



DENVER
THE MILE HIGH CITY

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Plan Implementation

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TO: Members of City Council

FROM: Greg Savage, Urban Design Architect

DATE: January 19, 2010

RE: Plan Implementation Project 2009I-00025
Language Amendment #1190 Regarding Comprehensive Sign Plans

Summary of Proposed Language Amendment

Community Planning and Development staff is sponsoring a language amendment to Chapter 59 of the Revised Municipal Code to modify the zone districts which allow comprehensive sign plans and to add new uses which have the option of preparing comprehensive sign plans.

More specifically, the language amendment:

1. Expands the zone districts which allow comprehensive sign plans:
 - The option to prepare a comprehensive sign plan is available for a qualifying facility in any non-residential zone district.
2. Revises the type of facilities that are considered qualifying uses.
 - The list of facilities with the option to prepare a comprehensive sign plan would be broadened to cover any facility larger than 50,000 square feet of ground floor area or a minimum of 100,000 square feet of lot area in one or more contiguous zone lots. Streets or alleys do not destroy the contiguity of adjacent zone lots.
3. Clarifies notification requirements and criteria for review of comprehensive sign plans.
 - Notice to others is clarified to include council members in whose district the qualifying facility is located as well as notice to the Landmark Preservation Commission if the qualifying facility is within a landmark district or structure designated for preservation.
 - The criteria for review has been modified to clarify that sign plans must exhibit design excellence, inventiveness and sensitivity to the context. The sign plans must also include design guidelines for all features of the proposed signage will be an attractive and complementary feature of the building which it serves.

A copy of the draft, proposed ordinance is attached to this staff report.

Impetus for Language Amendment #1190

CPD staff was approached by architects for the new Colorado History Museum regarding the proposed signage for the facility. According to the current language in the zoning code, the facility is not located in one of the allowed zone districts that has an option to prepare a comprehensive sign plan and thus would not be able to install the signage proposed without a Board of Adjustment variance hearing. The option is allowed only in the PRV, B-5, I-1, I-2, C-MU-20, and C-MU-30 zone districts. The option, however, makes equal sense for large facilities in all nonresidential zone districts.

In addition, the option may be exercised only by large facilities used only for recreational, amusement, cultural, sports, meeting hall or entertainment uses. (Examples of these include museums, botanical and zoological exhibits, aquariums and similar uses.)

However, staff has consistently interpreted current provisions to allow comp sign plans for large retail centers and malls (under an argument that such center/malls are “retail-tainment”). Large medical facilities also have a need for large quantities of signage due to the varied uses and types of care provided in these facilities.

Previous reviews and approvals

The amendment was presented at the August 17, 2009 meeting of the Denver Planning Board and unanimously approved. The amendment has also been presented at the December 9, 2009 meeting of Blueprint Denver and was approved to forward to City Council.

CPD Analysis and Recommendation

CPD staff believes that the proposed language amendment will add much needed clarity regarding comprehensive sign plans for larger facilities which, due to the nature of the facility, have a need for additional signage. Moreover, the amendment would expedite the review and permitting process for these facilities without the need for them to obtain a variance from the Board of Adjustment. Finally, the ordinance will enable staff to review these sign plans and ensure better quality and coordination of signage in such facilities.

Accordingly, CPD recommends **approval** of Language Amendment #1190.

Draft Ordinance

59-537(c) *Signs subject to a comprehensive sign plan.* Notwithstanding more restrictive provisions of article V, signs, ~~certain~~ large facilities may have signs according to an approved comprehensive sign plan for the facility.

(1) *Intent.* ~~These provisions may be used where a facility operator can prove a clear need for additional signage.~~ The intent of these provisions is to allow flexibility in the size, type and location of signs identifying the use and location of ~~certain~~ large facilities. Flexibility is generally offered because these facilities often have a need for additional or different types of signage due to the complexity of uses and varied physical layout of the facility. This flexibility is offered in exchange for a coordinated program of signage ensuring a higher standard of design quality for such signs. This process should mitigate any possible adverse impacts of large facility signs on surrounding uses. The flexibility in the size, type and location of signs identifying the use and location of certain large facilities is not a matter of right, and a proposed comprehensive sign plan for a large facility must be reviewed pursuant to the provisions of this subsection 59-537(c) ~~for a recommendation for denial, approval or approval with conditions.~~

(2) *Description of qualifying uses.* These provisions shall apply to large facilities located on a zone lot in non-residential a PRV, B-5, I-1, I-2, C MU 20 or C MU 30 zone districts. ~~used for recreational, amusement, cultural, sports, meeting hall or entertainment uses. (Examples of these include museums, botanical and zoological exhibits, aquariums and similar uses.)~~ Such facilities must have a minimum ground floor area of fifty thousand (50,000) square feet, or a minimum zone lot area of one hundred thousand (100,000) square feet. They may consist of one (1) or more buildings but the site must consist of contiguous zone lots. Streets or alleys do not destroy the contiguity of adjacent zone lots for the purpose of this subsection 59-537(c).

(3) *Process to establish a comprehensive sign plan.*

a. *Plan submittal.* The following items and evidence shall be submitted to the zoning ~~department administrator~~ to explain a proposed comprehensive sign plan for a facility:

1. A site plan or improvement survey of the facility drawn to scale showing existing and proposed buildings, parking areas, landscaped areas, adjoining streets and alleys. A comprehensive sign plan may be a component of a General Development Plan;
2. Scaled drawings showing the elevations of all existing and all proposed buildings and structures that may support proposed signage;

3. Design descriptions of all signs, including allowable sign shapes, sizes typography, lighting, exposed structure, colors, and materials, and any information on the frequency of changeable graphics;
4. All information on sign location shall also be provided: wall elevations drawn to scale showing locations of wall, window, projecting, and roof signs, and site plans drawn to scale showing allowable locations and heights of ground signs;
5. Calculations of sign area and number.

~~The plans and evidence received by the zoning department shall be forwarded to the planning office for review.~~

- b. *Notice to others.* ~~The department administrator shall see that notices are placed on the property by the applicant no later than fifteen (15) days after receipt of the application for the proposed plan by the zoning department. The zoning department administrator shall also send notice of the proposed plan to neighborhood organizations which are registered pursuant to the provisions of section 41-19(e) Article III, Chapter 12 of the Revised Municipal Code and whose boundaries are within three thousand (3,000) feet of the boundary line of the zone lot of the large facility. The zoning department administrator shall also send notices to the city councilmembers in whose district the large facility is located, and to the at large councilmembers. Such notice shall require that written comments be submitted to the zoning department administrator by those persons having a concern with respect to the proposal within thirty (30) days of the date of the notification. If the facility site falls within or is adjacent to a district designated for preservation or the area of a structure designated for preservation pursuant to the provisions of chapter 30 of the Revised Municipal Code, the zoning department administrator shall notify the Landmark Preservation Commission regarding the proposal.~~
- c. *Adoption-Forwarding of a proposed comprehensive sign plan.* ~~The planning office staff zoning administrator shall consider the concerns expressed by members of the public, neighborhood organizations and councilmembers, and shall evaluate the proposed plan according to the criteria listed below and shall send the proposed plan and a recommendation for approval, denial or approval with conditions to the planning board. The planning office staff shall prepare a recommendation for denial, approval, or approval with conditions, no later than forty five (45) days after receipt of the plan by the zoning department; and shall forward its recommendation to the zoning department no later than fifteen (15) days following the preparation of the recommendation.~~
- d. ~~{Criteria for review.}~~ The criteria for reviewing proposed comprehensive sign plans are as follows:
 1. The sign plan shall exhibit design excellence, inventiveness and sensitivity to the context.
 2. Signs shall not be oriented or illuminated so that they adversely affect the surrounding area, particularly existing nearby residential uses or structures.

Examples of adverse effects are glare from intense illumination, and large signs or structures which visually dominate an area.

- ~~32.~~ 32. Roof signs ~~should~~ shall not be allowed unless such signs are designed to appear as an integral part of the building to which they are attached. Such roof signs shall not extend above any building height limit or zoning bulk plane. No flashing, blinking, fluctuating, animated or portable roof sign is allowed.
- ~~43.~~ 43. The comprehensive sign plan shall include design guidelines to ensure that ~~a~~All features of the sign~~proposed signage~~, including the illumination, support structure, color, lettering, height, and location, shall be designed to that it will be an attractive and complementary feature of the building which it serves.
- ~~4.~~ 4. ~~The name of a sign sponsor or activity sponsor may be shown on a sign providing it does not occupy more than one (1) percent of the sign area; provided, however, outdoor general advertising devices shall not be allowed.~~
5. Sign design should reflect the existing or desired character of the area. As an example, in a district in which night-time entertainment is concentrated, the intent of this subsection 59-537(c) is to encourage exciting, iconographic, and inventively illuminated signage.
6. Signs shall be professionally designed and fabricated from quality, durable materials.
7. The name of a sign sponsor or activity sponsor may be shown on a sign providing it does not occupy more than one (1) percent of the sign area; provided, however, outdoor general advertising devices shall not be allowed. ~~Projecting signs may be allowed as part of the sign plan if they conform to the purpose of the vital signs provisions, section 59-554, special provisions for the B-5 and B-7 districts. Within the B-5 zone, projecting signs would be allowed so long as they comply with all the requirements of the above referenced provisions.~~
- ~~8.~~ 8. ~~In general, greater latitude in sign number, type, and area may be allowed for large projects under this subsection 59-537(c) so long as the sign plan exhibits design excellence, inventiveness, and sensitivity to the context.~~
9. Signs for accessory uses, which are prohibited by other provisions of article V, are allowed as a part of an approved sign plan.
- e. ~~Automatic~~ Review by the planning board. Sign plan proposals that exceed the sign areas listed below for different sized projects shall be forwarded to the planning board after the preparation of a planning office staff recommendation:
One thousand two hundred (1,200) square feet of sign area for facilities with a building coverage of at least fifty thousand (50,000) square feet and/or a zone lot area from one hundred thousand (100,000) square feet to two hundred thousand (200,000) square feet;
One thousand eight hundred (1,800) square feet of sign area for facilities with a building coverage of at least one hundred thousand (100,000) square feet and/or a zone lot area from two hundred thousand one (200,001) square feet to four hundred thousand (400,000) square feet; or

~~Two thousand four hundred (2,400) square feet of sign area for facilities with a building coverage of at least one hundred fifty thousand (150,000) square feet and/or a zone lot area of four hundred thousand one (400,001) square feet and above.~~

1. The planning board shall hold a meeting and shall require that notices be placed on the property by the applicant at least fifteen (15) days prior to the meeting. The planning board shall also send notice of the proposed plan to neighborhood organizations which are registered pursuant to the provisions of ~~section 41-19(e)~~ Article III, Chapter 12 of the Revised Municipal Code and whose boundaries are within three thousand (3,000) feet of the boundary line of the zone lot of the large facility. The planning board shall also send notices to the councilmembers in whose district the large facility is located, and to the at large councilmembers. Such notices shall be sent at least thirty (30) days prior to the hearing.
 2. The planning board shall review the ~~planning office zoning administrator's~~ recommendation, the concerns of the public and the criteria for review, and shall adopt a recommendation for denial, approval or approval with conditions. The planning board recommendation shall be forwarded to the zoning ~~department administrator~~ no later than fifteen (15) days following the adoption of the recommendation.
- f. ~~Notification.~~ Action. The zoning administrator shall ~~notify the applicant and any person or organization which expressed concerns over the plan of the recommendation for denial, approval or approval with conditions~~ take action on the proposed comprehensive sign plan within fifteen (15) days after the receipt by the zoning ~~department administrator~~ of the planning board's recommendation. The zoning administrator's action, which shall be approval, approval with conditions or denial of the proposed plan, shall take into consideration the criteria for review, the recommendation of the ~~planning office and/or~~ the planning board as well as public input in the issuance of any sign permits for the facility. Upon taking action, the zoning administrator shall notify the applicant, appropriate councilmembers and any registered neighborhood organization which expressed concerns over the plan, either in writing or at the planning board public hearing, of the action taken.
- g. Changes to the plan. Any sign changes or additions requested for the facility after the approval of the comprehensive sign plan must be reviewed according to the provisions of this ~~subsection~~ 59-537(c).
- h. Effect of the comprehensive sign plan approval. Once a comprehensive sign plan is approved for a large facility, all signs for that facility shall be reviewed to ensure compliance with the sign plan before a permit is issued.
- (4) ~~Other p~~Permitted signs.
- a. Signs described and regulated by ~~subsection~~ 59-537(b)(5), signs giving parking or traffic directions, and inflatables and balloons and/or streamers/pennants as described and regulated by ~~subsection~~ 59-537(b)(9), need not be included in the

comprehensive plan. However, other signs permitted by subsection 59-537(b), signs subject to a permit, must be included in the comprehensive sign plan.

- b. Projecting signs may be allowed as part of the sign plan if they conform to the purpose of the vital signs provisions, section 59-554, special provisions for the B-5 and B-7 districts. Except in districts for preservation or on structures for preservation, determination of compliance with 59-554 shall be made by the zoning administrator. In districts for preservation or on structures for preservation determination of compliance with 59-554 shall be made by the Landmark Preservation Commission or the Lower Downtown Design Review Board as appropriate.
 - c. Flashing, blinking, moving or fluctuating signs shall not be allowed except when the sign is a projecting sign which is readable only from the 16th Street Mall, in which case the provisions of 59-554(d)(3) shall apply.
- (5) ~~Rules and regulations.~~ The planning board has the authority to adopt rules and regulations concerning ~~the~~ its review of comprehensive sign plans.
- (6) ~~Fee.~~ The fee for review of a comprehensive sign plan for large facilities is five hundred dollars (\$500.00) per facility.