct customers to key locations; however each shall not exceed six (6) square feet in size per face, nor five (5) feet in height. Such

signs shall not include the business name or logo but may include a single background color associated with the business.

(7) ~~Election~~ Yard signs and ~~S~~site ~~S~~signs.

- a. Yard signs and site signs are allowed in all zoning districts and are subject to the following provisions:

1. The total cumulative sign area that is allowed under this subsection (7) is ~~32 square feet~~ as follows:

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

~~1.2.~~ Each ~~No individual~~ sign shall have a sign area that ~~not~~ exceed thirty-two (32) square feet ~~per sign face~~.

~~2.3.~~ ~~Election~~ Yard signs and site signs may be located on a property only with the consent of the property owner, authorized property manager, or legal tenant.

— In no event shall an ~~yard sign or site~~ ~~election~~ sign be posted or displayed in a manner or location that limits sight visibility to the traveling public or in such a way that creates a vehicular or pedestrian traffic obstruction or hazard.

- b. If an individual sign installed pursuant to this subsection (7) exceeds six square feet, it is counted towards any applicable standards of subsection (5) above.

~~(13)~~(8) Flag. ~~Noncommercial~~ Flags are allowed which do not exceed a maximum size of one hundred fifty (150) square feet in size per flag. A total of three hundred (300) square feet flag area is allowed per property.

- a. No part of any flag when fully extended shall protrude over any public right-of-way or property line in any direction.
- b. The freestanding maximum mounting height of flags shall be equal to or less than the maximum building height allowed in the zone district in which the flag is located or (10) feet above the height of the principal structure on the premises, whichever is less.
- c. The flag pole for any individual flag over one hundred (100) square feet must be set back at least equal to the flag pole height from the property line.

~~(14) — Garage and private sale sign. One garage or private sale sign is allowed per residential property. The sign must be placed on private property owned or leased by the person holding the sale, not to exceed six (6) square feet in size. Garage and private sale signs may not be placed for more than three (3) consecutive days and shall not occur more than twice in a calendar year.~~

~~(15)~~(9) Holiday decoration. Temporary decorations, lighting or displays which are clearly incidental to and customarily and commonly associated with any national, state, local, religious or commonly celebrated holiday shall be displayed not more than sixty (60) days prior to the holiday, and no more than thirty (30) days after the holiday. Such decorations may be of any type, number, size, location, illumination or animation if the decorations ~~do not advertise or identify a product or a business and~~ are located so as not to conflict with traffic regulatory devices or create a traffic hazard.

~~(16) — Human sign. A sign carried or worn by a person, whether on public or private property. A person carrying or wearing a sign may be located on a public right-of-way sidewalk, provided that traffic is not impeded, is allowed. Persons holding signs shall not be otherwise located on any public right-of-way, such as a street or median.~~

~~(17) — Ideological sign. A maximum of one (1) ideological sign is allowed and shall not exceed seven (7) square feet per sign face in the H-A or the C-D and on all residential zoned properties, twenty four (24) square feet on commercial or industrial zoned properties which have less than two hundred (200) feet of lot frontage; thirty two (32) square feet for commercial and industrial zoned properties which have greater than two hundred (200) feet, but less than five hundred (500) feet of lot frontage; or sixty four (64) square feet for commercial and industrial zoned properties which have greater than five hundred (500) feet of lot frontage.~~

~~(18)~~(10) Incidental sign. The combination of incidental signs shall not exceed one and one-half (1½) square feet in ~~size~~ sign area per building entrance.

~~(19) — Nameplate sign. Nameplates may be of any size if not legible from the public right-of-way or the adjacent property.~~

~~(20)~~(11) Portable sign. One (1) portable sign is allowed per storefront if it can meet all of the following conditions:

- a. Is located within twenty (20) feet of the principal public entrance ~~for which the goods or services are provided~~ to the tenant or occupant that displays the sign;
- b. Is no larger than six (6) square feet per face and no greater than forty-eight (48) inches in height;
- c. Is located outside of clear vision zones [see Subsection 18.44.140(e)];
- d. Is in place only during hours of operations;

- e. Is not posted or displayed in a manner or location that limits sight visibility to the traveling public or in such a way that creates a vehicular or pedestrian traffic obstruction or hazard;
- f. Two (2) immediately adjacent ~~businesses~~ tenants or occupants may share a single sign, not to exceed the standards listed above; and
- g. Any portion of a portable sign located within the public right-of-way must ~~obtain~~ be authorized by a right of way revocable sign permit from the City.
- ~~(21) Prohibited activities sign. Signs that prohibit a specific activity shall be no greater than six (6) square feet in size; and shall be placed not to exceed one (1) per street front or one (1) per one hundred (100) feet of lot length, whichever is greater.~~
- ~~(22)~~ (12) Public sign. Public signs may be of any type, number and area, height above grade, location, illumination or animation required by the law, statute or ordinance under which the signs are erected ~~and shall address a health, safety or welfare matter~~. Public signs, government signs and signs on public bus benches and/or shelters in the right-of-way shall not be ~~required to obtain~~ subject to a right of way revocable sign permit. Signs on governmental property outside of the right-of-way ~~will~~ shall require a right of way revocable sign permit.
- ~~(23) Public affairs sign. Without limitation, banners, flags, pendants and other sign types may be displayed for civic purposes within the public rights of way.~~
- ~~(24) Real estate sign. One (1) real estate sign is permitted per street frontage on the property being advertised as follows:~~
- a. ~~Real estate signs on H-A, C-D and all residential zoned properties shall not exceed seven (7) square feet of sign area per face and five (5) feet in height, except that properties zoned H-A, R-E, R-L, R-M, R-MH and PUD of at least five (5) acres in size and R-H properties with at least two hundred (200) feet of lot frontage shall not exceed thirty-two (32) square feet of sign area per face and eight (8) feet in height.~~
- b. ~~Real estate signs on nonresidential zoned properties with less than two hundred (200) feet of lot frontage shall not exceed twenty-four (24) square feet of sign area per face and eight (8) feet in height;~~
- c. ~~Real estate signs on nonresidential zoned properties greater than two hundred (200) feet and less than five hundred (500) feet of frontage shall not exceed thirty-two (32) square feet of sign area per face and eight (8) feet in height; and~~
- d. a. ~~Real estate signs on nonresidential zoned properties with greater than five hundred (500) feet of frontage shall not exceed sixty-four (64) square feet per sign face and ten (10) feet in height.~~
- ~~(25) Real estate model home sign. One (1) real estate model home sign is allowed per street frontage of the premises on which a model home or a temporary real estate sales office is located as follows:~~

a. ~~Real estate model home signs shall not exceed twenty-four (24) square feet of sign area per face; and~~

b. ~~Freestanding real estate model home signs are limited to six (6) feet in height. Wall-mounted real estate model home signs shall not extend above the top of the wall or parapet wall of the building to which the wall sign is attached.~~

~~(26) Real estate open house sign. A sign no more than six (6) square feet in size and five (5) feet in height announcing an open house event is allowed per property. Such signs shall be displayed only on the day of the open house and the day prior to the open house. On-premises or off-premises display of real estate open house signs is permitted, but display in the public right-of-way is prohibited. Off-premises open house signs may be located on private property only with the consent of the property owner; in no event shall a sign be posted or displayed in a manner or location that limits sight visibility to the traveling public or in such a way that creates a vehicular or pedestrian traffic obstruction or hazard. Pennants and balloons may be affixed to real estate open house signs, provided that such attachments do not encroach upon street or sidewalk right-of-way or create a traffic or sidewalk safety hazard; balloons that are affixed to real estate open house signs shall have no linear dimension greater than two (2) feet.~~

~~(27)~~ (13) ~~Residential complex or residential subdivision identification sign~~ Detached wall signs or monument signs at subdivision or multifamily complex entry points. Residential complex or residential subdivision identification Detached wall signs or monument signs that are located within 40 feet of a street intersection that provides entry into a subdivision or multifamily complex, provided that they are ~~signs shall be~~ no greater than twenty (20) square feet in size sign area, including all sign faces, and not greater than six (6) feet in height. Two (2) residential complex identification signs are allowed per ~~subdivision entrance~~ intersection.

~~(28)~~ (14) ~~Signs within building. A sign permit is not required where signs are located inside buildings and are not legible from the public right-of-way or, if legible, are within allowed window sign limits.~~

~~(29)~~ (15) ~~Vehicle signs. It shall not be a violation of this Chapter if the vehicle to which a sign is mounted, painted or otherwise affixed is used for travel between home and work or is temporarily parked away from the business premises while being used to provide the business' services or products, or as personal transportation for the vehicle operator. A parked vehicle which contains or displays signage is allowed when;~~

a. ~~The sign does not extend more than one (1) foot above the roofline of the vehicle;~~

b. ~~The sign displayed on the vehicle does not direct the public to the advertised business, such as with an arrow;~~

~~c.~~ b. ~~The vehicle is not illuminated or does not have flashing signs;~~

~~d.~~ c. ~~The vehicle is licensed and operable; and~~

e.d. The vehicle is ~~not to be parked offsite and used to direct customers to an advertised business~~ in use or legally parked.

~~(30)~~(16) Wind driven devices. The following devices, which are designed to move with wind or forced air, are allowed as follows, provided that signage is not affixed to the device:

- a. Pennant. A pennant flag may be a maximum of one (1) square foot per flag face, and pennant lines shall be no longer than the front lot line or exceed the height of the building. For residential zoned properties, pennants are allowed for open house events only three days per year. For commercial and industrial zoned properties, pennants are allowed on a single property for any length of time, provided they are maintained and in good condition.
- b. Ground kite. Ground kites are allowed only in commercial or industrial zoned properties as follows:
 1. Ground kites shall be affixed to the ground and shall not exceed two (2) feet wide and eight (8) feet tall.
 2. One ground kite is allowed for every twenty-five (25) feet of lot frontage.
- c. Sky dancer. Sky dancer devices are allowed only in commercial and industrial zoned properties as follows:
 1. Sky dancers shall be affixed to the ground and shall not exceed two (2) feet wide and eight (8) feet tall.
 2. One (1) sky dancer is allowed for every fifty (50) feet of lot frontage, with a maximum of three (3) for each property.
- d. Wind signs. Wind signs cannot be used in combination on a property, unless approved in advance with a temporary sign permit.

~~(31)~~(17) Window sign. A window sign is allowed but shall not exceed twenty-five percent (25%) of the glass surface of individual window panes that are visible from the public right-of-way.

(Ord. 1, 2017 §1(Exh. A), 1-17-2017; Ord. 34, 2010 §1)

18.54.120 - Prohibited signs.

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

- (1) Abandoned signs. A sign determined to be abandoned as defined in this Chapter must either be removed or covered to conceal the sign copy, confirming its abandonment.

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

(Ord. 34, 2010 §1)

18.54.130 - Temporary signs, including portable signs, searchlights and beacons.

- (a) Temporary signs shall be allowed per ~~storefront~~tenant in addition to the amount of permanent signage that is otherwise permitted. Except as provided in Section 18.54.110, above. Temporary signs require a temporary sign permit. Temporary signs shall comply with all other applicable provisions of this Chapter, including the provision of Section 18.54.060 (Sign Permits).

- 876 (b) The total amount of temporary signage shall not exceed thirty-three (33) square feet in all
877 residential R-H and C-L zones, or fifty (50) square feet in all other commercial and industrial
878 zones.
- 879 (c) Temporary signs shall be allowed for any individual commercial or industrial use for no
880 more than a total of sixty (60) days in any calendar year.
- 881 (d) If more than one (1) temporary sign is proposed, each sign will count towards the total
882 calendar year allowance (i.e., 3 signs for 20 days = 60 days). The total sign area for all signs
883 shall not exceed the total amount of temporary sign allowance.
- 884 (e) Temporary signs associated with a temporary use under the provisions of Section
885 18.53.030 shall be limited to the duration of the temporary use, not to exceed more than
886 ninety (90) days in any calendar year. The temporary sign permit may be extended for up to
887 an additional thirty (30) days, provided the Community Development Director has granted
888 an extension of the associated temporary use.
- 889 (f) Any property that contains an outdoor electronic messaging display will not be permitted
890 any additional temporary sign allowance.
- 891 (g) Balloons, inflatable signs and other inflatable objects containing text and/or graphics ~~for~~
892 ~~advertising purposes and~~ which have a total visible area (individually or combined) that
893 does not exceed thirty-three (33) square feet shall be considered a temporary sign and shall
894 require a sign permit. Balloons that do not contain text and/or graphics shall not require a
895 sign permit. No balloon, inflatable sign or other inflatable object shall exceed the height of
896 the principal building on the site and shall not extend over the public right-of-way when
897 fully extended, or impede pedestrian or vehicular traffic.
- 898 (h) Searchlights or beacons shall be considered temporary signs, shall require a sign permit and
899 are allowed a maximum of three (3) days per calendar year. Searchlights or beacons shall
900 not be placed or used in such a way that impedes pedestrian or vehicular traffic, or results
901 in light or glare at grade.

902 (Ord. 1, 2017 §1(Exh. A), 1-17-2017; Ord. 34, 2010 §1)

903 **18.54.140 - Signs requiring a sign permit.**

- 904 (a) The following signs shall require a sign permit:
- 905 (1) Awning sign.
- 906 (2) Canopy sign.
- 907 (3) Electronic messaging display.
- 908 (4) Freestanding and monument sign.
- 909 (5) Projecting wall sign.
- 910 (6) Wall sign.
- 911 (b) Awning sign.

- 912 (1) If more than twenty-five percent (25%) of the exterior surface of an awning is
913 devoted to sign copy, the entire exterior surface of the awning shall be considered a
914 sign;
- 915 (2) The entire illuminated exterior area of an internally illuminated awning sign shall be
916 included in the calculation of the sign area;
- 917 (3) Awning signage will count towards the total wall sign allowance; and
- 918 (4) Any portion of an awning sign projecting over the public right-of-way must obtain a
919 right-of-way revocable sign permit from the City.
- 920 (c) Canopy sign.
- 921 (1) If the canopy is attached to a building, all or a portion of the available wall signage
922 allowance may be transferred to the canopy, subject to setback provisions.
- 923 (2) If the canopy is a freestanding structure, all or a portion of the available
924 freestanding signage allowance may be transferred to the canopy, subject to setback
925 provisions and height.
- 926 (d) Electronic messaging display (EMD) sign.
- 927 (1) EMD signs require a design review approval (see Chapter 18.46) and are allowed
928 only in the C-L, C-H, I-L, I-M, I-H and PUD zone districts. An EMD sign in the C-L zone
929 district is limited in hours of operation from 6:00 a.m. to 10:00 p.m.
- 930 (2) The area of the EMD shall not exceed fifty percent (50%) of a sign face.
- 931 (3) The EMD shall contain static messages only, changed only instantly or through
932 dissolve or fade transitions, or with the use of other subtle transitions and frame
933 effects that do not have the appearance of moving text or images, and which may
934 otherwise not have movement, or the appearance or optical illusion of movement, of
935 any part of the sign structure, design or pictorial segment of the sign, including the
936 movement of any illumination or the flashing, scintillating or varying of light
937 intensity.
- 938 (4) The displayed message shall not change more frequently than once per thirty (30)
939 seconds, ~~except for time and temperature signs, which shall not change more~~
940 ~~frequently than once per three (3) seconds.~~
- 941 (5) The EMD shall have automatic dimmer software or solar sensors to control
942 brightness for nighttime viewing. The intensity of the light source shall not produce
943 glare, the effect of which constitutes a traffic hazard or is otherwise detrimental to
944 the public health, safety or welfare. Lighting from the message module shall not
945 exceed six hundred (600) nits (candelas per square meter) between dusk and dawn
946 as measured from the sign's face.
- 947 (6) Applications for sign permits containing an electronic display shall include the
948 manufacturer's specifications and initial nit (candela per square meter) rating and
949 the method of dimming.

~~Messages displayed on the sign module shall only direct attention to a business, product, service or entertainment conducted, sold or offered on the premises on which the sign is located. Community emergency alerts such as traffic hazards, inclement weather or Amber Alerts are exempt from this requirement.~~

(7) All existing electronic message displays that contain an electronic changeable copy module which does not comply with the provisions of this Section shall be made to conform to the duration of copy provisions upon the effective date of the ordinance approving such provisions.

(8) Any premise that contains an outdoor electronic message display shall not be allowed any temporary signs (per Section 18.54.140).

(e) Freestanding and monument sign.

(1) Freestanding signs shall be permitted only if constructed with a supporting sign structure, the total width of which exceeds twenty-five percent (25%) of the width of the sign face. This provision applies to all freestanding signs that require a permit, except freestanding signs with less than two (2) vertical feet of sign support, exposed poles or flag poles. Any change of copy to a legally conforming sign does not require compliance with this Section.

~~(2) Any flag that displays a commercial message is subject to the provisions of this Section.~~

~~(3)~~(2) Maximum size, height and setback dimensions. Lot frontage, for the purposes of calculating freestanding sign allowance and placement, shall be determined as follows:

- a. Lot frontage shall be the length of private property contiguous with a public street.
- b. If a lot has more than one (1) street frontage, such as with corner lots, up to two (2) cumulative lot frontages along the lot sides adjacent to public streets may be used to determine the maximum number of signs.
- c. Noncontiguous lot frontage is calculated separately.

~~(4)~~(3) The maximum area of freestanding/monument signs shall be as follows:

- a. In the H-A, C-D, R-MH, R-L, R-M and R-E zone districts, signs shall be in accordance with Section 18.54.110.
- b. In the R-H, C-L zone districts and for uses by special review on any residential zoned property, the maximum area is as follows:

Setback	Maximum Size (sq. ft.) per Sign Face
Less than 50 ft.	33
51 ft. to 167 ft.	(Setback minus 50) plus 33
168 ft. or greater	150

983

984 c. In the C-H, I-L, I-M and I-H zone districts, the maximum area is as follows:

Setback	Maximum Size (sq. ft.) per Sign Face
Less than 50 ft.	50
51 ft. to 249 ft.	Equal to setback
250 ft. or greater	250

985

986 ~~(5)~~(4) The maximum height of freestanding signs shall be as follows:

Setback	Maximum Size (sq. ft.) per Sign Face
Less than 50 ft.	12
51 ft. to 99 ft.	(Setback minus 50) plus 12
100 ft. or greater	25

987

988 a. In the C-D, H-A, R-E, R-L, R-MH, R-M, R-H and C-L zone districts, the
989 maximum height is six (6) feet, unless otherwise noted in Section 18.54.110.

990 b. In the C-H, I-L, I-M and I-H zone districts, the maximum height is as follows:

991 ~~(6)~~(5) Signs attached to fences and freestanding walls, except those in Section 18.54.110,
992 Signs not requiring a permit, shall be regulated as a freestanding sign and shall
993 count toward freestanding signage allowances.

994 ~~(7)~~(6) For properties with less than two hundred (200) feet of lot frontage, either of the
995 following is permitted:

996 a. A freestanding sign may be used in lieu of the allowed wall signage, the sign
997 will be allowed to comply fully to the freestanding sign size and height limits
998 as listed in the charts above; or

999 b. A combination of freestanding or wall signage is allowed where the sum of
1000 the percentage of each sign's size, as a portion of the total allowed, does not
1001 exceed one hundred percent (100%) of maximum sign allowance for either
1002 category or sign. The percentage of wall signage shall be based on the total
1003 amount of wall signage allowed on the principal face of the building located
1004 closest to the freestanding sign. The percentage of freestanding sign shall be
1005 based on the maximum size of freestanding sign allowed, given the sign's
1006 setback from the center line of the adjoining public right of-way (Figure 18-
1007 42).

- c. One (1) freestanding sign is a permitted use on a site with a minimum of two hundred (200) feet of street right-of-way frontage; two (2) freestanding signs are permitted with a minimum of five hundred (500) feet of contiguous street right-of-way linear frontage in the R-H, C-L, C-H, I-L, I-M and I-H zone districts.

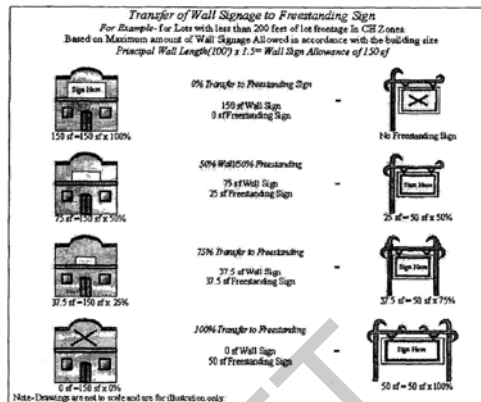


Figure 18-42: Transfer of Wall Signage to Freestanding Signage

- (7) Where two (2) or more property owners share a common lot line, the property owners may combine lot frontage for the purpose of sharing a freestanding sign on or near the common lot line.

(f) Projecting wall sign.

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

(g) Wall signs.

- (1) Signage allowance by zone district shall be calculated as follows:

Zone District	Signage allowed per principal building frontage	For secondary building frontage, additional signage allowed per linear feet of building
H-A, C-D, R-E, RMH, R-L and R-M	N/A	N/A
R-H	.25 sq. ft.	N/A
C-L	1 sq. ft.	.5 sq. ft.

Zone District	Signage allowed per principal building frontage	For secondary building frontage, additional signage allowed per linear feet of building
C-H and I-L	1.5 sq. ft.	1 sq. ft
I-M and I-H	2 sq. ft.	1 sq. ft.

1029

1030 (2) The maximum area of each wall sign shall be calculated as below in this Subsection.

1031 a. H-A, C-D, R-E, R-MH, R-L and R-M shall be in accordance with Section
1032 18.54.110.

1033 b. R-H and C-L Zone Districts.

Setback	Maximum Size (sq. ft.) per Sign Face
Less than 50 ft.	40 ft.
51 ft. to 160 ft.	Setback minus 10 ft.
161 ft. or greater	150 ft.

1034

1035 c. C-H and I-L Zone Districts.

Setback	Maximum Size (sq. ft.) per Sign Face
Less than 50 ft.	60 ft.
51 ft. to 190 ft.	Setback plus 10 ft.
191 ft. or greater	200 ft.

1036

1037 d. I-M and I-H Zone Signs.

Setback	Maximum Size (sq. ft.) per Sign Face
Less than 50 ft.	90 ft.
51 ft. to 210 ft.	(Setback minus 50) plus 90 ft.
211 ft. or greater	250 ft.

1038

1039 (3) Wall signage shall comply with the following conditions:

1040 a. Parapet Wall. No wall sign may be attached to or displayed against any
1041 parapet wall that does not extend at least seventy-five percent (75%) of the
1042 perimeter of the roof enclosed by the parapet. No sign shall exceed the

- 1043 height of the parapet wall. This standard does not apply to existing building
1044 as of the date of the adoption of the Code.
- 1045 b. Roof Line. No wall sign may extend above the roof line of a building except
1046 as permitted on a parapet wall.
- 1047 c. Mechanical Room. No wall sign may be displayed on the wall of a mechanical
1048 room or penthouse or other such enclosed space which is not habitable by
1049 the occupants of the building.
- 1050 d. Sign Depth or Projection. No sign, including any light box or other structural
1051 part, shall exceed a depth of twenty (20) inches.
- 1052 ~~e. — Mural. Any portion of a mural that is considered signage based on the~~
1053 ~~provisions of this Chapter shall be included in the calculation for~~
1054 ~~determining expended sign area.~~

1055 (Ord. 34, 2010 §1)

1056 **18.54.150 - Public, quasi-public and institutional uses (nonresidential uses in**
1057 **residential zone districts).**

- 1058 (a) Public/Private Schools: Public schools are encouraged to adhere to the same sign standards
1059 as private schools, which are those that are allowed in the R-H zone district.
- 1060 (b) All other public, quasi-public or intuitional signage shall comply with the standards of the R-
1061 H zone district.

1062 (Ord. 34, 2010 §1)

1063 **18.54.160 - Signs in Planned Unit Development zoned districts.**

- 1064 (a) The provisions in this Chapter shall be used to guide signage within Planned Unit
1065 Development (PUD) requests.
- 1066 (b) Proposed PUD development may include a specific sign plan which includes sign standards
1067 that address size, height, design, lighting, color, materials, location and method of
1068 construction of all signage planned within the PUD to ensure that all such signage is
1069 designed in a harmonious and compatible manner. Absent a specific sign plan, the City will
1070 apply sign standards closest to the zone district the PUD land uses represent. The City
1071 Council may impose alternate standards relating to signage if it is determined that there are
1072 commensurate design trade-offs proposed for signage with a particular PUD, as provided in
1073 Subsection 18.32.040(d) of Chapter 18.32, Planned Unit Developments.

1074 (Ord. 34, 2010 §1)

1075 **18.54.170 - Historic signs.**

- 1076 (a) Notwithstanding any other provisions of this Chapter, a historic sign may be kept, used,
1077 owned, maintained and displayed subject to the following provisions:
- 1078 (1) The sign has been designated as a historic landmark by the Greeley Historic
1079 Preservation Commission (HPC) and

- 1080 (2) The sign is structurally safe or is capable of being made structurally safe while
1081 maintaining its historic character. All structural repairs and restoration of the sign
1082 to its original condition shall be made within three hundred sixty-five (365)
1083 calendar days of designation of the sign as a historic landmark and shall be subject
1084 to approval by the HPC prior to any work commencing.
- 1085 (b) All signs that have been designated as historic landmarks shall be exempt from Section
1086 18.54.190 relating to abandoned signs if the sign continues to meet all of the requirements
1087 of this Section.
- 1088 (c) For the purposes of this Section, if a historic sign has been moved from its original site, such
1089 sign shall no longer be considered a historic sign unless specifically so considered by the
1090 HPC. If such a sign is moved, a new sign permit under the provisions of Section 18.54.140
1091 shall be required for the new location.
- 1092 (d) Words, symbols or "ghost signs" that are painted, engraved or carved into a building and
1093 that no longer relate to the use or occupant of the building shall not be counted as signage.
- 1094 (Ord. 34, 2010 §1)
- 1095 **18.54.180 - Nonconforming signs.**
- 1096 (a) A legal nonconforming sign or sign structure may continue to exist until one (1) of the
1097 following conditions occurs:
- 1098 (1) The sign has been abandoned and not reestablished for ninety (90) consecutive
1099 days or longer.
- 1100 (2) Other than for routine maintenance involving spot repainting, cleaning or light bulb
1101 replacement that does not make substantial improvements, if repairs involve
1102 nonconforming sign alterations other than allowed in 18.54.200, compliance with all
1103 provisions of this Chapter shall be required.
- 1104 (3) Changing the copy of an off-premises sign and nonconforming signs shall not be
1105 considered a change requiring compliance with this Chapter unless there is a change
1106 to the size; a change, or removal of, a support structure or frame, or a portion
1107 thereof, whether replacing such structure or frame or not, and/or a change in the
1108 orientation of the sign. ~~A change of copy of an off-premises sign to on-premises~~
1109 ~~advertising is considered a change of use requiring full compliance with all~~
1110 ~~provisions of this Chapter.~~
- 1111 (b) Lawfully nonconforming signs which are nonconforming due to size are included in the
1112 total sign allowance for the property as follows:
- 1113 (1) If the excess signage is in the wall sign the amount greater than the allowed is
1114 considered a transfer to the freestanding sign allowance and the freestanding sign
1115 allowance is thereby reduced proportionally.
- 1116 (2) If the nonconforming sign is freestanding, no transfer is allowed to the wall.

1117 (c) Two (2) or more legal, nonconforming, freestanding signs on the same lot may be combined
1118 into one (1) new legal nonconforming sign. In this event, the maximum size of this new sign
1119 shall be one hundred twenty-five percent (125%) of the maximum size specified in
1120 Subsection 18.54.140(d) for the particular location and type of sign. This provision shall be
1121 utilized only one (1) time per property.

1122 (d) The Community Development Director may approve alternative compliance nonconforming
1123 sign proposals one (1) time per property as long as the proposed alternative reduces all
1124 elements of the signage nonconformance, by at least fifty percent (50%). This one-time
1125 provision may be used to address all nonconforming signs on the site, or for only one (1)
1126 nonconforming sign type on the site.

1127 (e) Temporary signs, window signs and dilapidated signs shall not be considered legal
1128 nonconforming signs.

1129 (Ord. 34, 2010 §1)

1130 **18.54.190 - Abandoned signs.**

1131 (a) A sign meeting the definition of abandoned under this Chapter must be removed or covered
1132 upon determination of its abandonment.

1133 (b) At such time that either a portion or all of a sign, sign frame, sign components or sign
1134 supporting structure are no longer in use for a period of ninety (90) consecutive days, such
1135 sign frame, sign components or sign supporting structure shall be brought into
1136 conformance by removal or the placement of a new permitted conforming sign, components
1137 and structure.

1138 (Ord. 34, 2010 §1)

1139 **18.54.200 - Sign construction and maintenance standards.**

1140 (a) All signs and all parts, portions and materials shall be manufactured, assembled and erected
1141 in compliance with all applicable state, federal and City regulations and the adopted
1142 building and electrical codes.

1143 (b) All signs, including those signs not required to obtain a sign permit as provided in Section
1144 18.54.100, shall be maintained and kept in good repair, and in conformance with the
1145 original sign permit. A sign that is maintained and kept in good repair shall meet the
1146 following criteria:

1147 (1) All sign supports, braces, guy wires, anchors and related screening are kept in
1148 repair, in a proper state of preservation, including as may be required by Paragraph
1149 18.40.070(a)(4) of this Code.

1150 (2) There is no evidence of deterioration, including chipped or peeling paint, rust,
1151 corrosion, fading, discoloration, broken or missing sign faces, text, logos, graphics or
1152 other elements of the sign.

1153 (3) There are no missing, flickering or inoperative lights that create a perception of
1154 deterioration or abandonment of the sign.

- 1155 (c) Where repairs involve a nonconforming sign, the provisions of Section 18.54.180 shall also
1156 apply.
- 1157 (d) Any non-maintained sign shall be repaired or replaced within fifteen (15) calendar days
1158 following notification from the City. Noncompliance with such notice shall constitute a
1159 nuisance subject to enforcement actions.
- 1160 (e) Signs, their structures and supports and related screening, shall be constructed of materials
1161 normally and typically intended to be used for such items.
- 1162 (Ord. 34, 2010 §1)

1163 **18.54.210 - Alternative compliance.**

- 1164 (a) Conditions may exist where strict compliance is impractical or impossible, or where
1165 maximum achievement of the City's objectives can only be obtained through alternative
1166 compliance. It is not the intent of alternative compliance to modify or reduce requirements
1167 of this Sign Code, but to provide equivalent standards in a creative way subject to approval
1168 under the provisions herein.
- 1169 (b) Requests for alternative compliance may be accepted for any application to which the
1170 requirements of this Chapter apply. A written request may be submitted to modify an
1171 individual sign allowance, which shall meet one (1) or more of the following criteria:
- 1172 (1) Topography, soil, vegetation or other site conditions are such that full compliance is
1173 impossible or impractical; or improved environmental quality would result from
1174 alternative compliance.
- 1175 (2) Space limitations, unusually shaped lots and prevailing practices in the surrounding
1176 neighborhood, may justify alternative compliance for infill sites and for
1177 improvements and redevelopment in older neighborhoods.
- 1178 (3) Safety considerations make alternative compliance necessary.
- 1179 (4) The proposed alternative is aesthetically more complementary to the site, better fits
1180 into the context of the area, improves the overall architectural appeal of the area
1181 and/or meets or exceeds the design objectives as described in the City's
1182 Comprehensive Plan. Where there is a strong architectural theme established in an
1183 area, the proposed alternative shall be consistent with or complementary to that
1184 theme. In an existing area where there is no established theme, the proposed
1185 alternative shall provide an architectural theme that is consistent with the
1186 Comprehensive Plan and improves the quality of development in the area.
- 1187 (c) Application for alternative compliance shall include the following information:
- 1188 (1) Written description of the conditions provided in Subsection (b) above, which apply
1189 to the subject property;
- 1190 (2) The applicant shall submit a sign plan consisting of a written statement addressing
1191 the proposal and the review criteria, along with dimensioned graphic plans
1192 identifying the following items for all signs on the property:

- 1193 a. Written and graphic illustration of the proposed alternative, including areas
1194 of departure from code standards;
- 1195 b. Sign style, type, location, size (area) and height for wall and freestanding
1196 signs;
- 1197 c. Materials and colors for all signs and support structures;
- 1198 d. Sign illumination devices and brightness levels, if applicable; ~~and~~
- 1199 ~~e. Other information as may be required by the Community Development~~
1200 ~~Department to make a thorough evaluation of the proposed alternative.~~

1201 (d) Upon receipt of a complete application as provided in Subsection (c) above, the application
1202 will be evaluated administratively through the Administrative Review Team, with the final
1203 decision made by Community Development Director.

1204 (e) If the Community Development Director finds that the provisions in Subsection (b) are met,
1205 the Director shall approve the request for alternative compliance in writing. If the
1206 Community Development Director finds that the provisions in Subsection (b) above have
1207 not been met, the Community Development Director shall deny the request for alternative
1208 compliance and the applicant may appeal such decision in accordance with Chapter 18.24,
1209 Appeals.

1210 (Ord. 34, 2010 §1)

1211 —

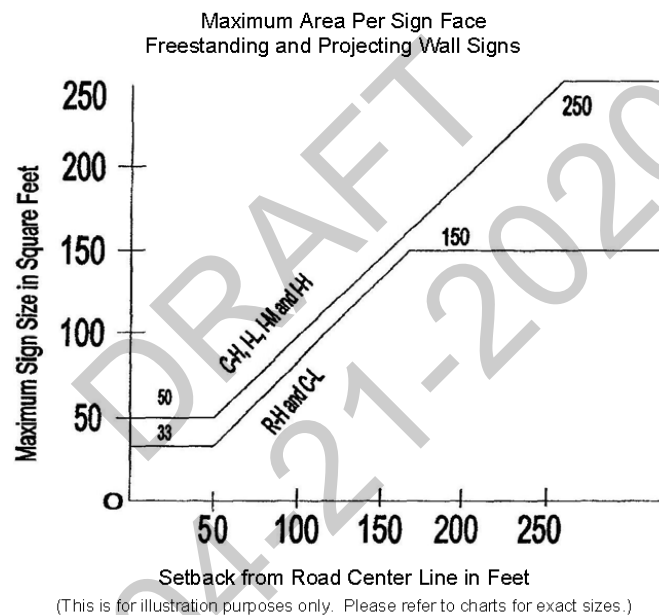
1212 **18.54.220 - Sign chart.***

Zoning District	Type of Sign Allowed	Max. total amount awning, wall & projecting wall signage allowed per linear foot of wall	Max. Sign Face Area for Awning and Wall Signs	Maximum Freestanding Sign Height	Maximum Size for Freestanding Signs	Number of Freestanding Signs
C-D, H-A, R-L, R-E, R-MH, R-M	See Section 18.54.110	See Section 18.54.110	See Section 18.54.110	See Section 18.54.110	See Section 18.54.110	See Section 18.54.110
R-H	Freestanding, wall and awning	.25 sq. ft.	See Subsections 18.54.140(b)—(g)	6 ft.	See Subsection 18.54.140(e)	1 sign where lot frontage is greater than or equal to 200 ft., but less than 500 ft.
C-L	Freestanding, wall and awning	1 sq. ft., plus an additional .5 sq. ft. (for secondary building frontage)	See Subsections 18.54.140(a)—(f)	6 ft.	See Subsection 18.54.140(e)	2 signs where lot frontage is greater than 500 ft.
C-H, I-L	Freestanding, wall, projecting wall and awning	1.5 sq. ft., plus an additional 1 sq. ft. (for secondary building frontage)	See Subsections 18.54.140(a)(f)	See Subsection 18.54.140(d)	See Subsection 18.54.140(d)	2 signs where lot frontage is greater than 500 ft.

Zoning District	Type of Sign Allowed	Max. total amount awning, wall & projecting wall signage allowed per linear foot of wall	Max. Sign Face Area for Awning and Wall Signs	Maximum Freestanding Sign Height	Maximum Size for Freestanding Signs	Number of Freestanding Signs
I-M & I-H	Freestanding, well, projecting wall and awning	2 sq. ft., ply an additional 1 sq. ft. (for secondary building frontage)	See Subsections 18.54.140(a)(f)	See Subsection 18.54.140(d)	See Subsection 18.54.140(d)	2 signs where lot frontage is greater than 500 ft.

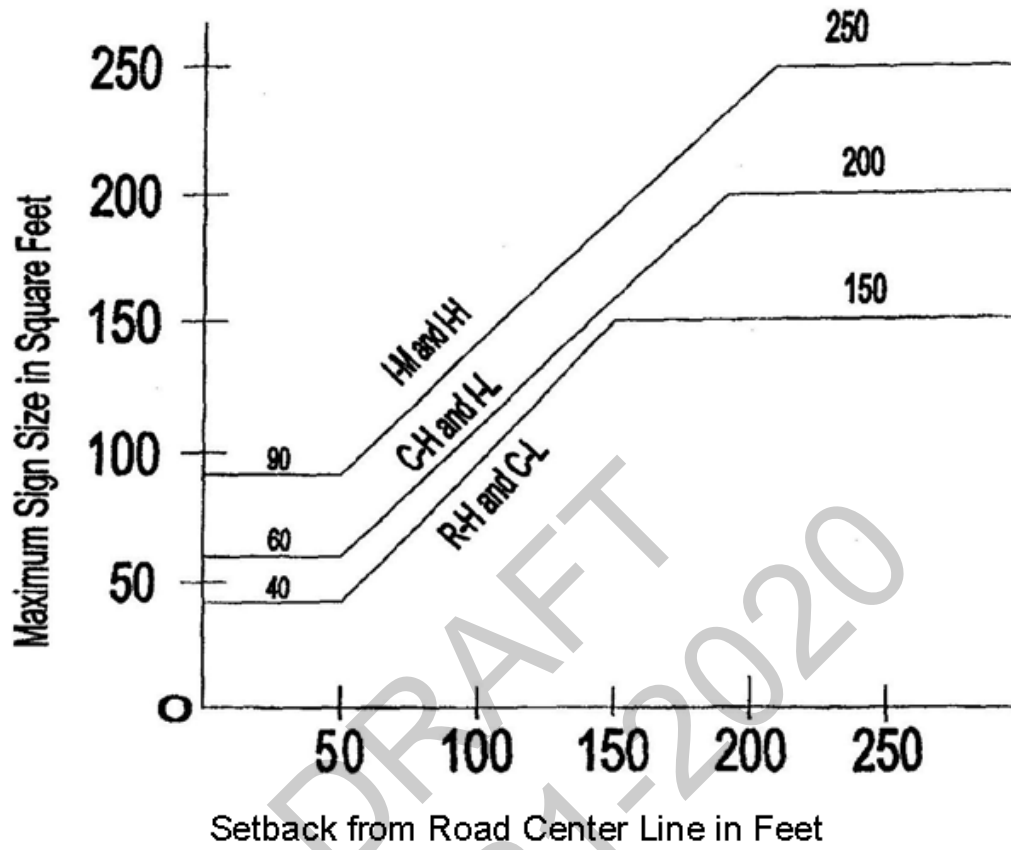
1213

1214 * This chart summarizes key signage allowances; see specific code sections for code details and/or
1215 exceptions.



1216

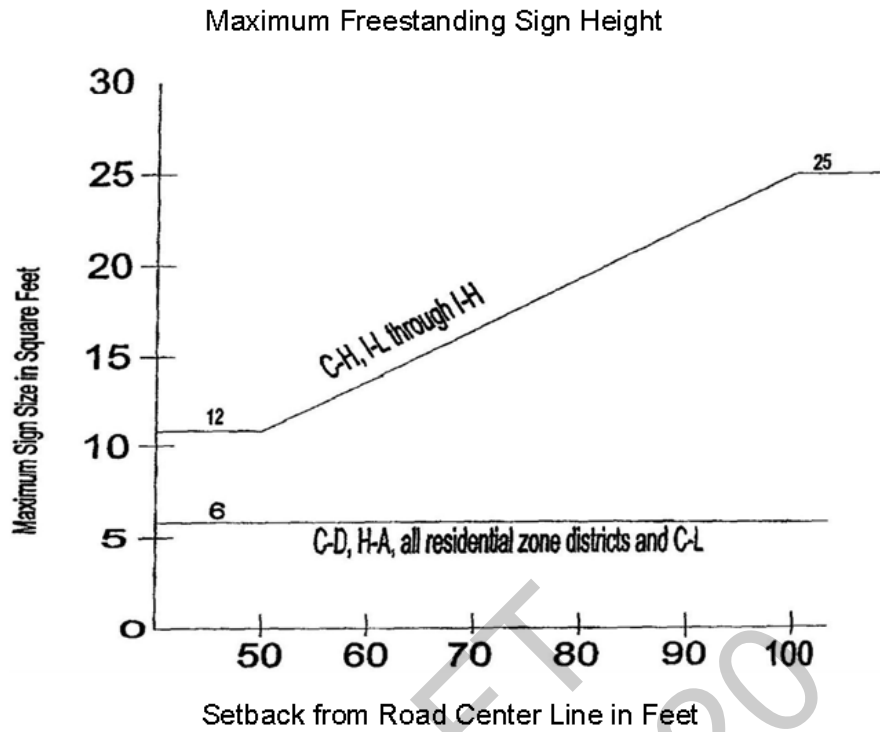
Maximum Area Per Sign Face Awning and Wall Sign Chart



(This is for illustration purposes only. Please refer to charts for exact sizes.)

1217

1218



(This is for illustration purposes only. Please refer to charts for exact sizes.)

1219

1220 (Ord. 34, 2010 §1)

PLANNING COMMISSION SUMMARY

ITEM: Amendment to the City of Greeley Municipal Code, Title 18 – Development Code

FILE NUMBER: CU2019-0001

PROJECT: An Ordinance Amending Chapter 18.54 – Signs

APPLICANT: City of Greeley, Community Development Department

CASE PLANNER: Brittany Hathaway, Planner III

PLANNING COMMISSION HEARING DATE: January 14, 2020

PLANNING COMMISSION FUNCTION:

The Planning Commission shall consider the staff report, along with testimony and comments made by staff and the public, and shall then make a recommendation to the City Council regarding the proposed amendments to the Development Code.

EXECUTIVE SUMMARY

The City of Greeley is requesting an amendment to Chapter 18.54 – *Signs* in order to comply with recent Court decisions regarding content neutrality.

STAFF RECOMMENDATION

Approval

BACKGROUND

The City of Greeley began regulating signage in 1958. Prior to this time signage was wholly unregulated. The result can be seen in a proliferation of commercial signage in the mid to late 1950's as depicted within Attachment C.

In the years since, our Sign Code has evolved with the most recent substantial update in 2010. We now have dimensional standards based on an applicant's zoning, permanency of the sign, lot frontage, and setback from the right-of-way among other regulations including design and materials. These standards ensure fair distribution of signage allowances while maintaining our streetscapes.

Part of keeping our Sign Code current involves ensuring enforceability and legality of its regulatory language. This proposed update does not affect commercial signage nor how the City calculates allowances for permitted signs. Rather, this update focuses on compliance with recent Court decisions regarding content neutrality for non-commercial signage.

In 2015, The U.S. Supreme Court decided *Reed v. Gilbert* (135 S. Ct. 2218). The Court struck down a Gilbert, Arizona ordinance that distinguished between different types of non-commercial signs for content regulation such as ideological, political, and directional. The Court held that

“Content-based laws—those that target speech based on its communicative content—are presumptively unconstitutional and may be justified only if the government proves that they are narrowly tailored to serve compelling state interests.”

Since this decision, Courts have reviewed sign codes by examining the text to see if any distinction is made among signs based on content. At this time, the ruling only affects non-commercial speech.

In spite of the removal of content-based language, the City will still be able to regulate signage based on size, materials, location, height, and other physical attributes to keep with aesthetic standards while remaining content-neutral in our enforcement. How the City measures and enforces permitted commercial signs, such as wall or freestanding signs, is not proposed to be changed with this amendment.

KEY ISSUES/STAFF ANALYSIS

Article XIX, Section 19-1(b) of the Greeley Charter describes the role of the Planning Commission in providing advice on land use matters to City Council. These proposed changes are relevant for the Commission’s review and recommendation for Council Consideration.

The primary effect of the proposed changes are in regard to temporary, non-permitted signage with non-commercial messages as regulated under 18.54.110 – *Signs not requiring a permit*. These sign types include ideological, directional, real estate, special event, or political signs, among others. Moving forward, these temporary message-defined signs will be referred to as either a “site sign” or “yard sign”. Proposed regulation includes no more than 32 square feet of cumulative signage is allowed per lot.

Key changes include the following:

- Removal of content-based sign definitions, such as ideological signs, real estate signs, commemorative signs, and political or election signs.
 - Reclassify these signs as “site” or “yard” signs.
- Correct minor grammatical errors, expand current definitions, and clarify existing sections.
- Include language to ensure legality. This includes a statement on interpretation under Section 18.54.050 (b).

The City has contracted with Todd Messenger of Fairfield and Woods P.C. to assist Staff in the drafting of the proposed amendment. The draft proposes to remove all content based language, provide clarification on existing requirements, and include language to ensure legality moving forward.

REQUEST

The City of Greeley is requesting an amendment to Chapter 18.54 – *Signs* in order to comply with recent Court decisions regarding sign content neutrality and to make minor grammatical and detail revisions to existing sections to provide clarification and ensure accurate interpretation.

A redlined version of Chapter 18.54 – Signs is included in Attachment A. Staff is proposing the minimal revisions needed to ensure compliance.

PUBLIC NOTICE AND COMMENT

The City hosted a public work session at the December 10, 2019 Planning Commission meeting to discuss the revisions and provide comments. Questions regarding commercial regulation of signage, affected signage types, and review procedure were asked by the Commission. No changes to the proposed draft were requested.

A City Council discussion is being scheduled for March 2020 with subsequent hearings to follow.

Staff has also distributed informative handouts to the Chamber of Commerce and the Greeley Area Board of Realtors and included the information on the Planning Department website homepage. A copy of the handout is provided as Attachment D. Staff has spoken with both organizations and no concerns were raised.

A formal notice for this meeting is not required for Code amendments per 18.18.040 – Public Meetings.

PLANNING COMMISSION RECOMMENDED MOTION

Based on the summary, attachments, and accompanying staff analysis, the Planning Commission finds that the proposed amendments to the City of Greeley Development Code, Chapter 18.54, are necessary and appropriate to align with federal regulation, and recommends approval to City Council.

ATTACHMENTS

Attachment A – Chapter 18.54 – Redlines

Attachment B – Chapter 18.54 – Clean Version

Attachment C – Photo Exhibit of Historic Signage

Attachment D – Sign Code Update Information Handout

Chapter 18.54 - Signs

18.54.010 - Purpose and intent.

- (a) The purpose of this Chapter is to promote, preserve and protect the health, safety and general welfare of the inhabitants of the City by providing reasonable regulations and standards relating to signs. ~~An important function of signage is to assist in the efficient identification and advertisement of business locations, products and services; public facilities; and residential developments. In order to promote efficient identification, it is necessary to set standards which allow each business, public facility or residential development to be reasonably identified. These standards should not only ensure that efficient identification is promoted, but also that signage contributes positively to the City's image, thus enhancing the economic, cultural and social viability of the community.~~
- (b) This Chapter shall be referred to as the "City of Greeley Sign Code." It may also be referred to herein as the "Sign Code."
- (c) The intent of this Chapter is to provide regulations and standards ~~to promote~~ regarding signs, such that:
- ~~(1) — Identify the location of businesses, public places, residential developments and similar establishments and uses;~~
 - ~~(2) — Advertise commercial locations, products and services;~~
 - ~~(3)~~ (1) The signs visually enhance the property on which they are located, adjacent land uses and the overall City;
 - ~~(4)~~ (2) Accommodate flexibility is provided with respect to in the location, dimensions and design of signage, consistent with other intents expressed in this Sign Code;
 - ~~(5)~~ (3) The public is protected from damage or injury caused by poorly designed or maintained signs or distractions and hazards to pedestrians or motorists caused by the indiscriminate placement or use of signs;
 - ~~(6)~~ (4) Signs are appropriate for the size of street to which they are oriented;
 - ~~(7)~~ (5) Signs are appropriate to the type of zoning and land uses to which the signs pertain and ~~minimize~~ any incompatibility between signs and their surroundings is minimized;
 - ~~(8)~~ (6) Signs are consistent with other community planning, land use, traffic, building and development standards;
 - ~~(9)~~ (7) This Sign Code assists in the implementation of the City of Greeley Comprehensive Plan goal of fostering attractive design that promotes unique Greeley's style, values, and priorities, and excellence; coordinates and complements historical elements, where appropriate; and supports First Amendment values and Greeley economic development; and

~~(10)~~(8) Signs that are lawfully nonconforming, are induced to come into full compliance with these regulations.

(Ord. 34, 2010 §1)

18.54.020 - Application and installation.

The provisions in this Chapter shall apply to all signage within the City.

- (1) It shall be unlawful for any person to erect, place, enlarge, alter, repair or convert a sign in the City except in accordance with the provisions of this Chapter.
- (2) All signs require a permit unless specifically exempted, by this Chapter. Fees for sign permits are as established in Chapter 18.10.040 of the Development Code.
- (3) Installation. Except for signs not requiring a permit as described in Section 18.54.100, a permit must be obtained from the City prior to installation.

(Ord. 34, 2010 §1)

18.54.030 - Variances and appeals.

- (a) Variances to the dimensional standards established in this Chapter shall be administered in accordance with the provisions in Chapter 18.22, Variances, and this Section of this Code. Variances to any other provision of this Chapter shall not be permitted.
- (b) Sign variances shall only be granted after a finding of the Zoning Board of Appeals that the application complies with all of the considerations for a variance as specified in Chapter 18.24 and this Chapter of this Code. In addition to the criteria identified in Chapter 18.22, Variances, the Board shall consider, but not be limited to, the following factors as applicable in granting a variance:
 - (1) Historic value as determined by the Historical Preservation Commission;
 - (2) Architectural integrity;
 - (3) Any variance granted shall be the minimum needed to accommodate or alleviate the difficulty or hardship involved;
 - (4) A variance is necessary to accommodate an unusual or atypical lot configuration or physical aspect of the site which makes a reasonable use of the property unreasonable without a variance;
 - (5) Any difficulty or hardship constituting the basis for a variance shall not be created by the party seeking the variance, nor shall it be due to or a result of the general conditions in the area;
 - (6) Granting the variance is necessary to alleviate a health or safety issue related to the site;
 - (7) Granting the variance is consistent with the Comprehensive Plan, area and/or neighborhood plans, or may achieve a better result in meeting the intent of the plan objectives than if the codes were strictly applied.

- (c) Sign variances shall not be transferable to a new location on the property unless first approved in writing by the Community Development Director that the changed location on the site substantially complies with the conditions of the original variance. Changes to a sign that received a variance, with the exception of changes in sign text or copy that do not result in any structural changes to the sign, shall require compliance with all applicable provisions of this Code.
- (d) Any sign variance which was in effect and applied to an installed sign still in place prior to the adoption of this Code, as amended, may be continued under the provisions of that variance until a change to a sign is requested, at which time a new variance shall be applied for or the sign shall comply with all applicable provisions of this Code.
- (e) Appeals shall be conducted under the provisions of Chapter 18.24, Appeals.

(Ord. 34, 2010 §1)

18.54.040 - Enforcement.

- (a) Enforcement of the provisions of this Chapter shall be by the Community Development Director or her or his designee in accordance with Section 1.33 of the Municipal Code.
- (b) ~~Public~~ Right-of-way - illegal or unauthorized sign.
 - (1) In addition to all other enforcement authority available to the City, the City may also remove or cause to be removed any illegal or unauthorized sign from the public right-of-way without notice to any party. The cost of removal as may be assessed by the City is the responsibility of the owner of the sign or, if unknown, the owner of the property.
 - (2) The City shall have the authority to dispose of all unauthorized or illegal signs removed from the public right-of-way without notice to the owner of such signs. The cost of removal and storage of removed signs as may be assessed by the City shall be the sole responsibility of the owner of the sign.
- (c) Private Property – illegal or unauthorized sign. The property owner or resident of the property may ~~also~~ remove signage that is unauthorized or illegal.

(Ord. 34, 2010 §1)

18.54.050 - Definitions and interpretations.

- (a) Definitions. The following words, terms and phrases used in this Chapter shall have the following meanings:

Abandoned sign:

- (1) A sign or sign structure and components, for which no legal owner can be found; and/or
- (2) A sign and structure which are used to identify or advertise a business, tenant, owner, product, service, use, event or activity that has not been located on the premises for a period of ninety (90) consecutive days or longer.

Address sign shall mean a type of required sign that displays the address of a building or property, as required by the applicable fire and/or building code. ~~Address sign shall mean signs that give only the address or name of a building or residence, without reference to, or inclusion of, the name or logo of a product sold, or service performed on the lot or in a building or structure, or name of the business enterprise occupying the property.~~

Advertise shall mean to attract attention to a business, product, service, use or event with a sign, display item or other device, such as flags, pennants, air driven devices and lights.

Animated sign (see *Flashing or animated* or *Imitating sign* ~~sign~~ sign).

Art shall mean all forms of original creations of visual art, including but not limited to sculpture; mosaics; painting, whether portable or permanently fixed, as in the case of murals; photographs; crafts made from clay; fiber and textiles; wood; glass; metal; plastics; or any other material or any combination thereof; calligraphy; mixed media composed of any combination of forms or media; unique architectural styling or embellishment, including architectural crafts; environmental landscaping; or restoration or renovation of existing works of art of historical significance. Works of art are not intended to be used for commercial advertising purposes.

Awning shall mean a framed exterior architectural feature, attached to and supported from the wall of a building and/or held up by its own supports, which provides or has the appearance of providing shelter from the elements to pedestrians, vehicles, property or buildings.

Awning, internally illuminated shall mean any transparent or translucent backlit awning or awning lettering which transmits light from within the awning to the outside surface of the awning.

Awning sign shall mean a sign that is mounted or painted on or attached to an awning.

Backing shall mean the background area of a sign, which differentiates the total sign display from the background against which it is placed.

Banner shall mean a sign applied to flexible materials (e.g., cloth, paper or fabric of any kind) with no enclosing framework.

Beacon (see *Searchlight, strobe light or beacon*).

~~*Billboards and bus bench/shelter sign* (see *Off-premises advertising device*).~~

Building appurtenance shall mean the visible, functional or ornamental object accessory to and part of a building.

Building frontage, principal shall mean the horizontal linear dimension which is designated as the primary façade of that portion of a building occupied by a single use or occupancy.

Building frontage, secondary shall mean that dimension of a building abutting a public right-of-way other than the principal building frontage.

Building signs shall mean signs that are attached to and supported by a building; whether the wall, window, or roof of building.

~~*Business identification sign shall mean a sign giving the name, nature, logo, trademark or other identifying symbol of a business, and which may also include the address of the business.*~~

Candela is a unit of luminous intensity, defined as the luminous intensity of a source that emits monochromatic radiation of frequency 540×10^{-12} Hertz and that has a radiant intensity of 1/683 watt/steradian, and adopted in 1979 as the international standard of luminous intensity.

Canopy shall mean a roofed structure for the purpose of shielding pedestrian walkways or driveways which service operations or equipment, such as with a gas station or bank drive-up facility.

Center line (of public right-of-way) shall mean a line running midway between the bounding right-of-way lines of a street or alley. For the purposes of signage calculation, the center line shall mean the apparent center line of the road determined by finding the point midway between the outer edges of the road surface.

Changeable copy sign (also known as a *marquee sign*-) shall mean a sign designed to allow the changing of copy as with individual letters through manual means, without altering the sign backing or structure in any such way.

Channel letters, individual letters, raceway and-or channel sign shall mean individual letters, flat cutout letters, or symbols constructed to be applied singly in the formation of a wall sign or a freestanding sign.

Clear vision zone or area shall mean that area within which the City requires an unobstructed line of sight necessary for most drivers stopped at an intersection to see an approaching vehicle, pedestrian or bicyclist to avoid a collision.

~~*Commemorative sign* shall mean a sign, tablet, cornerstone or plaque memorializing a person, event, structure, site or landmark and not used to advertise a product, service or activity.~~

~~*Commercial or industrial development identification sign* shall mean an on-premises sign for identifying a commercial or industrial development, park or subdivision.~~

~~*Community event sign* shall mean a sign that provides information relating to any community event sponsored by a nonprofit group or agency.~~

~~*Contractor sign* shall mean a sign naming those engaged in the design, financing or construction on the property where the sign is located.~~

Cornerstone shall mean a stone forming a part of a corner or angle in a wall that provides building identification.

Day shall mean a calendar day.

~~*Directional on-site* shall mean signs that direct the movement or placement of pedestrian or vehicular traffic on a lot without reference to, or inclusion of, the name or logo of a product sold or services performed on the lot or in a building, structure or business enterprise occupying property, such as "welcome," "entrance," "exit," "restrooms," "parking," "loading area" and "drive-thru."~~

~~*Directory sign* shall mean a sign listing the names, uses or locations of the various businesses or activities conducted within a building or group of buildings, that is centrally located and intended to provide on-site directions and not legible off-site.~~

Dissolve shall mean a mode of message transition on an electronic message display accomplished by varying the light intensity or pattern, where the first message gradually appears to dissipate and lose legibility simultaneously with the gradual appearance and legibility of the second message.

~~*Election sign* shall mean a sign related to public election.~~

Electronic message display shall mean a sign capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means.

Exposed incandescent or high intensity discharge lighting shall mean any sign or portion of a sign that utilizes an exposed incandescent or high intensity lamp, with the exception of neon.

Fade shall mean a mode of message transition on an electronic message display accomplished by varying the light intensity, where the first message gradually reduces intensity to the point of not being legible and the subsequent message gradually increases intensity to the point of legibility.

Feather flag (see *Ground kites*).

Figure shall mean outline, shape or pattern of numbers, letters or abstract images.

Flag shall mean a finished piece of flexible material designed to be attached to or ~~designed to be~~ flown from a flagpole or similar device, and which ~~may typically (but not necessarily)~~ displays the name, insignia, emblem or logo ~~of representing any a~~ nation, state, municipality, civic group, idea, sports team, or other commercial or noncommercial organization (see also *Pennants*).

Flashing or animated shall mean signs or lighting with flashing, blinking, moving or other animation effects, or that give the visual impression of such movement by use of lighting, or intermittent exhibits or sequential flashing of natural or appearance of artificial light or colors, including those signs that rotate, revolve, spin, swing, flap, wave, shimmer or make any other motion, or illusion of motion, or which imitate official governmental protective or warning devices (see *Imitating sign*).

Frame (EMD) shall mean ~~a complete, static display screen on the content (images, text, background colors, etc.)~~ that is displayed on an electronic message display at a fixed point in time.

Frame effect shall mean a visual effect that is used on an electronic message display ~~applied to a single frame~~ to attract the attention of viewers by displaying modified versions of a frame (e.g., changes in brightness, contrast, color, perspective, or content elements) in succession, providing the effect of animation or transition (e.g., fade or dissolve).

Freestanding sign shall mean a sign which is not attached to a building. A freestanding sign shall include, but is not limited to, a pole, monument, a canopy and freestanding wall sign. A sign that extends more than four (4) feet from a wall but is attached and/or is part of a canopy, or an awning shall be considered a freestanding sign.

Freestanding wall or fence shall mean either a wall that is not attached to a building, or a wall attached to a building that projects more than four (4) feet beyond the exterior wall of the habitable portion of the building.

Frontage lot/property shall mean that portion of a lot that is directly adjacent to a public street.

Ghost sign shall mean old hand-painted signage that has been preserved on a building for an extended period of time, whether by actively keeping it or choosing not to destroy it.

Grade shall mean the average elevation of the finished surface of the ground, paving or sidewalk with a radius of five (5) feet from the base of the structure.

Graphic shall mean drawings, decals, paint or illustrations.

Ground kites are freestanding frames usually covered with flexible fabric and designed to be animated by the wind to attract attention. Ground kites may also be referred to as “feather flags” or “teardrop flags.”

Historic sign shall mean a sign that has been officially designated as a historic landmark.

Holiday decoration shall mean temporary decorations, lighting or displays which are clearly incidental to and customarily and commonly associated with any national, state, local, religious or commonly celebrated holiday, ~~and which contain no commercial message.~~

Human sign shall mean a person carrying or wearing a sign.

~~*Ideological sign* shall mean a sign which is not used for the purpose of advertising, identifying or announcing any commercial product, goods, establishment, facilities or services and which conveys ideas, philosophy or religious or political views not related to a specific election.~~

Illumination shall mean the use of artificial or reflective means for the purpose of lighting a sign.

Imitating sign shall mean signs which purport to be, are an imitation of, or resemble an official traffic sign, signal or equipment which attempt to direct the movement of pedestrian or vehicular traffic using the words such as "Stop," "Danger" or "Caution" to imply a need or requirement to stop, or a caution for the existence of danger, such as flashing red, yellow and green (see *Flashing or animated sign*).

Incidental sign shall mean ~~nondescript~~ signs, emblems or decals attached to a building or permanent structure ~~informing the public only of those facilities or services available on the premises, such as a credit card sign, or a sign indicating hours of business~~ that are less than 80 square inches in sign area, and not applied in a cumulative manner so as to circumvent the provisions of this Sign Code.

Indirect lighting shall mean reflected light or lighting directed toward or across a surface.

Individual letters (see *Channel letters*).

Inflatable sign or *inflatable object* shall mean any object filled with air or other gas, whether sealed (e.g. balloons) or driven by a fan (e.g., “sky dancers”), ~~including balloons, which characterize a commercial symbol or contain a message~~ is intended to attract attention from adjacent properties or rights-of-way.

Internal illumination shall mean a light source that is contained within the sign itself, or where light is visible through a translucent surface.

Joint ~~identification~~ sign shall mean a sign, structure or surface which serves as a common or collective ~~identification medium~~ for display of messages by two (2) or more ~~uses occupants of on~~ the same ~~premises property~~ (see *Multi-tenant sign-sign*).

Kiosk shall mean a freestanding structure upon which temporary information, such as ~~and/or~~ posters, notices, or ~~and~~ announcements, are posted.

Leading edge shall mean the point of a sign, including its support structure, nearest to the public road right-of-way.

Legally nonconforming signs are signs which were lawfully constructed and erected prior to the most recent enactment of this Chapter and have been maintained as a sign, but which no longer comply with the provisions of this Chapter as amended.

Legible shall mean a sign capable of being read with certainty without visual aid by a pedestrian of normal visual acuity from a specified vantage point (or if no vantage point is specified, from the adjacent street right-of-way or adjacent private property).

Maintenance of a sign shall mean cleaning, repairing, painting or replacement of defective parts in a manner that does not alter the dimension, material or structure.

Menu board shall mean a permanently mounted sign ~~which lists the products or services available~~ at a drive-in or drive-thru facility ~~and that is~~ not legible from the adjacent street right-of-way.

Monument sign shall mean a freestanding sign supported primarily by an internal structural framework or other solid structure features where at least sixty percent (60%) of the base of the sign is in contact with the ground.

Multi-tenant sign shall mean a sign which displays messages for two (2) or more tenants of a multi-tenant property. ~~*Multi-tenant sign shall mean a sign which serves as a common or collective identification for two (2) or more uses on the same premises (see Joint identification sign).*~~

~~*Mural* shall mean a graphic displayed on that is painted on or otherwise applied directly to the exterior wall of a building, generally for the purposes of decoration or artistic expression, including but not limited to painting, frescoes or mosaics, with the exception that any portion of the mural that references the business name, logo, words, text or brand-specific merchandise shall be considered a sign.~~

~~*Nameplate sign* shall mean a door entrance sign indicating the name and address of a building or the name of an occupant.~~

Neon shall mean a sign illuminated by a light source consisting of a neon or gas tube that is bent to form letters, symbols or other shapes.

Nits shall mean a unit of measurement of luminance, or the intensity of visible light, where one (1) nit is equal to one (1) candela per square meter.

~~*Noncommercial sign* (see also *Residential complex, subdivision or residential identification sign*).~~

Nonconforming sign (see *Legally nonconforming signs*).

Off-premises advertising device shall mean a sign or device that advertises a business establishment, good, facility, service or product which is not sold or conducted on the premises on which the sign or device is located, and which may be designed to change copy on a periodic basis.

On-premises sign shall mean a sign which advertises or directs attention to a business, product, service or activity which is available on the premises where the sign is located.

Parapet wall shall mean an extension of the fascia wall above the roofline, which appears contiguous architecturally.

Pennants shall mean any long, narrow, usually triangular flag typically made of lightweight plastic, fabric or other material, ~~and not containing a message, image or representative symbol,~~ usually found in a series on a line and designed to move in the wind.

Permanent sign shall mean a sign attached to a building, structure, or the ground in a manner that precludes ready removal or relocation of the sign.

Permitted sign shall mean a sign having a legal permit issued in accordance with the provisions of this Chapter.

Pole or Pylon sign shall mean a freestanding sign that is permanently supported in a fixed location by a structure of one or more poles, posts, uprights, or braces from the ground and not supported by a building or base structure (other than a footer). ~~*Pole sign* shall mean a sign that is affixed, attached or mounted on a freestanding pole or structure that is not itself an integral part of or attached to a building or structure.~~

Portable sign shall mean a sign that is not permanently affixed to a building, structure or the ground and that is easily moved, such as a sandwich board sign.

Premises shall mean the land, site or lot at which, or from which, a principal land use and activity is conducted.

~~*Private sale or event sign* shall mean a sign that provides information relating to a sale or event being held by an individual or group of individuals on private property, which may include, but not be limited to, a garage or yard sale.~~

~~*Prohibited activities sign* shall mean signs located on a property posting said property for warning or prohibition, such as "no hunting," "no swimming" or "no parking."~~

Projecting wall sign shall mean any sign attached to a building and that extends more than twenty (20) inches from the surface to which it is attached, but no more than four (4) feet from the wall of the building. Signs projecting more than four (4) feet from the building shall be considered freestanding signs.

~~*Public affairs sign* shall mean a sign erected and maintained by or on behalf of the government for civic purposes.~~

Public sign shall mean a sign erected and maintained by or on behalf of the City or a governmental entity that is not subject to the City's jurisdiction, on property owned or controlled by the City or governmental entity; or a sign that is required or specifically authorized for a public purpose by any law, statute, ordinance, resolution, or approved development plans, including way-finding signs installed by a governmental entity within the public right-of-way, traffic control devices; public notices, and the like. ~~*Public sign* shall mean a sign required or specifically authorized for a public purpose by any law, statute or ordinance, including public directional signs on the right-of-way; signs which identify the City by name; signs that direct travelers to public buildings, parks or attractions; interpretative signs; way-finding signs, Municipal Uniform Traffic Control devices; and the like.~~

~~*Real estate model home sign* shall mean a sign identifying a model home within a subdivision and/or a temporary real estate sales office.~~

~~*Real estate open house sign* shall mean a sign indicating that a building or portion of a building is available for inspection by prospective buyers or renters.~~

~~*Real estate sign* shall mean a sign on the offered property which advertises the sale, rental or lease transfer or exchange of the premises upon which said sign is located.~~

Required sign means a sign that is required to be displayed on private property by an applicable law (e.g., a sign displaying the address of property as required by the building code, signs required by the Occupational Health and Safety Act, etc.)

~~Residential complex, subdivision or residential identification sign shall mean an on-site sign that identifies a specific residential complex or subdivision.~~

Roof sign shall mean a sign that is mounted on the roof of a building or structure, such as a portico, which is wholly dependent upon a building for support and which projects above the parapet of a building with a flat roof or above the peak of the roof of that portion of the roof on which the sign is placed.

Searchlight, strobe light or beacon shall mean a stationary or revolving light that flashes or projects illumination, single color or multicolored, in any manner that is intended to attract or divert attention; excluding any device required or necessary under the safety regulations described by the Federal Aviation Administration or similar agencies.

Sight distance (see *Clear vision zone or area*).

Sign shall mean any device, surface, object, structure, building architecture or part thereof using graphics, symbols or written copy for the purpose of advertising, identifying or announcing or drawing attention to any establishment, product, goods, facilities, services or ideas, whether of a commercial or noncommercial nature.

Sign allowance shall mean the amount of signage that is allowable under the provisions of this Chapter.

Sign alteration shall mean any change of copy (excluding changeable copy signs), sign face, color, size, shape, illumination, position, location, construction or supporting structure of any sign.

Sign area shall mean the entire face of a sign and any backing, frame, trim or molding, and which may include the supporting structure.

Sign backing shall mean the surface, pattern or color of which any sign is displayed upon, against or through and that forms an integral part of such display and differentiates the total display from the background against which it is placed.

Sign face shall mean the area of the sign on which the copy is placed, or, for individual cutout letters, painted letters, channel letters or symbols, the perimeter of the individual elements shall be considered the area of the sign.

Sign frame shall mean a sign cabinet or that portion of the sign that holds the sign face in place.

Sign height shall mean the vertical distance measured from the grade, as defined herein, to the highest point of the sign or sign structure.

Sign, interior to a building shall mean signs inside buildings that are not legible from the public right-of-way.

Sign, interior to development shall mean any sign that is located so that it is not legible from any adjoining property or the public right-of-way and not oriented in such a way as to attract the attention of those traveling along the right-of-way.

Sign permit shall mean a permit issued by a Building Official and which is required for any sign specified under Section 18.54.060.

Sign separation shall mean the distance or spacing between individual signs, whether they are on the same structure or on separate structures, as measured by a straight line.

Sign setback shall mean the minimum distance required from the apparent centerline of the right-of-way to any portion of a sign or sign structure.

Sign structure shall mean the supports, uprights, bracing or framework of any structure for the purposes of displaying a sign.

Site sign shall mean a temporary freestanding sign constructed of vinyl, plastic, wood or metal and designed or intended to be displayed for a short period of time on a construction project.

Sky dancers shall mean freestanding tubes which often simulate the shape of a person into which air is forced to inflate and animate and which do not characterize a commercial message or contain a message.

Symbol shall mean a graphic device which stands for a concept or object.

Teardrop sign (see Ground kites).

Temporary sign shall mean any sign not intended for permanent installation, such as, but not limited to, a yard sign, site sign, banner, balloon, pennant, searchlight or beacon. ~~Generally, these signs are intended to be used for a limited period of time or for a purpose announcing a special event or presenting other miscellaneous or incidental information or instructions.~~

~~*Time or temperature sign* shall mean a sign or portion thereof on which the only copy that is capable of being changed is an electronic or mechanical indication of time and/or temperature.~~

Transition shall mean a ~~visual~~ frame effect used on an electronic message display to change from one (1) message to another.

Vehicle signs shall mean signs which are attached to or located on licensed vehicles, trailers or semi-trailers and contain or display signage for the primary purpose of advertisement, excluding bumper stickers on the bumper, and similar-sized adhesive decals.

Wall sign shall mean a sign attached parallel to and extending less than twenty (20) inches from the wall of a building, fence or freestanding wall. Wall signs shall include painted, individual letter, cabinet signs and those signs located below the peak of the roof of a building which are not specifically defined as roof signs.

Wind sign (see *Pennants* , *Ground kites* and *Sky dancers*).

Window sign shall mean any signage or graphics applied directly to a window surface or any sign hanging within twelve (12) inches of the interior surface of a window, or which is clearly evident through a window and oriented to attract the public on to the premises.

Yard sign shall mean a temporary portable sign constructed of paper, vinyl, plastic, wood, metal or other comparable material, and designed or intended to be displayed for a short period of time.

- (b) Interpretation. This Sign Code is not intended to, and does not restrict speech on the basis of its content, viewpoint, or message. No part of this Sign Code shall be construed to favor commercial speech over non-commercial speech. Messages may be changed without the need for any approval or permit, provided that the size and structure of the sign are not

altered. To the extent any provision of this Code is ambiguous, the provision shall be interpreted not to regulate on the basis of the content of the message

(Ord. 34, 2010 §1)

18.54.060 - Sign permits.

- (a) The Building Official shall be responsible for issuing all sign permits once approved by the Planning Division staff, which shall be responsible for reviewing all sign permits for compliance with this Code.
- (b) A sign permit shall be required for all signs unless exempted from the provisions of this Chapter. The replacement, repair or major alteration of a sign shall require a new sign permit.
- (c) The following information shall be submitted for a sign permit:
 - (1) Completed sign permit application signed by the property owner, tenant and/or licensed sign contractor, which shall include the following:
 - a. The name, address and telephone number of the property owner, business owner or licensed sign contractor;
 - b. The location, by street address, of the proposed sign; valuation of proposed work; and
 - c. The zoning district in which the property is located. An affidavit (sworn statement) of notice to the property owner is required, if submitted by a business owner or contractor.
 - (2) Plans for the proposed sign, including but not limited to:
 - a. For each sign:
 - 1. Scaled drawing of sign elevation, including area to be occupied by lettering, symbols or images, with dimensions; sign type; method of illumination, construction materials; projection or depth of sign cabinet;
 - 2. Site plan showing the adjacent streets and location of property lines;
 - 3. Plans showing the scope and structural detail of the proposed work, including details of structural connections, guidelines, supports and footings, and materials to be used;
 - 4. An inventory of all existing signs located on the property (a tenant may provide this information for the lease holder area only) related to the specific business that will remain and be removed, including location, dimensions, height and types of sign; and
 - 5. If reasonably known, identify any signs that are nonconforming, have received a variance, have utilized a nonconforming one-time change

rule, have combined two (2) smaller signs into one (1) larger sign, or have utilized any bonuses.

- b. For wall signs: scale drawing with building dimensions, the square footage for each tenant and the total square footage for the building; elevations showing the sign location, facade dimensions and roof lines.
 - c. For freestanding signs: scale drawing of site layout including sign location, property lines, setbacks, adjacent public right-of-ways, street names, buildings and improvements, parking areas, drive aisles and landscaped areas in the vicinity of the proposed sign; dimensions of the sign and its support structure and members; and proposed height of the sign.
- (3) An indication of application for electrical permits for all electric signs; when applicable, such permits will be issued separately through the Building Inspection Division.
- (4) ~~Other~~ information, as required by the City, to ensure a complete and comprehensive review of the proposed sign.

(Ord. 34, 2010 §1)

18.54.070 - Reserved.

Editor's note— Ord. 43, 2016 , §1, adopted Dec. 20, 2016, repealed § 18.54.070, which pertained to sign contractor license and derived from Ord. 34, 2010 §1.

18.54.080 - General provisions.

- (a) Written Interpretations. The Community Development Director shall be responsible for interpretation of this Chapter. Appeals to interpretations by the Community Development Director shall be subject to the provisions of Section 18.54.030, Variances and Appeals (see Section 18.24 of the Development Code).
- (b) Sign Classification. If the provisions within this Chapter do not identify a particular type of sign, or if a sign may be classified under two (2) or more definitions, the sign shall be classified according to that description which most specifically describes it and which furthers the purposes of this Chapter.
- (c) Interior to a development signs not legible beyond the boundaries of the property on which they are located and which are not intended to attract off-site attention shall not be counted for the purpose of zoning regulations toward signage calculations, except window signage that exceeds twenty-five percent (25%) of the window area. Any sign constructed interior to the development may be subject to building permit provisions.
- (d) Primary structure required. With the exception of ~~real estate, election, ideological and prohibited activities~~required and temporary signs, signs shall not be permitted unless there is a primary structure on the parcel.
- (e) Other Code requirements. All signs within the City shall comply with the adopted building and electrical codes, Model Traffic Code, Historic Preservation and other codes and

ordinances as adopted by the City. All electric signs shall comply with and bear independent testing laboratory labels. In the event of any conflict between any of these codes or ordinances and this Chapter, the more restrictive provision shall apply.

- (f) Trees and shrubs. No person may, for the purposes of increasing or enhancing the visibility of any sign, damage, destroy, trim or remove any trees or shrubs located within the public right-of-way or as per an approved use by special review, design review or any other land use zoning permit unless the work is done pursuant to written authorization of the Community Development Department.
- (g) Signs in right-of-way. Except as otherwise permitted elsewhere in this Code, no signs other than regulatory signs are allowed in the public right-of-way except as provided by a right-of-way revocable sign permit.
- (h) Consistent and complementary. All signs installed after the adoption of the ordinance in this Chapter shall be designed to be consistent and compatible with the character of the principal buildings to which the signs relate, including the use of similar or complementary colors and materials in the design and construction of signs and its surroundings.
- (i) Sign lighting. Signs may be internally illuminated, backlit or illuminated by down-lighting or by ground-mounted light fixtures that illuminate only the sign face and base and shall conform to the following:
 - (1) Illuminated signs on the C-D, H-A and all residentially zoned properties or illuminated signs on commercial or industrial zoned properties immediately adjacent to residentially zoned properties shall either have an opaque background and translucent letters or letters without background lighting;
 - (2) In no case shall sign lighting create more than one-tenth (0.1) foot candle impact on habitable residential uses in residentially zoned areas;
 - (3) Neon lighting shall only be permitted within the [graphics \(e.g., logos or images\)](#) or lettering ~~or logo~~ of a sign;
 - (4) Illumination of the sign face by down-lighting or ground mounted light fixtures shall not exceed fifty (50) foot-candles as measured on the sign face; and
 - (5) Flashing or strobe lighting shall not be permitted, whether used as part of a sign or to draw attention to a site or location.

(Ord. 34, 2010 §1)

18.54.090 - Sign measurements and orientation.

- (a) The following rules shall apply to the measurement of signs in all zoning districts:
 - (1) The area of a sign is measured by determining the total sign face, which includes the backing and the frame of the sign.
 - (2) The area of a sign shall be measured utilizing a single, continuous rectilinear perimeter of not more than twelve (12) straight lines, the extreme limits of writing, representation, lines, emblems or figures contained within all modules, together

with any air space, materials or colors forming an integral part or background of the display or materials used to differentiate such sign from the structure against which the sign is placed. For replacement of existing signs, the applicant may choose to utilize an exact calculation of sign area in lieu of this requirement.

- (3) A freestanding sign area and its support structure may be equal in size to one and one-half ($1\frac{1}{2}$) times the maximum-sized sign allowance at that location. The base of a monument sign shall not be counted as part of the calculation, provided that:
 - a. The base does not account for more than one-third ($1/3$) of the combined area of the sign face and the base; and
 - b. At least sixty percent (60%) of the bottom edge of the sign, including its supports and structure, has contiguous contact with the ground. Where the base has an unusual shape, such as circular or diamond-shaped, the bottom of the base shall be determined by measuring at a point that is one-third ($1/3$) of the distance from the ground to the top of the base; and
 - c. Any portion of the base that contains signage will be counted, with the exception of a numeral address that is clearly incidental to the sign.
 - (4) The area of a sign which has multiple sign faces not parallel to the right-of-way, such as V-shaped, triangles or cubes, shall be calculated using the total of all faces which may be viewed at the same time from the public right-of-way or adjacent property.
 - (5) All writing, representations, emblems or figures forming an integral part of a display used on an awning to identify, direct or attract the attention of the public shall be considered to be a sign for the purposes of measurement.
 - (6) Internally illuminated awning signs that are translucent, with backlighting, shall include the entire area of the awning in the calculation of the sign area (see also Subsection 18.54.140(a)).
- (b) The height of a sign shall be determined by measuring the vertical distance from the adjacent grade to the highest point of the sign or sign structure. For purposes of this section, "grade" as a point of measure shall mean either of the following, whichever yields a greater sign height:
- (1) The elevation of the highest ground surface within a five-foot horizontal distance from the leading edge of the sign, when there is less than a ten-foot difference between the highest and lowest ground surfaces within a five-foot horizontal distance from said sign (see Figure 18-38); or

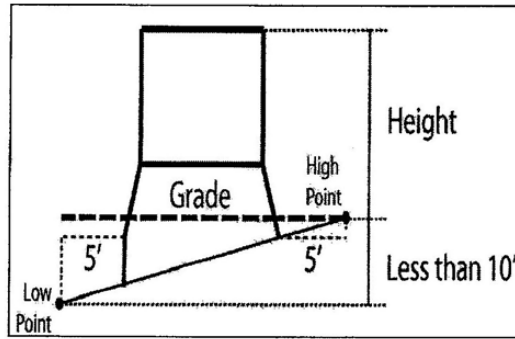


Figure 18-38

- (2) An elevation ten (10) feet higher than the lowest ground surface within a five-foot horizontal distance from the leading edge of the sign, when there is greater than a ten-foot difference between the highest and lowest ground surface within a five-foot horizontal distance from said sign (see Figure 18-39).

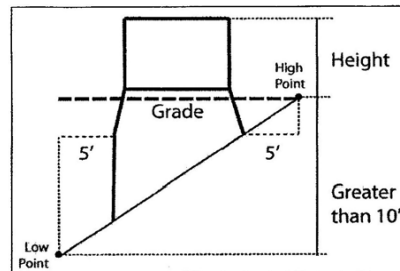


Figure 18-39

- (c) The determination of sign orientation shall be as follows:
- (1) The orientation of a freestanding sign is to the nearest public right-of-way to which it is perpendicular or parallel;
 - (2) The orientation of a wall sign is to the nearest street with the highest traffic volume;
 - (3) The orientation of a projecting wall sign is to the nearest street with the highest traffic volume and to which the sign is most nearly perpendicular;
 - (4) The orientation of all other signs, including canopy signs, shall be to the nearest public right-of-way; or
 - (5) The principal orientation of any sign shall be determined by the Administrative Official in accordance with the standards in this Chapter, street classification and the intent of the Code.

(Ord. 34, 2010 §1)

18.54.100 - Sign setbacks.

The minimum distance required between the apparent centerline of the right-of-way and any portion of a sign or sign structure. Where the property is adjacent to a frontage road, the centerline of the highway to the leading edge of the sign is used to determine setback (i.e., frontage road is disregarded for calculation of the setback). (See Figures 18-40 and 18-41.)

Figure 18-40: Typical Centerline

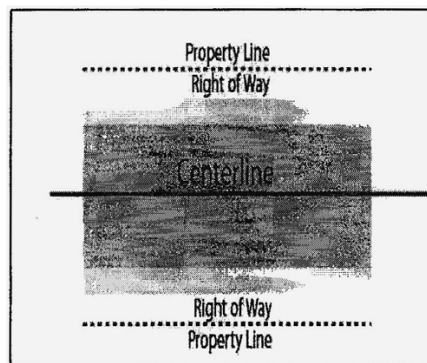
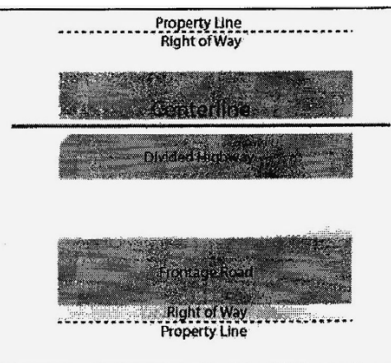


Figure 18-41: Centerline with frontage road



18.54.110 - Signs not requiring a sign permit.

- (a) Any sign listed in this Section shall not require a sign permit if the sign complies with the provisions of this Section. Except as may be required under the adopted building and electrical codes, such signs shall not require a sign permit and are allowed. Signs that exceed these provisions for size ~~or usage or sign area~~ shall require a sign permit as provided for in Section 18.54.140.
- (1) ~~Address-Required signs. Two (2) address signs are allowed in the H-A, C-D and all residentially zoned properties per lot or building per street frontage, each with a maximum size of two (2) square feet. In all other zoning districts, one (1) address sign is allowed per structure or store front with a maximum of five (5) square feet in size or two (2) signs which, combined, total five (5) square feet in size. (An address may also be placed upon a monument sign base).~~
 - (2) Change of copy. Once a structure receives legally conforming status from the City, the sign copy may thereafter be changed without a permit. All other copy changes, such as painted signs or channel lettering, shall require a sign permit.
 - (3) Changeable copy. Where a sign frame or structure has been approved as a changeable copy sign, subsequent changes of copy only shall not require a permit.
 - ~~(4) Commemorative sign. One (1) sign up to ten (10) square feet in size is allowed per lot.~~
 - ~~(5) Temporary signs associated with approved temporary uses under Section 18.53.050, provided that the schedule for display and removal of the signs is set out in the temporary use permit. Community event sign. With the exception of banners~~

administered by the City over public rights-of-way, off-site community event signs are allowed with the following limitations:

- ~~(6)~~ — The total on-site community event signage per property shall be determined at a rate of one (1) square foot of signage for every four (4) linear feet of building frontage to which the sign is attached. If the site does not contain a building, the site will be allowed up to one (1), six (6) square feet in size sign per lot frontage. All community event signs shall not exceed five (5) feet in height;
- ~~(7)~~ — Off-site community event signs are allowed to be six (6) square feet in size and up to five (5) feet in height;
- ~~(8)~~ — Community event signs shall be displayed no more than forty-five (45) calendar days before and five (5) calendar days after the event;
- ~~(9)~~ — No more than fifteen percent (15%) of the sign can display a sponsor name and/or logo; and

Banners may be a maximum of one hundred twenty (120) square feet in size and may be displayed for City-authorized community events or public service announcements over City rights-of-way and as approved, installed and administered by the City.

- ~~(10)~~ (4) Contractor-Construction Site sign. Up to three (3) ~~contractor~~ site signs per street frontage are allowed as follows:-
 - a. ~~Contractor-Construction Site~~ signs on H-A, C-D and all residentially zoned properties shall not exceed seven (7) square feet of sign area per face and five (5) feet in height. Properties greater than two and one-half (2½) acres are allowed up to one (1) thirty-two-square-foot sign.
 - b. ~~Contractor-Construction Site~~ signs on nonresidential zoned properties with less than two hundred (200) feet of lot frontage shall not exceed twenty-four (24) square feet of sign area per face and eight (8) feet in height;
 - c. ~~Contractor-Construction Site~~ signs on nonresidential zoned properties greater than two hundred (200) feet and less than five hundred (500) feet of frontage shall not exceed thirty-two (32) square feet of sign area per face and eight (8) feet in height;
 - d. ~~Contractor-Construction Site~~ signs on nonresidential zoned properties with greater than five hundred (500) feet of frontage shall not exceed sixty-four (64) square feet per sign face and ten (10) feet in height; and
 - e. The sign may be displayed no more than forty-five (45) calendar days before and forty-five (45) calendar days after the completion of construction.

~~(11)~~ (5) Cornerstone sign. A cornerstone may be up to a total of four (4) square feet in size.

~~(12)~~ (6) Directional on-premises sign. A property may have any number of directional on-premises signs sufficient to safely direct customers to key locations; however each shall not exceed six (6) square feet in size per face, nor five (5) feet in height. Such

signs shall not include the business name or logo but may include a single background color associated with the business.

~~(7)~~ Election Yard signs and Site Signs. ~~Election~~

- a. Yard signs and site signs are allowed in all zoning districts and are subject to the following provisions:
 1. The total cumulative sign area that is allowed under this subsection (7) is 32 square feet.
 - ~~1.2. Each~~ No individual sign shall have a sign area that not exceeds thirty-two (32) square feet ~~per sign face.~~
 - ~~2.3. Election~~ Yard signs and site signs may be located on a property only with the consent of the property owner, authorized property manager, or legal tenant~~;~~.
 4. In no event shall ~~an yard sign or site-election~~ sign be posted or displayed in a manner or location that limits sight visibility to the traveling public or in such a way that creates a vehicular or pedestrian traffic obstruction or hazard.
- b. If an individual sign installed pursuant to this subsection (7) exceeds six square feet, it is counted towards any applicable standards of subsection (5), above.

~~(13)~~ (8) Flag. ~~Noncommercial f~~lags are allowed which do not exceed a maximum size of one hundred fifty (150) square feet in size per flag. A total of three hundred (300) square feet flag area is allowed per property.

- a. No part of any flag when fully extended shall protrude over any public right-of-way or property line in any direction.
- b. The freestanding maximum mounting height of flags shall be equal to or less than the maximum building height allowed in the zone district in which the flag is located or (10) feet above the height of the principal structure on the premises, whichever is less.
- c. The flag pole for any individual flag over one hundred (100) square feet must be set back at least equal to the flag pole height from the property line.

~~(14)~~ ~~Garage and private sale sign. One garage or private sale sign is allowed per residential property. The sign must be placed on private property owned or leased by the person holding the sale, not to exceed six (6) square feet in size. Garage and private sale signs may not be placed for more than three (3) consecutive days and shall not occur more than twice in a calendar year.~~

~~(15)~~ (9) Holiday decoration. Temporary decorations, lighting or displays which are clearly incidental to and customarily and commonly associated with any national, state, local, religious or commonly celebrated holiday shall be displayed not more than sixty (60) days prior to the holiday, and no more than thirty (30) days after the

holiday. Such decorations may be of any type, number, size, location, illumination or animation if the decorations ~~do not advertise or identify a product or a business and~~ are located so as not to conflict with traffic regulatory devices or create a traffic hazard.

~~(16) — Human sign. A sign carried or worn by a person, whether on public or private property. A person carrying or wearing a sign may be located on a public right-of-way sidewalk, provided that traffic is not impeded, is allowed. Persons holding signs shall not be otherwise located on any public right-of-way, such as a street or median.~~

~~(17) — Ideological sign. A maximum of one (1) ideological sign is allowed and shall not exceed seven (7) square feet per sign face in the H-A or the C-D and on all residential zoned properties, twenty-four (24) square feet on commercial or industrial zoned properties which have less than two hundred (200) feet of lot frontage; thirty-two (32) square feet for commercial and industrial zoned properties which have greater than two hundred (200) feet, but less than five hundred (500) feet of lot frontage; or sixty-four (64) square feet for commercial and industrial zoned properties which have greater than five hundred (500) feet of lot frontage.~~

~~(18)~~ (10) Incidental sign. The combination of incidental signs shall not exceed one and one-half (1½) square feet in size sign area per building entrance.

~~(19) — Nameplate sign. Nameplates may be of any size if not legible from the public right-of-way or the adjacent property.~~

~~(20)~~ (11) Portable sign. One (1) portable sign is allowed per storefront if it can meet all of the following conditions:

- a. Is located within twenty (20) feet of the principal public entrance ~~for which the goods or services are provided to the tenant or occupant that displays the sign;~~
- b. Is no larger than six (6) square feet per face and no greater than forty-eight (48) inches in height;
- c. Is located outside of clear vision zones [see Subsection 18.44.140(e)];
- d. Is in place only during hours of operations;
- e. Is not posted or displayed in a manner or location that limits sight visibility to the traveling public or in such a way that creates a vehicular or pedestrian traffic obstruction or hazard;
- f. Two (2) immediately adjacent ~~businesses~~ tenants or occupants may share a single sign, not to exceed the standards listed above; and
- g. Any portion of a portable sign located within the public right-of-way must ~~obtain~~ be authorized by a right of way revocable sign permit from the City.

~~(21) — Prohibited activities sign. Signs that prohibit a specific activity shall be no greater than six (6) square feet in size; and shall be placed not to exceed one (1) per street front or one (1) per one hundred (100) feet of lot length, whichever is greater.~~

~~(22)~~(12) Public sign. Public signs may be of any type, number and area, height above grade, location, illumination or animation required by the law, statute or ordinance under which the signs are erected ~~and shall address a health, safety or welfare matter~~. Public signs, government signs and signs on public bus benches and/or shelters in the right-of-way shall not be ~~required to obtain~~ subject to a right of way revocable sign permit. Signs on governmental property outside of the right-of-way ~~will~~ shall require a right of way revocable sign permit.

~~(23)~~ Public affairs sign. Without limitation, banners, flags, pendants and other sign types may be displayed for civic purposes within the public rights-of-way.

~~(24)~~ Real estate sign. One (1) real estate sign is permitted per street frontage on the property being advertised as follows:

- ~~a.~~ Real estate signs on H-A, C-D and all residential zoned properties shall not exceed seven (7) square feet of sign area per face and five (5) feet in height, except that properties zoned H-A, R-E, R-L, R-M, R-MH and PUD of at least five (5) acres in size and R-H properties with at least two hundred (200) feet of lot frontage shall not exceed thirty two (32) square feet of sign area per face and eight (8) feet in height.
- ~~b.~~ Real estate signs on nonresidential zoned properties with less than two hundred (200) feet of lot frontage shall not exceed twenty four (24) square feet of sign area per face and eight (8) feet in height;
- ~~c.~~ Real estate signs on nonresidential zoned properties greater than two hundred (200) feet and less than five hundred (500) feet of frontage shall not exceed thirty two (32) square feet of sign area per face and eight (8) feet in height; and
- d.a. Real estate signs on nonresidential zoned properties with greater than five hundred (500) feet of frontage shall not exceed sixty four (64) square feet per sign face and ten (10) feet in height.

~~(25)~~ Real estate model home sign. One (1) real estate model home sign is allowed per street frontage of the premises on which a model home or a temporary real estate sales office is located as follows:

- ~~a.~~ Real estate model home signs shall not exceed twenty four (24) square feet of sign area per face; and
- ~~b.~~ Freestanding real estate model home signs are limited to six (6) feet in height. Wall-mounted real estate model home signs shall not extend above the top of the wall or parapet wall of the building to which the wall sign is attached.

~~(26)~~ Real estate open house sign. A sign no more than six (6) square feet in size and five (5) feet in height announcing an open house event is allowed per property. Such signs shall be displayed only on the day of the open house and the day prior to the open house. ~~On premises or off premises display of real estate open house signs is~~

permitted, but display in the public right-of-way is prohibited. Off-premises open house signs may be located on private property only with the consent of the property owner; in no event shall a sign be posted or displayed in a manner or location that limits sight visibility to the traveling public or in such a way that creates a vehicular or pedestrian traffic obstruction or hazard. Pennants and balloons may be affixed to real estate open house signs, provided that such attachments do not encroach upon street or sidewalk right-of-way or create a traffic or sidewalk safety hazard; balloons that are affixed to real estate open house signs shall have no linear dimension greater than two (2) feet.

~~(27)~~ (13) ~~Residential complex or residential subdivision identification sign~~ Detached wall signs or monument signs at subdivision or multifamily complex entry points. ~~Residential complex or residential subdivision identification~~ Detached wall signs or monument signs that are located within 40 feet of a street intersection that provides entry into a subdivision or multifamily complex, provided that they are ~~signs shall be~~ no greater than twenty (20) square feet in ~~size~~ sign area, including all sign faces, and not greater than six (6) feet in height. Two (2) residential complex identification signs are allowed per ~~subdivision entrance~~ intersection.

~~(28)~~ (14) Signs within building. A sign permit is not required where signs are located inside buildings and are not legible from the public right-of-way or, if legible, are within allowed window sign limits.

~~(29)~~ (15) Vehicle signs. It shall not be a violation of this Chapter if the vehicle to which a sign is mounted, painted or otherwise affixed is used for travel between home and work or is temporarily parked away from the business premises while being used to provide the business' services or products, or as personal transportation for the vehicle operator. A parked vehicle which contains or displays signage is allowed when;

- a. The sign does not extend more than one (1) foot above the roofline of the vehicle;
- ~~b. The sign displayed on the vehicle does not direct the public to the advertised business, such as with an arrow;~~
- ~~c.~~ b. The vehicle is not illuminated or does not have flashing signs;
- ~~d.~~ c. The vehicle is licensed and operable; and
- ~~e.~~ d. The vehicle is ~~not to be parked offsite and used to direct customers to an advertised business~~ in use or legally parked.

~~(30)~~ (16) Wind driven devices. The following devices, which are designed to move with wind or forced air, are allowed as follows, provided that signage is not affixed to the device:

- a. Pennant. A pennant flag may be a maximum of one (1) square foot per flag face, and pennant lines shall be no longer than the front lot line or exceed the height of the building. For residential zoned properties, pennants are allowed for open house events only three days per year. For commercial and

industrial zoned properties, pennants are allowed on a single property for any length of time, provided they are maintained and in good condition.

- b. Ground kite. Ground kites are allowed only in commercial or industrial zoned properties as follows:
 - 1. Ground kites shall be affixed to the ground and shall not exceed two (2) feet wide and eight (8) feet tall.
 - 2. One ground kite is allowed for every twenty-five (25) feet of lot frontage.
 - c. Sky dancer. Sky dancer devices are allowed only in commercial and industrial zoned properties as follows:
 - 1. Sky dancers shall be affixed to the ground and shall not exceed two (2) feet wide and eight (8) feet tall.
 - 2. One (1) sky dancer is allowed for every fifty (50) feet of lot frontage, with a maximum of three (3) for each property.
 - d. Wind signs. Wind signs cannot be used in combination on a property, unless approved in advance with a temporary sign permit.
- ~~(34)~~(17) Window sign. A window sign is allowed but shall not exceed twenty-five percent (25%) of the glass surface of individual window panes that are visible from the public right-of-way.

(Ord. 1, 2017 §1(Exh. A), 1-17-2017; Ord. 34, 2010 §1)

18.54.120 - Prohibited signs.

- (a) Except for signs within buildings and not legible or intended to attract the attention of persons outside the building, or signs interior to a development, the following signs are declared to be a public nuisance and are prohibited in all zoning districts of the City. They must be removed unless determined to be legally nonconforming except as provided herein.
 - (1) Abandoned signs. A sign determined to be abandoned as defined in this Chapter must either be removed or covered to conceal the sign copy, confirming its abandonment.
 - (2) Exposed incandescent, high intensity exposed light ~~blubs~~bulbs. The use of exposed light bulbs independently or as a sign or portion of a sign that is visible from any property line on which the sign is located is prohibited.
 - (3) Flashing, animated or imitating signs, including signs that have moving, blinking, chasing, scrolling or other animation effects. Such signs, either inside (including but not limited to: open signs and electronic display signs, etc.) or outside of a building, and which are legible from a public right-of-way must be removed except as follows:
 - a. ~~Time and temperature messaging, which changes its message instantly and does not change copy more frequently than every once every three (3) seconds;~~

b. ~~Electronic message boards used by the City or other public agency to address a health, safety or welfare matter; or~~

~~c.a.~~ Electronic message boards which do not change copy more frequently than every once every thirty (30) seconds as otherwise permitted in this Chapter.

- (4) Imitating sign. Regardless ~~if of whether~~ any clear safety concerns are present.
- (5) Off-premises sign. Except as follows:
 - a. Temporary ~~real-estate~~ signs which are located on a common area outlot, approved by the property owners association; and
 - b. When two (2) or more adjacent landowners co-locate signage on a single sign structure or on a shared property line through a legally binding agreement. For purposes of this provision, the combined lot frontage is used to determine the number of signs allowed.
- (6) Nongovernmental ~~s~~Signs on public utilities. No sign may be attached to utility poles or other public structures within the public right-of-way, except as specifically authorized by the City.
- (7) Roof signs.
- (8) Signs in the public right-of-way. Signs located in any portion of the public right-of-way that do not meet the provisions of this Chapter or that do not have a right-of-way revocable sign permit.

(Ord. 34, 2010 §1)

18.54.130 - Temporary signs, including portable signs, searchlights and beacons.

- (a) Temporary signs shall be allowed per ~~storefront~~ tenant in addition to the amount of permanent signage that is otherwise permitted. Except as provided in Section 18.54.110, above. Temporary signs require a temporary sign permit. Temporary signs shall comply with all other applicable provisions of this Chapter, including the provision of Section 18.54.060 (Sign Permits).
- (b) The total amount of temporary signage shall not exceed thirty-three (33) square feet in all residential R-H and C-L zones, or fifty (50) square feet in all other commercial and industrial zones.
- (c) Temporary signs shall be allowed for any individual commercial or industrial use for no more than a total of sixty (60) days in any calendar year.
- (d) If more than one (1) temporary sign is proposed, each sign will count towards the total calendar year allowance (i.e., 3 signs for 20 days = 60 days). The total sign area for all signs shall not exceed the total amount of temporary sign allowance.
- (e) Temporary signs associated with a temporary use under the provisions of Section 18.53.030 shall be limited to the duration of the temporary use, not to exceed more than ninety (90) days in any calendar year. The temporary sign permit may be extended for up to

an additional thirty (30) days, provided the Community Development Director has granted an extension of the associated temporary use.

- (f) Any property that contains an outdoor electronic messaging display will not be permitted any additional temporary sign allowance.
- (g) Balloons, inflatable signs and other inflatable objects containing text and/or graphics ~~for advertising purposes and~~ which have a total visible area (individually or combined) that does not exceed thirty-three (33) square feet shall be considered a temporary sign and shall require a sign permit. Balloons that do not contain text and/or graphics shall not require a sign permit. No balloon, inflatable sign or other inflatable object shall exceed the height of the principal building on the site and shall not extend over the public right-of-way when fully extended, or impede pedestrian or vehicular traffic.
- (h) Searchlights or beacons shall be considered temporary signs, shall require a sign permit and are allowed a maximum of three (3) days per calendar year. Searchlights or beacons shall not be placed or used in such a way that impedes pedestrian or vehicular traffic, or results in light or glare at grade.

(Ord. 1, 2017 §1(Exh. A), 1-17-2017; Ord. 34, 2010 §1)

18.54.140 - Signs requiring a sign permit.

- (a) The following signs shall require a sign permit:
 - (1) Awning sign.
 - (2) Canopy sign.
 - (3) Electronic messaging display.
 - (4) Freestanding and monument sign.
 - (5) Projecting wall sign.
 - (6) Wall sign.
- (b) Awning sign.
 - (1) If more than twenty-five percent (25%) of the exterior surface of an awning is devoted to sign copy, the entire exterior surface of the awning shall be considered a sign;
 - (2) The entire illuminated exterior area of an internally illuminated awning sign shall be included in the calculation of the sign area;
 - (3) Awning signage will count towards the total wall sign allowance; and
 - (4) Any portion of an awning sign projecting over the public right-of-way must obtain a right-of-way revocable sign permit from the City.
- (c) Canopy sign.

- (1) If the canopy is attached to a building, all or a portion of the available wall signage allowance may be transferred to the canopy, subject to setback provisions.
 - (2) If the canopy is a freestanding structure, all or a portion of the available freestanding signage allowance may be transferred to the canopy, subject to setback provisions and height.
- (d) Electronic messaging display (EMD) sign.
- (1) EMD signs require a design review approval (see Chapter 18.46) and are allowed only in the C-L, C-H, I-L, I-M, I-H and PUD zone districts. An EMD sign in the C-L zone district is limited in hours of operation from 6:00 a.m. to 10:00 p.m.
 - (2) The area of the EMD shall not exceed fifty percent (50%) of a sign face.
 - (3) The EMD shall contain static messages only, changed only instantly or through dissolve or fade transitions, or with the use of other subtle transitions and frame effects that do not have the appearance of moving text or images, and which may otherwise not have movement, or the appearance or optical illusion of movement, of any part of the sign structure, design or pictorial segment of the sign, including the movement of any illumination or the flashing, scintillating or varying of light intensity.
 - (4) The displayed message shall not change more frequently than once per thirty (30) seconds, ~~except for time and temperature signs, which shall not change more frequently than once per three (3) seconds.~~
 - (5) The EMD shall have automatic dimmer software or solar sensors to control brightness for nighttime viewing. The intensity of the light source shall not produce glare, the effect of which constitutes a traffic hazard or is otherwise detrimental to the public health, safety or welfare. Lighting from the message module shall not exceed six hundred (600) nits (candelas per square meter) between dusk and dawn as measured from the sign's face.
 - (6) Applications for sign permits containing an electronic display shall include the manufacturer's specifications and initial nit (candela per square meter) rating and the method of dimming.

~~Messages displayed on the sign module shall only direct attention to a business, product, service or entertainment conducted, sold or offered on the premises on which the sign is located. Community emergency alerts such as traffic hazards, inclement weather or Amber Alerts are exempt from this requirement.~~
 - (7) All existing electronic message displays that contain an electronic changeable copy module which does not comply with the provisions of this Section shall be made to conform to the duration of copy provisions upon the effective date of the ordinance approving such provisions.
 - (8) Any premise that contains an outdoor electronic message display shall not be allowed any temporary signs (per Section 18.54.140).

(e) Freestanding and monument sign.

- (1) Freestanding signs shall be permitted only if constructed with a supporting sign structure, the total width of which exceeds twenty-five percent (25%) of the width of the sign face. This provision applies to all freestanding signs that require a permit, except freestanding signs with less than two (2) vertical feet of sign support, exposed poles or flag poles. Any change of copy to a legally conforming sign does not require compliance with this Section.

~~(2) Any flag that displays a commercial message is subject to the provisions of this Section.~~

~~(3)~~(2) Maximum size, height and setback dimensions. Lot frontage, for the purposes of calculating freestanding sign allowance and placement, shall be determined as follows:

- a. Lot frontage shall be the length of private property contiguous with a public street.
- b. If a lot has more than one (1) street frontage, such as with corner lots, up to two (2) cumulative lot frontages along the lot sides adjacent to public streets may be used to determine the maximum number of signs.
- c. Noncontiguous lot frontage is calculated separately.

~~(4)~~(3) The maximum area of freestanding/monument signs shall be as follows:

- a. In the H-A, C-D, R-MH, R-L, R-M and R-E zone districts, signs shall be in accordance with Section 18.54.110.
- b. In the R-H, C-L zone districts and for uses by special review on any residential zoned property, the maximum area is as follows:

Setback	Maximum Size (sq. ft.) per Sign Face
Less than 50 ft.	33
51 ft. to 167 ft.	(Setback minus 50) plus 33
168 ft. or greater	150

- c. In the C-H, I-L, I-M and I-H zone districts, the maximum area is as follows:

Setback	Maximum Size (sq. ft.) per Sign Face
Less than 50 ft.	50
51 ft. to 249 ft.	Equal to setback
250 ft. or greater	250

~~(5)~~(4) The maximum height of freestanding signs shall be as follows:

Setback	Maximum Size (sq. ft.) per Sign Face
Less than 50 ft.	12
51 ft. to 99 ft.	(Setback minus 50) plus 12
100 ft. or greater	25

- a. In the C-D, H-A, R-E, R-L, R-MH, R-M, R-H and C-L zone districts, the maximum height is six (6) feet, unless otherwise noted in Section 18.54.110.
- b. In the C-H, I-L, I-M and I-H zone districts, the maximum height is as follows:

~~(6)~~(5) Signs attached to fences and freestanding walls, except those in Section 18.54.110, Signs not requiring a permit, shall be regulated as a freestanding sign and shall count toward freestanding signage allowances.

~~(7)~~(6) For properties with less than two hundred (200) feet of lot frontage, either of the following is permitted:

- a. A freestanding sign may be used in lieu of the allowed wall signage, the sign will be allowed to comply fully to the freestanding sign size and height limits as listed in the charts above; or
- b. A combination of freestanding or wall signage is allowed where the sum of the percentage of each sign's size, as a portion of the total allowed, does not exceed one hundred percent (100%) of maximum sign allowance for either category or sign. The percentage of wall signage shall be based on the total amount of wall signage allowed on the principal face of the building located closest to the freestanding sign. The percentage of freestanding sign shall be based on the maximum size of freestanding sign allowed, given the sign's setback from the center line of the adjoining public right-of-way (Figure 18-42).
- c. One (1) freestanding sign is a permitted use on a site with a minimum of two hundred (200) feet of street right-of-way frontage; two (2) freestanding signs are permitted with a minimum of five hundred (500) feet of contiguous street right-of-way linear frontage in the R-H, C-L, C-H, I-L, I-M and I-H zone districts.

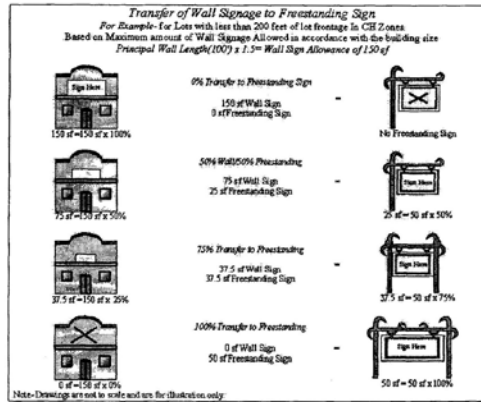


Figure 18-42: Transfer of Wall Signage to Freestanding Signage

~~(8)~~(7) Where two (2) or more property owners share a common lot line, the property owners may combine lot frontage for the purpose of sharing a freestanding sign on or near the common lot line.

(f) Projecting wall sign.

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

(g) Wall signs.

- (1) Signage allowance by zone district shall be calculated as follows:

Zone District	Signage allowed per principal building frontage	For secondary building frontage, additional signage allowed per linear feet of building
H-A, C-D, R-E, RMH, R-L and R-M	N/A	N/A
R-H	.25 sq. ft.	N/A
C-L	1 sq. ft.	.5 sq. ft.
C-H and I-L	1.5 sq. ft.	1 sq. ft.
I-M and I-H	2 sq. ft.	1 sq. ft.

- (2) The maximum area of each wall sign shall be calculated as below in this Subsection.

- a. H-A, C-D, R-E, R-MH, R-L and R-M shall be in accordance with Section 18.54.110.
- b. R-H and C-L Zone Districts.

Setback	Maximum Size (sq. ft.) per Sign Face
Less than 50 ft.	40 ft.
51 ft. to 160 ft.	Setback minus 10 ft.
161 ft. or greater	150 ft.

- c. C-H and I-L Zone Districts.

Setback	Maximum Size (sq. ft.) per Sign Face
Less than 50 ft.	60 ft.
51 ft. to 190 ft.	Setback plus 10 ft.
191 ft. or greater	200 ft.

- d. I-M and I-H Zone Signs.

Setback	Maximum Size (sq. ft.) per Sign Face
<i>Less than 50 ft.</i>	<i>90 ft.</i>
<i>51 ft. to 210 ft.</i>	<i>(Setback minus 50) plus 90 ft.</i>
<i>211 ft. or greater</i>	<i>250 ft.</i>

(3) Wall signage shall comply with the following conditions:

- a. **Parapet Wall.** No wall sign may be attached to or displayed against any parapet wall that does not extend at least seventy-five percent (75%) of the perimeter of the roof enclosed by the parapet. No sign shall exceed the height of the parapet wall. This standard does not apply to existing building as of the date of the adoption of the Code.
- b. **Roof Line.** No wall sign may extend above the roof line of a building except as permitted on a parapet wall.
- c. **Mechanical Room.** No wall sign may be displayed on the wall of a mechanical room or penthouse or other such enclosed space which is not habitable by the occupants of the building.

- d. Sign Depth or Projection. No sign, including any light box or other structural part, shall exceed a depth of twenty (20) inches.
- e. ~~Mural. Any portion of a mural that is considered signage based on the provisions of this Chapter shall be included in the calculation for determining expended sign area.~~

(Ord. 34, 2010 §1)

18.54.150 - Public, quasi-public and institutional uses (nonresidential uses in residential zone districts).

- (a) Public/Private Schools: Public schools are encouraged to adhere to the same sign standards as private schools, which are those that are allowed in the R-H zone district.
- (b) All other public, quasi-public or intuitional signage shall comply with the standards of the R-H zone district.

(Ord. 34, 2010 §1)

18.54.160 - Signs in Planned Unit Development zoned districts.

- (a) The provisions in this Chapter shall be used to guide signage within Planned Unit Development (PUD) requests.
- (b) Proposed PUD development may include a specific sign plan which includes sign standards that address size, height, design, lighting, color, materials, location and method of construction of all signage planned within the PUD to ensure that all such signage is designed in a harmonious and compatible manner. Absent a specific sign plan, the City will apply sign standards closest to the zone district the PUD land uses represent. The City Council may impose alternate standards relating to signage if it is determined that there are commensurate design trade-offs proposed for signage with a particular PUD, as provided in Subsection 18.32.040(d) of Chapter 18.32, Planned Unit Developments.

(Ord. 34, 2010 §1)

18.54.170 - Historic signs.

- (a) Notwithstanding any other provisions of this Chapter, a historic sign may be kept, used, owned, maintained and displayed subject to the following provisions:
 - (1) The sign has been designated as a historic landmark by the Greeley Historic Preservation Commission (HPC) and
 - (2) The sign is structurally safe or is capable of being made structurally safe while maintaining its historic character. All structural repairs and restoration of the sign to its original condition shall be made within three hundred sixty-five (365) calendar days of designation of the sign as a historic landmark and shall be subject to approval by the HPC prior to any work commencing.

- (b) All signs that have been designated as historic landmarks shall be exempt from Section 18.54.190 relating to abandoned signs if the sign continues to meet all of the requirements of this Section.
- (c) For the purposes of this Section, if a historic sign has been moved from its original site, such sign shall no longer be considered a historic sign unless specifically so considered by the HPC. If such a sign is moved, a new sign permit under the provisions of Section 18.54.140 shall be required for the new location.
- (d) Words, symbols or "ghost signs" that are painted, engraved or carved into a building and that no longer relate to the use or occupant of the building shall not be counted as signage.

(Ord. 34, 2010 §1)

18.54.180 - Nonconforming signs.

- (a) A legal nonconforming sign or sign structure may continue to exist until one (1) of the following conditions occurs:
 - (1) The sign has been abandoned and not reestablished for ninety (90) consecutive days or longer.
 - (2) Other than for routine maintenance involving spot repainting, cleaning or light bulb replacement that does not make substantial improvements, if repairs involve nonconforming sign alterations other than allowed in 18.54.200, compliance with all provisions of this Chapter shall be required.
 - (3) Changing the copy of an off-premises sign and nonconforming signs shall not be considered a change requiring compliance with this Chapter unless there is a change to the size; a change, or removal of, a support structure or frame, or a portion thereof, whether replacing such structure or frame or not, and/or a change in the orientation of the sign. ~~A change of copy of an off-premises sign to on-premises advertising is considered a change of use requiring full compliance with all provisions of this Chapter.~~
- (b) Lawfully nonconforming signs which are nonconforming due to size are included in the total sign allowance for the property as follows:
 - (1) If the excess signage is in the wall sign the amount greater than the allowed is considered a transfer to the freestanding sign allowance and the freestanding sign allowance is thereby reduced proportionally.
 - (2) If the nonconforming sign is freestanding, no transfer is allowed to the wall.
- (c) Two (2) or more legal, nonconforming, freestanding signs on the same lot may be combined into one (1) new legal nonconforming sign. In this event, the maximum size of this new sign shall be one hundred twenty-five percent (125%) of the maximum size specified in Subsection 18.54.140(d) for the particular location and type of sign. This provision shall be utilized only one (1) time per property.

- (d) The Community Development Director may approve alternative compliance nonconforming sign proposals one (1) time per property as long as the proposed alternative reduces all elements of the signage nonconformance, by at least fifty percent (50%). This one-time provision may be used to address all nonconforming signs on the site, or for only one (1) nonconforming sign type on the site.
- (e) Temporary signs, window signs and dilapidated signs shall not be considered legal nonconforming signs.

(Ord. 34, 2010 §1)

18.54.190 - Abandoned signs.

- (a) A sign meeting the definition of abandoned under this Chapter must be removed or covered upon determination of its abandonment.
- (b) At such time that either a portion or all of a sign, sign frame, sign components or sign supporting structure are no longer in use for a period of ninety (90) consecutive days, such sign frame, sign components or sign supporting structure shall be brought into conformance by removal or the placement of a new permitted conforming sign, components and structure.

(Ord. 34, 2010 §1)

18.54.200 - Sign construction and maintenance standards.

- (a) All signs and all parts, portions and materials shall be manufactured, assembled and erected in compliance with all applicable state, federal and City regulations and the adopted building and electrical codes.
- (b) All signs, including those signs not required to obtain a sign permit as provided in Section 18.54.100, shall be maintained and kept in good repair, and in conformance with the original sign permit. A sign that is maintained and kept in good repair shall meet the following criteria:
 - (1) All sign supports, braces, guy wires, anchors and related screening are kept in repair, in a proper state of preservation, including as may be required by Paragraph 18.40.070(a)(4) of this Code.
 - (2) There is no evidence of deterioration, including chipped or peeling paint, rust, corrosion, fading, discoloration, broken or missing sign faces, text, logos, graphics or other elements of the sign.
 - (3) There are no missing, flickering or inoperative lights that create a perception of deterioration or abandonment of the sign.
- (c) Where repairs involve a nonconforming sign, the provisions of Section 18.54.180 shall also apply.
- (d) Any non-maintained sign shall be repaired or replaced within fifteen (15) calendar days following notification from the City. Noncompliance with such notice shall constitute a nuisance subject to enforcement actions.

- (e) Signs, their structures and supports and related screening, shall be constructed of materials normally and typically intended to be used for such items.

(Ord. 34, 2010 §1)

18.54.210 - Alternative compliance.

- (a) Conditions may exist where strict compliance is impractical or impossible, or where maximum achievement of the City's objectives can only be obtained through alternative compliance. It is not the intent of alternative compliance to modify or reduce requirements of this Sign Code, but to provide equivalent standards in a creative way subject to approval under the provisions herein.
- (b) Requests for alternative compliance may be accepted for any application to which the requirements of this Chapter apply. A written request may be submitted to modify an individual sign allowance, which shall meet one (1) or more of the following criteria:
 - (1) Topography, soil, vegetation or other site conditions are such that full compliance is impossible or impractical; or improved environmental quality would result from alternative compliance.
 - (2) Space limitations, unusually shaped lots and prevailing practices in the surrounding neighborhood, may justify alternative compliance for infill sites and for improvements and redevelopment in older neighborhoods.
 - (3) Safety considerations make alternative compliance necessary.
 - (4) The proposed alternative is aesthetically more complementary to the site, better fits into the context of the area, improves the overall architectural appeal of the area and/or meets or exceeds the design objectives as described in the City's Comprehensive Plan. Where there is a strong architectural theme established in an area, the proposed alternative shall be consistent with or complementary to that theme. In an existing area where there is no established theme, the proposed alternative shall provide an architectural theme that is consistent with the Comprehensive Plan and improves the quality of development in the area.
- (c) Application for alternative compliance shall include the following information:
 - (1) Written description of the conditions provided in Subsection (b) above, which apply to the subject property;
 - (2) The applicant shall submit a sign plan consisting of a written statement addressing the proposal and the review criteria, along with dimensioned graphic plans identifying the following items for all signs on the property:
 - a. Written and graphic illustration of the proposed alternative, including areas of departure from code standards;
 - b. Sign style, type, location, size (area) and height for wall and freestanding signs;
 - c. Materials and colors for all signs and support structures;

- d. Sign illumination devices and brightness levels, if applicable; ~~and~~
- ~~e. Other information as may be required by the Community Development Department to make a thorough evaluation of the proposed alternative.~~

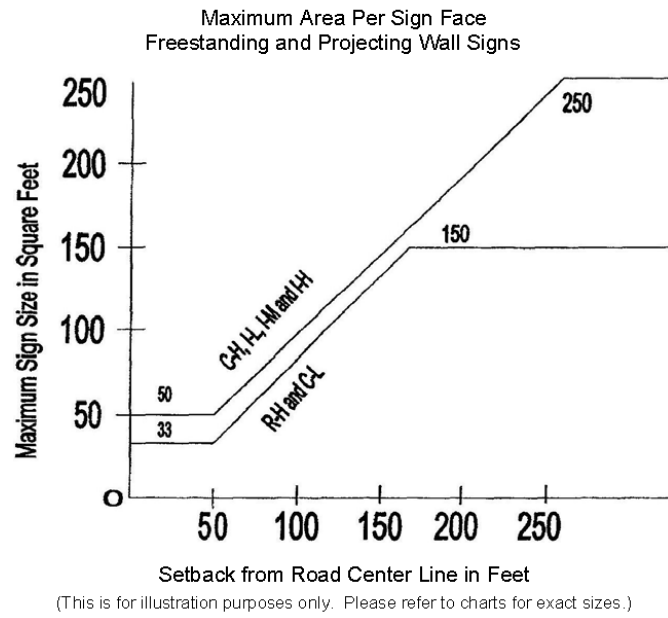
- (d) Upon receipt of a complete application as provided in Subsection (c) above, the application will be evaluated administratively through the Administrative Review Team, with the final decision made by Community Development Director.
- (e) If the Community Development Director finds that the provisions in Subsection (b) are met, the Director shall approve the request for alternative compliance in writing. If the Community Development Director finds that the provisions in Subsection (b) above have not been met, the Community Development Director shall deny the request for alternative compliance and the applicant may appeal such decision in accordance with Chapter 18.24, Appeals.

(Ord. 34, 2010 §1)

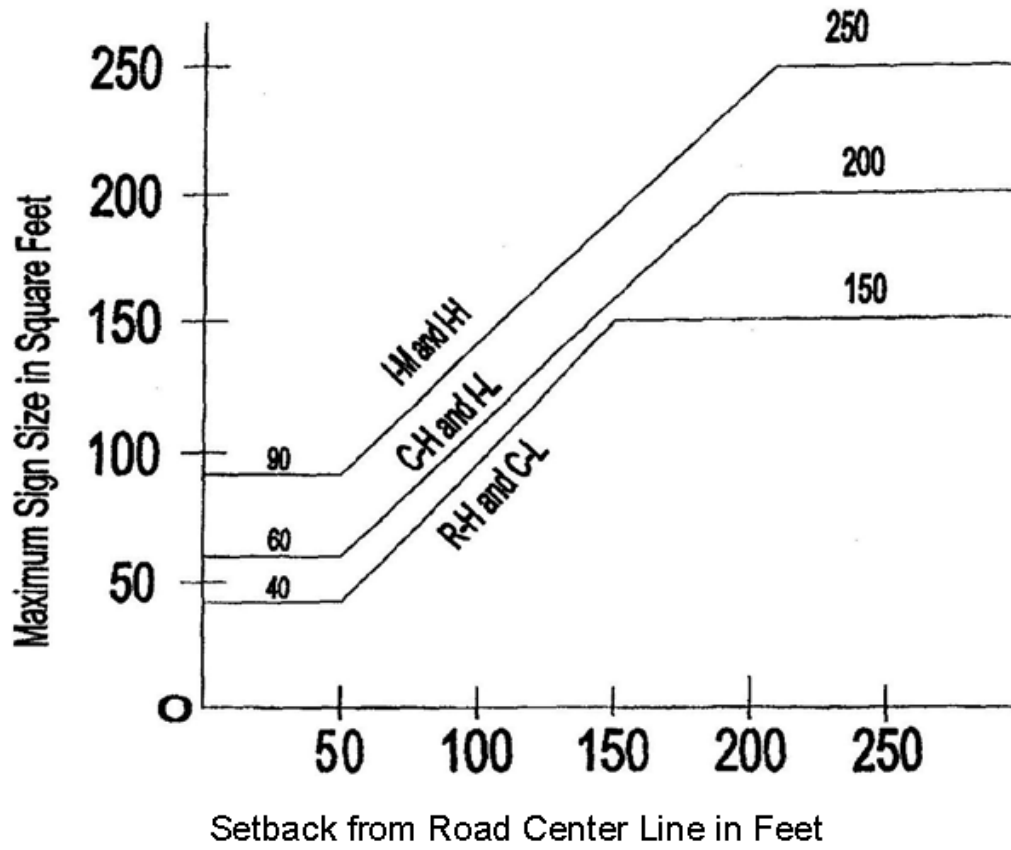
18.54.220 - Sign chart.*

Zoning District	Type of Sign Allowed	Max. total amount awning, wall & projecting wall signage allowed per linear foot of wall	Max. Sign Face Area for Awning and Wall Signs	Maximum Freestanding Sign Height	Maximum Size for Freestanding Signs	Number of Freestanding Signs
C-D, H-A, R-L, R-E, R-MH, R-M	See Section 18.54.110	See Section 18.54.110	See Section 18.54.110	See Section 18.54.110	See Section 18.54.110	See Section 18.54.110
R-H	Freestanding, wall and awning	.25 sq. ft.	See Subsections 18.54.140(b)—(g)	6 ft.	See Subsection 18.54.140(e)	1 sign where lot frontage is greater than or equal to 200 ft., but less than 500 ft.
C-L	Freestanding, wall and awning	1 sq. ft., plus an additional .5 sq. ft. (for secondary building frontage)	See Subsections 18.54.140(a)—(f)	6 ft.	See Subsection 18.54.140(e)	2 signs where lot frontage is greater than 500 ft.
C-H, I-L	Freestanding, wall, projecting wall and awning	1.5 sq. ft., plus an additional 1 sq. ft. (for secondary building frontage)	See Subsections 18.54.140(a)(f)	See Subsection 18.54.140(d)	See Subsection 18.54.140(d)	2 signs where lot frontage is greater than 500 ft.
I-M & I-H	Freestanding, wall, projecting wall and awning	2 sq. ft., plus an additional 1 sq. ft. (for secondary building frontage)	See Subsections 18.54.140(a)(f)	See Subsection 18.54.140(d)	See Subsection 18.54.140(d)	2 signs where lot frontage is greater than 500 ft.

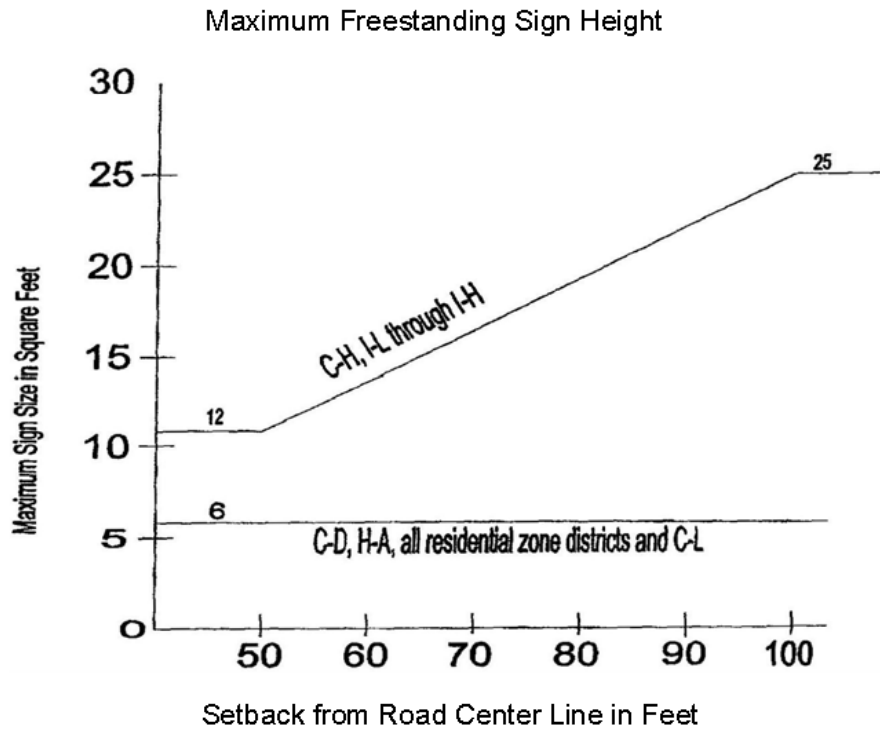
* This chart summarizes key signage allowances; see specific code sections for code details and/or exceptions.



Maximum Area Per Sign Face
Awning and Wall Sign Chart



(This is for illustration purposes only. Please refer to charts for exact sizes.)



(This is for illustration purposes only. Please refer to charts for exact sizes.)

(Ord. 34, 2010 §1)

Chapter 18.54 - Signs

18.54.010 - Purpose and intent.

- (a) The purpose of this Chapter is to promote, preserve and protect the health, safety and general welfare of the inhabitants of the City by providing reasonable regulations and standards relating to signs.
- (b) This Chapter shall be referred to as the "City of Greeley Sign Code." It may also be referred to herein as the "Sign Code."
- (c) The intent of this Chapter is to provide regulations and standards regarding signs, such that:
 - (1) The signs visually enhance the property on which they are located, adjacent land uses and the overall City;
 - (2) Flexibility is provided with respect to the location, dimensions and design of signage, consistent with other intents expressed in this Sign Code;
 - (3) The public is protected from damage or injury caused by poorly designed or maintained signs or distractions and hazards to pedestrians or motorists caused by the indiscriminate placement or use of signs;
 - (4) Signs are appropriate for the size of street to which they are oriented;
 - (5) Signs are appropriate to the type of zoning and land uses to which the signs pertain and any incompatibility between signs and their surroundings is minimized;
 - (6) Signs are consistent with other community planning, land use, traffic, building and development standards;
 - (7) This Sign Code assists in the implementation of the City of Greeley Comprehensive Plan goal of fostering attractive design that promotes unique Greeley's style, values, priorities, and excellence; coordinates and complements historical elements, where appropriate; and supports First Amendment values and Greeley economic development; and
 - (8) Signs that are lawfully nonconforming are induced to come into full compliance with these regulations.

(Ord. 34, 2010 §1)

18.54.020 - Application and installation.

The provisions in this Chapter shall apply to all signage within the City.

- (1) It shall be unlawful for any person to erect, place, enlarge, alter, repair or convert a sign in the City except in accordance with the provisions of this Chapter.
- (2) All signs require a permit unless specifically exempted, by this Chapter. Fees for sign permits are as established in Chapter 18.10.040 of the Development Code.

- (3) Installation. Except for signs not requiring a permit as described in Section 18.54.110, a permit must be obtained from the City prior to installation.

(Ord. 34, 2010 §1)

18.54.030 - Variances and appeals.

- (a) Variances to the dimensional standards established in this Chapter shall be administered in accordance with the provisions in Chapter 18.22, Variances, and this Section of this Code. Variances to any other provision of this Chapter shall not be permitted.
- (b) Sign variances shall only be granted after a finding of the Zoning Board of Appeals that the application complies with all of the considerations for a variance as specified in Chapter 18.24 and this Chapter of this Code. In addition to the criteria identified in Chapter 18.22, Variances, the Board shall consider, but not be limited to, the following factors as applicable in granting a variance:
 - (1) Historic value as determined by the Historical Preservation Commission;
 - (2) Architectural integrity;
 - (3) Any variance granted shall be the minimum needed to accommodate or alleviate the difficulty or hardship involved;
 - (4) A variance is necessary to accommodate an unusual or atypical lot configuration or physical aspect of the site which makes a reasonable use of the property unreasonable without a variance;
 - (5) Any difficulty or hardship constituting the basis for a variance shall not be created by the party seeking the variance, nor shall it be due to or a result of the general conditions in the area;
 - (6) Granting the variance is necessary to alleviate a health or safety issue related to the site;
 - (7) Granting the variance is consistent with the Comprehensive Plan, area and/or neighborhood plans, or may achieve a better result in meeting the intent of the plan objectives than if the codes were strictly applied.
- (c) Sign variances shall not be transferable to a new location on the property unless first approved in writing by the Community Development Director that the changed location on the site substantially complies with the conditions of the original variance. Changes to a sign that received a variance, with the exception of changes in sign text or copy that do not result in any structural changes to the sign, shall require compliance with all applicable provisions of this Code.
- (d) Any sign variance which was in effect and applied to an installed sign still in place prior to the adoption of this Code, as amended, may be continued under the provisions of that variance until a change to a sign is requested, at which time a new variance shall be applied for or the sign shall comply with all applicable provisions of this Code.
- (e) Appeals shall be conducted under the provisions of Chapter 18.24, Appeals.

(Ord. 34, 2010 §1)

18.54.040 - Enforcement.

- (a) Enforcement of the provisions of this Chapter shall be by the Community Development Director or her or his designee in accordance with Section 1.33 of the Municipal Code.
- (b) Public Right-of-way - illegal or unauthorized sign.
 - (1) In addition to all other enforcement authority available to the City, the City may also remove or cause to be removed any illegal or unauthorized sign from the public right-of-way without notice to any party. The cost of removal as may be assessed by the City is the responsibility of the owner of the sign or, if unknown, the owner of the property.
 - (2) The City shall have the authority to dispose of all unauthorized or illegal signs removed from the public right-of-way without notice to the owner of such signs. The cost of removal and storage of removed signs as may be assessed by the City shall be the sole responsibility of the owner of the sign.
- (c) Private Property – illegal or unauthorized sign. The property owner or resident of the property may remove signage that is unauthorized or illegal.

(Ord. 34, 2010 §1)

18.54.050 - Definitions and interpretations.

- (a) Definitions. The following words, terms and phrases used in this Chapter shall have the following meanings:

Abandoned sign:

- (1) A sign or sign structure and components, for which no legal owner can be found; and/or
- (2) A sign and structure which are used to identify or advertise a business, tenant, owner, product, service, use, event or activity that has not been located on the premises for a period of ninety (90) consecutive days or longer.

Address sign shall mean a type of required sign that displays the address of a building or property, as required by the applicable fire and/or building code. *Advertise* shall mean to attract attention to a business, product, service, use or event with a sign, display item or other device, such as flags, pennants, air driven devices and lights.

Animated sign (see *Flashing or animated* or *Imitating sign*).

Art shall mean all forms of original creations of visual art, including but not limited to sculpture; mosaics; painting, whether portable or permanently fixed, as in the case of murals; photographs; crafts made from clay; fiber and textiles; wood; glass; metal; plastics; or any other material or any combination thereof; calligraphy; mixed media composed of any combination of forms or media; unique architectural styling or embellishment, including architectural crafts; environmental

landscaping; or restoration or renovation of existing works of art of historical significance. Works of art are not intended to be used for commercial advertising purposes.

Awning shall mean a framed exterior architectural feature, attached to and supported from the wall of a building and/or held up by its own supports, which provides or has the appearance of providing shelter from the elements to pedestrians, vehicles, property or buildings.

Awning, internally illuminated shall mean any transparent or translucent backlit awning or awning lettering which transmits light from within the awning to the outside surface of the awning.

Awning sign shall mean a sign that is mounted or painted on or attached to an awning.

Backing shall mean the background area of a sign, which differentiates the total sign display from the background against which it is placed.

Banner shall mean a sign applied to flexible materials (e.g., cloth, paper or fabric of any kind) with no enclosing framework.

Beacon (see *Searchlight, strobe light or beacon*).

Building appurtenance shall mean the visible, functional or ornamental object accessory to and part of a building.

Building frontage, principal shall mean the horizontal linear dimension which is designated as the primary façade of that portion of a building occupied by a single use or occupancy.

Building frontage, secondary shall mean that dimension of a building abutting a public right-of-way other than the principal building frontage.

Building signs shall mean signs that are attached to and supported by a building; whether the wall, window, or roof of building.

Candela is a unit of luminous intensity, defined as the luminous intensity of a source that emits monochromatic radiation of frequency 540×10^{12} Hertz and that has a radiant intensity of 1/683 watt/steradian, and adopted in 1979 as the international standard of luminous intensity.

Canopy shall mean a roofed structure for the purpose of shielding pedestrian walkways or driveways which service operations or equipment, such as with a gas station or bank drive-up facility.

Center line (of public right-of-way) shall mean a line running midway between the bounding right-of-way lines of a street or alley. For the purposes of signage calculation, the center line shall mean the apparent center line of the road determined by finding the point midway between the outer edges of the road surface.

Changeable copy sign (also known as a *marquee sign*) shall mean a sign designed to allow the changing of copy as with individual letters through manual means, without altering the sign backing or structure in any such way.

Channel letters, individual letters, raceway or channel sign shall mean individual letters, flat cutout letters, or symbols constructed to be applied singly in the formation of a wall sign or a freestanding sign.

Clear vision zone or area shall mean that area within which the City requires an unobstructed line of sight necessary for most drivers stopped at an intersection to see an approaching vehicle, pedestrian or bicyclist to avoid a collision.

Cornerstone shall mean a stone forming a part of a corner or angle in a wall that provides building identification.

Day shall mean a calendar day.

Dissolve shall mean a mode of message transition on an electronic message display accomplished by varying the light intensity or pattern, where the first message gradually appears to dissipate and lose legibility simultaneously with the gradual appearance and legibility of the second message.

Electronic message display shall mean a sign capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means.

Exposed incandescent or high intensity discharge lighting shall mean any sign or portion of a sign that utilizes an exposed incandescent or high intensity lamp, with the exception of neon.

Fade shall mean a mode of message transition on an electronic message display accomplished by varying the light intensity, where the first message gradually reduces intensity to the point of not being legible and the subsequent message gradually increases intensity to the point of legibility.

Feather flag (see Ground kites).

Figure shall mean outline, shape or pattern of numbers, letters or abstract images.

Flag shall mean a finished piece of flexible material designed to be attached to or flown from a flagpole or similar device, and which typically (but not necessarily) displays the name, insignia, emblem or logo representing a nation, state, municipality, civic group, idea, sports team, or other commercial or noncommercial organization (see also *Pennants*).

Flashing or animated shall mean signs or lighting with flashing, blinking, moving or other animation effects, or that give the visual impression of such movement by use of lighting, or intermittent exhibits or sequential flashing of natural or appearance of artificial light or colors, including those signs that rotate, revolve, spin, swing, flap, wave, shimmer or make any other motion, or illusion of motion, or which imitate official governmental protective or warning devices (see *Imitating sign*).

Frame (EMD) shall mean the content (images, text, background colors, etc.) that is displayed on an electronic message display at a fixed point in time.

Frame effect shall mean a visual effect that is used on an electronic message display to attract the attention of viewers by displaying modified versions of a frame (e.g., changes in brightness, contrast, color, perspective, or content elements) in succession, providing the effect of animation or transition (e.g., fade or dissolve).

Freestanding sign shall mean a sign which is not attached to a building. A freestanding sign shall include, but is not limited to, a pole, monument, a canopy and freestanding wall sign. A sign that extends more than four (4) feet from a wall but is attached and/or is part of a canopy, or an awning shall be considered a freestanding sign.

Freestanding wall or fence shall mean either a wall that is not attached to a building, or a wall attached to a building that projects more than four (4) feet beyond the exterior wall of the habitable portion of the building.

Frontage lot/property shall mean that portion of a lot that is directly adjacent to a public street.

Ghost sign shall mean old hand-painted signage that has been preserved on a building for an extended period of time, whether by actively keeping it or choosing not to destroy it.

Grade shall mean the average elevation of the finished surface of the ground, paving or sidewalk with a radius of five (5) feet from the base of the structure.

Graphic shall mean drawings, decals, paint or illustrations.

Ground kites are freestanding frames usually covered with flexible fabric and designed to be animated by the wind to attract attention. Ground kites may also be referred to as “feather flags” or “teardrop flags.”

Historic sign shall mean a sign that has been officially designated as a historic landmark.

Holiday decoration shall mean temporary decorations, lighting or displays which are clearly incidental to and customarily and commonly associated with any national, state, local, religious or commonly celebrated holiday.

Human sign shall mean a person carrying or wearing a sign.

Illumination shall mean the use of artificial or reflective means for the purpose of lighting a sign.

Imitating sign shall mean signs which purport to be, are an imitation of, or resemble an official traffic sign, signal or equipment which attempt to direct the movement of pedestrian or vehicular traffic using the words such as "Stop," "Danger" or "Caution" to imply a need or requirement to stop, or a caution for the existence of danger, such as flashing red, yellow and green (see *Flashing or animated sign*).

Incidental sign shall mean signs, emblems or decals attached to a building or permanent structure that are less than 80 square inches in sign area, and not applied in a cumulative manner so as to circumvent the provisions of this Sign Code.

Indirect lighting shall mean reflected light or lighting directed toward or across a surface.

Individual letters (see *Channel letters*).

Inflatable sign or inflatable object shall mean any object filled with air or other gas, whether sealed (e.g. balloons) or driven by a fan (e.g., “sky dancers”), which is intended to attract attention from adjacent properties or rights-of-way.

Internal illumination shall mean a light source that is contained within the sign itself, or where light is visible through a translucent surface.

Joint sign shall mean a sign, structure or surface which serves as a common or collective medium for display of messages by two (2) or more occupants of the same property (see *Multi-tenant sign*-).

Kiosk shall mean a freestanding structure upon which temporary information, such as posters, notices, or announcements, are posted.

Leading edge shall mean the point of a sign, including its support structure, nearest to the public road right-of-way.

Legally nonconforming signs are signs which were lawfully constructed and erected prior to the most recent enactment of this Chapter and have been maintained as a sign, but which no longer comply with the provisions of this Chapter as amended.

Legible shall mean a sign capable of being read with certainty without visual aid by a pedestrian of normal visual acuity from a specified vantage point (or if no vantage point is specified, from the adjacent street right-of-way or adjacent private property).

Maintenance of a sign shall mean cleaning, repairing, painting or replacement of defective parts in a manner that does not alter the dimension, material or structure.

Menu board shall mean a permanently mounted sign at a drive-in or drive-thru facility that is not legible from the adjacent street right-of-way.

Monument sign shall mean a freestanding sign supported primarily by an internal structural framework or other solid structure features where at least sixty percent (60%) of the base of the sign is in contact with the ground.

Multi-tenant sign shall mean a sign which displays messages for two (2) or more tenants of a multi-tenant property. .

Neon shall mean a sign illuminated by a light source consisting of a neon or gas tube that is bent to form letters, symbols or other shapes.

Nits shall mean a unit of measurement of luminance, or the intensity of visible light, where one (1) nit is equal to one (1) candela per square meter.

Nonconforming sign (see *Legally nonconforming signs*).

Off-premises advertising device shall mean a sign or device that advertises a business establishment, good, facility, service or product which is not sold or conducted on the premises on which the sign or device is located, and which may be designed to change copy on a periodic basis.

On-premises sign shall mean a sign which advertises or directs attention to a business, product, service or activity which is available on the premises where the sign is located.

Parapet wall shall mean an extension of the fascia wall above the roofline, which appears contiguous architecturally.

Pennants shall mean any long, narrow, usually triangular flag typically made of lightweight plastic, fabric or other material, usually found in a series on a line and designed to move in the wind.

Permanent sign shall mean a sign attached to a building, structure, or the ground in a manner that precludes ready removal or relocation of the sign.

Permitted sign shall mean a sign having a legal permit issued in accordance with the provisions of this Chapter.

Pole or Pylon sign shall mean a freestanding sign that is permanently supported in a fixed location by a structure of one or more poles, posts, uprights, or braces from the ground and not supported by a building or base structure (other than a footer). *Portable sign* shall mean a sign that is not

permanently affixed to a building, structure or the ground and that is easily moved, such as a sandwich board sign.

Premises shall mean the land, site or lot at which, or from which, a principal land use and activity is conducted.

Projecting wall sign shall mean any sign attached to a building and that extends more than twenty (20) inches from the surface to which it is attached, but no more than four (4) feet from the wall of the building. Signs projecting more than four (4) feet from the building shall be considered freestanding signs.

Public sign shall mean a sign erected and maintained by or on behalf of the City or a governmental entity that is not subject to the City's jurisdiction, on property owned or controlled by the City or governmental entity; or a sign that is required or specifically authorized for a public purpose by any law, statute, ordinance, resolution, or approved development plans, including way-finding signs installed by a governmental entity within the public right-of-way, traffic control devices; public notices, and the like. *Required sign* means a sign that is required to be displayed on private property by an applicable law (e.g., a sign displaying the address of property as required by the building code, signs required by the Occupational Health and Safety Act, etc.)

Roof sign shall mean a sign that is mounted on the roof of a building or structure, such as a portico, which is wholly dependent upon a building for support and which projects above the parapet of a building with a flat roof or above the peak of the roof of that portion of the roof on which the sign is placed.

Searchlight, strobe light or beacon shall mean a stationary or revolving light that flashes or projects illumination, single color or multicolored, in any manner that is intended to attract or divert attention; excluding any device required or necessary under the safety regulations described by the Federal Aviation Administration or similar agencies.

Sight distance (see *Clear vision zone or area*).

Sign shall mean any device, surface, object, structure, building architecture or part thereof using graphics, symbols or written copy for the purpose of advertising, identifying, or announcing or drawing attention to any establishment, product, goods, facilities, services or ideas, whether of a commercial or noncommercial nature.

Sign allowance shall mean the amount of signage that is allowable under the provisions of this Chapter.

Sign alteration shall mean any change of copy (excluding changeable copy signs), sign face, color, size, shape, illumination, position, location, construction or supporting structure of any sign.

Sign area shall mean the entire face of a sign and any backing, frame, trim or molding, and which may include the supporting structure.

Sign backing shall mean the surface, pattern or color of which any sign is displayed upon, against or through and that forms an integral part of such display and differentiates the total display from the background against which it is placed.

Sign face shall mean the area of the sign on which the copy is placed, or, for individual cutout letters, painted letters, channel letters or symbols, the perimeter of the individual elements shall be considered the area of the sign.

Sign frame shall mean a sign cabinet or that portion of the sign that holds the sign face in place.

Sign height shall mean the vertical distance measured from the grade, as defined herein, to the highest point of the sign or sign structure.

Sign, interior to a building shall mean signs inside buildings that are not legible from the public right-of-way.

Sign, interior to development shall mean any sign that is located so that it is not legible from any adjoining property or the public right-of-way and not oriented in such a way as to attract the attention of those traveling along the right-of-way.

Sign permit shall mean a permit issued by a Building Official and which is required for any sign specified under Section 18.54.060.

Sign separation shall mean the distance or spacing between individual signs, whether they are on the same structure or on separate structures, as measured by a straight line.

Sign setback shall mean the minimum distance required from the apparent centerline of the right-of-way to any portion of a sign or sign structure.

Sign structure shall mean the supports, uprights, bracing or framework of any structure for the purposes of displaying a sign.

Site sign shall mean a temporary freestanding sign constructed of vinyl, plastic, wood or metal and designed or intended to be displayed for a short period of time on a construction project.

Sky dancers shall mean freestanding tubes which often simulate the shape of a person into which air is forced to inflate and animate and which do not characterize a commercial message or contain a message.

Symbol shall mean a graphic device which stands for a concept or object.

Teardrop sign (see Ground kites).

Temporary sign shall mean any sign not intended for permanent installation, such as, but not limited to, a yard sign, site sign, banner, balloon, pennant, searchlight or beacon.

Transition shall mean a frame effect used on an electronic message display to change from one (1) message to another.

Vehicle signs shall mean signs which are attached to or located on licensed vehicles, trailers or semi-trailers and contain or display signage for the primary purpose of advertisement, excluding bumper stickers on the bumper, and similar-sized adhesive decals.

Wall sign shall mean a sign attached parallel to and extending less than twenty (20) inches from the wall of a building, fence or freestanding wall. Wall signs shall include painted, individual letter, cabinet signs and those signs located below the peak of the roof of a building which are not specifically defined as roof signs.

Wind sign (see Pennants , Ground kites and Sky dancers).

Window sign shall mean any signage or graphics applied directly to a window surface or any sign hanging within twelve (12) inches of the interior surface of a window, or which is clearly evident through a window and oriented to attract the public on to the premises.

Yard sign shall mean a temporary portable sign constructed of paper, vinyl, plastic, wood, metal or other comparable material, and designed or intended to be displayed for a short period of time.

- (b) Interpretation. This Sign Code is not intended to, and does not restrict speech on the basis of its content, viewpoint, or message. No part of this Sign Code shall be construed to favor commercial speech over non-commercial speech. Messages may be changed without the need for any approval or permit, provided that the size and structure of the sign are not altered. To the extent any provision of this Code is ambiguous, the provision shall be interpreted not to regulate on the basis of the content of the message

(Ord. 34, 2010 §1)

18.54.060 - Sign permits.

- (a) The Building Official shall be responsible for issuing all sign permits once approved by the Planning Division staff, which shall be responsible for reviewing all sign permits for compliance with this Code.
- (b) A sign permit shall be required for all signs unless exempted from the provisions of this Chapter. The replacement, repair or major alteration of a sign shall require a new sign permit.
- (c) The following information shall be submitted for a sign permit:
 - (1) Completed sign permit application signed by the property owner, tenant and/or licensed sign contractor, which shall include the following:
 - a. The name, address and telephone number of the property owner, business owner or licensed sign contractor;
 - b. The location, by street address, of the proposed sign; valuation of proposed work; and
 - c. The zoning district in which the property is located. An affidavit (sworn statement) of notice to the property owner is required, if submitted by a business owner or contractor.
 - (2) Plans for the proposed sign, including but not limited to:
 - a. For each sign:
 - 1. Scaled drawing of sign elevation, including area to be occupied by lettering, symbols or images, with dimensions; sign type; method of illumination, construction materials; projection or depth of sign cabinet;
 - 2. Site plan showing the adjacent streets and location of property lines;
 - 3. Plans showing the scope and structural detail of the proposed work, including details of structural connections, guidelines, supports and footings, and materials to be used;

4. An inventory of all existing signs located on the property (a tenant may provide this information for the lease holder area only) related to the specific business that will remain and be removed, including location, dimensions, height and types of sign; and
 5. If reasonably known, identify any signs that are nonconforming, have received a variance, have utilized a nonconforming one-time change rule, have combined two (2) smaller signs into one (1) larger sign, or have utilized any bonuses.
- b. For wall signs: scale drawing with building dimensions, the square footage for each tenant and the total square footage for the building; elevations showing the sign location, facade dimensions and roof lines.
 - c. For freestanding signs: scale drawing of site layout including sign location, property lines, setbacks, adjacent public right-of-ways, street names, buildings and improvements, parking areas, drive aisles and landscaped areas in the vicinity of the proposed sign; dimensions of the sign and its support structure and members; and proposed height of the sign.
- (3) An indication of application for electrical permits for all electric signs; when applicable, such permits will be issued separately through the Building Inspection Division.
 - (4) Other information, as required by the City, to ensure a complete and comprehensive review of the proposed sign.

(Ord. 34, 2010 §1)

18.54.070 - Reserved.

Editor's note— Ord. 43, 2016 , §1, adopted Dec. 20, 2016, repealed § 18.54.070, which pertained to sign contractor license and derived from Ord. 34, 2010 §1.

18.54.080 - General provisions.

- (a) **Written Interpretations.** The Community Development Director shall be responsible for interpretation of this Chapter. Appeals to interpretations by the Community Development Director shall be subject to the provisions of Section 18.54.030, Variances and Appeals (see Section 18.24 of the Development Code).
- (b) **Sign Classification.** If the provisions within this Chapter do not identify a particular type of sign, or if a sign may be classified under two (2) or more definitions, the sign shall be classified according to that description which most specifically describes it and which furthers the purposes of this Chapter.
- (c) **Interior to a development signs not legible beyond the boundaries of the property on which they are located and which are not intended to attract off-site attention shall not be counted for the purpose of zoning regulations toward signage calculations, except window signage that exceeds twenty-five percent (25%) of the window area. Any sign constructed interior to the development may be subject to building permit provisions.**

- (d) Primary structure required. With the exception of required and temporary signs, signs shall not be permitted unless there is a primary structure on the parcel.
- (e) Other Code requirements. All signs within the City shall comply with the adopted building and electrical codes, Model Traffic Code, Historic Preservation and other codes and ordinances as adopted by the City. All electric signs shall comply with and bear independent testing laboratory labels. In the event of any conflict between any of these codes or ordinances and this Chapter, the more restrictive provision shall apply.
- (f) Trees and shrubs. No person may, for the purposes of increasing or enhancing the visibility of any sign, damage, destroy, trim or remove any trees or shrubs located within the public right-of-way or as per an approved use by special review, design review or any other land use zoning permit unless the work is done pursuant to written authorization of the Community Development Department.
- (g) Signs in right-of-way. Except as otherwise permitted elsewhere in this Code, no signs other than regulatory signs are allowed in the public right-of-way except as provided by a right-of-way revocable sign permit.
- (h) Consistent and complementary. All signs installed after the adoption of the ordinance in this Chapter shall be designed to be consistent and compatible with the character of the principal buildings to which the signs relate, including the use of similar or complementary colors and materials in the design and construction of signs and its surroundings.
- (i) Sign lighting. Signs may be internally illuminated, backlit or illuminated by down-lighting or by ground-mounted light fixtures that illuminate only the sign face and base and shall conform to the following:
 - (1) Illuminated signs on the C-D, H-A and all residentially zoned properties or illuminated signs on commercial or industrial zoned properties immediately adjacent to residentially zoned properties shall either have an opaque background and translucent letters or letters without background lighting;
 - (2) In no case shall sign lighting create more than one-tenth (0.1) foot candle impact on habitable residential uses in residentially zoned areas;
 - (3) Neon lighting shall only be permitted within the graphics (e.g., logos or images) or lettering of a sign;
 - (4) Illumination of the sign face by down-lighting or ground mounted light fixtures shall not exceed fifty (50) foot-candles as measured on the sign face; and
 - (5) Flashing or strobe lighting shall not be permitted, whether used as part of a sign or to draw attention to a site or location.

(Ord. 34, 2010 §1)

18.54.090 - Sign measurements and orientation.

- (a) The following rules shall apply to the measurement of signs in all zoning districts:

- (1) The area of a sign is measured by determining the total sign face, which includes the backing and the frame of the sign.
 - (2) The area of a sign shall be measured utilizing a single, continuous rectilinear perimeter of not more than twelve (12) straight lines, the extreme limits of writing, representation, lines, emblems or figures contained within all modules, together with any air space, materials or colors forming an integral part or background of the display or materials used to differentiate such sign from the structure against which the sign is placed. For replacement of existing signs, the applicant may choose to utilize an exact calculation of sign area in lieu of this requirement.
 - (3) A freestanding sign area and its support structure may be equal in size to one and one-half ($1\frac{1}{2}$) times the maximum-sized sign allowance at that location. The base of a monument sign shall not be counted as part of the calculation, provided that:
 - a. The base does not account for more than one-third ($1/3$) of the combined area of the sign face and the base; and
 - b. At least sixty percent (60%) of the bottom edge of the sign, including its supports and structure, has contiguous contact with the ground. Where the base has an unusual shape, such as circular or diamond-shaped, the bottom of the base shall be determined by measuring at a point that is one-third ($1/3$) of the distance from the ground to the top of the base; and
 - c. Any portion of the base that contains signage will be counted, with the exception of a numeral address that is clearly incidental to the sign.
 - (4) The area of a sign which has multiple sign faces not parallel to the right-of-way, such as V-shaped, triangles or cubes, shall be calculated using the total of all faces which may be viewed at the same time from the public right-of-way or adjacent property.
 - (5) All writing, representations, emblems or figures forming an integral part of a display used on an awning to identify, direct or attract the attention of the public shall be considered to be a sign for the purposes of measurement.
 - (6) Internally illuminated awning signs that are translucent, with backlighting, shall include the entire area of the awning in the calculation of the sign area (see also Subsection 18.54.140(a)).
- (b) The height of a sign shall be determined by measuring the vertical distance from the adjacent grade to the highest point of the sign or sign structure. For purposes of this section, "grade" as a point of measure shall mean either of the following, whichever yields a greater sign height:
- (1) The elevation of the highest ground surface within a five-foot horizontal distance from the leading edge of the sign, when there is less than a ten-foot difference between the highest and lowest ground surfaces within a five-foot horizontal distance from said sign (see Figure 18-38); or

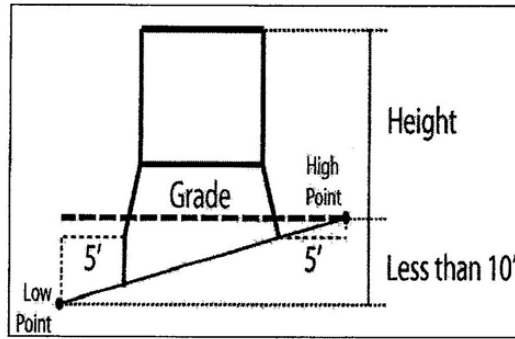


Figure 18-38

- (2) An elevation ten (10) feet higher than the lowest ground surface within a five-foot horizontal distance from the leading edge of the sign, when there is greater than a ten-foot difference between the highest and lowest ground surface within a five-foot horizontal distance from said sign (see Figure 18-39).

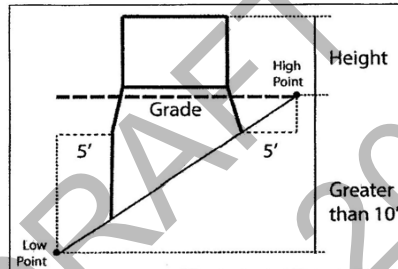


Figure 18-39

- (c) The determination of sign orientation shall be as follows:
- (1) The orientation of a freestanding sign is to the nearest public right-of-way to which it is perpendicular or parallel;
 - (2) The orientation of a wall sign is to the nearest street with the highest traffic volume;
 - (3) The orientation of a projecting wall sign is to the nearest street with the highest traffic volume and to which the sign is most nearly perpendicular;
 - (4) The orientation of all other signs, including canopy signs, shall be to the nearest public right-of-way; or
 - (5) The principal orientation of any sign shall be determined by the Administrative Official in accordance with the standards in this Chapter, street classification and the intent of the Code.

(Ord. 34, 2010 §1)

18.54.100 - Sign setbacks.

The minimum distance required between the apparent centerline of the right-of-way and any portion of a sign or sign structure. Where the property is adjacent to a frontage road, the centerline of the highway to the leading edge of the sign is used to determine setback (i.e., frontage road is disregarded for calculation of the setback). (See Figures 18-40 and 18-41.)

Figure 18-40: Typical Centerline

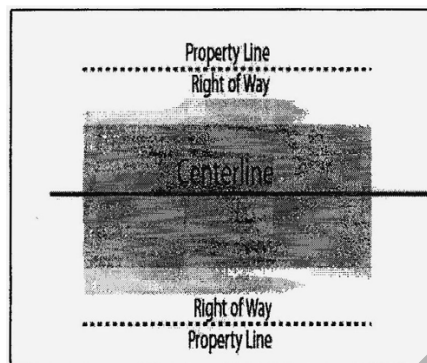
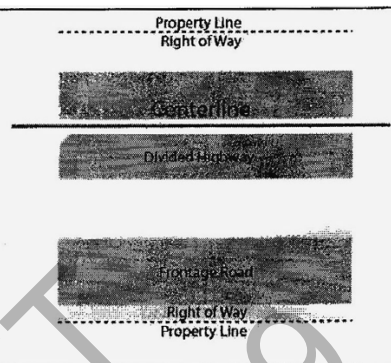


Figure 18-41: Centerline with frontage road



18.54.110 - Signs not requiring a sign permit.

- (a) Any sign listed in this Section shall not require a sign permit if the sign complies with the provisions of this Section. Except as may be required under the adopted building and electrical codes, such signs shall not require a sign permit and are allowed. Signs that exceed these provisions for size or sign area shall require a sign permit as provided for in Section 18.54.140.

- (1) Required signs.
- (2) Change of copy. Once a structure receives legally conforming status from the City, the sign copy may thereafter be changed without a permit. All other copy changes, such as painted signs or channel lettering, shall require a sign permit.
- (3) Changeable copy. Where a sign frame or structure has been approved as a changeable copy sign, subsequent changes of copy only shall not require a permit.

Temporary signs associated with approved temporary uses under Section 18.53.050, provided that the schedule for display and removal of the signs is set out in the temporary use permit:

- (4) Construction Site sign. Up to three (3) site signs per street frontage are allowed as follows:
 - a. Construction Site signs on H-A, C-D and all residentially zoned properties shall not exceed seven (7) square feet of sign area per face and five (5) feet in height. Properties greater than two and one-half (2½) acres are allowed up to one (1) thirty-two-square-foot sign.

- b. Construction Site signs on nonresidential zoned properties with less than two hundred (200) feet of lot frontage shall not exceed twenty-four (24) square feet of sign area per face and eight (8) feet in height;
 - c. ConstructionSite signs on nonresidential zoned properties greater than two hundred (200) feet and less than five hundred (500) feet of frontage shall not exceed thirty-two (32) square feet of sign area per face and eight (8) feet in height;
 - d. ConstructionSite signs on nonresidential zoned properties with greater than five hundred (500) feet of frontage shall not exceed sixty-four (64) square feet per sign face and ten (10) feet in height; and
 - e. The sign may be displayed no more than forty-five (45) calendar days before and forty-five (45) calendar days after the completion of construction.
- (5) Cornerstone sign. A cornerstone may be up to a total of four (4) square feet in size.
- (6) Directional on-premises sign. A property may have any number of directional on-premises signs sufficient to safely direct customers to key locations; however each shall not exceed six (6) square feet in size per face, nor five (5) feet in height. Such signs shall not include the business name or logo but may include a single background color associated with the business.
- (7) Election Yard signs and Site Signs.
 - a. Yard signs signs are allowed in all zoning districts and are subject to the following provisions:
 - 1. The total cumulative sign area that is allowed under this subsection (7) is 32 square feet.
 - 2. No individual sign shall have a sign area that exceeds thirty-two (32) square feet.
 - 3. Yard signs signs may be located on a property only with the consent of the property owner, authorized property manager, or legal tenant.
 - 4. In no event shall a yard sign or site sign be posted or displayed in a manner or location that limits sight visibility to the traveling public or in such a way that creates a vehicular or pedestrian traffic obstruction or hazard.
 - b. If an individual sign installed pursuant to this subsection (7) exceeds six square feet, it is counted towards any applicable standards of subsection (5), above.
- (8) Flag. Flags are allowed which do not exceed a maximum size of one hundred fifty (150) square feet in size per flag. A total of three hundred (300) square feet flag area is allowed per property.
 - a. No part of any flag when fully extended shall protrude over any public right-of-way or property line in any direction.

- b. The freestanding maximum mounting height of flags shall be equal to or less than the maximum building height allowed in the zone district in which the flag is located or (10) feet above the height of the principal structure on the premises, whichever is less.
 - c. The flag pole for any individual flag over one hundred (100) square feet must be set back at least equal to the flag pole height from the property line.
- (9) Holiday decoration. Temporary decorations, lighting or displays which are clearly incidental to and customarily and commonly associated with any national, state, local, religious or commonly celebrated holiday shall be displayed not more than sixty (60) days prior to the holiday, and no more than thirty (30) days after the holiday. Such decorations may be of any type, number, size, location, illumination or animation if the decorations are located so as not to conflict with traffic regulatory devices or create a traffic hazard.
- (10) Incidental sign. The combination of incidental signs shall not exceed one and one-half (1½) square feet in sign area per building entrance.
- (11) Portable sign. One (1) portable sign is allowed per storefront if it can meet all of the following conditions:
 - a. Is located within twenty (20) feet of the principal public entrance to the tenant or occupant that displays the sign;
 - b. Is no larger than six (6) square feet per face and no greater than forty-eight (48) inches in height;
 - c. Is located outside of clear vision zones [see Subsection 18.44.140(e)];
 - d. Is in place only during hours of operation;
 - e. Is not posted or displayed in a manner or location that limits sight visibility to the traveling public or in such a way that creates a vehicular or pedestrian traffic obstruction or hazard;
 - f. Two (2) immediately adjacent tenants or occupants may share a single sign, not to exceed the standards listed above; and
 - g. Any portion of a portable sign located within the public right-of-way must be authorized by a right of way revocable sign permit from the City.
- (12) Public sign. Public signs may be of any type, number and area, height above grade, location, illumination or animation required by the law, statute or ordinance under which the signs are erected. Public signs, government signs and signs on public bus benches and/or shelters in the right-of-way shall not be subject to a right of way revocable sign permit. Signs on governmental property outside of the right-of-way shall require a right of way revocable sign permit.
 - a.
- (13) Detached wall signs or monument signs at subdivision or multifamily complex entry points. Detached wall signs or monument signs that are located within 40 feet of a

street intersection that provides entry into a subdivision or multifamily complex, provided that they are no greater than twenty (20) square feet in sign area, including all sign faces, and not greater than six (6) feet in height. Two (2) residential complex identification signs are allowed per intersection.

- (14) Signs within building. A sign permit is not required where signs are located inside buildings and are not legible from the public right-of-way or, if legible, are within allowed window sign limits.
- (15) Vehicle signs. It shall not be a violation of this Chapter if the vehicle to which a sign is mounted, painted or otherwise affixed is used for travel between home and work or is temporarily parked away from the business premises while being used to provide the business' services or products, or as personal transportation for the vehicle operator. A parked vehicle which contains or displays signage is allowed when;
 - a. The sign does not extend more than one (1) foot above the roofline of the vehicle;
 - b. The vehicle is not illuminated or does not have flashing signs;
 - c. The vehicle is licensed and operable; and
 - d. The vehicle is in use or legally parked.
- (16) Wind driven devices. The following devices, which are designed to move with wind or forced air, are allowed as follows, provided that signage is not affixed to the device:
 - a. Pennant. A pennant flag may be a maximum of one (1) square foot per flag face, and pennant lines shall be no longer than the front lot line or exceed the height of the building. For residential zoned properties, pennants are allowed for open house events only three days per year. For commercial and industrial zoned properties, pennants are allowed on a single property for any length of time, provided they are maintained and in good condition.
 - b. Ground kite. Ground kites are allowed only in commercial or industrial zoned properties as follows:
 - 1. Ground kites shall be affixed to the ground and shall not exceed two (2) feet wide and eight (8) feet tall.
 - 2. One ground kite is allowed for every twenty-five (25) feet of lot frontage.
 - c. Sky dancer. Sky dancer devices are allowed only in commercial and industrial zoned properties as follows:
 - 1. Sky dancers shall be affixed to the ground and shall not exceed two (2) feet wide and eight (8) feet tall.
 - 2. One (1) sky dancer is allowed for every fifty (50) feet of lot frontage, with a maximum of three (3) for each property.

- d. Wind signs. Wind signs cannot be used in combination on a property, unless approved in advance with a temporary sign permit.
- (17) Window sign. A window sign is allowed but shall not exceed twenty-five percent (25%) of the glass surface of individual window panes that are visible from the public right-of-way.

(Ord. 1, 2017 §1(Exh. A), 1-17-2017; Ord. 34, 2010 §1)

18.54.120 - Prohibited signs.

- (a) Except for signs within buildings and not legible or intended to attract the attention of persons outside the building, or signs interior to a development, the following signs are declared to be a public nuisance and are prohibited in all zoning districts of the City. They must be removed unless determined to be legally nonconforming except as provided herein.
 - (1) Abandoned signs. A sign determined to be abandoned as defined in this Chapter must either be removed or covered to conceal the sign copy, confirming its abandonment.
 - (2) Exposed incandescent, high intensity exposed light bulbs. The use of exposed light bulbs independently or as a sign or portion of a sign that is visible from any property line on which the sign is located is prohibited.
 - (3) Flashing, animated or imitating signs, including signs that have moving, blinking, chasing, scrolling or other animation effects. Such signs, either inside (including but not limited to: open signs and electronic display signs, etc.) or outside of a building, and which are legible from a public right-of-way must be removed except as follows:
 - a. Electronic message boards which do not change copy more frequently than every once every thirty (30) seconds as otherwise permitted in this Chapter.
 - (4) Imitating sign. Regardless of whether any clear safety concerns are present.
 - (5) Off-premises sign. Except as follows:
 - a. Temporary signs which are located on a common area outlot, approved by the property owners association; and
 - b. When two (2) or more adjacent landowners co-locate signage on a single sign structure or on a shared property line through a legally binding agreement. For purposes of this provision, the combined lot frontage is used to determine the number of signs allowed.
 - (6) Nongovernmental signs on public utilities. No sign may be attached to utility poles or other public structures within the public right-of-way, except as specifically authorized by the City.
 - (7) Roof signs.

- (8) Signs in the public right-of-way. Signs located in any portion of the public right-of-way that do not meet the provisions of this Chapter or that do not have a right-of-way revocable sign permit.

(Ord. 34, 2010 §1)

18.54.130 - Temporary signs, including portable signs, searchlights and beacons.

- (a) Temporary signs shall be allowed per tenant in addition to the amount of permanent signage that is otherwise permitted. Except as provided in Section 18.54.110, above, Temporary signs require a temporary sign permit. Temporary signs shall comply with all other applicable provisions of this Chapter, including the provision of Section 18.54.060 (Sign Permits).
- (b) The total amount of temporary signage shall not exceed thirty-three (33) square feet in all residential R-H and C-L zones, or fifty (50) square feet in all other commercial and industrial zones.
- (c) Temporary signs shall be allowed for any individual commercial or industrial use for no more than a total of sixty (60) days in any calendar year.
- (d) If more than one (1) temporary sign is proposed, each sign will count towards the total calendar year allowance (i.e., 3 signs for 20 days = 60 days). The total sign area for all signs shall not exceed the total amount of temporary sign allowance.
- (e) Temporary signs associated with a temporary use under the provisions of Section 18.53.030 shall be limited to the duration of the temporary use, not to exceed more than ninety (90) days in any calendar year. The temporary sign permit may be extended for up to an additional thirty (30) days, provided the Community Development Director has granted an extension of the associated temporary use.
- (f) Any property that contains an outdoor electronic messaging display will not be permitted any additional temporary sign allowance.
- (g) Balloons, inflatable signs and other inflatable objects containing text and/or graphics, which have a total visible area (individually or combined) that does not exceed thirty-three (33) square feet shall be considered a temporary sign and shall require a sign permit. Balloons that do not contain text and/or graphics shall not require a sign permit. No balloon, inflatable sign or other inflatable object shall exceed the height of the principal building on the site and shall not extend over the public right-of-way when fully extended, or impede pedestrian or vehicular traffic.
- (h) Searchlights or beacons shall be considered temporary signs, shall require a sign permit and are allowed a maximum of three (3) days per calendar year. Searchlights or beacons shall not be placed or used in such a way that impedes pedestrian or vehicular traffic, or results in light or glare at grade.

(Ord. 1, 2017 §1(Exh. A), 1-17-2017; Ord. 34, 2010 §1)

18.54.140 - Signs requiring a sign permit.

- (a) The following signs shall require a sign permit:
 - (1) Awning sign.
 - (2) Canopy sign.
 - (3) Electronic messaging display.
 - (4) Freestanding and monument sign.
 - (5) Projecting wall sign.
 - (6) Wall sign.
- (b) Awning sign.
 - (1) If more than twenty-five percent (25%) of the exterior surface of an awning is devoted to sign copy, the entire exterior surface of the awning shall be considered a sign;
 - (2) The entire illuminated exterior area of an internally illuminated awning sign shall be included in the calculation of the sign area;
 - (3) Awning signage will count towards the total wall sign allowance; and
 - (4) Any portion of an awning sign projecting over the public right-of-way must obtain a right-of-way revocable sign permit from the City.
- (c) Canopy sign.
 - (1) If the canopy is attached to a building, all or a portion of the available wall signage allowance may be transferred to the canopy, subject to setback provisions.
 - (2) If the canopy is a freestanding structure, all or a portion of the available freestanding signage allowance may be transferred to the canopy, subject to setback provisions and height.
- (d) Electronic messaging display (EMD) sign.
 - (1) EMD signs require a design review approval (see Chapter 18.46) and are allowed only in the C-L, C-H, I-L, I-M, I-H and PUD zone districts. An EMD sign in the C-L zone district is limited in hours of operation from 6:00 a.m. to 10:00 p.m.
 - (2) The area of the EMD shall not exceed fifty percent (50%) of a sign face.
 - (3) The EMD shall contain static messages only, changed only instantly or through dissolve or fade transitions, or with the use of other subtle transitions and frame effects that do not have the appearance of moving text or images, and which may otherwise not have movement, or the appearance or optical illusion of movement, of any part of the sign structure, design or pictorial segment of the sign, including the movement of any illumination or the flashing, scintillating or varying of light intensity.

- (4) The displayed message shall not change more frequently than once per thirty (30) seconds.
 - (5) The EMD shall have automatic dimmer software or solar sensors to control brightness for nighttime viewing. The intensity of the light source shall not produce glare, the effect of which constitutes a traffic hazard or is otherwise detrimental to the public health, safety or welfare. Lighting from the message module shall not exceed six hundred (600) nits (candelas per square meter) between dusk and dawn as measured from the sign's face.
 - (6) Applications for sign permits containing an electronic display shall include the manufacturer's specifications and initial nit (candela per square meter) rating and the method of dimming.
 - (7) All existing electronic message displays that contain an electronic changeable copy module which does not comply with the provisions of this Section shall be made to conform to the duration of copy provisions upon the effective date of the ordinance approving such provisions.
 - (8) Any premise that contains an outdoor electronic message display shall not be allowed any temporary signs (per Section 18.54.140).
- (e) Freestanding and monument sign.
- (1) Freestanding signs shall be permitted only if constructed with a supporting sign structure, the total width of which exceeds twenty-five percent (25%) of the width of the sign face. This provision applies to all freestanding signs that require a permit, except freestanding signs with less than two (2) vertical feet of sign support, exposed poles or flag poles. Any change of copy to a legally conforming sign does not require compliance with this Section.
 - (2) Maximum size, height and setback dimensions. Lot frontage, for the purposes of calculating freestanding sign allowance and placement, shall be determined as follows:
 - a. Lot frontage shall be the length of private property contiguous with a public street.
 - b. If a lot has more than one (1) street frontage, such as with corner lots, up to two (2) cumulative lot frontages along the lot sides adjacent to public streets may be used to determine the maximum number of signs.
 - c. Noncontiguous lot frontage is calculated separately.
 - (3) The maximum area of freestanding/monument signs shall be as follows:
 - a. In the H-A, C-D, R-MH, R-L, R-M and R-E zone districts, signs shall be in accordance with Section 18.54.110.
 - b. In the R-H, C-L zone districts and for uses by special review on any residential zoned property, the maximum area is as follows:

Setback	Maximum Size (sq. ft.) per Sign Face
Less than 50 ft.	33
51 ft. to 167 ft.	(Setback minus 50) plus 33
168 ft. or greater	150

c. In the C-H, I-L, I-M and I-H zone districts, the maximum area is as follows:

Setback	Maximum Size (sq. ft.) per Sign Face
Less than 50 ft.	50
51 ft. to 249 ft.	Equal to setback
250 ft. or greater	250

(4) The maximum height of freestanding signs shall be as follows:

Setback	Maximum Size (sq. ft.) per Sign Face
Less than 50 ft.	12
51 ft. to 99 ft.	(Setback minus 50) plus 12
100 ft. or greater	25

- a. In the C-D, H-A, R-E, R-L, R-MH, R-M, R-H and C-L zone districts, the maximum height is six (6) feet, unless otherwise noted in Section 18.54.110.
- b. In the C-H, I-L, I-M and I-H zone districts, the maximum height is as follows:

(5) Signs attached to fences and freestanding walls, except those in Section 18.54.110, Signs not requiring a permit, shall be regulated as a freestanding sign and shall count toward freestanding signage allowances.

(6) For properties with less than two hundred (200) feet of lot frontage, either of the following is permitted:

- a. A freestanding sign may be used in lieu of the allowed wall signage, the sign will be allowed to comply fully to the freestanding sign size and height limits as listed in the charts above; or
- b. A combination of freestanding or wall signage is allowed where the sum of the percentage of each sign's size, as a portion of the total allowed, does not exceed one hundred percent (100%) of maximum sign allowance for either category or sign. The percentage of wall signage shall be based on the total

amount of wall signage allowed on the principal face of the building located closest to the freestanding sign. The percentage of freestanding sign shall be based on the maximum size of freestanding sign allowed, given the sign's setback from the center line of the adjoining public right-of-way (Figure 18-42).

- c. One (1) freestanding sign is a permitted use on a site with a minimum of two hundred (200) feet of street right-of-way frontage; two (2) freestanding signs are permitted with a minimum of five hundred (500) feet of contiguous street right-of-way linear frontage in the R-H, C-L, C-H, I-L, I-M and I-H zone districts.

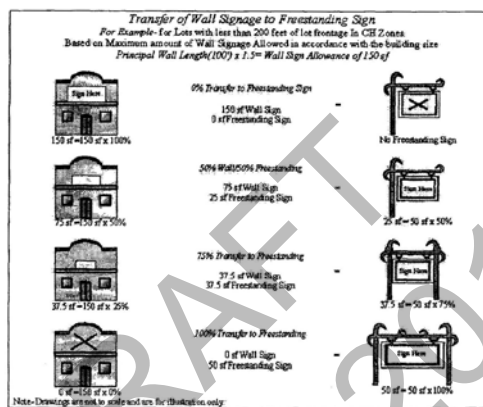


Figure 18-42: Transfer of Wall Signage to Freestanding Signage

- (7) Where two (2) or more property owners share a common lot line, the property owners may combine lot frontage for the purpose of sharing a freestanding sign on or near the common lot line.
- (f) Projecting wall sign.
 - (1) A projecting sign shall not be higher than the top of the wall or the bottom of the roof eave.
 - (2) A projecting sign must have eight (8) feet clearance from grade and may not extend more than four (4) feet from the building wall except where the sign is an integral part of an approved canopy or awning.
 - (3) A projecting sign is included in the total wall sign allowance.
 - (4) A projecting sign over public right-of-way must obtain a revocable sign permit.
- (g) Wall signs.
 - (1) Signage allowance by zone district shall be calculated as follows:

Zone District	Signage allowed per principal building frontage	For secondary building frontage, additional signage allowed per linear feet of building
H-A, C-D, R-E, RMH, R-L and R-M	N/A	N/A
R-H	.25 sq. ft.	N/A
C-L	1 sq. ft.	.5 sq. ft.
C-H and I-L	1.5 sq. ft.	1 sq. ft.
I-M and I-H	2 sq. ft.	1 sq. ft.

(2) The maximum area of each wall sign shall be calculated as below in this Subsection.

a. H-A, C-D, R-E, R-MH, R-L and R-M shall be in accordance with Section 18.54.110.

b. R-H and C-L Zone Districts.

Setback	Maximum Size (sq. ft.) per Sign Face
Less than 50 ft.	40 ft.
51 ft. to 160 ft.	Setback minus 10 ft.
161 ft. or greater	150 ft.

c. C-H and I-L Zone Districts.

Setback	Maximum Size (sq. ft.) per Sign Face
Less than 50 ft.	60 ft.
51 ft. to 190 ft.	Setback plus 10 ft.
191 ft. or greater	200 ft.

d. I-M and I-H Zone Signs.

Setback	Maximum Size (sq. ft.) per Sign Face
<i>Less than 50 ft.</i>	<i>90 ft.</i>
<i>51 ft. to 210 ft.</i>	<i>(Setback minus 50) plus 90 ft.</i>
<i>211 ft. or greater</i>	<i>250 ft.</i>

(3) Wall signage shall comply with the following conditions:

- a. Parapet Wall. No wall sign may be attached to or displayed against any parapet wall that does not extend at least seventy-five percent (75%) of the perimeter of the roof enclosed by the parapet. No sign shall exceed the height of the parapet wall. This standard does not apply to existing building as of the date of the adoption of the Code.
- b. Roof Line. No wall sign may extend above the roof line of a building except as permitted on a parapet wall.
- c. Mechanical Room. No wall sign may be displayed on the wall of a mechanical room or penthouse or other such enclosed space which is not habitable by the occupants of the building.
- d. Sign Depth or Projection. No sign, including any light box or other structural part, shall exceed a depth of twenty (20) inches.

(Ord. 34, 2010 §1)

18.54.150 - Public, quasi-public and institutional uses (nonresidential uses in residential zone districts).

- (a) Public/Private Schools: Public schools are encouraged to adhere to the same sign standards as private schools, which are those that are allowed in the R-H zone district.
- (b) All other public, quasi-public or institutional signage shall comply with the standards of the R-H zone district.

(Ord. 34, 2010 §1)

18.54.160 - Signs in Planned Unit Development zoned districts.

- (a) The provisions in this Chapter shall be used to guide signage within Planned Unit Development (PUD) requests.
- (b) Proposed PUD development may include a specific sign plan which includes sign standards that address size, height, design, lighting, color, materials, location and method of construction of all signage planned within the PUD to ensure that all such signage is designed in a harmonious and compatible manner. Absent a specific sign plan, the City will apply sign standards closest to the zone district the PUD land uses represent. The City Council may impose alternate standards relating to signage if it is determined that there are commensurate design trade-offs proposed for signage with a particular PUD, as provided in Subsection 18.32.040(d) of Chapter 18.32, Planned Unit Developments.

(Ord. 34, 2010 §1)

18.54.170 - Historic signs.

- (a) Notwithstanding any other provisions of this Chapter, a historic sign may be kept, used, owned, maintained and displayed subject to the following provisions:

- (1) The sign has been designated as a historic landmark by the Greeley Historic Preservation Commission (HPC) and
 - (2) The sign is structurally safe or is capable of being made structurally safe while maintaining its historic character. All structural repairs and restoration of the sign to its original condition shall be made within three hundred sixty-five (365) calendar days of designation of the sign as a historic landmark and shall be subject to approval by the HPC prior to any work commencing.
- (b) All signs that have been designated as historic landmarks shall be exempt from Section 18.54.190 relating to abandoned signs if the sign continues to meet all of the requirements of this Section.
- (c) For the purposes of this Section, if a historic sign has been moved from its original site, such sign shall no longer be considered a historic sign unless specifically so considered by the HPC. If such a sign is moved, a new sign permit under the provisions of Section 18.54.140 shall be required for the new location.
- (d) Words, symbols or "ghost signs" that are painted, engraved or carved into a building and that no longer relate to the use or occupant of the building shall not be counted as signage.

(Ord. 34, 2010 §1)

18.54.180 - Nonconforming signs.

- (a) A legal nonconforming sign or sign structure may continue to exist until one (1) of the following conditions occurs:
- (1) The sign has been abandoned and not reestablished for ninety (90) consecutive days or longer.
 - (2) Other than for routine maintenance involving spot repainting, cleaning or light bulb replacement that does not make substantial improvements, if repairs involve nonconforming sign alterations other than allowed in 18.54.200, compliance with all provisions of this Chapter shall be required.
 - (3) Changing the copy of an off-premises sign and nonconforming signs shall not be considered a change requiring compliance with this Chapter unless there is a change to the size; a change, or removal of, a support structure or frame, or a portion thereof, whether replacing such structure or frame or not, and/or a change in the orientation of the sign.
- (b) Lawfully nonconforming signs which are nonconforming due to size are included in the total sign allowance for the property as follows:
- (1) If the excess signage is in the wall sign the amount greater than the allowed is considered a transfer to the freestanding sign allowance and the freestanding sign allowance is thereby reduced proportionally.
 - (2) If the nonconforming sign is freestanding, no transfer is allowed to the wall.

- (c) Two (2) or more legal, nonconforming, freestanding signs on the same lot may be combined into one (1) new legal nonconforming sign. In this event, the maximum size of this new sign shall be one hundred twenty-five percent (125%) of the maximum size specified in Subsection 18.54.140(d) for the particular location and type of sign. This provision shall be utilized only one (1) time per property.
- (d) The Community Development Director may approve alternative compliance nonconforming sign proposals one (1) time per property as long as the proposed alternative reduces all elements of the signage nonconformance, by at least fifty percent (50%). This one-time provision may be used to address all nonconforming signs on the site, or for only one (1) nonconforming sign type on the site.
- (e) Temporary signs, window signs and dilapidated signs shall not be considered legal nonconforming signs.

(Ord. 34, 2010 §1)

18.54.190 - Abandoned signs.

- (a) A sign meeting the definition of abandoned under this Chapter must be removed or covered upon determination of its abandonment.
- (b) At such time that either a portion or all of a sign, sign frame, sign components or sign supporting structure are no longer in use for a period of ninety (90) consecutive days, such sign frame, sign components or sign supporting structure shall be brought into conformance by removal or the placement of a new permitted conforming sign, components and structure.

(Ord. 34, 2010 §1)

18.54.200 - Sign construction and maintenance standards.

- (a) All signs and all parts, portions and materials shall be manufactured, assembled and erected in compliance with all applicable state, federal and City regulations and the adopted building and electrical codes.
- (b) All signs, including those signs not required to obtain a sign permit as provided in Section 18.54.100, shall be maintained and kept in good repair, and in conformance with the original sign permit. A sign that is maintained and kept in good repair shall meet the following criteria:
 - (1) All sign supports, braces, guy wires, anchors and related screening are kept in repair, in a proper state of preservation, including as may be required by Paragraph 18.40.070(a)(4) of this Code.
 - (2) There is no evidence of deterioration, including chipped or peeling paint, rust, corrosion, fading, discoloration, broken or missing sign faces, text, logos, graphics or other elements of the sign.
 - (3) There are no missing, flickering or inoperative lights that create a perception of deterioration or abandonment of the sign.

- (c) Where repairs involve a nonconforming sign, the provisions of Section 18.54.180 shall also apply.
- (d) Any non-maintained sign shall be repaired or replaced within fifteen (15) calendar days following notification from the City. Noncompliance with such notice shall constitute a nuisance subject to enforcement actions.
- (e) Signs, their structures and supports and related screening, shall be constructed of materials normally and typically intended to be used for such items.

(Ord. 34, 2010 §1)

18.54.210 - Alternative compliance.

- (a) Conditions may exist where strict compliance is impractical or impossible, or where maximum achievement of the City's objectives can only be obtained through alternative compliance. It is not the intent of alternative compliance to modify or reduce requirements of this Sign Code, but to provide equivalent standards in a creative way subject to approval under the provisions herein.
- (b) Requests for alternative compliance may be accepted for any application to which the requirements of this Chapter apply. A written request may be submitted to modify an individual sign allowance, which shall meet one (1) or more of the following criteria:
 - (1) Topography, soil, vegetation or other site conditions are such that full compliance is impossible or impractical; or improved environmental quality would result from alternative compliance.
 - (2) Space limitations, unusually shaped lots and prevailing practices in the surrounding neighborhood, may justify alternative compliance for infill sites and for improvements and redevelopment in older neighborhoods.
 - (3) Safety considerations make alternative compliance necessary.
 - (4) The proposed alternative is aesthetically more complementary to the site, better fits into the context of the area, improves the overall architectural appeal of the area and/or meets or exceeds the design objectives as described in the City's Comprehensive Plan. Where there is a strong architectural theme established in an area, the proposed alternative shall be consistent with or complementary to that theme. In an existing area where there is no established theme, the proposed alternative shall provide an architectural theme that is consistent with the Comprehensive Plan and improves the quality of development in the area.
- (c) Application for alternative compliance shall include the following information:
 - (1) Written description of the conditions provided in Subsection (b) above, which apply to the subject property;
 - (2) The applicant shall submit a sign plan consisting of a written statement addressing the proposal and the review criteria, along with dimensioned graphic plans identifying the following items for all signs on the property:

- a. Written and graphic illustration of the proposed alternative, including areas of departure from code standards;
 - b. Sign style, type, location, size (area) and height for wall and freestanding signs;
 - c. Materials and colors for all signs and support structures;
 - d. Sign illumination devices and brightness levels, if applicable
- (d) Upon receipt of a complete application as provided in Subsection (c) above, the application will be evaluated administratively through the Administrative Review Team, with the final decision made by Community Development Director.
- (e) If the Community Development Director finds that the provisions in Subsection (b) are met, the Director shall approve the request for alternative compliance in writing. If the Community Development Director finds that the provisions in Subsection (b) above have not been met, the Community Development Director shall deny the request for alternative compliance and the applicant may appeal such decision in accordance with Chapter 18.24, Appeals.

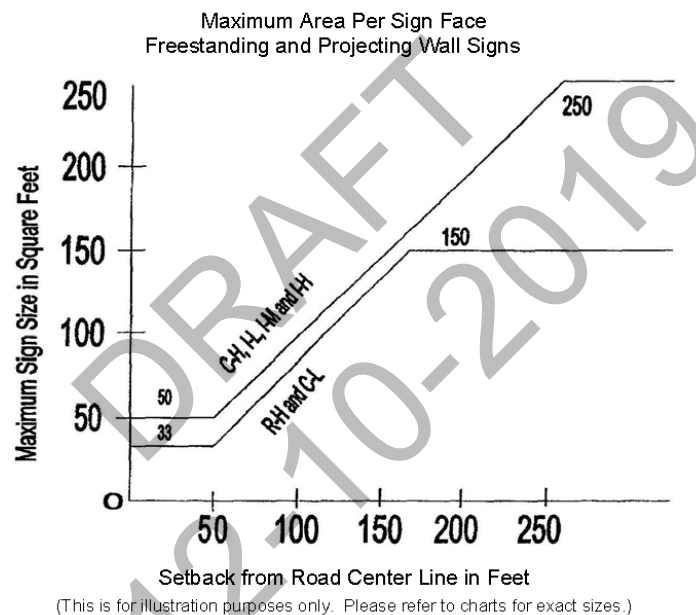
(Ord. 34, 2010 §1)

18.54.220 - Sign chart.*

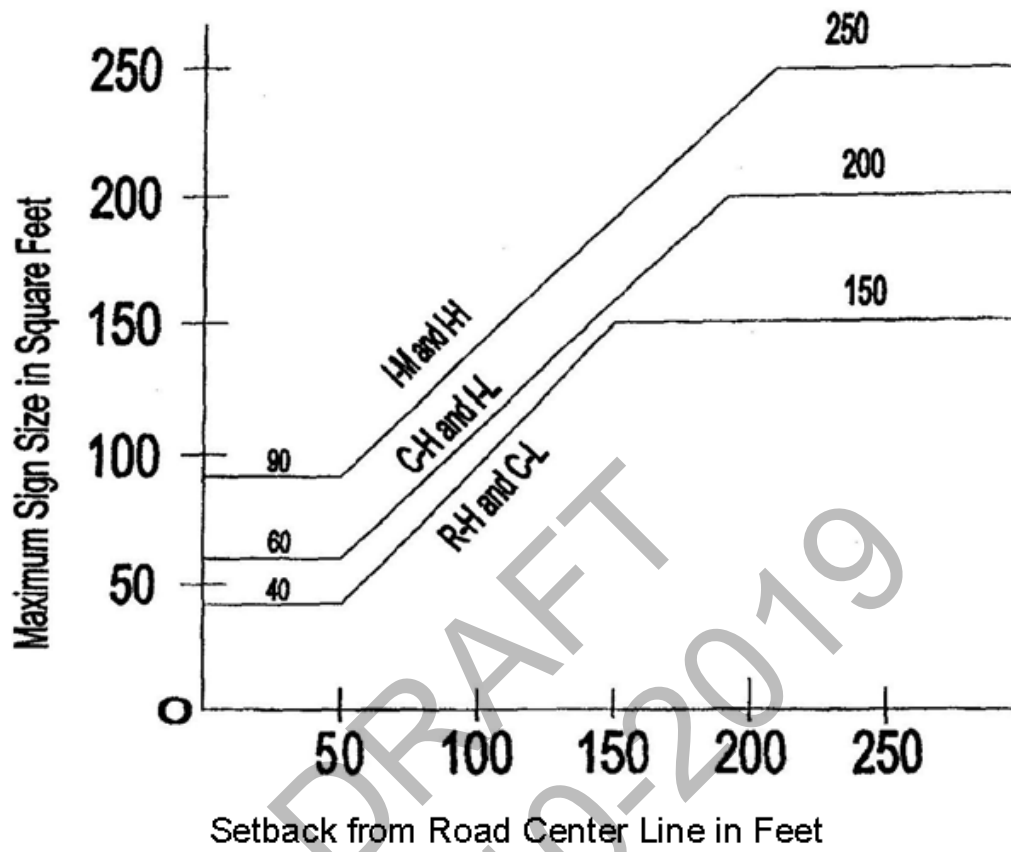
Zoning District	Type of Sign Allowed	Max. total amount awning, wall & projecting wall signage allowed per linear foot of wall	Max. Sign Face Area for Awning and Wall Signs	Maximum Freestanding Sign Height	Maximum Size for Freestanding Signs	Number of Freestanding Signs
C-D, H-A, R-L, R-E, R-MH, R-M	See Section 18.54.110	See Section 18.54.110	See Section 18.54.110	See Section 18.54.110	See Section 18.54.110	See Section 18.54.110
R-H	Freestanding, wall and awning	.25 sq. ft.	See Subsections 18.54.140(b)—(g)	6 ft.	See Subsection 18.54.140(e)	1 sign where lot frontage is greater than or equal to 200 ft., but less than 500 ft.
C-L	Freestanding, wall and awning	1 sq. ft., plus an additional .5 sq. ft. (for secondary building frontage)	See Subsections 18.54.140(a)—(f)	6 ft.	See Subsection 18.54.140(e)	2 signs where lot frontage is greater than 500 ft.
C-H, I-L	Freestanding, wall, projecting wall and awning	1.5 sq. ft., plus an additional 1 sq. ft. (for secondary building frontage)	See Subsections 18.54.140(a)(f)	See Subsection 18.54.140(d)	See Subsection 18.54.140(d)	2 signs where lot frontage is greater than 500 ft.

Zoning District	Type of Sign Allowed	Max. total amount awning, wall & projecting wall signage allowed per linear foot of wall	Max. Sign Face Area for Awning and Wall Signs	Maximum Freestanding Sign Height	Maximum Size for Freestanding Signs	Number of Freestanding Signs
I-M & I-H	Freestanding, well, projecting wall and awning	2 sq. ft., plus an additional 1 sq. ft. (for secondary building frontage)	See Subsections 18.54.140(a)(f)	See Subsection 18.54.140(d)	See Subsection 18.54.140(d)	2 signs where lot frontage is greater than 500 ft.

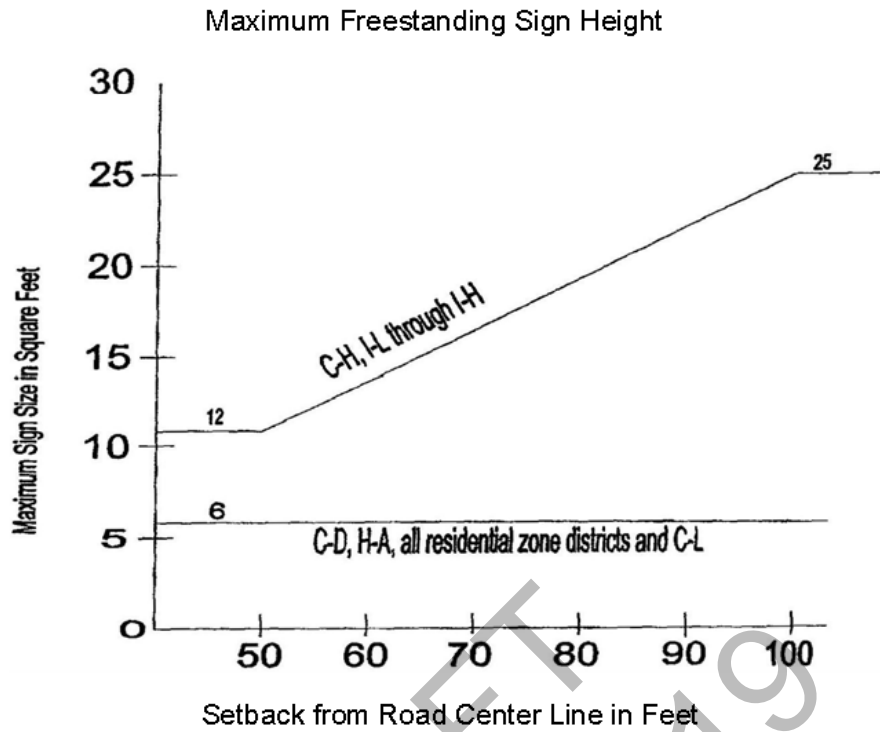
* This chart summarizes key signage allowances; see specific code sections for code details and/or exceptions.



Maximum Area Per Sign Face
Awning and Wall Sign Chart



(This is for illustration purposes only. Please refer to charts for exact sizes.)



(This is for illustration purposes only. Please refer to charts for exact sizes.)

(Ord. 34, 2010 §1)



CITY OF GREELEY

SIGN CODE UPDATE

What to expect:

- Yard and site signs may not exceed 32 square feet cumulative.
- You may have either (1) 32 square-foot sign or any number of signs with cumulative area not to exceed 32 square feet per lot.
- Included in this category are previously message-defined signs such as real estate, political, ideological, event signs among others.
- No sign may be placed in the City right-of-way.

Why update the Sign Code?

A Supreme Court ruling (*Reed v. Gilbert*, 2015) determined sign regulations cannot vary standards based on the message for **non-commercial** signage. This includes sign classifications and regulation for message-defined signs such as ideological, real estate, special event signs, etc. that are temporary in nature and do not require a permit.

These categories of signs are to be referred to as either a “yard sign” or “site sign” moving forward to align with content neutral enforcement. Uniform regulations will apply to both.

How the City measures and enforces permitted commercial signs such as wall or freestanding signs will not change at this time.

The City’s objective is to ensure Code legality. Content neutrality is the goal.

- This update only pertains to non-commercial signage.
- The City will consider this update to Sign Code in early 2020.

More information on the proposed changes can be found at <http://greeleygov.com/services/cd> under “Announcements”

Questions? Contact City Planning Staff:
Brittany Hathaway, Planner III
Brittany.Hathaway@greeleygov.com



PLANNING COMMISSION

Proceedings

January 14, 2020

**City Center South
1001 11th Avenue
1:15 p.m.**

I. Call to Order

Chair Yeater called the meeting to order at 1:15 p.m. Commissioners Schulte, Andersen, Briscoe, Franzen, Modlin and Romulo were present.

II. Approval of minutes for meeting held on November 12, 2019

Commissioner Andersen noted a misspelling of Ron Redfern's name in the minutes. With that correction, Commissioner Andersen moved to approve minutes of the meeting held on November 12, 2019. Commissioner Franzen seconded the motion. Motion carried 7-0.

III. Election of Chair

Commissioner Andersen moved to nominate Justin Yeater to serve as Chair of the Planning Commission for 2020. Commissioner Franzen seconded the motion. The motion carried 7-0.

IV. Election of Vice Chair

Commissioner Modlin moved to nominate Erik Briscoe to serve as Vice Chair of the Planning Commission for 2020. Commissioner Franzen seconded the motion. Motion carried 7-0.

VII. A public hearing to consider an amendment to the City of Greeley Municipal Code Chapter 18.54 - Signs

Case No.: CU2019-0001
Applicant: City of Greeley
Presenter: Brittany Hathaway, Planner II

Brittany Hathaway addressed the Commission and entered the staff report and presentation into the record. She advised that the purpose of the hearing was to discuss proposed amendments to Chapter 18.54 of the Municipal Code as it pertains to signs.

Ms. Hathaway provided a brief background of the sign code, stating that it was originally adopted in 1958. She presented photographs from the 1920s and 1950s depicting a proliferation of signage along 8th Avenue. Ms. Hathaway reported that since the 1950s, the sign code has evolved, with the last major update taking place in 2010.

Ms. Hathaway reported that in 2015, the U.S. Supreme Court decided in *Reed v. Gilbert* that content-based laws were unconstitutional. The ruling only effects non-commercial speech at this time. The proposed amendment to the sign code would remove all content-based language to ensure that a citizen's free speech is not violated. Ms. Hathaway provided a brief description of the proposed changes and how signs will be reclassified. She also outlined the cumulative square footage of signage that will be allowed on a parcel of property. The amendment will also serve to clean up some obsolete language. Staff recommended approval of the proposed amendment.

Upon question by Commissioner Schulte, Ms. Hathaway advised that there have been no substantial changes to the proposed amendment since the prior worksession. Commissioner Franzen, who was not part of the worksession, asked about the current process for signs. Ms. Hathaway highlighted main types of signs impacted by this amendment. Upon question by Commissioner Franzen, Ms. Hathaway reported that the types of signs are temporary and do not require a permit. Community Development Director, Brad Mueller, clarified that temporary commercial signs still require a permit. Commissioner Schulte asked whether any complaints had been received along the lines of what sparked the *Gilbert* lawsuit. Ms. Hathaway reported that no complaints had been received; staff is attempting to get out ahead of the change.

Chair Yeater opened the public hearing at 2:19 p.m. There being no comment, the public hearing was closed at 2:19 p.m.

Commissioner Andersen moved that, based on the summary, attachments and accompanying staff analysis, the Planning Commission finds that the proposed amendments to the City of Greeley Development Code, Chapter 18.54, are necessary and appropriate to align with federal regulation, and recommends approval to City Council. Commissioner Schulte seconded the motion. Motion carried 7-0.

Council Agenda Summary

April 21, 2020

Agenda Item Number 19

Title

Pulled Consent Agenda Items

Council Agenda Summary

April 21, 2020

Agenda Item Number 20

Key Staff Contact: Joel Hemesath, Public Works Director, 970-350-9795

Title:

Public hearing and final reading of an ordinance authorizing the acquisition of interests in real property located in the City of Greeley for road improvements by purchase or exercise of power of eminent domain pursuant to Section 7 of Article XVI, Section 15 of Article II, and Sections 1 and 6 of Article XX of the Colorado Constitution and Colorado Revised Statute § 38-1-101, et seq. (35th Avenue, 4th Street to F Street Road Improvement Project)

Summary:

This ordinance authorizes the acquisition of property interests by purchase or by exercise of power of eminent domain, if deemed necessary, required to construct the 35th Avenue, 4th Street to F Street Road Improvement Project.

The 2019-2023 City of Greeley Capital Improvement Plan identifies the necessity for improvements of 35th Avenue between 4th Street to F Street Road to improve traffic flow and enhance bike and pedestrian safety. Key elements of the project include the addition of travel lanes and roundabouts, curb and gutter improvements, and detached sidewalks and bike lanes.

The Project will require the acquisition of tracts of fee simple right of way, permanent easements, and temporary construction easements along 35th Avenue. City staff have begun discussions with owners within the project area. As the Project progresses, staff will continue to work with owners to meet the goals of the project, address site considerations, and acquire the property interests necessary for the project. Staff fully intend to negotiate in good faith and follow a uniform acquisition process for all affected owners; however, if an agreement cannot be reached, and in order to meet the schedule and budget requirements of the project, the City may consider the use of eminent domain. This ordinance was introduced at the April 7, 2020 Council meeting.

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	Yes
If yes, what is the initial, or, onetime impact?	To be negotiated
What is the annual impact?	None
What fund of the City will provide Funding?	312 - Transportation
What is the source of revenue within the fund?	Development Fees
Is there grant funding for this item?	No
If yes, does this grant require a match?	

Is this grant onetime or ongoing?	
Additional Comments:	

Legal Issues:

The Colorado Constitution and the Greeley Municipal Code authorize the City to acquire interests in real property for public purposes, including by eminent domain when deemed necessary.

Consideration of this matter is a legislative process which includes the following public hearing steps:

- 1) City staff presentation (if requested)
- 2) Council questions of staff
- 3) Public input (hearing opened, testimony - up to three minutes per person, hearing closed)
- 4) Council discussion
- 5) Council decision

Other Issues and Considerations:

None

Applicable Council Priority and Goal:

Safety: Manage the health, safety and welfare in a way that promotes a sense of security and well-being for residents, businesses and visitors.

Safety – Traffic Safety

Decision Options:

- 1) Adopt the ordinance as presented; or
- 2) Amend the ordinance and adopt as amended; or
- 3) Deny the ordinance; or
- 4) Continue consideration of the ordinance to a date certain.

Council's Recommended Action:

A motion to adopt the ordinance and publish with reference to title only.

Attachments:

Ordinance

Exhibit A to Ordinance – Property Ownership Map

Conceptual Plan Drawing – 35th Avenue, 4th Street to F Street Road Improvement Project

THE CITY OF GREELEY, COLORADO

ORDINANCE NO. ____, 2020

AN ORDINANCE AUTHORIZING THE CITY OF GREELEY TO ACQUIRE INTERESTS IN REAL PROPERTY LOCATED IN GREELEY, COLORADO FOR ROAD IMPROVEMENTS AND ASSOCIATED FACILITIES BY PURCHASE OR EXERCISE OF THE POWER OF EMINENT DOMAIN, PURSUANT TO SECTION 7 OF ARTICLE XVI, SECTION 15 OF ARTICLE II, AND SECTIONS 1 AND 6 OF ARTICLE XX OF THE COLORADO CONSTITUTION AND COLORADO REVISED STATUTES § 38-1-101, ET SEQ. (35th AVENUE, 4th STREET to F STREET ROAD IMPROVEMENT PROJECT)

WHEREAS, the City of Greeley (“City”) is a Colorado home-rule municipality authorized by Article II, Section 15, and Article XX, Sections 1 and 6 of the Colorado Constitution, as affirmed by the City’s Charter, Sections 1-3, to exercise the power of eminent domain to acquire real property to construct, operate and maintain transportation systems and other public works and everything required to do so, with the payment of just compensation; and,

WHEREAS, Article 15 of Title 31, and Article I of Title 38, Colorado Revised Statutes, provide statutory authority and procedures for the exercise of the power of eminent domain by the City; and

WHEREAS, the City has determined that the public infrastructure improvements to 35th Avenue, 4th Street to F Street by the City are needed for improved traffic flow and safety of the intersection; and

WHEREAS, in order to complete the project the City must acquire additional real property;

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREELEY, COLORADO:

- Section 1. The City Council hereby finds and determines that it is in the interest of the health, safety and welfare of the public, serves a public purpose, and is necessary, to acquire, through the exercise of the power of eminent domain, the property generally described on Exhibit A attached hereto and incorporated by reference herein, for improvements to 35th Avenue, 4th Street to F Street (“Property”), for improved traffic flow and safety of the intersection.
- Section 2. Should City staff be unsuccessful in negotiating a mutual agreement for the purchase of the Property, the City Council hereby directs City staff to begin acquisition by eminent domain, including, but not limited to, obtaining immediate possession of the Property, pursuant to the above-named statutes.
- Section 3. The City Council hereby ratifies any previous actions by City staff in providing notice of the City's intent to acquire the Property and extending an offer to purchase the Property. Nothing contained in this ordinance shall be construed as precluding or preventing continued good faith negotiations by City staff in an effort to purchase the Property.

Section 4. This ordinance shall take effect five (5) days after its final publication as provided by the City's Charter, Section 3-16.

PASSED AND ADOPTED, SIGNED AND APPROVED this _____ day of _____, 2020.

ATTEST:

THE CITY OF GREELEY, COLORADO

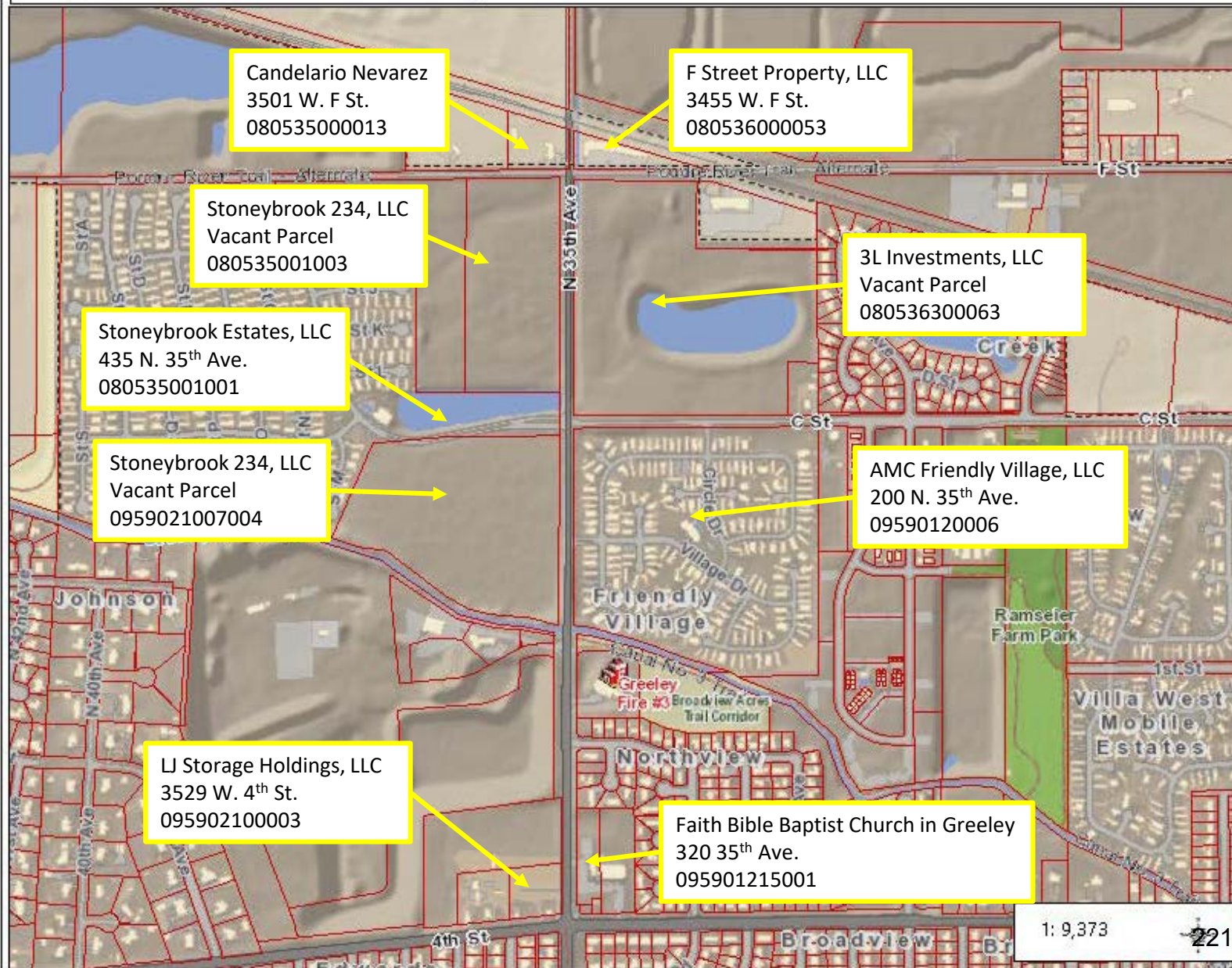
City Clerk

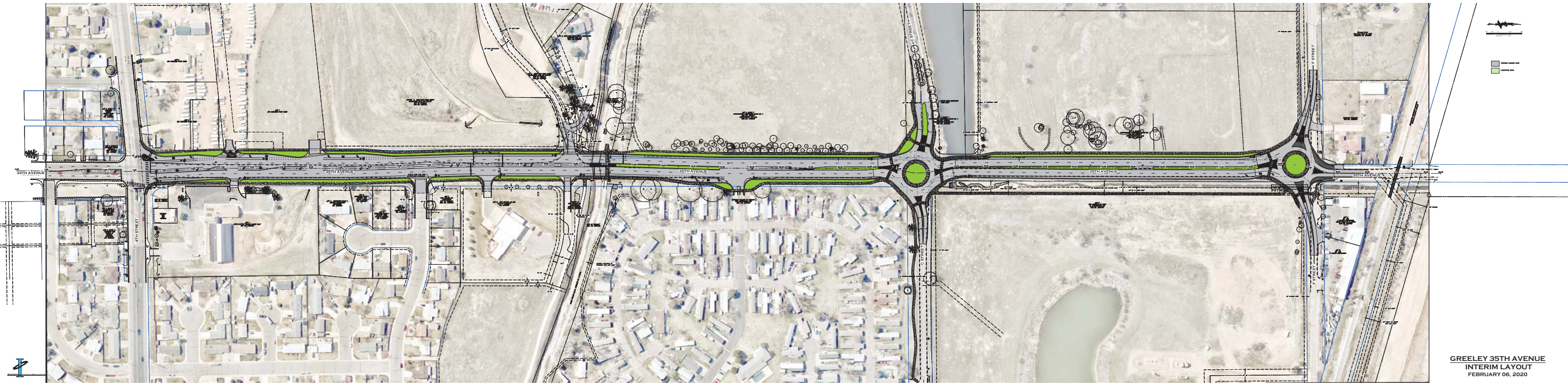
Mayor



CITY OF GREELEY ORIGIN

35th Avenue - 4th Street to F Street





GREELEY 35TH AVENUE
INTERIM LAYOUT
FEBRUARY 06, 2020

Council Agenda Summary

April 21, 2020

Agenda Item Number 21

Key Staff Contact: Roy Otto, City Manager, 970-350-9750

Title:

University of Northern Colorado Update

Summary:

The University of Northern Colorado's President, Andy Feinstein, will be virtually present to provide Council with an update on various operations and programs at the University of Northern Colorado.

Attachments:

None

Council Agenda Summary

April 21, 2020

Agenda Item Number 22

Key Staff Contact: Roy Otto, City Manager, 970-350-9750

Title:

COVID-19 Update

Summary:

There will be a brief update to Council regarding COVID-19.

Council Agenda Summary

April 21, 2020

Agenda Item Number 23

Brad Mueller, Community Development Director, 970-350-9786

Elizabeth Kellums, Planner III – Historic Preservation, 970-350-9222

Title:

Historic Preservation Program Overview

Background:

Greeley's Historic Preservation program is celebrating the 25th anniversary of the adoption of the Historic Preservation Chapter into the Greeley Municipal Code in 1995, and in conjunction with the City's 150th anniversary.

During the 150 years of Greeley's history, many buildings have been lost and replaced, with only a few buildings remaining from the early years. Some of these include the Greeley Historic Register- and National Register-designated Meeker Home at 1324 9th Avenue and the Nettleton-Mead House at 1303 9th Avenue, which are some of Greeley's most historically and architecturally valuable resources reflecting Greeley's history. Nathan Meeker founded Greeley with seven founding principles he felt were essential for the community to prosper – agriculture, irrigation, education, religion, temperance, cooperation, and family values. Those values have carried through the history of Greeley and share the stories of Greeley's development in the built environment and in the community today.

Richard Moe, as president of the National Trust for Historic Preservation, described preservation: "Preservation is simply having the good sense to hold on to things that are well designed, that link us with our past in a meaningful way, and that have plenty of good use left in them." Greeley has a large stock of buildings that are well-designed and link us to the past and have good use left. They are historic or are potentially historic, and Greeley's historic preservation program works to save those historic buildings, sites, structures, objects and districts/areas. Greeley has a significant and unique history, and the built environment conveys that history in a way that allows people to connect with, understand and learn from history.

During the 1960s through the 1980s, the wrecking ball destroyed numerous historic buildings in the name of progress. The Post Office was located at the northeast corner of 8th Avenue and 8th Street. Greeley citizens called it an experience to go to the Post Office to visit with friends, in addition to mail items or pick up mail. They have described the interior as fancy, with marble and beautiful detailing. When the wrecking ball was used to demolish the

Post Office, it bounced off the wall because the Post Office was so extremely well-built. A hotel built in 1964 and later expanded in 1987 currently sits in the former location of the Post Office.

Building losses such as this led to public efforts to save buildings important to Greeley residents, and ultimately to the 1995 adoption of the historic preservation chapter of the Greeley Municipal Code. The Historic Preservation chapter gives the City and Greeley residents the chance to preserve buildings that tell the story of Greeley and provide context for Greeley's historical and cultural identity. Those buildings connect us with and teach us about Greeley's 150 years of history as we move forward as a community.

Greeley's historic preservation program includes the Greeley Historic Register, financial incentives, and educational outreach. The Greeley Historic Preservation Commission has designated 93 individual properties and 2 historic districts on the Greeley Historic Register between 1996 and the present, reviews new designation applications, and reviews applications for major alterations to those properties. Greeley offers a City-funded Historic Preservation Low Interest Loan for exterior rehabilitation work on Greeley Historic Register properties, a refund of the building portion of permit fees, and the State Historic Preservation Tax Credits for rehabilitation work. Walking tours, a History Brown Bag series, and the Historic Preservation Month events and poster contribute to educating the public about Greeley's history. These historic resources and sharing the stories of places that matter help show what makes Greeley great.

Decision Options:

This item is for information only.

Attachments:

Greeley Historic Register Map 1996-2018 (current)
PowerPoint Presentation

1996 Properties

1. Meeker Home Museum
1324 9th Ave.
2. Lincoln Park
7th & 9th St.
9th & 10th Ave.
3. Weld Co. Garage Sign
2699 47th Ave.
4. Glazier House
1403 10th Ave.
5. Camfield Court Building
615-631 8th Ave.
6. Haynes Home
1305 6th St.
7. Union Pacific Depot
902 7th Ave.

1997 Properties

8. Camfield House
814 19th St.
9. Oak and Adams House
930 5th St.
10. Greeley High School
710 11th Ave.
11. Norcross House
1403 2nd St.
12. Thompson House
918 14th St.
13. Greeley No. 3 Ditch
14. White-Plumb Farm
4001 W. 10th St.
(or) 955 39th Ave.
15. Nettleton-Mead House
1303 9th Ave.
16. Greeley Tribune
714 8th St.

1998 Properties

17. Pitts Smith House
1513 9th Ave.
18. Davis House
931 12th St.

1999 Properties

19. C.A. Gale House
911 6th St.
20. Hawes Building
810-812 8th St.
21. Buckingham Gordon
810-816 9th St.
22. Coronado Building
900-920 9th Ave.
23. Adelaide Curtis House
1205 10th Ave.
24. Albert F. Eaton House
1029 14th St.
25. Bradfield House
1514 11th Ave.
26. St. Peter's
Catholic Church
915 12th St.
27. St. Peter's
Catholic School
1112 9th Ave.
28. Ewing House
1309 9th Ave.
29. Harvey D Parker
1313 9th Ave.
30. George Evans House
1531 9th Ave.

2000 Properties

31. Glenmere Park
Glenmere & 14th Ave.
32. Woodruff House
1027 5th St.
33. Hereford House
1203 19th St.

34. Shattuck House
1127 18th St.
35. New Cache La Poudre
Irrigation Co. Building
708 8th St.
36. Peddycord House
1720 12th Ave.
37. Baldwin House
1221 18th St.
38. Bliss House
921 13th St.
39. Carlson House
1729 12th Ave.
40. The Gables
931 13th St.
41. Knelly House
917 13th St.

2001 Properties

42. Artesian Well #5
E of 10th Ave @ Alley
Between 5th & 6th Sts
43. Baker-Duff House
923 6th St. (Removed
from Registry in 2008)
44. Greeley Jr Hi School
811 15th St.
45. Gordon-Mitchell
House
1329 11th Ave.
46. Hays House
1515 9th Ave.
47. Campus Pharmacy
931 16th St.
48. Houston Gardens
515 23rd Ave.
49. Baird House
1914 13th Ave.
50. Masonic Temple
829 10th Ave.
51. Andrews House
1860 11th Ave.

2002 Properties

44. Greeley Jr Hi School
811 15th St.
45. Gordon-Mitchell
House
1329 11th Ave.
46. Hays House
1515 9th Ave.
47. Campus Pharmacy
931 16th St.
48. Houston Gardens
515 23rd Ave.
49. Baird House
1914 13th Ave.
50. Masonic Temple
829 10th Ave.
51. Andrews House
1860 11th Ave.

2003 Properties

52. Noffsinger House
1861 12th Ave.
53. Old Park Church
803 10th Ave.
54. Bliss-Thompson
House
1616 12th Ave.
55. Carlson-Loftis House
1815 13th Ave.
56. Woodbury House
1124 7th St.
57. Borg House
1854 13th Ave.

58. Borgens House
415 13th St.
59. Varvel-Klein House
1129 17th St.

2005 Properties

60. Rogers-Benton House
1128 16th St.
61. Regent Apartments
1632 9th Ave.
62. Russell House
1308 9th Ave.
63. Mosher House
1312 9th Ave.
64. R.V. Smith House
1857 13th Ave.
65. Townsend House
1103 10th Ave.
66. McKee House
1215 19th St.

2006 Properties

67. McCutcheon House
1215 11th St.
68. Lim House
1862 13th Ave.
69. Macy/Jones Building
922 8th Ave.
70. Spear/Dixon/Fox
1219 Cranford Pl.

2007 Properties

71. Boyd House
1312 11th St.
72. First Baptist Church
1091 10th Ave.
73. Monfort House
1475 A St.
74. Robert Wasson House
1225 8th St.

2008 Properties

75. Fine House
1120 16th St.
76. Brigham House
1838 Montview Blvd
77. Armory
614 8th Ave.
78. Hall House
1410 7th St.
79. Ernst/Reece/Noffsinger
1524 11th Ave.

2009 Properties

76. Brigham House
1838 Montview Blvd
77. Armory
614 8th Ave.
78. Hall House
1410 7th St.
79. Ernst/Reece/Noffsinger
1524 11th Ave.
80. POW Camp 202
Stone Gateposts
Hwy 34 Bus Rte
at Hwy 257 Spur
81. Jacobs/Nixon House
1631 11th Ave.
82. Apple House
1315 Cranford Pl.

2010 Properties

80. POW Camp 202
Stone Gateposts
Hwy 34 Bus Rte
at Hwy 257 Spur

2011 Properties

83. Neill House
1863 13th Ave.
84. Cross/Perchlik House
1721 13th Ave.
85. Atkinson House
1129 Cranford Pl.

2012 Properties

86. Sterling House
818 12th St.
87. Hillside Center Sign
2525 11th Ave.
88. Southard Gillespie
House
1103 9th Ave.

2016 Properties

89. Currier Carriage House
1221 9th Ave.

2017 Properties

90. Greeley Elevator Bldg
700 6th St.
91. Bessie Smith House
2410 35th Ave., Unit B

2018 Properties

92. Oberg/McAfee House
1521 9th Ave.
93. Ringle/Gurtner House
1625 10th Ave.

Updated: 06/14/2018
HistoricRegister.xlsx



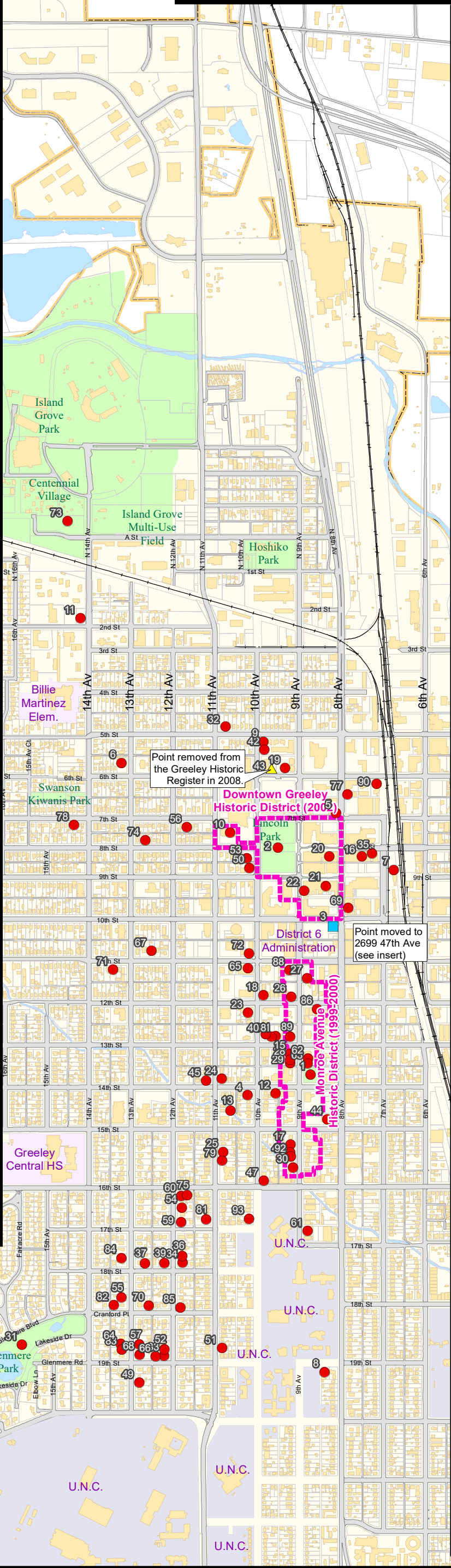
City of Greeley
Historic Register 1996-2018

Legend

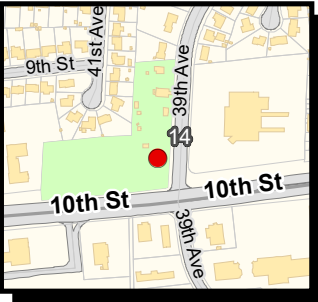


- Historic Registry Point
■ Historic Registry Point (Moved)
▲ Point Removed from Registry

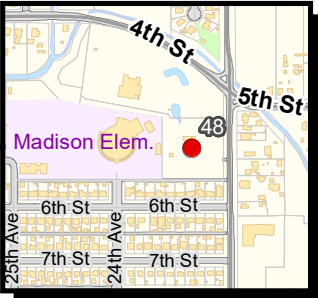
Date: 06/14/2018
By: City of Greeley GIS, bps
File Name: CityofGreeley\CulturalAffairs\
HistoricalPreservation\mxd\HistoricRegistry.mxd



Inset locations on the maps
below are beyond the current
extent of the main map.



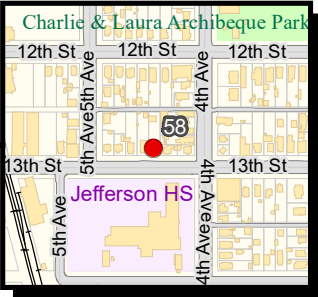
White-Plumb Farm



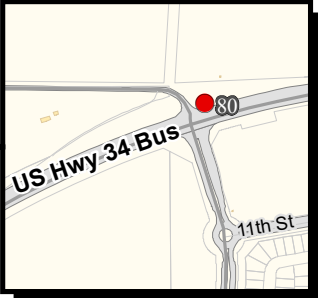
Houston Gardens



Weld County Garage
Sign



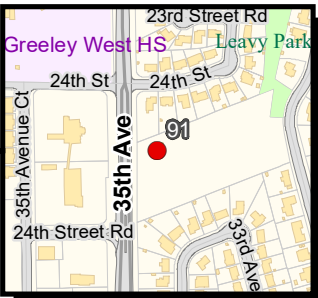
Borgens House



POW Camp 202
Gateposts



Hillside Center Sign



Bessie Smith House
227

Historic Preservation in Greeley

Greeley City Council
April 21, 2020

Elizabeth Kellums, Planner III – Historic Preservation

Historic Preservation is...

“Preservation is simply having the good sense to hold on to things that are well-designed, that link us with our past in a meaningful way, and that have plenty of good use left in them.”

– Richard Moe, president of the National Trust for Historic Preservation



THEN AND NOW...

AKA... THE REASON WE HAVE HISTORIC PRESERVATION IN GREELEY



City of Greeley Museums Permanent Collection, 1617.0011



United States Post Office, 8th Ave & 8th St, NE Corner



Built: 1915; Demolished: 1962

8th Ave & 8th St, NE corner, 2015



Chief Theater 1934

Built: 1912; Demolished: 1984

City of Greeley Museums Permanent Collection, C1_1970.22.0022.61



Chief Theater location 2015



Sterling Hotel & Theater, ca. 1930



Built: 1911; Demolished: 1968

City of Greeley Museums Permanent Collection, AI-1936

Sterling Hotel & Theater location, 9th Ave & 10th St, 2015



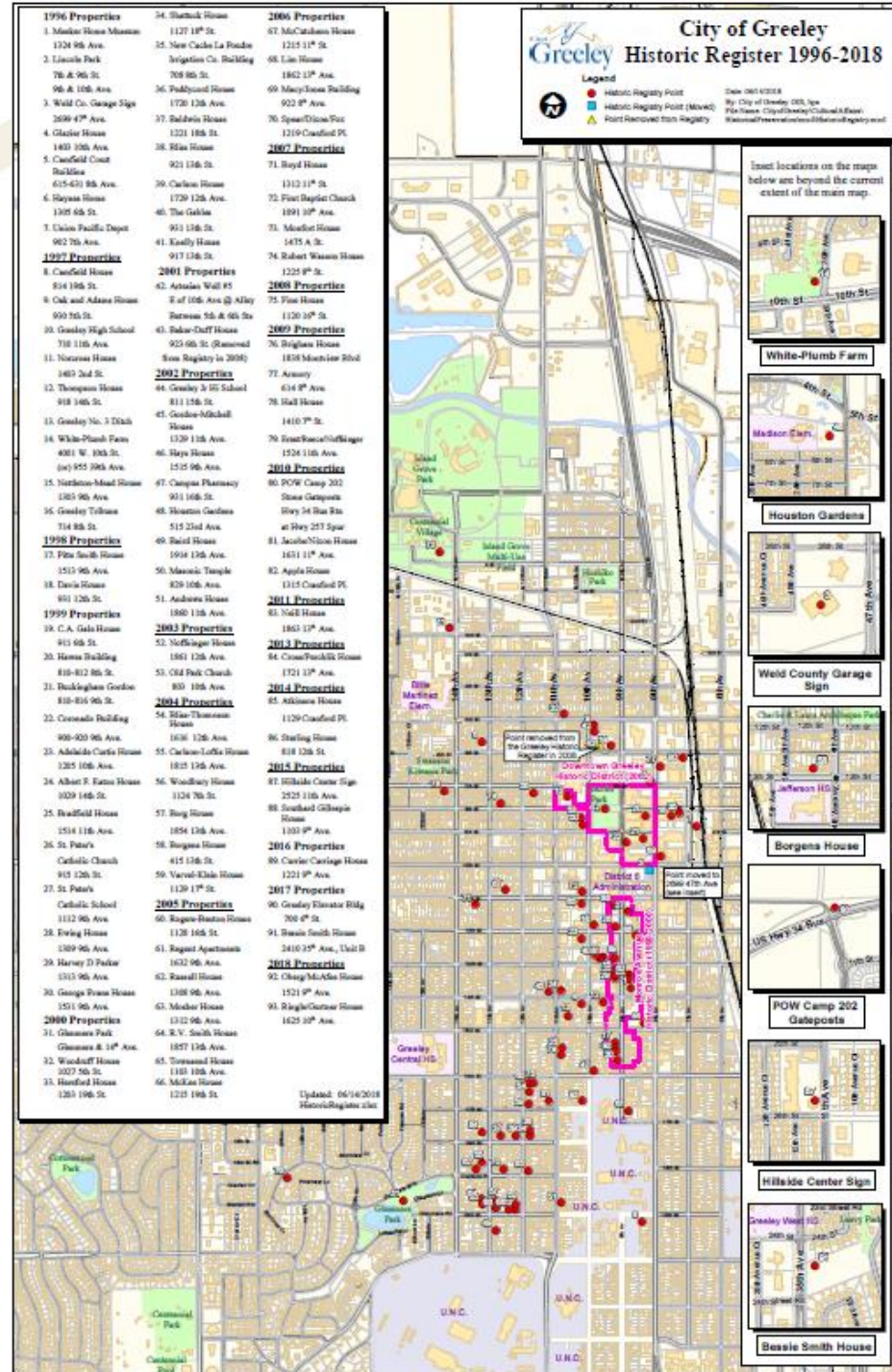
Benefits of Historic Preservation Program

- Ensures that Greeley preserves some of its unique characteristics
 - Which supports the emerging “experience economy”
- Creates and defines our cultural identity
 - Union Colony, agricultural heritage, ethnic diversity, etc.
- Supports individual property owners’ pride and sense of identity
 - Can help with property maintenance and “complete neighborhoods”
- Nation-wide research shows positive economic benefits
- Supports land use goals promoting activity centers, a sense of place, and village-style development

Greeley Historic Register

- Designation on the Register
 - Honors and protects Greeley's historic resources
 - Financial Incentives
 - Design review for exterior alterations
 - 93 properties & 2 districts
 - Houses, commercial buildings, schools, churches, No. 3 Ditch, signs, Artesian Well #5, etc.

City of
Greeley Colorado
241



Financial Incentives

- City of Greeley Low Interest Loan Program
- State Historic Preservation Tax Credits
- Federal Tax Credits for National Register properties
- Refund of Building portion of Bldg Permit Fees



9th Avenue

9th Street

8th Street

10th Avenue

City of Greeley Museums Permanent Collection, AI-0020 N#12, ca. mid-1870s

No. 3 Ditch, designated 1997





Hillside Center Sign, designated 2015

POW Camp 202, designated 2010



Oak & Adams House, designated 1997 before rehab



Oak & Adams House, after rehab



Borgens House, designated in 2004



Greeley
Elevator
Building,
designated
2017



Bessie Smith House,
moved 2016,
designated 2017



Southard/Gillespie House,
designated 2015



Current Historic Preservation Projects & Events

- History Brown Bag Series
- Walking Tours
- May is Historic Preservation Month
 - Historic Preservation Month Awards & Party
- Audit of Design Guidelines for potential update
- Grant for Historic Resource Survey Plan

This Place Matters

- I've shown places that matter in Greeley
- Campaign by National Trust for Historic Preservation
- #ThisPlaceMatters
- What place matters to you and why?



Questions?

Thank you for listening!

Elizabeth Kellums

Planner III – Historic Preservation

(970)350-9222

Betsy.kellums@greeleygov.com

<http://greeleygov.com/services/historic-preservation>



Council Agenda Summary

April 21, 2020

Agenda Item Number 24

Key Staff Contact: Cheryl Aragon, Interim City Clerk, 970-350-9743

Title:

Appointment to Greeley/Weld Housing Authority

Summary:

On February 1, 2000, City Council adopted a Resolution authorizing that the local Housing Authority shall be composed of seven commissioners appointed by the Mayor pursuant to the newly enacted Sections of C.R.S. 29-4-205. Two of the commissioners shall be recommended by the Board of County Commissioners of Weld County for appointment by the Mayor. Not more than one commissioner shall be an official of the City of Greeley.

Fiscal Impact:

Does this item create a fiscal impact on the City of Greeley?	No
If yes, what is the initial, or, onetime impact?	
What is the annual impact?	
What fund of the City will provide Funding?	
What is the source of revenue within the fund?	N/A
Is there grant funding for this item?	No
If yes, does this grant require a match?	
Is this grant onetime or ongoing?	
Additional Comments:	N/A

Legal Issues:

N/A

Other Issues and Considerations:

N/A

Applicable Council Priority and Goal:

Infrastructure & Growth: Establish the capital and human infrastructure to support and maintain a safe, competitive, appealing and successful community.

Decision Options:

- 1) Approve the appointment of Karin Crandall; or
- 2) Deny the appointment

Council's Recommended Action:

A motion to approve the appointment of Karin Crandall to the Greeley/Weld Housing Authority.

Attachments:

Letter from Board of County Commissioners

Resolution of the Board of County Commissioners



OFFICE OF BOARD OF COMMISSIONERS
PHONE: 970-336-7204
FAX: 970-336-7233
1150 O STREET
P.O. BOX 758
GREELEY, COLORADO 80632

April 10, 2020

The Honorable John Gates
Mayor of Greeley
1001 11th Avenue
Greeley, Colorado 80631

RE: Housing Authority of City of Greeley

Dear Mayor Gates,

In accordance with the City of Greeley resolution dated February 1, 2000, regarding membership of the Greeley Housing Authority, the Board of Commissioners passed a resolution recommending the appointment of Karin Crandall, to replace George Heath.

We are enclosing a copy of our resolution stating we recommend appointment. Please advise our office of your decision.

Sincerely,

BOARD OF COUNTY COMMISSIONERS

Mike Freeman, Chair

C: Tom Teixeira
Karin Crandall

RESOLUTION

RE: APPROVE APPOINTMENT TO GREELEY HOUSING AUTHORITY

WHEREAS, the Board of County Commissioners of Weld County, Colorado, pursuant to Colorado statute and the Weld County Home Rule Charter, is vested with the authority of administering the affairs of Weld County, Colorado, and

WHEREAS, a vacancy currently exists on the Greeley Housing Authority, and

WHEREAS, the Weld County Board of Commissioners recommends the Mayor of the City of Greeley appoint Karin Crandall to said board as the County Representative, with a term to expire September 30, 2023.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Weld County, Colorado, that Karin Crandall, be, and hereby is, recommended for appointment to the Greeley Housing Authority, with a term to expire September 30, 2023.

The above and foregoing Resolution was, on motion duly made and seconded, adopted by the following vote on the 18th day of March, A.D., 2020.

BOARD OF COUNTY COMMISSIONERS
WELD COUNTY, COLORADO

ATTEST: Cather G. Meick
Weld County Clerk to the Board

Mike Freeman
Mike Freeman, Chair

BY: Mark N. Hingray
Deputy Clerk to the Board

Steve Moreno
Steve Moreno, Pro-Tem

Scott K. James
Scott K. James

APPROVED AS TO FORM

[Signature]
County Attorney

Barbara Kirkmeyer
Barbara Kirkmeyer

Kevin D. Ross
Kevin D. Ross

Date of signature: 04/09/20

CC:BOCC(KF)
04/09/20

2020-0913
HA0003

Council Agenda Summary

April 21, 2020

Agenda Item Number 25

Title

Scheduling of Meetings, Other Events

Summary

During this portion of the meeting the City Manager or City Council may review the attached Council Calendar or Worksession Schedule regarding any upcoming meetings or events.

Attachments

Council Meeting/Worksession Schedule
Council Meetings/Other Events Calendar

City Council Meeting Scheduling			
	Current as of 4/17/2020		
	This schedule is subject to change		
Date	Description	Sponsor	Placement/Time
April 28, 2020 Worksession Meeting	COVID-19 Update	Roy Otto	0.25
	Discussion of Council's Policies & Protocol	Cheryl Aragon	0.50
	Quarterly Financial Report	Renee Wheeler	0.50
May 5, 2020 Council Meeting	Drinking Water Week Proclamation	Cheryl Aragon	Recognitions
	Resolution - Greeley/Weld Airport Entitlements Transfer	Becky Safarik	Consent
	Ordinance - Intro - Hasbrouck Farm Real Property Divestment	Sean Chambers	Consent
	Ordinance - Final - Sign Code Amendments	Brad Mueller	Regular
	COVID-19 Update (non-action)	Roy Otto	Regular
May 12, 2020 Worksession Meeting	COVID-19 Update	Roy Otto	0.25
	Review Proposed Changes to Election Section of the Code	Cheryl Aragon	0.50
	Fiscal Year 2021 - 2022 Preview	Renee Wheeler	
May 19, 2020 Council Meeting	Ordinance - Intro - Election Code Changes	Cheryl Aragon	Consent
	Ordinance - Final - Hasbrouck Farm Real Property Divestment	Sean Chambers	Regular
	COVID-19 Update (non-action)	Roy Otto	Regular
May 26, 2020 Worksession Meeting	COVID-19 Update	Roy Otto	0.25
	Municipal Code Recodification - Review of Changes	Cheryl Aragon	0.75

April 20, 2020 - April 26, 2020

April 2020							May 2020						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3 4						1	2
5	6	7	8	9	10	11	3	4	5	6	7	8	9
12	13	14	15	16	17	18	10	11	12	13	14	15	16
19	20	21	22	23	24	25	17	18	19	20	21	22	23
26	27	28	29	30			24	25	26	27	28	29	30
							31						

Monday, April 20

Tuesday, April 21

6:00pm - 9:00pm City Council Meeting
(<https://zoom.us/j/608289460>) - Jessica Diagana

Wednesday, April 22

Thursday, April 23

Friday, April 24

4:00pm - 5:30pm FW: COVID-19 Update
(<https://greeleygov.zoom.us/j/588773488>) - Jessica Diagana

Saturday, April 25

Sunday, April 26

April 27, 2020 - May 3, 2020

April 2020							May 2020						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3	4					1	2
5	6	7	8	9	10	11		3	4	5	6	7	8
12	13	14	15	16	17	18		10	11	12	13	14	15
19	20	21	22	23	24	25		17	18	19	20	21	22
26	27	28	29	30				24	25	26	27	28	29
								31					

Monday, April 27

- 11:30am - 12:30pm Greeley Chamber of Commerce (Hall)
- 6:00pm - 7:00pm Youth Commission (Butler)

Tuesday, April 28

- 6:00pm - 9:00pm City Council Worksession
(<https://zoom.us/j/508162666>) - Jessica Diagana

Wednesday, April 29

- 7:00am - 8:00am Upstate Colorado Economic Development
(Gates/Hall) (Upstate Colorado Conference Room) - Council Master Calendar

Thursday, April 30

Friday, May 1

- 4:00pm - 5:30pm FW: COVID-19 Update
(<https://greeleygov.zoom.us/j/588773488>) - Jessica Diagana

Saturday, May 2

Sunday, May 3

May 4, 2020 - May 10, 2020

May 2020							June 2020						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
					1	2		1	2	3	4	5	6
3	4	5	6	7	8	9	7	8	9	10	11	12	13
10	11	12	13	14	15	16	14	15	16	17	18	19	20
17	18	19	20	21	22	23	21	22	23	24	25	26	27
24	25	26	27	28	29	30	28	29	30				
31													

Monday, May 4

Tuesday, May 5

6:00pm - 9:00pm City Council Meeting
(<https://zoom.us/j/769054687>) - Jessica Diagana

Wednesday, May 6

Thursday, May 7

7:00am - Poudre River Trail (Hall)
3:30pm - IG Adv. Board (Butler)
4:30pm - 7:00pm Save-the-Date - Celebration of Philanthropy
 (Embassy Suites, Loveland) - Council Master Calendar
6:00pm - MPO (Gates/Payton)

Friday, May 8

4:00pm - 5:30pm FW: COVID-19 Update
(<https://greeleygov.zoom.us/j/588773488>) - Jessica Diagana

Saturday, May 9

Sunday, May 10

May 11, 2020 - May 17, 2020

May 2020							June 2020						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
						1 2		1	2	3	4	5	6
3	4	5	6	7	8	9	7	8	9	10	11	12	13
10	11	12	13	14	15	16	14	15	16	17	18	19	20
17	18	19	20	21	22	23	21	22	23	24	25	26	27
24	25	26	27	28	29	30	28	29	30				
31													

Monday, May 11

Tuesday, May 12

6:00pm - 9:00pm City Council Worksession
(<https://zoom.us/j/332065143>) - Jessica Diagana

Wednesday, May 13

Thursday, May 14

Friday, May 15

4:00pm - 5:30pm FW: COVID-19 Update
(<https://greeleygov.zoom.us/j/588773488>) - Jessica Diagana

Saturday, May 16

11:00am - 11:30am Armed Forces Day Ceremony (TBD) - Council Master Calendar

Sunday, May 17

May 18, 2020 - May 24, 2020

May 2020							June 2020						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
						1 2		1	2	3	4	5	6
3	4	5	6	7	8	9	7	8	9	10	11	12	13
10	11	12	13	14	15	16	14	15	16	17	18	19	20
17	18	19	20	21	22	23	21	22	23	24	25	26	27
24	25	26	27	28	29	30	28	29	30				
31													

Monday, May 18

Tuesday, May 19

11:30am - 1:30pm Save-the-Date Chamber/State of the City
Address (Island Grove Events Center) - Council Master Calendar

6:00pm - 9:00pm City Council Meeting
(<https://zoom.us/j/608289460>) - Jessica Diagana

Wednesday, May 20

7:30am - 8:30am Visit Greeley (Gates)

2:00pm - 5:00pm Water & Sewer Board (Gates)

Thursday, May 21

7:30am - 8:30am DDA (Zasada/Butler)

3:30pm - 4:30pm Airport Authority (Clark/Payton)

Friday, May 22

Saturday, May 23

Sunday, May 24

Council Agenda Summary

April 21, 2020

Agenda Item Number 26

Title

Consideration of a motion authorizing the City Attorney to prepare any required resolutions, agreements, and ordinances to reflect action taken by the City Council at this meeting and at any previous meetings, and authorizing the Mayor and City Clerk to sign all such resolutions, agreements and ordinances

Council's Recommended Action

A motion to approve the above authorizations.

Council Agenda Summary

April 21, 2020

Agenda Item Number 27

[Title](#)

Adjournment