MEETING OF THE TOWN BOARD
Town Board Room
807 Mountain Avenue
Town of Berthoud, Colorado
Tuesday, February 27, 2024, 6:30 p.m.

This is an IN-PERSON meeting at the location and time noted above.
You may also join virtually using Zoom: Phone: 1-346-248-7799 or 301-715-8592
Web: www.zoom.us/join Use this Meeting ID: 210 035 9423

The Town Board may take action on any of the following agenda items as presented or modified prior to or during the meeting and items necessary or convenient to effectuate the agenda items.

1. Meeting Called To Order - Mayor William Karspeck
2. Pledge Of Allegiance - Mayor William Karspeck
3. Roll Call - Mayor William Karspeck
4. Citizen Participation
5. Scheduled Items And Estimated Time For Discussion

5.I. Consent Agenda
Introduction By: Christian Samora

Documents:

MEMO RE CONSENT AGENDA.PDF
A. FEBRUARY 27, 2024 MEETING AGENDA.PDF
B. FEBRUARY 13, 2024 MEETING MINUTES.PDF

5.II. Water Resources Update
Introduction By: Pete Johnson

Documents:

MEMO RE WATER RESOURCES UPDATE.PDF

5.III. Road And Sidewalk Project 2024
Introduction By: Keith Knoll

Documents:

MEMO RE ROAD AND SIDEWALK PROJECT 2024.PDF

5.IV. Naming Of Mountain Vista Park
Introduction By: Jeremy Olinger

Documents:

MEMO RE NAMING OF MOUNTAIN VISTA PARK.PDF

5.V. Parks Capital Projects Discussion
Introduction By: Jeremy Olinger

Documents:

MEMO RE PARKS CAPITAL PROJECTS.PDF

5.VI. General Code Amendments - Introduction
Introduction By: Anne Johnson

Documents:

MEMO RE ORDINANCE 1334.PDF
A. DRAFT PC MINUTES.PDF
B. ORDINANCE 1334 (24) SIGN CODE.PDF
C. PUBLIC NOTICE, SIGN CODE.PDF
D. APPENDICES A-E.PDF
MEMO RE ORDINANCE 1335.PDF
A. DRAFT PC MINUTES.PDF
B. PUBLIC NOTICE_FIRST STREET OVERLAY.PDF
C. ORDINANCE 1335 (24) INNOVATION DISTRICT.PDF
D. APPENDIX A 1ST ORDINANCE ATTACHMENT.PDF
E. 1ST MASTER PLAN, APRIL 25 2023.PDF

6. Elected Official Reports

1. Town Board - Tim Hardy, May Albrecht, Mike Grace, Sean Murphy, Karl Ayers, and Chris Kurtz.
2. Mayor - William Karspeck
3. Staff - Town Administrator, Attorney

7. Adjourn

The order of agenda items listed above is approximate and intended as a guideline for the

Town Board. Individuals needing special accommodation may request assistance by *contacting the Town Clerk 807 Mountain Avenue, Berthoud, Colorado 80513, 970-532-*

2643 at least 24 hours in advance.

BOARD OF TRUSTEES INFORMATION

ADMINISTRATION DEPARTMENT

Meeting Date:	**February 27, 2024**
Agenda Title/Subject:	**Consent Agenda**
Type of Item:	**Regular Item**
Purpose:	**The Consent Agenda contains routine items that can be approved with a single action by the Board.**
Presented by:	**Christian Samora**

ATTACHMENTS:

a) February 27, 2024, Meeting Agenda
b) February 13, 2024, Meeting Minutes

BACKGROUND:
"Consent Agenda" is a group of routine matters to be acted on with a single motion and vote. The mayor will ask if any Board Member wishes to remove an item for separate discussion. Items removed from the consent agenda should be considered immediately following adoption of the amended Consent Agenda.

UPDATE/NEXT STEPS:
Any updates or next steps for the items on the Consent Agenda will be articulated in the information sheet provided for each item on the Consent Agenda.

FISCAL IMPACT AND FUND SOURCE:
Any fiscal information for the items on the Consent Agenda will be articulated in the information sheet provided for each item on the Consent Agenda.

COMMUNITY TOUCHSTONES:
Any Community Touchstones for the items on the Consent Agenda will be articulated in the information sheet provided for each item on the Consent Agenda.

RECOMMENDED ACTION(S):
“Move to combine and approve the items on the Consent Agenda.”

Followed by a second and a vote.

MEETING OF THE TOWN BOARD

Town Board Room
807 Mountain Avenue
Town of Berthoud, Colorado
Tuesday, February 27, 2024, 6:30 p.m.

This is an IN-PERSON meeting at the location and time noted above.
You may also join virtually using Zoom:

Phone: 1-346-248-7799 or 301-715-8592
Web: www.zoom.us/join **Use this Meeting ID: 210 035 9423**

Please note that you will need to call into the meeting if you wish to speak and do not have a microphone on your computer. If you are using a mobile device, it is highly recommended that you download the Zoom app.

The Town Board may take action on any of the following agenda items as presented or modified prior to or during the meeting and items necessary or convenient to effectuate the agenda items.

I. REGULAR MEETING CALLED TO ORDER – Mayor William Karspeck

II. PLEDGE OF ALLEGIANCE – Mayor William Karspeck

III. ROLL CALL – Mayor William Karspeck

IV. CITIZEN PARTICIPATION

V. SCHEDULED ITEMS and ESTIMATED TIMES FOR DISCUSSION

1. **Consent Agenda** **(Christian Samora)** **(5 Min)**
   Consent Agenda items are considered to be routine by the Town Board and will be enacted with a single vote. There will be no separate discussion of these items. If discussion is deemed necessary, that item should be removed from the Consent Agenda and considered separately.
   a) February 27, 2024, Meeting Agenda
   b) February 13, 2024, Meeting Minutes

2. **Water Resources Update** **(Pete Johnson)** **(30 Min)**

3. **Road and Sidewalk Project 2024** **(Keith Knoll)** **(20 Min)**

4. **Naming of Mountain Vista Park** **(Jeremy Olinger)** **(10 Min)**

5. **Parks Capital Projects Discussion** **(Jeremy Olinger)** **(20 Min)**

6. **General Code Amendments – Introduction** **(Anne Johnson)** **(15 Min)**
   Ordinance 1334 – An ordinance amending certain sections of the Berthoud Municipal Code Chapter 30, to support the sign code. Specifically, Sections 1, 3 and 7 are proposed for amendment.

   Ordinance 1335 – An ordinance adding Section 3 to the Berthoud Municipal Code Chapter 30, to support the 2023 adoption of the Innovation District/1st Street Corridor Guidelines.

VI. ELECTED OFFICIAL REPORTS **(10 Min)**

1. Town Board – Tim Hardy, May Albrecht, Mike Grace, Sean Murphy, Karl Ayers, and Chris Kurtz
2. Mayor – William Karspeck
3. Staff – Town Administrator, Attorney

VII. ADJOURN

_____ _____

Town Clerk or Deputy Town Clerk William Karspeck, Mayor

February 27, 2024, Meeting Agenda
The order of agenda items listed above is approximate and intended as a guideline for the Town Board. Individuals needing special accommodation may request assistance by contacting the Town Clerk 807 Mountain Avenue, Berthoud, Colorado 80513, 970-532-2643 at least 24 hours in advance.

MEETING MINUTES OF THE TOWN BOARD
Town Board Room
807 Mountain Avenue
Town of Berthoud, Colorado
Tuesday, February 13, 2024, 6:30 p.m.

2/13/2024 - Minutes

1. Meeting Called To Order - Mayor William Karspeck

   Mayor Karspeck called the meeting to order at 6:30 pm.

2. Pledge Of Allegiance - Mayor William Karspeck

   Mayor Karspeck led the Pledge of Allegiance.

3. Roll Call - Mayor William Karspeck

   The following Board members were present:

   Karl Ayers, Trustee
   Chris Kurtz, Trustee
   May Albrecht, Trustee
   Tim Hardy, Trustee
   Sean Murphy, Trustee
   Mike Grace, Mayor Pro-Tem
   Will Karspeck, Mayor

   The following staff members were present:

   Chris Kirk, Town Administrator
   Christian Samora, Town Clerk
   Lexi Weissman, Deputy Town Clerk

4. Citizen Participation

   Aaron Mercer and Elissa Robb spoke regarding speed limits on E Nebraska Ave.
   Sarah Lincoln spoke regarding short-term rentals.
   Brian Laak spoke regarding trails and open space.

5. Scheduled Items And Estimated Time For Discussion

   5.I. Consent Agenda

   Items:

   a) February 13, 2024 Meeting Agenda
   b) January 23, 2024 Meeting Minutes
   c) Cancelation of CBT Temporary Use Permit

   Trustee Kurtz moved to combine and approve the items on the Consent Agenda. Mayor Pro-Tem Grace seconded the motion. In a 7-0 roll call vote, THE MOTION CARRIED.

5.II. Larimer County Sheriff's Office Annual Report

Sergeant Williamson with the Larimer County Sheriff's Office gave a presentation.
Deputy Anderson provided some additional information.

5.III. 3rd Of July Fireworks Event

Administrator Kirk provided some information on the 2024 3rd of July Fireworks Event.

Trustee Hardy moved to approve the contract between the Town of Berthoud and Zambelli Fireworks Manufacturing Co. Mayor Pro-Tem Grace seconded the motion. In a 7-0 roll call vote, THE MOTION CARRIED.

6. Elected Official Reports

Trustee Ayers:

Ayers reported on the PORT meeting and park updates.

Trustee Kurtz:

Kurtz reported on Northern Waters upcoming Water Users Symposium.

Trustee Albrecht:

Albrecht inquired about pool use for the school district and reported on business collaboration downtown.

Trustee Murphy:

Murphy expressed gratitude to Trustee Ayers and Mayor Karspeck regarding the Rocky Mountain Conservancy and inquired about the upcoming election. Murphy also reported on Tree Committee plans and a commuter rail bill.

Mayor Pro-Tem Grace:

Grace reported on Youth Advisory Committee updates.

Mayor Karspeck:

Karspeck thanked Trustee Murphy and Mayor Pro-Tem Grace regarding the commuter rail bill. Karspeck inquired about short-term rental policy.

Administrator Kirk:

Kirk reported on a new turn signal at 287 and Berthoud Parkway.

7. Executive Session

Mayor Pro-Tem Grace moved to enter into Executive Session Pursuant to C.R.S. 24-6-402(4)(e)(I) to determine positions relative to matters that may be subject to negotiations, developing a strategy for negotiations, and instructing negotiators. And to conference with the Town Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b). And the following is provided for informational purposes: North I-25 Commuter Rail. Trustee Hardy seconded the motion. In a 7-0 roll call vote, THE MOTION CARRIED.

8. Adjourn

The meeting was adjourned at 9:48 pm.

Town Clerk or Deputy Town Clerk

William Karspeck, Mayor

BOARD OF TRUSTEES INFORMATION

UTILITIES

Meeting Date:	**February 27, 2024**
Agenda Title/Subject:	**Updated Water Supply-Demand Outlook**
Type of Item:	**Regular Item**
Presented by:	**Pete Johnson**

BACKGROUND:

During the Board of Trustees' 2023 Water Dedication Policy Work Sessions, the Board directed Town Staff to periodically update the Town's water supply and demand outlook so the Board can continue to evaluate the Town's water dedication policy. As requested, the Town's water resources engineers have updated their prior water supply and demand outlook, with updated data regarding both supply and demand.

With respect to water supply, the updated outlook also incorporates the water supply associated Town's recent acquisitions of 50 additional Colorado-Big Thompson (C-BT) Units and 2 additional Windy Gap Units. The updated outlook continues to evaluate three supply scenarios: 1) no yield from the Town's Windy Gap Units, 2) average yield from the the Town's Windy Gap Units and 3) firm yield from the Town's Windy Gap Units.

With respect to water demand, the outlook incorporates updated water demand data and utilizes a water bank accounting tool developed in 2023 to more closely analyze the difference between the Town's "Actual Demand" (which is based on treated water production at the Town's water treatment plant) and "Committed Demand" (which includes both Actual Demand and water service commitments the Town has made but that are not yet included in the Actual Demand). The difference between Actual Demand and Committed Demand is classified as Unrealized Water Demand. These demand concepts are depicted in the graphic below, along with three water supply scenarios described above.

The updated outlook conservatively assumes that the Town's Unrealized Water Demand will grow proportionally with the Town's Actual Demand, meaning the Town will continue to issue water credits at a rate proportionate to the growth in Actual Demand. These demand assumptions are very conservative and could be further refined through an evaluation of the projected water demands associated with the Town's undeveloped area and expected annexation areas.

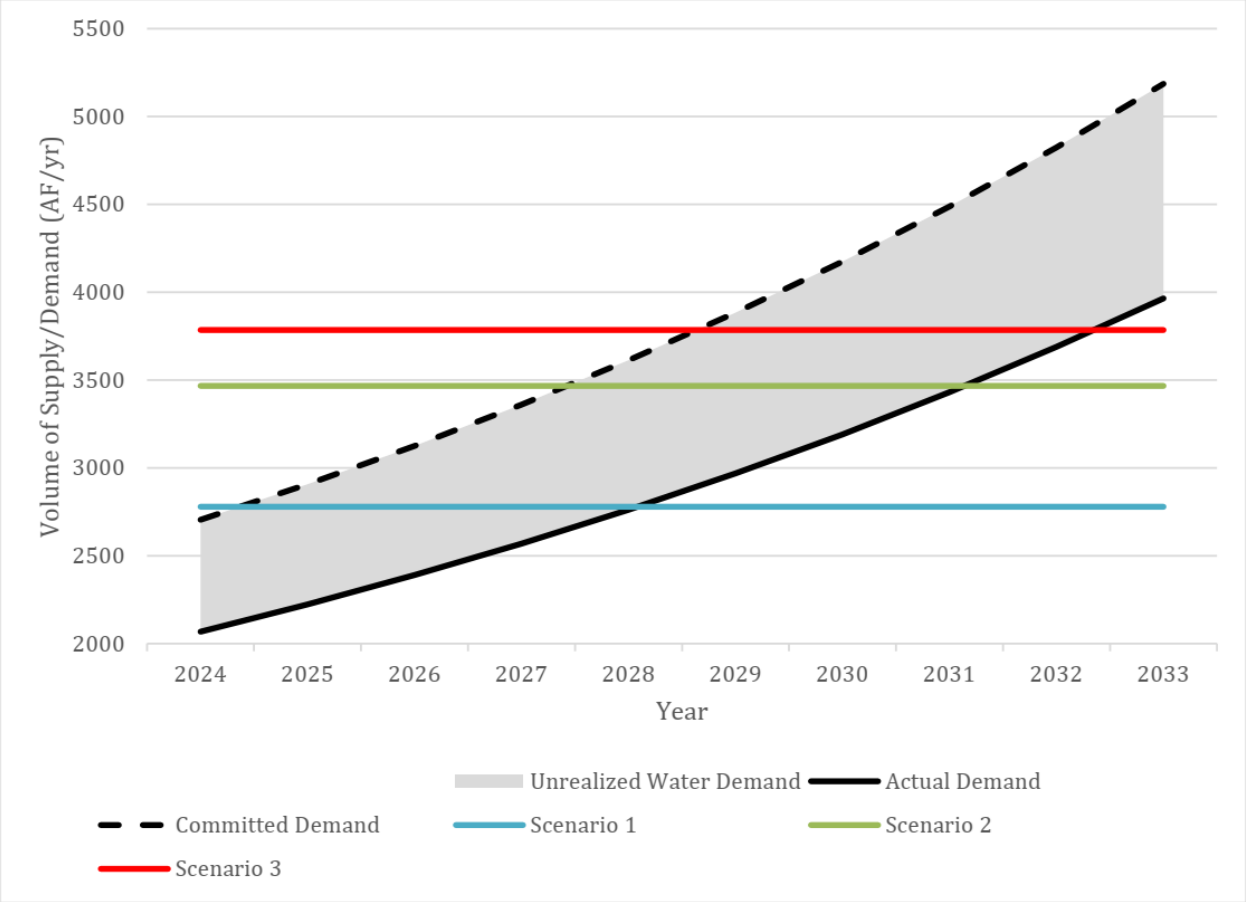
As shown in the graphic below, the updated outlook projects that under the most conservative assumptions (zero yield from the Town's interest in the Windy Gap Project, a.k.a. Scenario 1, and continued growth of both Actual Water Demand and Committed Water Demand as described

above), the Town's current water supply will support Actual Demand through approximately 2027. Under the slightly less conservative Scenario 2, the Town's current water supply will support the projected Actual Demand through approximately 2031. It is important to understand that the Town's Unrealized Water Demand will not become Actual Water Demand overnight; rather, the Unrealized Demand will become Actual Water Demand as the Town continues to approve building permits associated with new development. The Town has already made water service commitments for much of the currently planned growth within Town boundaries, so these conservative demand projections may over-estimate the demand for new water taps in the coming years.

The different water supply scenarios show that the Town's firm water supply increases significantly once it firms the yield of its Windy Gap Units (Scenario 3), which underscores the importance of the Town's ongoing projects to firm its Windy Gap Units. These projects will provide an additional firm water supply that can reliably serve the Town's water demand, and the projects could yield even more water with reuse. Town Staff will continue efforts to firm the supply from its Windy Gap Units. Town Staff will also continue with additional water rights acquisitions if terms are favorable.

The updated outlook demonstrates that the Town has sufficient water for multiple years of continuing demand growth under the most conservative conditions. Therefore, Town Staff does not recommend changes to the Town's water dedication policy at this time.

Berthoud Projected Raw Water Demands 2024-2033



Administrator review _____ Date_____

BOARD OF TRUSTEES INFORMATION

PUBLIC WORKS DEPARTMENT

Meeting Date:	**February 27, 2024**
Agenda Title/Subject:	**2024 Road and Sidewalk Improvements**
Type of Item:	**Presentation**
Purpose:	**Board Approval for staff to solicit bids for 2024 Road and Sidewalk Projects**
Presented by:	**Keith Knoll – Public Works Operations Manager**

ATTACHMENTS:

- Project Locations Maps

BACKGROUND:

Following our approved **5-Year Road Improvement Plan,** Town staff has been working with Baseline Engineering to develop construction and bid documents for the following improvements.

- 2nd St. between Welch Ave. and Blue Spruce Ave.
- Franklin Ave. extension between 1st. St. and 2nd St.
- Chip sealing, patching, and crack sealing of CR 10e and Water Ave,
- Various patches and crack sealing on S. Berthoud Parkway, 1st St., S. 10th St. and the Peak View neighborhood.

Following our approved **5-Year Sidewalk Improvement Plan**, Town staff has prepared bid documents for sidewalk repairs and ADA improvements in the following locations.

- Massachusetts Ave.
- 7th St.
- 2023 leftover sidewalk segments, including 6th St, Turner, Ave, and Lake Ave.
- Welch Ave. between 1st. St. and 2nd St.

All projects will be posted for bid on Wednesday February 28, 2024. Bid openings for all projects will be held on Thursday March 30, 2024 with expected bid awards approved in April. Work would be expected to begin in May and end prior to September 30.

FISCAL IMPACT AND FUND SOURCE:

All Project are currently funded in the 2024 Budget

41-00-5221.00 – Downtown Sidewalk Replacement - $350,000.00
51-00-5239.00 – Street Improvements - $2,300,000.00

COMMUNITY TOUCHSTONES:

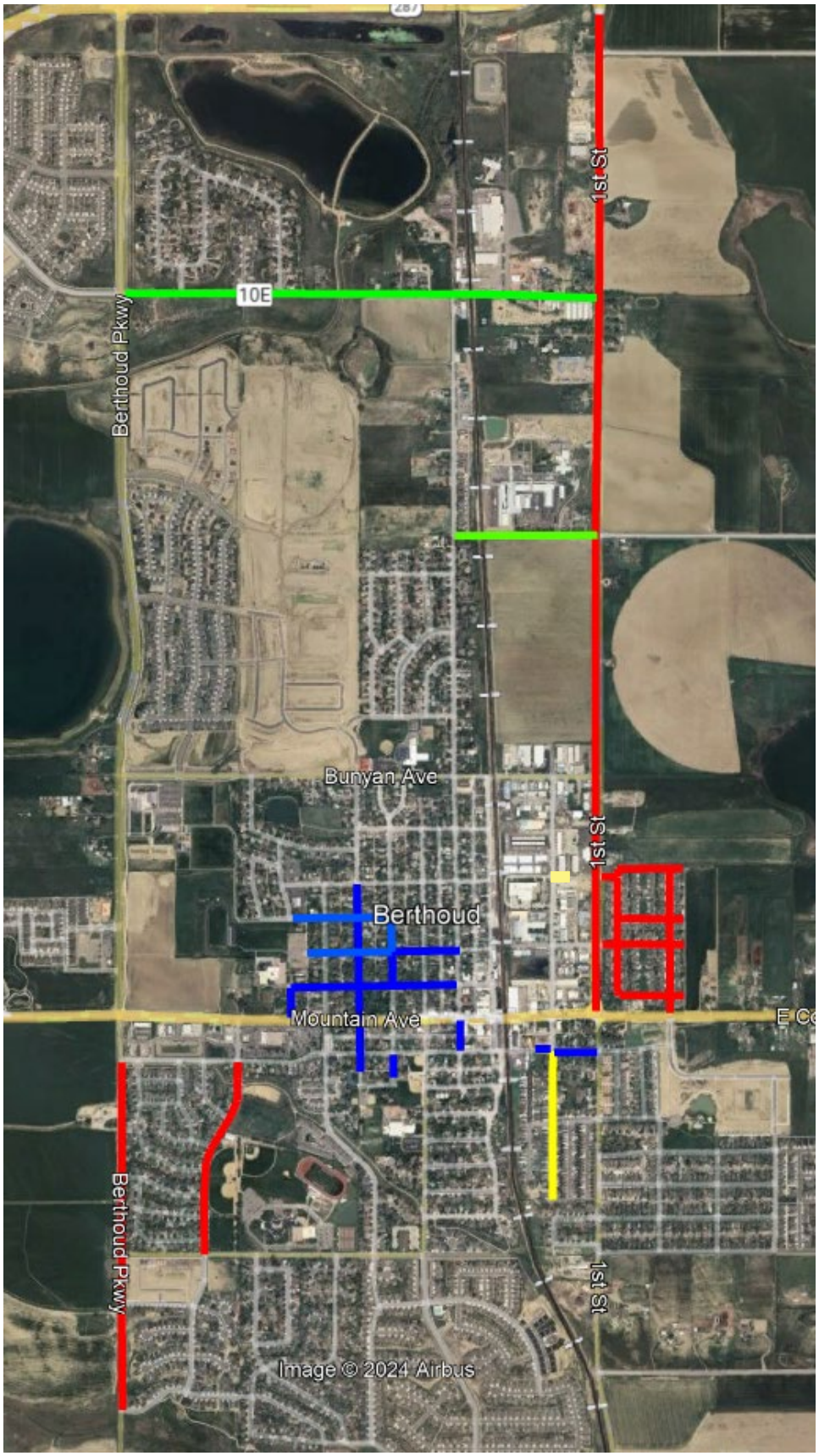
Sidewalks and Roadways provide **sustainable** & vital networks for vehicle and pedestrian travel. Improvements to our Old Town sidewalk infrastructure enhance Berthoud's **Community Identity** of a small town, rich in beautiful parks, historic homes, and a mature urban forest that everyone can walk through and enjoy.

RECOMMENDED ACTION(S):

Board approval for staff to go to bid on the 2024 Concrete, Chipseal, and Asphalt Projects.

2024 Project Locations

Green	Patching, Crack Seal, Chip Seal
Red	Various Patching or Crack Seal
Yellow	Reconstruction or Extension
Blue	Sidewalk Improvements



BOARD OF TRUSTEES INFORMATION

PUBLIC WORKS DEPARTMENT

Meeting Date:	**February 27, 2024**
Agenda Title/Subject:	**Naming of Mountain Vista Park**
Type of Item:	**Presentation**
Purpose:	**Renaming of Richardson Property**
Presented by:	**Keith Knoll – Public Works Operations Manager**

ATTACHMENTS:

None

BACKGROUND:

Staff will present design concepts on the Town property known as Richardson Property. Staff has been working with DTJ consultants in the past year to be nearly complete with construction documents. Part of the process with staff and the PORT committee was to rename the property and work through potential names. Mountain Vista Park (MVP) is the suggestion of Staff and PORT.

FISCAL IMPACT AND FUND SOURCE:

COMMUNITY TOUCHSTONES:

Naming a park will add to Berthoud's **Community Identity** as well as builds connectivity to our Town in other park properties The Mountain Vista Park presentation will take a peek into the future of park design and how we want to name it.

RECOMMENDED ACTION(S):

Board input and feedback on the renaming of the property.

BOARD OF TRUSTEES INFORMATION

PUBLIC WORKS DEPARTMENT

Meeting Date:	**February 27, 2024**
Agenda Title/Subject:	**Parks Capital Projects**
Type of Item:	**Presentation**
Purpose:	**Provide an update to current projects**
Presented by:	**Keith Knoll – Public Works Operations Manager**

ATTACHMENTS:

None

BACKGROUND:

Staff will present several current and upcoming Parks projects that the Town is working on. The presentation and information will give the Board an update to many projects and estimations of future costs. The intent is to give a current look at Parks projects and have the Board give input into the timing of constructing or completing those projects.

FISCAL IMPACT AND FUND SOURCE:

Various line items and budgets

COMMUNITY TOUCHSTONES:

Developing trails, parks, and park amenities give Berthoud its **Community Identity** as well as builds connectivity to our Town in a healthy and active manner. The park projects presentation will take a peek into the future of Berthoud and how we want that to look and feel.

RECOMMENDED ACTION(S):

Board feedback and input into the capital parks project presentation and prioritization of completing projects for 2024 and beyond.

TOWN BOARD INFORMATION

COMMUNITY DEVELOPMENT DEPARTMENT

Meeting Date:	**February 27, 2024**
Agenda Title/Subject:	**Ordinance 1334 (Series 2024) Public Hearing to present proposed amendments to the Berthoud Sign Code, Chapter 30, Sections 1, 3, 5 and 7 of the Berthoud Municipal Code**
Type of Item:	**Regular Item**
Purpose:	**Amending the Sign Code via Ordinance 1334 (Series 2024) through changes proposed in Chapter 30, Sections 1, 3, 5 and 7 of the Berthoud Municipal Code**
Presented by:	**Anne Johnson, Community Development Director**

ATTACHMENTS:

- Draft Minutes from Planning Commission on February 8, 2024
- Ordinance 1334 (Series 2024)
- Public Notice
- Appendix A, Code Amendments in redline format, Section 7
- Appendix B, Code Amendments clean, Section 7
- Appendix C, Code Amendments to the Definition Section 1
- Appendix D, Code Amendments to the Mountain Avenue Overlay Section 3
- Appendix E, Code Amendment to Section 30-5-102.J

BACKGROUND:

It is necessary to update the Sign Code to ensure the Code is content-neutral. In doing so, the sign regulations from the Mountain Avenue Overlay District found in Section 3 and the Definition portion of the Municipal Code found in Section 1 of Chapter 30 also required amendments.

- The Amendments to Section 3 include correction to spelling of the words façade and drive-through, moving all regulations regarding signage to Section 7, and inserting reference to the Sign Code/Section 7. These changes can be found in the attached Appendix D.

- The Amendments to Section 1 include moving all sign types to one portion of the Definition Section by starting the defined term with “sign”. All numbering of definitions shall also be revised. The type of illuminated signs has also been modified to allow for halo (back lighting) signage. These changes can be found in the attached Appendix C.

- The Amendment proposed in Section 30-5-102.J is purely a reflection of the definition of a site sign vs. construction sign for content neutrality.

- The Amendments to Section 7 were too numerous for a simple redline review. A redline copy is attached as Appendix A. The clean version which will be adopted is found in Appendix B. The Sign Code, or Section 7, of the Land Development Code will be repealed and replaced with the material found in Appendix B. The bulk of the changes reflect the outcome of the U.S. Supreme Court's decision in *Reed v. Town of Gilbert* and the right to free speech found in the intent of the First Amendment. Additional changes include clarifying terms, processes, placement and standards; refining acceptable illumination; adjusting temporary sign regulations; and adding graphics. The dates for Sections 30-7-111.B and C will be completed prior to sending this Code to MuniCode for publication.

UPDATE/NEXT STEPS:
The Planning Commission's recommendation of approval from their February 8, 2024 public hearing are presented as an introduction at the Town Board of Trustee's meeting on February 27, 2024 and the public hearing on March 12, 2024.

FISCAL IMPACT AND FUND SOURCE:
There is no negative fiscal impact to the Town in clarifying the Town Development Code, Chapter 30 of the Municipal Code

COMMUNITY TOUCHSTONES:
Consideration of the amendment requests does not negatively impact community touchstones. Consideration of approval of the request does provide support for enhancing community identity, provides for support to strengthen the Town's sustainability and resiliency goals and affords the development community with a transparent set of standards to know what the expectations are for developing in the Town of Berthoud.

RECOMMENDED ACTION(S):
Planning Commission recommends the Town Board of Trustees approve Ordinance 1334 (series 2024) with all attached Ordinance Appendices on second reading to be held on March 12, 2024.

The Board of Trustees may give direction to staff to bring Ordinance 1334 (Series 2024) back for consideration at a public hearing on March 12, 2024.

807 Mountain Avenue | PO Box 1229 | Berthoud, CO 80513 | O: 970.532.2643 | F: 970.532.0640 | **Berthoud.org**

Planning Commission Minutes – February 8, 2024, at 6:00 p.m.

1. **Call to Order** – The Planning Commission convened a regular meeting on. Commissioner Anderson called the meeting to order at 6:00 p.m.

2. **Pledge of Allegiance**

3. **Roll Call** – Members present:

	Karen Anderson	(Chairperson)
	Abigail Smith	(Vice Chairperson)
	Jon Van Benthem	(Secretary)
	Joe Donnelly	(Commissioner)
	Marc Hofmans	(Commissioner)
	Nick Semedalas	(Commissioner)
	Brett Wing	(Commissioner)
Staff present:	Anne Johnson	(Community Development Director)
	Teri Reger	(Planning Technician)
	Jeremy Olinger	(Deputy Town Administrator)
Consultants:	Gerald Dahl	
	Martin Landers	
	Erin Smith, Town Attorney	

4. **Approval of Minutes –** Minutes from January 11, 2024, Planning Commission Meeting.

   MOTION made by Commissioner Wing to APPROVE the Minutes for January 11, 2024.

   SECONDED by Commissioner Van Benthem.

   With those all-in favor, THE MOTION CARRIED.

5. **Update on Town Projects in 2023 and 2024**
   Presented by: Jeremy Olinger, Deputy Town Administrator

6. **Public Hearing: Sign Code**
   Community Development Director Anne Johnson introduced a recommendation to the Planning Commission regarding amendments to Section 7, Chapter 30, the Berthoud Sign Code, Ordinance 1334.

   Public Comment was opened at 7:24 p.m. ***Public Comment was closed at 7:25 p.m.***

   MOTION made by Commissioner Wing to forward our recommendation of approval of the amendments contained in Ordinance 1334 (Series 2024) with Appendices A, B, C and D to the Town Board of Trustees. The rationale for approval is that the proposed guidelines provide transparent expectations for future development in the Town of Berthoud, supports the Town's community identity outlined in the 2021 update to the Comprehensive Plan, and aligns the

Town's Sign Code with current findings of the U.S. Supreme Court.

SECONDED by Vice Chairperson Smith. With all in favor, THE MOTION CARRIED.

7. **Public Hearing: Amendments to the Berthoud Development Code specifically, adopting Section 3 of Chapter 30, Ordinance 1335**

Community Development Director Anne Johnson introduced a recommendation to the Planning Commission regarding adopting Section 3, Chapter 30 of the Municipal Code to recognize the adoption of the Innovation District Standards by the Town Board of Trustees on April 25, 2023

Public Comment was opened at 7:48 p.m. ***Public Comment was closed at 7:48 p.m.***

MOTION made by Commission Hofmans to *forward our recommendation of approval of the amendments contained in Ordinance 1335 (Series 2024) with Appendix A to the Town Board of Trustees. The rationale for approval is that the guidelines for the Berthoud Innovation District/1st Street Corridor were approved by the Town Board of Trustees on April 25, 2023. Inclusion of these standards by reference in the Town Development Code provides transparent expectations for future development in the Town of Berthoud and supports the Town's community identity outlined in 2023 Guidelines for the 1st Street Corridor.*

SECONDED by Commissioner Semedalas. With all in favor, THE MOTION CARRIED.

8. **Reports by Staff**

Planning Commission Field Trip is scheduled for March 16, 2024.
Planning Commission Meeting on February 25, 2024, has been cancelled the next meeting will be March 14, 2024.

Board of Trustees Update:

Commissioner Wing commended Deputy Town Administrator Olinger for his presentation and information he shared regarding Town Projects.
Commissioner Wing also asked, spurred by the upcoming field trip, how leaders can influence affordable housing.
Chairperson Anderson suggested that perhaps the Director for Habitat for Humanity could come and talk to the Commission.

9. **Adjourn** –

The meeting was adjourned at 7:58 p.m.

_____ _____

CHAIRPERSON SECRETARY

TOWN OF BERTHOUD ORDINANCE
NUMBER 1334
(SERIES 2024)

AN ORDINANCE AMENDING CERTAIN SECTIONS OF THE BERTHOUD MUNICIPAL CODE CHAPTER 30, TO SUPPORT THE SIGN CODE. SPECIFICALLY SECTIONS 1, 3 AND 7 ARE PROPOSED FOR AMENDMENT

WHEREAS, the Town of Berthoud is a municipal corporation possessing all powers granted to a statutory town by Title 31 of the Colorado Revised Statutes; and

WHEREAS, the Town wishes to implement the vision and values expressed in the 2021 update to the Comprehensive Plan, including strengthening the Town's sense of place, enhancing community identity, supporting community resilience and sustainability touchstones; and

WHEREAS, the Town wishes to remove regulations in the Sign Code which reference content; and

WHEREAS, the Planning Commission, after proper notice, has held a public hearing on February 8, 2024 on this ordinance providing for a recommendation of approval from the Town Board of Trustees; and

WHEREAS, the Board of Trustees, after proper notice introduced this Ordinance at their meeting on February 20, 2024 and heard the proposal at a public hearing on March 12, 2024 on this ordinance providing for the adoption of said code amendments pursuant to C.R.S. Section 31-16-203; and

WHEREAS, the Development Code and amendments thereto have been submitted to the Board of Trustees in writing and the Board of Trustees has determined that such code and amendments thereto should be adopted as herein set forth.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD, COLORADO:

Section 1. The attached Ordinance 1334 (Series 2024) shall be amended as presented in Appenxicies A, B, C, D and E and adopted into Chapter 30 of the Berthoud Municipal Code.

Section 2. Interpretation: This Ordinance shall be so interpreted and construed to effectuate its general purpose.

Section 3. Effective Date: The provisions of this Ordinance shall take effect thirty (30) days following the date of public hearing.

[INTENTIONALLY LEFT BLANK]

INTRODUCED on this 20th day of February, 2024.

TOWN OF BERTHOUD

By _____

William Karspeck, Mayor

ATTEST:

By: _____

Christian Samora, Town Clerk

READ, ADOPTED, AND APPROVED on this 12th day of March, 2024.

TOWN OF BERTHOUD

By _____

William Karspeck, Mayor

ATTEST:

By: _____

Christian Samora, Town Clerk

TOWN OF BERTHOUD, COLORADO

NOTICE OF PUBLIC HEARING
Amendments to the Berthoud Development Code

PUBLIC NOTICE IS HEREBY GIVEN of public hearings before the Berthoud Planning Commission on Thursday, February 8, 2024 at 6:00 p.m. and before the Town Board on Tuesday, February 20, 2024 and Tuesday, March 12, 2024 at 6:30 pm to consider amendments to Chapter 30, Section 7 of the Berthoud Municipal Code, specifically the Sign Code. The public hearings will be held at Town Hall 807 Mountain Avenue Berthoud 80513.

Given and Posted on this ____ day of January, 2024.

Published: Loveland Reporter Herald January 20, 2024-2029779

Prairie Mountain Media, LLC

PUBLISHER'S AFFIDAVIT

County of Larimer
State of Colorado

The undersigned, __Agent__, being first duly sworn under oath, states and affirms as follows:

1. He/she is the legal Advertising Reviewer of Prairie Mountain Media LLC, publisher of the *Loveland Reporter Herald.*
2. The *Loveland Reporter Herald* is a newspaper of general circulation that has been published continuously and without interruption for at least fifty-two weeks in Larimer County and meets the legal requisites for a legal newspaper under Colo. Rev. Stat. 24-70-103.
3. The notice that is attached hereto is a true copy, published in the *Loveland Reporter Herald* in Larimer County on the following date(s):

   Jan 20, 2024

Melissa Najera
Signature

Subscribed and sworn to me before me this 22nd day of January, 2024.

Shayla Najera
Notary Public

(SEAL)

SHAYLA NAJERA
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20174031965
MY COMMISSION EXPIRES July 31, 2025

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1.4

SECTION 7 SIGNS

30-7-101 ~~Purpose and intent~~ General provisions

A. *Purpose.* The regulations in this Section are intended to coordinate the use, placement, physical dimensions, and design of all signs within the Town. These regulations are established to safeguard the health, safety, convenience, order and welfare of all residents of the Town. The Town recognizes that signs may act as a visual means of communication between the public and businesses and those businesses have an expectation of using signs to identify and advertise themselves. In addition, ~~The~~ the purpose of these regulations is to:

1. Recognize that signs are a necessary means of visual communication for the convenience of the public and provide flexibility within the sign review/approval process to allow for unique circumstances and creativity.
2. Recognize and ensure the right of those concerned to identify businesses, services and other activities by the use of signs, and not limit signs which are accessory and incidental to the use on the premises where such signs are located.
3. Provide a reasonable balance between the right of an individual to identify his or her business and the right of the public to be protected against the visual discord resulting from the unrestricted proliferation of signs and similar devices.
4. Protect the public from damage or injury caused by signs that are poorly designed or maintained.
5. Ensure signs are well-designed and contribute in a positive way to the Town's visual environment, express local character, and help develop a distinctive image for the Town of Berthoud.
6. Encourage signs that are responsive to the aesthetics and character of their particular location, adjacent buildings and uses, and the surrounding neighborhood. Ensure signs are compatible and integrated with the building's architectural design and with other signs on the property.
7. Ensure signs are appropriate for the type of street on which they are located.
8. Ensure signs adhere to the Town's Dark Sky regulations.
9. Enhance property values and business opportunities.
10. Assist in wayfinding.
11. Provide fair and consistent permitting and enforcement.

B. *Intent.* It is the intent of these regulations to provide for the proper control of signs in a manner consistent with the First Amendment guarantee of free speech. It is not the intent of these regulations to regulate signs based on the content of their messages. Rather, these regulations advance important, substantial, and compelling governmental interests.

1. The incidental restriction on the freedom of speech that may result from the regulation of signs hereunder is no more than is essential to the furtherance of the important, substantial, and compelling interests that are advanced by these regulations.
2. The Town has an important and substantial interest in preventing sign clutter (which is the proliferation of signs of increasing size and dimensions as a result of competition among property owners for the attention of passing motorists and pedestrians), because sign clutter:
   a. Creates visual distraction and obstructs views, potentially creating a public safety hazard for motorists, bicyclists, and pedestrians;
   b. May involve physical obstructions of streets or sidewalks, creating public safety hazards;

c. Degrades the aesthetic and essential historic character of the Town, making the Town a less attractive place for tourism, commerce, and private investment; and

d. Dilutes or obscures messages displayed along the Town's streets through the proliferation of distracting structures and competing messages.

3. The Town has a substantial and/or compelling interest in preventing traffic accidents.

4. The Town has a substantial and/or compelling interest in preventing negative impacts associated with temporary signs. Temporary signs may be degraded, damaged, moved, or destroyed by wind, rain, snow, ice, and sun, and after such degradation, damage, movement, or destruction, such signs harm the safety and aesthetics of the Town's streets if they are not removed.

C. *Relationship to other regulations.* The provisions of these regulations shall apply to the display, construction, erection, alteration, use, maintenance, and location of all signs within the Town.

1. Nothing contained in this Section shall be deemed a waiver or variance of the provisions of any other provisions of the Development Code as applicable to signs.

2. If any provision of this Section conflicts with any other adopted Town code that regulates signs, the more restrictive standard shall apply provided, however, to the extent an approved, unexpired and currently effective Planned Unit Development as described in Section 30-3-104 R *Planned Unit Development (PUD) Overlay District*. includes specific sign allowances and/or restrictions that directly conflict with these regulations, the approved PUD regulations shall apply to the extent of the conflict. In lieu thereof, the property owner may elect to fully comply with these regulations in the area of the conflict.

3. The Town recognizes other regulations pertaining to signage (i.e., State of Colorado, Department of Highways, "Rules and Regulations Pertaining to Outdoor Advertising," effective January 1, 1984, and as may be amended).

4. The content of signs related to marijuana businesses is restricted by state laws and regulations, and both the advertising and sale of marijuana are prohibited by federal law. The Town has no authority to supersede state or federal marijuana laws.

5. Nothing in this Section shall be construed as a defense to a violation of applicable state or federal law.

6. Where any provision of this Section covers the same subject matter as other Town, state or federal regulations, the more restrictive regulation shall apply.

30-7-102 Sign permits ~~and administration~~

A. *Sign permit required*. To ensure compliance with the regulations of this Section, a sign permit shall be required in order to erect, move, alter, reconstruct or repair any permanent or temporary sign, except signs that are exempt from permits under Section 30-7-103 *Exempt signs*.

1. In multiple tenant buildings, a separate permit shall be required for each business entity's sign(s).

2. Separate building and electrical permits may be required for signs and will be determined on a case-by-case basis.

3. Changing or replacing the copy on an existing lawful sign shall not require a permit~~, provided the copy change does not change the nature of the sign or render the sign in violation of this Section~~.

~~B *Special Events*. For the purposes of this Section, the term special event shall mean a parade, circus, fair, carnival, festival, farmers' market or other similar event of less than ten days duration that is different in character from the customary or usual activities generally associated with the property upon which the special event is to occur.~~

B. *Comprehensive sign plan.* A comprehensive sign plan is required as a part of the development review process for all commercial projects with multiple lots or buildings or multiple tenants. Comprehensive sign plans are also required for all new signs on multiple tenant buildings or centers with multiple lots.

1. For any multi-tenant center, industrial park or other unified form of commercial site development or redevelopment, the applicant shall submit a comprehensive sign plan with a sign permit application that consists of coordinated and/or shared signage for the entire development.

2. A ~~master~~ comprehensive sign plan shall be in accordance with the following criteria:

a. Signs shall meet the design criteria established in Section 30-7-106 *Sign design*.

b. ~~In~~ After reviewing an applicant's submittal of a comprehensive sign plan, the Director may vary standards for area, height and number of individual signs during sign permit review.

c. The Director may approve up to a twenty percent (20%) change in one or more dimensional or numerical standards based on the applicant demonstrating the change is warranted by a comprehensive sign plan which represents exceptional design.

~~B.~~C. *Application ~~for a sign permit~~*. Applications for sign permits shall be made in writing on forms furnished by the Town. The application shall contain:

1. The location by street number of the proposed sign structure;

2. Names and addresses of the owner, sign contractor and sign erectors;

3. Legible site plans which include the specific location of the sign and setbacks to adjacent property lines and buildings;

4. A detailed drawing indicating the dimensions, materials, and colors of the proposed sign structure. A certification by a registered professional structural engineer may be required by staff for a ~~freestanding~~ monument or projecting sign;

~~e. A graphic drawing or photograph of the sign copy;~~

5. A description of the lighting to be used, if applicable and a narrative detailing how the proposed lighting will be compliant with the Town's Dark Sky regulations;

6. If the sign is to be located off the premises ~~advertised~~ in compliance with Section 30-7-111 *Off-Premise sign standards*, a written lease or permission from the property owner of the site on which the sign will be located; and

7. Sign permit fee as established by the current fee ~~resolution~~schedule.

~~C.~~D. *Staff review and approval.*

~~*Sign permit application certification of completion.*~~

1. Within a reasonable period of the date of application submission, staff shall either certify the application is complete and in compliance with all submittal requirements or reject it as incomplete and notify the applicant in writing of any deficiencies. The applicant shall address deficiencies and resubmit application materials.

2. When staff has determined the application to be complete, staff shall review the sign permit in accordance with the established review criteria and has the authority to approve, approve with conditions or deny the sign permit. Upon staff's approval of the sign permit, the sign permit and any building or electrical permits required for the sign shall be issued to the applicant.

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

1. Sign meets the requirements of this Section;

2. Sign conforms to the requirements of the building and electrical code;

3. Sign conforms to the size, height, material and location requirements of the Zoning Code for the zoning district in which it is located;

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

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

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

7. Sign would not detract from the pedestrian quality of a street or area, if applicable;

8. Sign meets the Town's Dark Sky regulations; ~~and~~

9. Sign would not add to an over-proliferation of signs on a property or area; and

10. Sign structure and location are consistent with the purpose and intent of this Section.

F. *Appeal* ~~*of sign permit denial or approval with conditions*~~. Any appeal of Town's denial of a sign permit or approval with conditions shall be made to the Board of Adjustment as provided in Chapter 30, Section 3: Zoning, of the Development Code.

30-7-103 Exempt signs

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

1. *General*. Signs that are not visible beyond the boundaries of the lot or parcel upon which they are located and/or from any public thoroughfare or right-of-way ~~shall be exempt from the provisions of this Section~~, except that such signs shall be subject to the safety regulations of the adopted version of the Uniform Building Code and all other Codes (electrical, mechanical, etc.) governing building construction in the Town.

~~2. *Address*. Non-illuminated signs less than two square feet in area which identify the address and/or occupants of a dwelling unit or of an establishment.~~

~~3. *Banners*. Banners applied to paper, plastic or fabric used to decorate or attract attention to a business establishment, provided:~~

~~a. It is displayed in conjunction with a grand opening celebration for a period not to exceed 30 days, or~~

~~b. It is displayed in conjunction with a special sale for a period not to exceed 30 days in a one-year period.~~

~~c. It is displayed no more than two times per calendar year per establishment.~~

~~d. It is securely attached to the wall of the establishment, freestanding signs or light poles on private property.~~

~~e. One single-sided banner per street frontage per establishment shall be permitted.~~

~~4. *Building identification, historical markers*. Non-illuminated signs which are permanently affixed to buildings or structures for the purpose of identifying the name of a building, date of construction, or other historical information as approved by the Town.~~

2. *Bulletin board.* Bulletin board signs not exceeding ~~15~~ 12 square feet in gross surface area accessory to a ~~church~~ religious institution, school, or other public or nonprofit institution.

~~6. *Construction*. Temporary construction signs provided that:~~

~~a. Signs in conjunction with any residential use shall not exceed eight square feet each.~~

~~b. Signs in conjunction with all other uses shall have a maximum area of 32 square feet each.~~

~~c. Only one such sign oriented per street front per premises shall be erected. Any two such signs located on the same premises shall be located at least 100 feet apart as measured using a straight line.~~

~~d. Such signs shall not be illuminated.~~

~~e. Such signs shall only appear at the construction site.~~

~~f. Such signs shall be removed within seven days after completion of the project.~~

3. *Site sign*. Site signs as defined in Sec. 30-1-116 *Definitions* and subject to the standards in Section 30-7-110 *Temporary Sign Standards*.

4. *Directional*. On-premises directional and instructional signs not exceeding six square feet in area each.

~~8. *Doors*. Signs affixed to door surfaces which identify the name and/or address of an establishment.~~

5. *Incidental signs.* Incidental signs as defined in Sec. 30-1-116 *Definitions* which do not exceed three square feet in area.

6. *Flags*. Exempt flags include:

   a. for residential properties up to two flagpoles no more than 18 feet high with a combined total of 48 square feet of flag area.~~Staff may authorize additional flags on a premise provided that the flags are not used as a sign and are compatible within the context of the surrounding neighborhood.~~

   b. for commercial areas up to two flagpoles of no more than 36 feet high with a combined total of 144 square feet of flag area. Additional flag installations shall be subject to a sign permit and the square footage of any additional flag shall be included in the ~~sign measurement for a freestanding sign~~ total sign area permitted for the subject property.

~~10. *Garage, estate, yard sale or farm auction*. Signs, placed on private property, which advertise a private garage or yard sale provided such signs are displayed no more than twice per year per dwelling unit for a period not to exceed five days (for auctions, 30 days). Any such sign shall be removed within 24 hours after the end of the sale or auction.~~

7. *Yard sign.* Yard signs as defined in Sec. 30-1-116 *Definitions* and subject to the standards in Section 30-7-110 *Temporary sign standards*.

~~11. *Home-based businesses*. Signs identifying a properly permitted home-based business with non-illuminated sign limited to no more than two square feet in size.~~

~~12. *Notice boards*. Notice boards for public or religious institutions or other uses as approved by Staff and primarily intended for view by pedestrians on or adjacent to the property.~~

~~13. *Political*. Political signs displayed on private property in accordance with an official election or signs erected on behalf of candidates for public office provided:~~

   ~~a. The size of any such sign(s) on a private residential lot does not exceed six square feet per sign.~~

   ~~b. All such signs may be erected no sooner than 60 days in advance of the election for which they were made, or, at the commencement of early voting for that election.~~

   ~~c. The signs are removed within five days after the election for which they were made.~~

   ~~d. The property owner upon whose land the sign is placed shall give permission for the placement of said signs and will be responsible for violations.~~

~~14. *Religious symbols*. Religious symbols located on a building or lot used for organized religious services.~~

~~15. *Regulatory signs*. Regulatory signs erected on private property, such as "no trespassing" signs, which do not exceed two square feet per face or four square feet in total surface area, limited to four such signs per use or per building, whichever is the greater number.~~

~~16. *Sale, lease, rent*. Temporary signs used to offer for sale, lease or rent the land or buildings upon which the sign is located provided:~~

   ~~a. One sign per street frontage advertising real estate ("For Sale", "For Rent", "For Lease" or "For Development") not greater than eight square feet in area in a residential district and 32 square feet in area in nonresidential districts. If the property so advertised lies on a corner lot or double frontage lot, then a second sign may be oriented along the second street so long as the two signs are at least 100 feet apart as measured by the shortest straight line.~~

~~b. In addition to the on-site real estate sign(s), a maximum of three directional signs, each not exceeding four square feet in area, shall be permitted off the subject premises. Such signs must be placed outside all existing rights-of-way. The message of said signs shall be limited to the name of the property or development being advertised, an address, a telephone number, a directional arrow, mileage to the subject property, and the terms "Lot/Home For Sale", "For Rent", "For Lease", "For Development", etc.~~

~~c. No more than three temporary directional signs advertising a specific planned commercial or mixed use development, subdivision, multi-family development, etc. may also be permitted offsite. Each such sign may have a maximum area of four square feet and shall be placed outside all existing rights-of-way.~~

~~d. All such temporary signs shall be removed within seven days after the real estate closing or lease transaction.~~

~~e. No sign allowed under this subsection shall be lighted.~~

~~17. *Special events*. Temporary special event signs and banners for religious, charitable, civic, fraternal or similar non-profit or not-for-profit organizations provided that:~~

~~a. Signs shall be erected no sooner than 30 days prior and removed no later than five days after the event.~~

~~b. No such sign shall exceed 60 square feet.~~

~~c. No such sign shall be illuminated.~~

~~d. All such signs shall be located off the street right-of-way, unless otherwise granted permission for such location by the Town or the Colorado Department of Transportation (CDOT). In no case may any such sign impede the view or travel of any motorists or pedestrians or be attached to any structure within the right-of-way (government signs, telephone poles, etc.).~~

8. *Temporary window signs.* Temporary window signs as defined in Sec. 30-1-116 *Definitions,* limited to 25 percent or less of any individual window area.

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

10. *Time and temperature*. Signs displaying only time and temperature ~~provided they are not related to a product~~, not to exceed 6 square feet. Time and temperature devices shall not be included within the measurement of maximum sign area permitted by Section 30-7-109 B *Sign allowance.*

~~*Time and/or temperature signs*. A time and/or temperature sign is any sign intended to be displayed for a limited period of time and capable of being viewed from any public right-of-way, parking area or neighboring property.~~

~~1. *Maximum area*. Time and/or temperature signs which do not exceed ten square feet shall not be required to be included in the allowable sign area permitted by this Section; provided however, that any identification or advertising which is attached to or made part of the same sign structure shall be included in the allowable sign area for the premises.~~

~~2. *Design*. The sign shall be designed in a manner that is compatible with other signs on the site and with the structure on which it is placed.~~

~~3. *Maintenance*. It shall be the responsibility of the owner of such signs to maintain such signs and insure that they are kept accurate. If these conditions are not met, the sign shall be repaired or removed at owner's expense per this Code.~~

~~20. *Town sponsored signs*. Entrance, promotional or informational signs or monuments sponsored by and funded in whole or in part by the Town.~~

11. *Public signs* as defined at Section 30-1-116 *Definitions*.

12. *Vehicular signs*. ~~Signs displayed on trucks, buses, trailers or other vehicles which are being operated or stored in the normal course of a business, such as signs indicating the name of the owner or business which are located on moving vans, delivery trucks, rental trucks and trailers and the like, shall be exempt from the provisions of this Article,~~ Vehicular signs as defined at Section 30-1-116 *Definitions*, provided that the primary purpose of such vehicles is not for the display of signs, and provided that they are parked or stored in areas appropriate to their use as vehicles.

    a. *Projection.* Signs on vehicles shall not project beyond the surface of the vehicle in a manner which creates a hazard to pedestrians, cyclists or other vehicles.

    b. *Prohibitions.* It shall be unlawful to place or store a vehicle with a sign on it in such manner as to increase the permitted sign area or number of signs either on-site or off-site for a non-residential use. Also see Section 30-7-104 A. 12 *Prohibited Signs*.

~~22. *Vending machine signs*. A sign permit shall not be required for vending machine signs provided that the advertisement upon the vending machine sign is limited to the product vended from that machine.~~

13. *Handheld signs.* Handheld signs as defined at Section 30-1-116 *Definitions* shall not exceed 20 square feet in area. No person shall place, maintain or otherwise utilize a handheld sign in a manner which obstructs or makes hazardous the free passage of pedestrians and motor vehicles on any street, sidewalk or public right-of-way.

30-7-104 ~~105~~ Prohibited signs

A. *Prohibited signs*. The following ~~privately owned or sponsored~~ signs are inconsistent with the purposes and standards in this Section and are prohibited in all zoning districts.

1. Flashing, rotating, blinking or moving signs, animated signs, signs with moving, rotating or flashing lights or signs that create the illusion of movement ~~except for time and temperature devices, and signs which convey a static digital message such as a price sign at fueling stations~~.

2. Electronic messaging signs ~~are prohibited in the Town of Berthoud~~, except signs which convey a static digital message such as a price sign at fueling stations or a time and temperature device.

3. Any sign that is erected in such a location as to cause visual obstruction or interference with motor vehicle traffic, bicycle traffic or traffic-control devices including any sign that obstructs clear vision in any direction from any street intersection or driveway.

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

5. Roof signs.

6. Internally illuminated signs. See Section 30-7107 Sign illumination.

7. Pole signs.

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

9. Off-premises ~~advertising~~ signs ~~or any other sign not pertinent and clearly incidental to the permitted use on the property where located~~, except for temporary ~~subdivision directional signs and political signs~~ sandwich board signs.~~and except for signs permitted in~~ See Section 30-7-~~109.H:~~ 111 *Off- premise~~s~~ sign~~s~~ standards*.

10. Any sign which interferes with free passage from or obstructs any fire escape, downspout, window, door, stairway, ladder or opening intended as a means of ingress or egress or providing light or air.

11. Any sign located in such a way as to intentionally deny visual access to an adjoining property owner's existing sign.

12. ~~Vehicle-mounted~~ Vehicular signs that are on stationary or immobile vehicles or trailers for over seven days including but not limited to, signs painted on or attached to semi-trailers or cargo containers when exhibited on public property or private property adjacent to public right-of-way ~~for the purpose of advertising a business, service, or product for sale or rent~~. ~~Vehicle-mounted~~ Vehicular signs used in connection with a special event and construction trailers are exempted from the requirements of this Section during the duration of the special event or construction project only. Upon the conclusion of the special event, such signs must be ~~dismantled~~removed.

13. Searchlights ~~except as related to a special event as described in 30-7-102.B~~.

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

15. ~~Any sign,~~ Abandoned signs, as defined in Section 30-1-116 *Definitions*, (together with its supporting structure) ~~now or hereafter existing which, 60 days or more after the premises have been vacated, advertises an activity, business, product or service no longer produced or conducted upon the premises upon which such sign is located~~. If the sign or sign structure is covered or the identifying symbols or letters removed, an extension of time may be granted by the Town upon good cause for such extension being shown. (This provision shall not apply to permanent signs accessory to businesses which are open only on a seasonal basis, provided that there is clear intent to continue operation of the business).

16. Any sign or sign structure which:

    ~~a. Is internally illuminated;~~

    a. Is structurally unsafe;

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

    c. Is not kept in good repair; or

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

17. Any sign or sign structure which:

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

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

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

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

30-7-105 ~~106 Measurement of sign area and height~~ Sign measurement

A. *Sign ~~surface~~ area*. The area of a geometric shape enclosing any message, logo, symbol, name, photograph or display face shall be measured using standard mathematical formulas. ~~Time and temperature devices shall not be included within the measurement of maximum sign area.~~

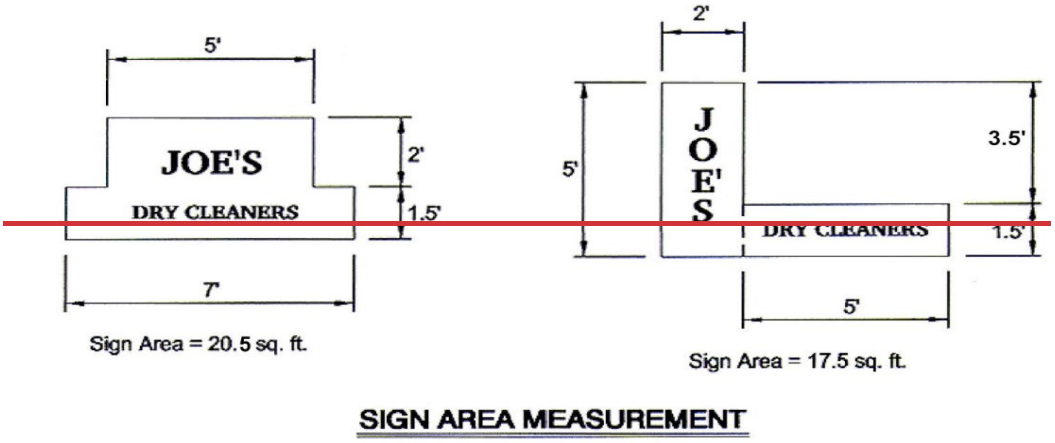
1. *Sign support*. Supporting framework or bracing that is clearly incidental to the display itself shall not be computed as sign area.

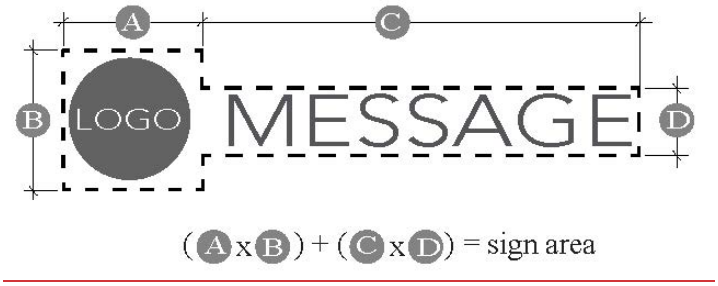
2. *Back-to-back (double-faced) signs*. Back-to-back signs shall be regarded as a single sign only if mounted on a single structure, and the distance between each sign face does not exceed two feet at any point.

3. *Three-dimensional signs*. Where a sign consists of one or more three-dimensional objects (i.e. balls, cubes, clusters of objects, sculpture), the sign area ~~shall be measured as their maximum projection upon a vertical plane~~ is the largest display surface visible from any single direction.

4. *Wall signs*. If a sign is attached to a wall only that portion of the wall onto which the sign face or letters are placed shall be calculated in the sign area, with the following exception: colors used behind or around a sign to differentiate it from the building façade shall be included in the sign area.

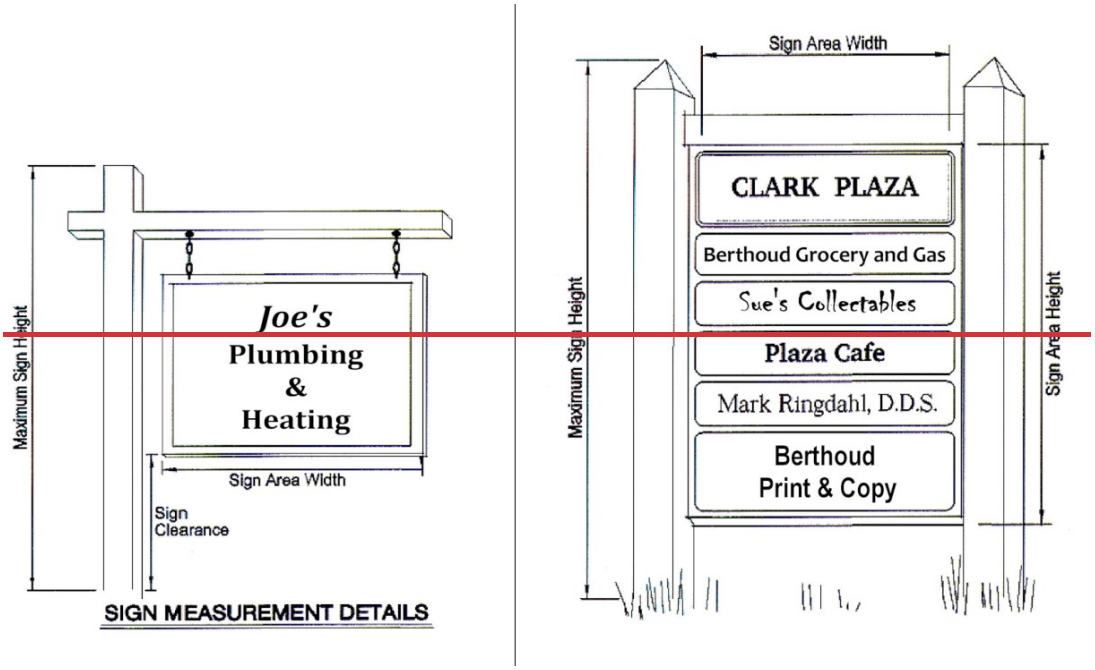
Figure 7.1: Sign area measurement

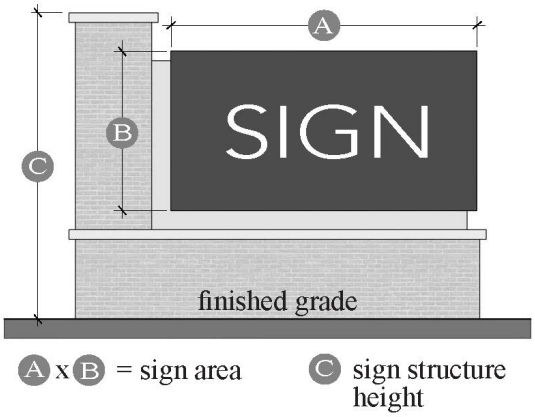




B. *Sign height*. The height of a sign shall be measured from the highest point of a sign structure to the ~~ground surface beneath it~~ finished grade. When berms are used in conjunction with signage, the height of the sign shall be measured from the mean elevation of the fronting street.

Figure 7.2: Sign area and height measurement





30-7-106 ~~107~~ Sign design

A. *Design compatibility*.

1. *Creative design encouraged*. Signs shall make a positive contribution to the general appearance of the street and commercial area in which they are located. A well-designed sign can be a major asset to a building. The Town encourages imaginative and innovative sign design.

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

3. ~~*Sign location and placement*~~ *Additional design considerations*.

   a. *Visibility*. Signs shall not visually overpower nor obscure architectural features.

   b. *Integrate signs with the building and landscaping.* Carefully coordinate the sign with the architectural design, overall color scheme and landscaping. Signs shall be designed to complement or enhance the other signs for a building.

   c. *Unified sign band.* Whenever possible, signs located on buildings with the same blockface shall be placed at the same height, in order to create a unified sign band. Locate wall signs at the first-floor level only for retail uses.

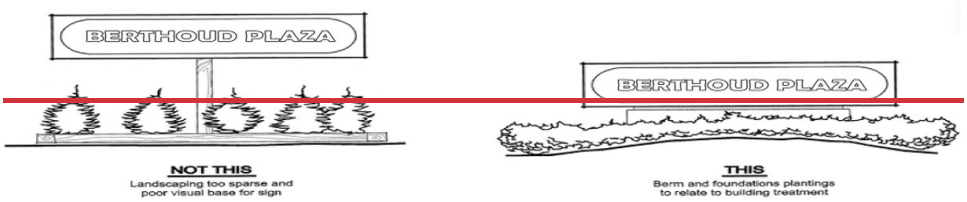
   ~~d. Monument signs — Locate monument signs in a planter setting within a landscaped area at the primary entries to residential, commercial and industrial subdivisions to provide an overall project identity. A maximum of one monument sign per entry is permitted.~~

   d. *Pedestrian-oriented signs.* Pedestrian-oriented signs are encouraged. It is desirable to include a pedestrian-oriented sign as one of the permanent permitted signs for a business. These signs are designed for and directed toward pedestrians so they can easily and comfortably read the sign as they stand adjacent to the business.

   ~~f. Road right-of-way — No sign shall be erected within the road right-of-way or near the intersection of any road(s) or driveways in such a manner as to obstruct free and clear vision of motorists, bicyclists or pedestrians or at any location where, by reason of the position, shape or color, it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device. Signs located at an intersection must be outside of the sight distance triangle.~~

Figure 7.3: Sign location and placement

~~Figure 7.4: Signs and landscaping~~



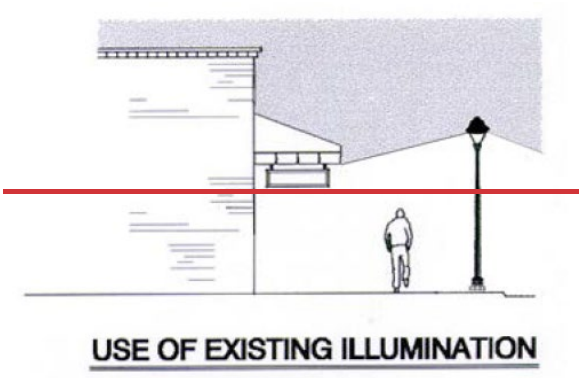
4. *Reduce sign impact*. Because residential and commercial uses generally exist in close proximity, the foundation and support structure for signs shall be designed, located and/or screened with landscaping so that they ~~have little or no~~ minimize impact on adjacent residential neighborhoods, without impairing the communicative purpose of the sign. Small-scale signs are encouraged.

~~Figure 7.5: Reduce sign impact~~

~~B. *Sign Illumination.*~~

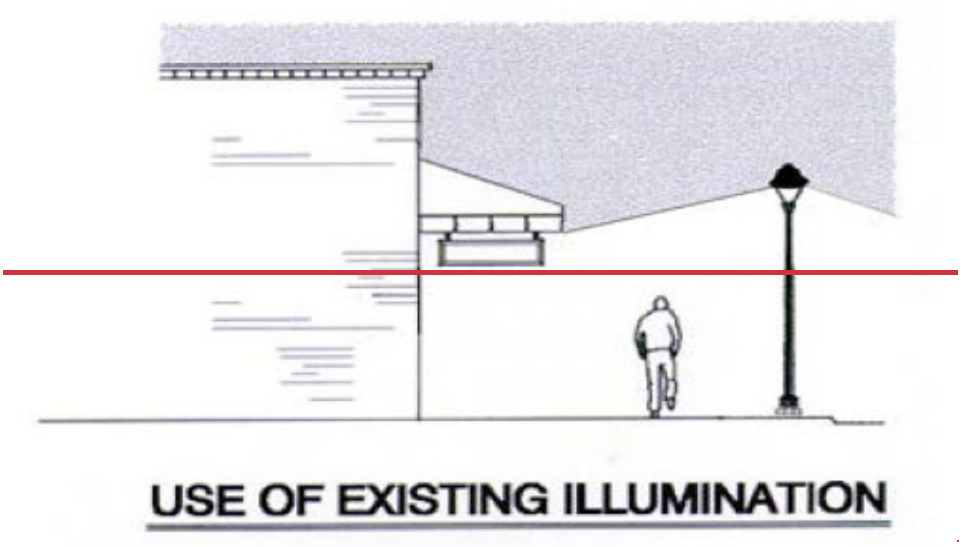
~~1. Use illumination for any sign only if necessary.~~

~~**Figure 7.6: Use of existing illumination**~~



~~3. Sign illumination shall complement the design of the site.~~

~~**Figure 7.7: Screening of light sources**~~



~~5. Signs must be illuminated in a way that does not cause glare onto the street and adjacent properties. Signs shall be lighted only to the minimum level for nighttime readability and shall not be so bright as to overpower an area.~~

~~7. Flashing, moving, blinking, chasing or other animation effects shall be prohibited on all signs.~~

30-7-107 Sign illumination

A. *External illumination.* Unless otherwise specified, all signs shall use indirect lighting as defined in Sec. 30-1-116 *Definitions.*

1. ~~*Use a direct light source.*~~ All ~~lighted~~ signs that use illumination shall have their lighting directed in such a manner as to illuminate only the face of the sign without causing glare. ~~When external light sources are directed at the sign surface, the light source must be concealed from pedestrians' and motorists' "lines of sight."~~

2. Any external light source must be downcast and fully shielded.

3. Projecting light fixtures shall be simple and unobtrusive in appearance, and shall not obscure the graphics of the sign.

B. *Internal illumination prohibited.* Signs shall not be internally illuminated~~.~~, with the following exceptions:

1. Neon tubing ~~is an~~and LED light ropes are acceptable methods of sign design or sign illumination in the commercial and industrial zone districts.

~~1.~~2. The portion of a sign face dedicated to text or characters may be halo lit, as shown in Figure 7.4. No sign cabinets or light boxes with push through lettering shall be internally illuminated.

Figure 7.4: Sign illumination

C. *Compliance.*

1. All sign illumination shall meet the Town of Berthoud "Dark Sky" regulations.

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

D. *Hours of operation*. All ~~commercial~~ illuminated signs ~~within 150 linear feet of a pre-existing residential structure or use, and visible from that structure,~~ shall be ~~dimmed to one-half the standard illumination level between the hours of 11:00 p.m. and 6:00 a.m. unless the hours outside those listed above are part of the normal business operation~~turned off at close of business.

~~1. A residence shall be deemed "pre-existing" for purposes of this Section if it has a valid building permit in effect for construction of said structure or if construction of said structure was complete on or prior to the effective date of this Section.~~

~~2. Signage facing residential property must be able to extinguish or dim any lighting during the period listed above in order to avoid an unreasonable impact to residential properties.~~

30-7-108 Sign installation, ~~and~~ maintenance, alteration and removal

A. *Sign installation*.

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

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

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

B. *Sign maintenance*.

1. All signs and all components thereof, including sign structures and sign faces, shall be kept neatly painted, in a good state of repair and in compliance with all building and electrical codes in force at the time of installation.

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

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

C. *Sign alteration.*

1. Any alteration to an existing sign, other than for a change of copy or for maintenance, shall require a new sign permit pursuant to Section 30-7-102 *Sign permits*.

2. Sign alterations shall include, without limitation:

   a. Changing the size of the sign.

   b. Changing the shape of the sign.

   c. Changing the material of which the sign is constructed.

   d. Changing or adding lighting to the sign.

   e. Changing the location of the sign.

   f. Changing the height of the sign.

D. *Sign removal* ***(Formerly Sec. 30-7-104 Enforcement)***

1. *Discontinued establishments*. Whenever a business, industry, service or other use is discontinued, the sign(s) pertaining to the use shall be removed or obscured by the person or entity owning or having possession over the property within 60 days after the discontinuance of such use.

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

3. *Repair and removal of abandoned, poorly maintained signs/signs in violation of Code*. The Town may cause the repair or removal of any sign that has become a hazard to public safety due to poor construction or maintenance. Signs in violation of any other provision of this Code may also be removed by the Town.

4. *Storage of removed signs*. Signs removed in compliance with this Section shall be stored by the Town for 30 days, during which they may be recovered by the owner only upon payment to the Town for costs of removal and storage. If not recovered within the 30-day period, the sign and supporting structure shall be declared abandoned and title shall vest with the Town. The costs of removal and storage (up to 30 days) may be billed to the owner.

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

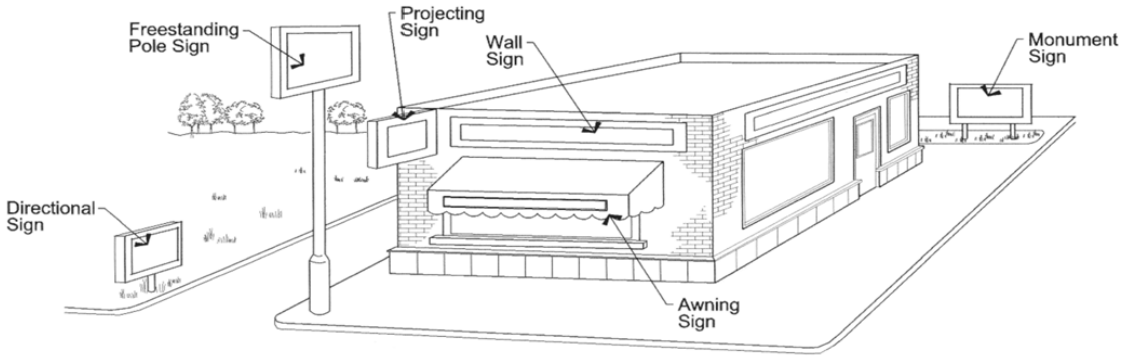
5.6. *Penalties.* Illegal Ssigns which are not permitted by this Code shall be subject to administrative remedies of the Codecontained herein.

30-7-109 ~~Allowable sizes and specifications by type of sign~~ Permanent sign standards

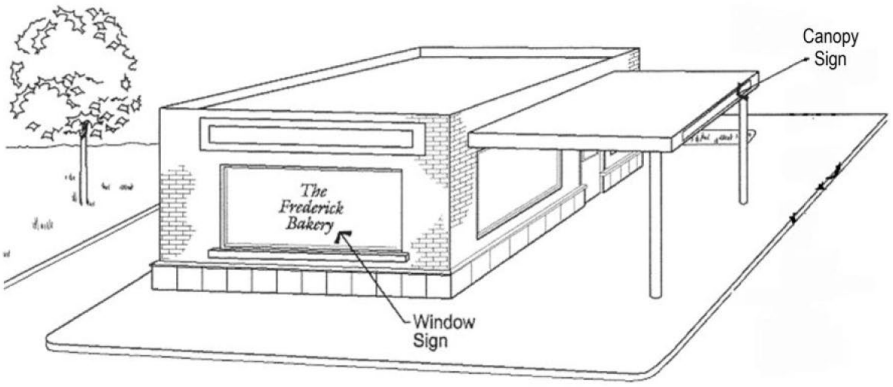
A. ~~*Sign examples*~~ *Permitted permanent sign types*. The illustration~~s~~ in Figure 7. 5 ~~Sign examples below~~ i~~dentifies~~ identify the types of permanent signs permitted per this Section.

1. All permanent signs shall be located off the street right-of-way, unless otherwise granted permission for such location by the Town or the Colorado Department of Transportation (CDOT).

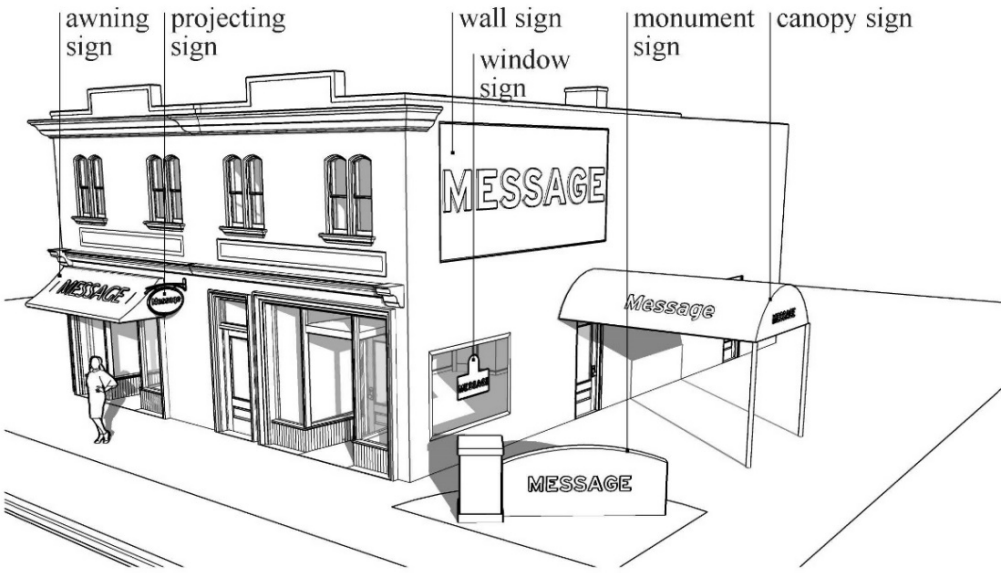
Figure 7. ~~8~~5: ~~Sign examples~~ Permanent Sign Types



SIGNS



SIGNS



B. ~~*Allowable sign areas*~~ *Sign allowance*.

1. ~~*Business*~~ *Non-residential signs*. All businesses and other non-residential properties within the Town are allowed ~~the following total square footage~~ permanent signage ~~in~~ of any ~~form on the property: All sign~~ type (~~pole~~ monument, wall, projecting, canopy, awning, etc.) ~~may be allowed per this Code~~ within the square footage totals identified below and other limitations of this Section:

   a. Two square feet for each linear foot of building up to 200 linear feet of building frontage and an additional one square foot for each linear foot of building frontage over 200 feet. Unless specifically stated otherwise in this Section, the maximum size of any single sign is 288 square feet (12 feet by 24 feet). Any request for a larger single sign will be reviewed by the Planning Commission as a variance to this Section, in accordance with Section 30-3-108 *Board of Adjustment*.

   b. Where the linear frontage of all buildings is less than 30 percent of the total lot frontage, allowable sign sizes are two square feet of sign for each linear foot of building and an additional one square foot of sign for each linear foot of property frontage (less the linear building frontage).

   ~~c. Where owners of property over ten acres in size with no building upon it are seeking a sign, up to one square foot of sign area is allowed for each linear foot of property frontage. Such requests will be processed administratively unless Staff determines that the proposal does not fit within the context of the site or neighborhood; at which time the request will be reviewed by the Planning Commission as a variance to this Section 7.~~c. Accessory wall signs count toward the total sign allowance and are limited to no more than 20% of the total wall sign allowance each.

2. *Residential signs*. All residential properties within the Town are allowed permanent signage of any type (monument, wall, projecting, canopy, awning, etc.) within the square footage totals identified below and other limitations of this Section:

   a. The sign allowance for multi-family residential or mixed-use development shall be within the same limits as non-residential signage; see subsection B 1. above, with the following exception: all home-based business signs are limited to no more than two square feet in size.

b. All home-based business signs or other signs allowed within residential districts on lots with single-family or two-family dwellings are limited to no more than two square feet in size.

C. *Awning signs*. An awning sign is a sign which is painted, printed, stitched, sewn or stained onto the exterior of an awning. An awning is a movable or permanent shelter supported entirely from the exterior wall of a building and composed of non-rigid materials except for the supporting framework.

1. *General standards*. The following standards apply to all awning signs:

a. *Location.* Signs may be placed only on awnings that are located on first- and second-story building frontages, including those fronting a parking lot or pedestrian way.

b. No awning sign shall project outside the face of an awning.

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

2. *Awning sign specifications*. Specifications regulating awning signs include are shown on Table 7.1:

a.	Quantity	One per window
b.	Width	max. is width of window
c.	Height	n/a
d.	Depth/projection	max. seven feet from building façade
e.	Clearance	minimum eight feet
f.	Letter height	variable
g.	Valance height	max. 12 inches
h.	Illuminated	Allowed
i.	Allowed zones	R4, C1, C2, M1, M2, PUD

Table 7.1 Awning sign standards

Zones Allowed	R4, C1, C2, M1, M2, SC, UC, PUD
Sign Permit Required	Yes
Maximum Number	One per window
Maximum Area	Within sign allowance
Maximum Width	Width of window
Maximum Letter Height	Variable
Maximum Valance Height	12 inches
Maximum Projection	Seven feet
Minimum Clearance	Eight feet
Illumination Allowed	Yes; under awning and directed downward

Figure 7.6 Awning sign detail

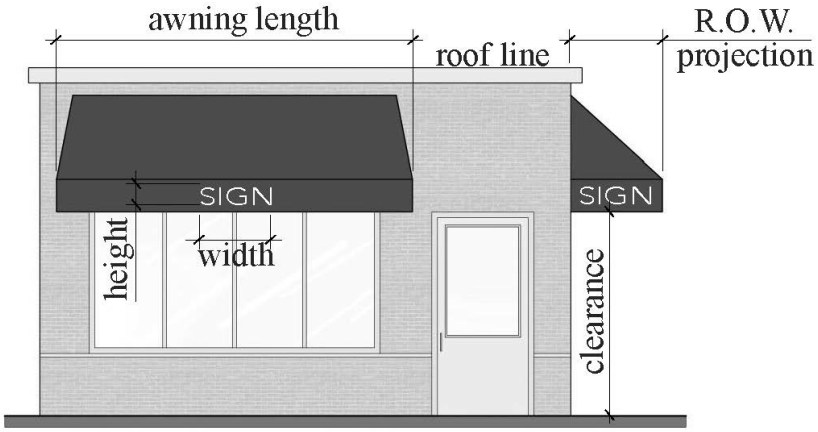


Figure 7.7 Awning sign example

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

1. *General standards*. The following standards apply to all canopy signs:

   a. No canopy, with or without signage, shall extend above the roof line of any building.

   b. No canopy sign shall project above the top of the canopy upon which it is mounted.

   c. Under-canopy signs which are perpendicular to the face of the building shall be deemed to be projecting ~~or blade wall~~ signs.

   d. Under-canopy signs which are parallel to the face of the building shall be a minimum of eight feet above finished grade and shall be deemed to be ~~flush~~ wall signs.

~~2. *Required maintenance*. Canopies shall be regularly cleaned and kept free of dust, debris and visible defects.~~

2. *Canopy sign specifications*. Specifications regulating canopy signs ~~include~~ are shown on Table 7.2:

~~a.~~	~~Quantity~~	~~One per canopy face~~
~~b.~~	~~Width~~	~~25 feet~~
~~c.~~	~~Height~~	~~18 inches~~
~~d.~~	~~Depth/projection~~	~~max. 20 feet from face of building~~
~~e.~~	~~Clearance~~	~~minimum 12 feet from finished grade~~
~~f.~~	~~Letter height~~	~~min. five inches, max. 12 inches~~
~~g.~~	~~Illuminated~~	~~Allowed under canopy and directed downward~~
~~h.~~	~~Allowed zones~~	~~R4, C1, C2, M1, M2, PUD~~

Table 7.2 Canopy sign standards

Zones Allowed*	R4, C1, C2, M1, M2, SC, UC, PUD
Sign Permit Required	Yes
Maximum Number	One per canopy face
Maximum Area	38 square feet
Maximum Width	25 feet
Maximum Height	18 inches
Letter Height	Min. five inches/max. 12 inches
Maximum Valance Height	12 inches
Maximum Projection	20 feet from face of building
Minimum Clearance	12 feet from finished grade
Illumination Allowed	Yes; under canopy and directed downward

*Canopy signs are not permitted in the Residential Conversion or Downtown Commercial character areas within the Mountain Avenue Overlay District

Figure 7.~~7~~ 8 Canopy sign detail

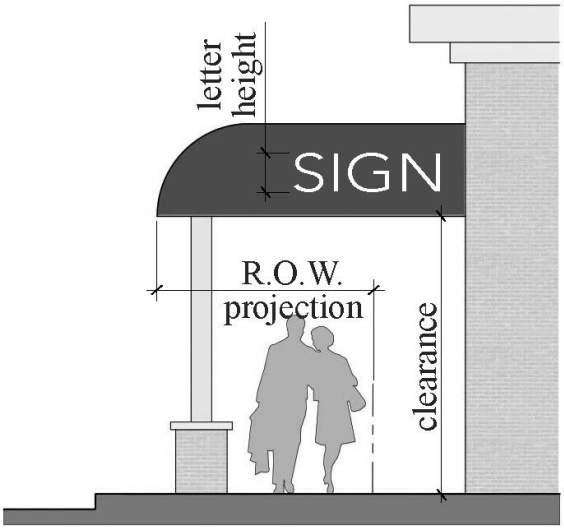


Figure 7.~~8~~ 9 Canopy sign example

E. ~~Freestanding and~~ *Monument signs*. ~~A freestanding sign is a sign which is supported by one or more columns, uprights, poles or braces extended from the ground, or which is erected on the ground. A freestanding sign shall also include monument signs and pole signs but not a sign attached to any structure.~~

1. *General standards*. The following standards apply to all monument signs:

a. *Location.*

i. ~~The~~ A monument sign may be located only on a site frontage adjoining a public street.

ii. No ~~freestanding~~ monument sign in any zoning district can be erected closer than eight feet from any curbline, nor closer than four feet to any building.

iii. No ~~freestanding~~ monument signs in any business ~~and~~ or industrial district~~s~~ may be located less than 25 feet from any property line adjacent to a residential zoning district line.

b. *Sign mounting.* The sign shall be mounted on ~~one or more posts or have~~ a solid monument-type base. ~~Posts shall not have a diameter greater than 12 inches.~~ The sign base ~~may~~ shall not be greater than 50% of the sign area.

~~*Pole signs*. Pole signs shall not be so large as to obscure the patterns of front facades and yards.~~

c. *Monument sign design.* The design of a monument sign shall be consistent with the overall scale of the building. The design and placement of the sign shall not obstruct traffic safety sight distance areas. ~~Project monument signs shall contain only the name and address of the project which it identifies.~~

d. *Monument sign landscaping requirements.*

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

ii. Landscaping shall be provided at the base of the supporting structure equal to twice the area of one face of the sign. For example, 20 square feet of sign area equals 40 square feet of landscaped area.

iii. The Planning Commission may reduce or waive this requirement if it is determined that the additional landscaping would not contribute significantly to the overall aesthetic character of the project.

2. ~~*Freestanding and*~~ *Monument sign specifications*. Specifications regulating ~~freestanding and~~ monument signs ~~include~~ are shown on Table 7.3 and Table 7.4:

~~a.~~	~~Quantity~~	~~One per project entrance~~
~~b.~~	~~Width~~	~~n/a~~
~~c.~~	~~Height~~	~~less than 12 feet~~
~~d.~~	~~Depth/projection~~	~~n/a~~
~~e.~~	~~Clearance~~	~~outside of right-of-way~~
~~f.~~	~~Illuminated~~	~~allowed~~
~~g.~~	~~Allowed zones: freestanding signs Allowed zones: monument signs~~	~~R4, C1, C2, M1, M2, PUD all zone districts~~

Table 7.3 Monument sign standards

Zones Allowed	All, except Downtown Commercial character area within the Mountain Avenue Overlay District
Sign Permit Required	Yes
Maximum Number	One per project entrance
Maximum Area: Residential Use* (height x width)	35 square feet
Maximum Area: Non – Residential Use* (height x width)	100 sq. ft.
Maximum Height *	12 feet
Illumination Allowed	Yes; indirect only
*See Table 7.4 for Mountain Avenue Overlay District character areas	

Table 7.4 Monument sign area, height and setbacks– Mountain Avenue Overlay District

	Berthoud West	Residential Conversion	Berthoud East	Agriculture	New Berthoud
Maximum ~~size of a single sign~~ Area	100 square feet	35 square feet	100 square feet	100 square feet	135 square feet
~~Maximum size per building face~~	~~135 square feet~~	~~32 square feet~~	~~135square feet~~	~~100 square feet~~	~~155 square feet~~
Maximum Height	10 feet	5 feet	10 feet	10 feet	12 feet
Mountain Ave/Highway 56 Setback	5 feet	5 feet	5 feet	10 feet	12 feet
Note: Monument signs are prohibited in the Mountain Avenue Downtown Commercial character district					

Figure 7.10 Monument sign detail

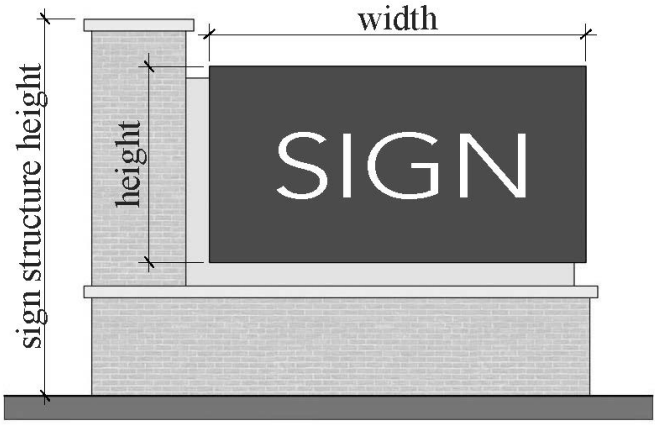
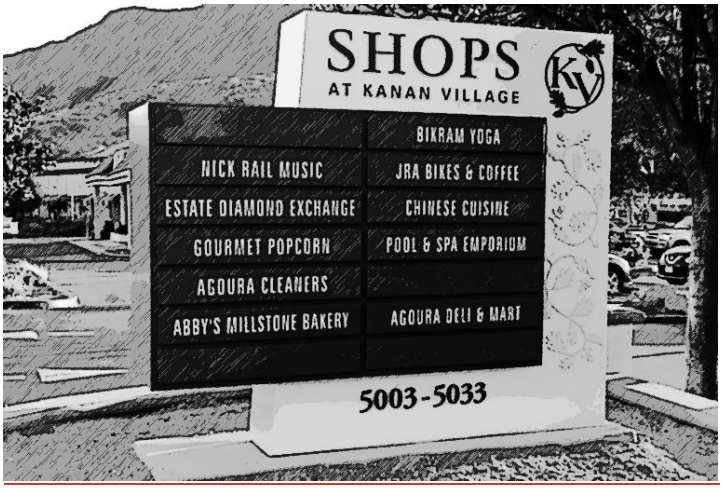


Figure 7.11 Monument sign example: Residential Use

Figure 7.12 Monument sign example: Non-Residential Use



F. *Projecting ~~(blade)~~ signs*. ~~A projecting or blade sign is any sign supported by a building wall and projecting at least 12 inches or more horizontally beyond the surface of the building to which the sign is attached.~~

1. *General standards*. The following standards apply to all projecting signs:

   a. ~~Location.~~ Projecting ~~or blade~~ signs shall be placed only on a ground floor facade, except for businesses located above the ground level with direct exterior pedestrian access.

   b. Projecting signs shall be no higher than wall that it projects from or no higher than bottom of second story window framing

   c. Mount projecting ~~or blade~~ signs so that they align with others in the block and fit with architectural details of the structure.

   d. ~~*Sign structure.*~~ Sign supports and brackets shall be compatible with the design and scale of the sign.

2. *Projecting ~~or blade~~ sign specifications*. Specifications regulating projecting signs ~~include~~ are shown on Table 7.5:

~~a.~~	~~Quantity~~	~~one per façade, two maximum~~
~~b.~~	~~Area~~	~~max. six square feet~~
~~c.~~	~~Width~~	~~max. four feet~~
~~d.~~	~~Height~~	~~no higher than wall that it projects from or no higher than bottom of second story window framing~~
~~e.~~	~~Depth/projection~~	~~max. four feet from face of building unless part of approved canopy or awing~~
~~f.~~	~~Clearance~~	~~minimum eight feet~~
~~g.~~	~~Letter height~~	~~max. ten inches~~
~~h.~~	~~Illuminated~~	~~allowed~~
~~i.~~	~~Allowed zones~~	~~R4, C1, C2, M1, M2~~

Table 7.5 Projecting sign standards

Zones Allowed	R4, C1, C2, SC, UC, M1, M2
Sign Permit Required	Yes
Maximum Number	One per façade; two max.
Maximum Area (height x width)	Six square feet
Maximum Letter Height	10 inches
Maximum Projection	Four feet from face of building
Minimum Clearance	Eight feet from finished grade
Illumination Allowed	Yes; indirect only

Figure 7.13 Projecting sign detail

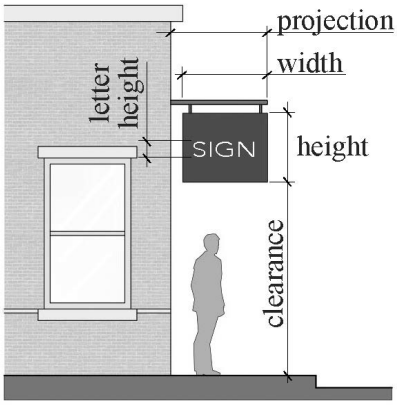
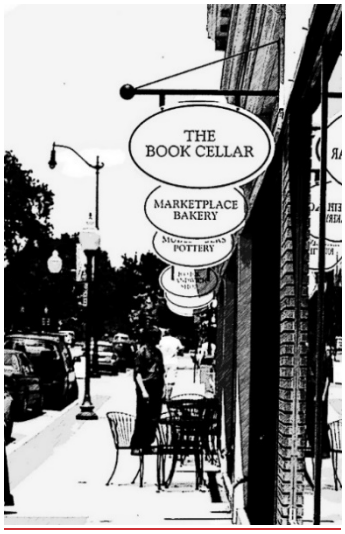


Figure 7.14 Projecting sign example



G. *Wall signs*. ~~A wall sign is any sign painted on, incorporated in or affixed to the building wall, or any sign consisting of cut-out letters or devices affixed to the building wall with no background defined on the building wall.~~

1. *General standards*. The following standards apply to all wall signs:

a. ~~*Location*.~~ The sign shall not be placed to obstruct any portion of a window, doorway or other architectural detail.

~~a.~~b. Wall signs on buildings at the first-floor level are allowed for businesses on higher floors that have a principal entrance on the first floor.

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

~~b.~~c. Wall signs plus accessory wall signs shall be in accordance with Section 30-7-109.B *Sign allowance*.

2. *Wall sign specifications*. Specifications regulating wall signs ~~include~~ are shown on Table 7.6 and Table 7.7:

~~a.~~	~~Quantity~~	~~One (Two for corner buildings)~~
~~b.~~	~~Width~~	~~max. 90 percent of building facade~~
~~c.~~	~~Height~~	~~no higher than building eave or 25 feet above grade~~
~~d.~~	~~Depth/projection~~	~~max. 12 inches~~
~~e.~~	~~Clearance~~	~~minimum seven feet~~
~~f.~~	~~Illuminated~~	~~allowed~~
~~g.~~	~~Allowed zones~~	~~R4, C1, C2, M1, M2~~

Table 7.6 Wall sign standards

Zones Allowed	R4, C1, C2, SC, UC, M1, M2
Sign Permit Required	Yes
Maximum Number	One per street frontage per unit, plus three accessory wall signs
Maximum Area*	Within sign allowance
Maximum Height	No higher than building eave or 25 feet above grade
Maximum Projection	12 inches from face of building
Illumination Allowed	Yes; indirect only
*See Table 7.7 for Mountain Avenue Overlay District character areas	

Table 7.7 Wall sign area – Mountain Avenue Overlay District

	Berthoud West	Residential Conversion	Downtown Commercial	Berthoud East	Agriculture	New Berthoud
Maximum ~~size of a single sign~~Area	100 square feet	35 square feet	60 square feet	100 square feet	100 square feet	135 square feet
~~Maximum size per building face~~	~~120 square feet~~	~~35 square feet~~	~~80 square feet~~	~~120 square feet~~	~~100 square feet~~	~~105 square feet~~

Figure 7.15 Wall sign detail

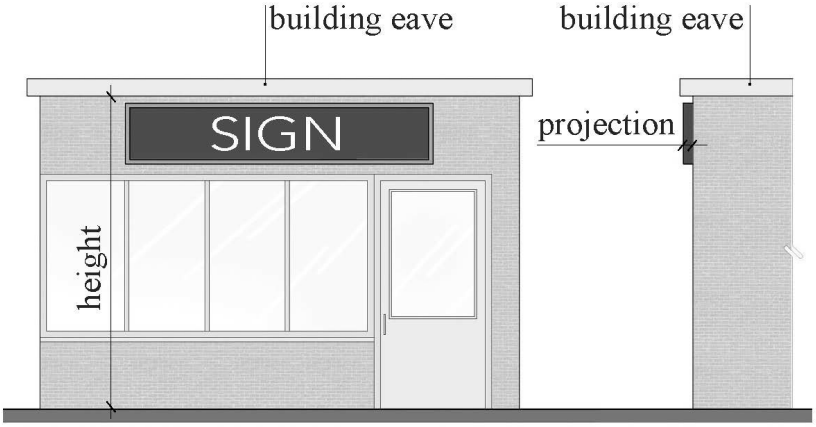
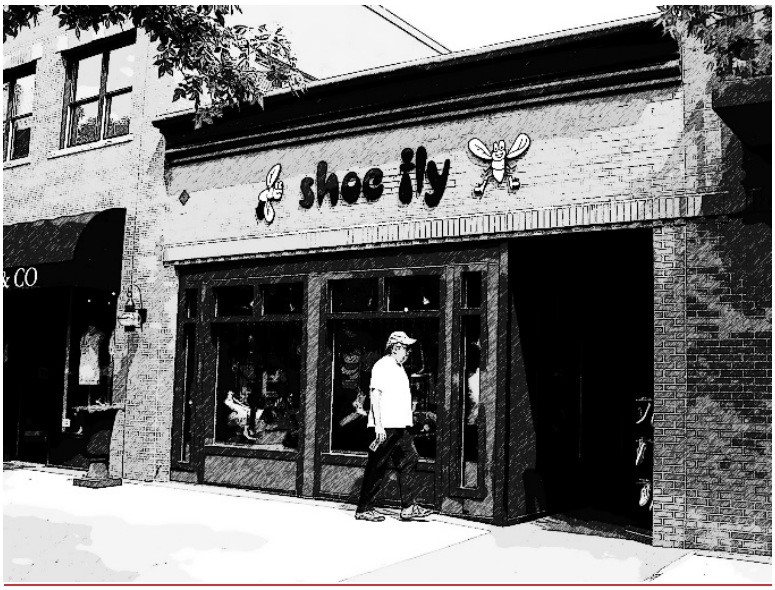


Figure 7.16 Wall sign example



H. *Window signs*.

1. *General standards*. The following standards apply to all permanent window signs:

   a. Permanent window signs shall be located only in those windows of the unit or space occupied by a business.

   b. Permanent window signs shall not be displayed in windows above the ground floor level.

   c. Permanent window signs shall not be animated.

   d. When determining the maximum permitted number and the maximum permitted area of permanent signs, temporary window signs shall not be taken into account unless otherwise specified or regulated in this Development Code. However, in no case shall a permanent, temporary, or combination of such window signs cover more than 25 percent of any individual window area.

2. *Window sign specifications*. Specifications regulating window signs are shown on Table 7.8:

Table 7.8 Window sign standards

Zones Allowed	C1, C2, SC, UC, M1, M2
Sign Permit Required	Yes
Maximum Number	Unlimited, within maximum area
Maximum Area	25 percent of any individual window area
Maximum Height	Top of ground floor window
Illumination Allowed	Neon only

Figure 7.17 Window sign detail

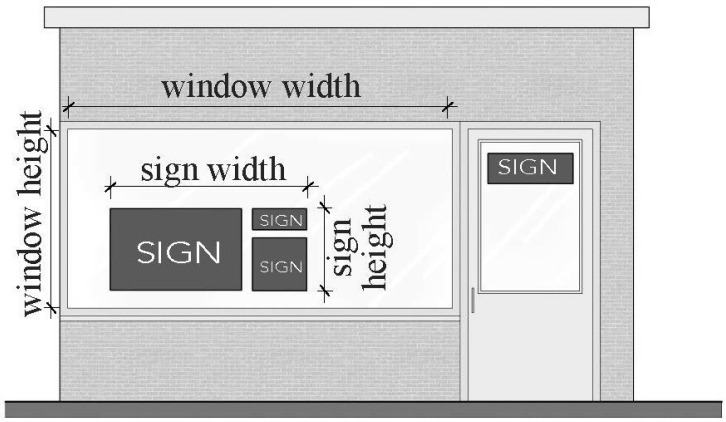


Figure 7.18 Window sign example

~~J. *Standard brand-name signs*. A standard brand-name sign is any sign devoted to the advertising of any standard brand-name commodity (Coca-Cola, Pepsi, etc.) or service (carpet cleaning) which is not the principal commodity or service being sold or rendered on the premises, or are not a part of the name or business concern involved.~~

~~1. *Maximum area*. Not more than 20 percent of the total allowable sign area for any permitted use shall be devoted to the advertising of any standard brand-name commodity or service.~~

~~K. *Special event — business*. Temporary signs and banners for grand openings or special events by for-profit organizations. For a business special event, signage will be authorized by permit from the Town and may include the following:~~

~~a. portable signs, promotional tents or signs not permanently affixed or attached to the ground or to any structure,~~

~~b. inflatable freestanding signs or forms of any size or shape including but not limited to: wind puppets, sky guys, sky dancers, air dancers, advertising balloons, inflatable product replicas, blimps, spheres, etc.~~

~~c. Wind signs including but not limited to wind wavers, feather flags, banana flags, flex blades, etc.~~

~~Business special event signage is allowed under the following provisions:~~

~~a. It is displayed in conjunction with a grand opening celebration for a period not to exceed 30 days, or~~

~~b. It is displayed in conjunction with a special sale for a period not to exceed 30 days in a one year period.~~

~~c. It is displayed no more than two times per calendar year per establishment.~~

~~d. It is securely attached to the ground on private property.~~

~~e. All such signs shall be located off the street right-of-way, unless otherwise granted permission for such location by the Town or the Colorado Department of Transportation (CDOT). In no case may any such sign impede the view or travel of any motorists or pedestrians or be attached to any structure within the right-of-way (government signs, telephone poles, etc.).~~

30-7-110 ~~—30-7-xxx Reserved~~ Temporary sign standards

A. *Permitted temporary sign types.* The illustrations in Figure 7.19 identify the types of temporary signs permitted per this Section.

1. All ~~such~~temporary signs shall be located off the street right-of-way, unless otherwise granted permission for such location by the Town or the Colorado Department of Transportation (CDOT). In no case may any such sign impede the view or travel of any motorists or pedestrians or be attached to any structure within the right-of-way (i.e., may not be attached to a government sign~~s~~, telephone pole~~s~~, etc.).

B. *Duration.* The purpose of temporary signs is to display messages for a temporary duration. Temporary signs shall not be used to circumvent the regulations that apply to permanent signs or to add permanent signage to a property in addition to that which is allowed by these regulations. In general, a temporary sign shall be removed as of the date that:

1. It becomes an abandoned sign;

2. It falls into disrepair; or

~~1.~~3. The expiration of the number of days in the tables below.

Figure 7.19: Temporary Sign Types

A.C. *Banners signs*. Banners applied to paper, plastic or fabric used to decorate or attract attention to a business establishment, provided:

a. It is displayed in conjunction with a grand opening celebration for a period not to exceed 30 days, or

b. It is displayed in conjunction with a special sale for a period not to exceed 30 days in a one-year period.

c. It is displayed no more than two times per calendar year per establishment.

d. It is securely attached to the wall of the establishment, freestanding signs or light poles on private property.

e. One single-sided banner per street frontage per establishment shall be permitted.

1. *Special event limitation*. Temporary banners signs are limited to special events as defined in Sec. 30-1-116 Definitions. This limitation also extends to portable signs, promotional tents or other signs not permanently affixed or attached to the ground or to any structure, with the exception of site signs, yard signs and sandwich boards signs as regulated in this Section.

2. *General standards.* The following standards apply to all banner signs:

a. Signs shall be erected no sooner than 30 days prior and removed no later than five days after the event.

b. It is Banners shall be securely attached to the wall of the establishment, freestanding signs or light poles on private property.

c. It is Wind banner signs shall be securely attached to the ground on private property.

d. All such signs shall be located off the street right-of-way, unless otherwise granted permission for such location by the Town or the Colorado Department of Transportation (CDOT). In no case may any such sign impede the view or travel of any motorists or pedestrians or be attached to any structure within the right-of-way (government signs, telephone poles, etc.).

1.3. *Banner sign specifications*. Specifications regulating banner signs are shown on Table 7.9:

Table 7.9 Banner sign standards

Zones Allowed	All
Sign Permit Required	Yes
Maximum Number	One per street frontage
Maximum Area: (height x width)	32 square feet
Illumination Allowed	No
Maximum Time Permitted	30 days; no more than two times per calendar year

Figure 7.20 Banner sign detail – ground mount

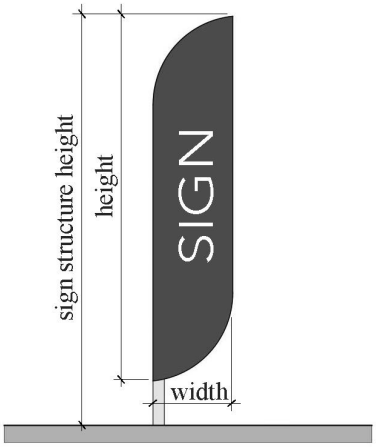


Figure 7.21 Banner sign example – ground mount

Figure 7.22 Banner sign example – wall mount

~~B.~~D. *Sandwich board signs.* ~~Up to one sandwich board type sign is allowed along Mountain Avenue for businesses in the C1 or C2 zone districts located further than one block north or south of Mountain Avenue between 2nd Street and 5th Street, or within the one block dimension but outside of the normal line-of-sight of motorists on Mountain Avenue.~~

1. General standards. The following standards apply to all sandwich board signs:

   a. A sandwich board sign shall be placed only on the property of the business displaying such sign, or on the adjacent sidewalk. See Section 30-7-111 Off-premise sign standards regarding sign permits issued prior to _____, 2024 for off-premise sandwich boards.

   ~~a.~~b. All such signs shall be located off the street right-of-way, unless otherwise granted permission for such location by the Town or the Colorado Department of Transportation (CDOT).

   ~~b.~~c. Sandwich board signs must be removed upon close of business each day and may be replaced the following day.

   d. Plastic ~~signs~~ sandwich board frames are not allowed.

   e. A sandwich board sign shall not obstruct pedestrian or vehicular circulation. Any sandwich board sign that is deemed unsafe for pedestrians or motorists may be removed by the Town.

   ~~c.~~f. Sandwich board signs must be anchored to the ground or weighted sufficiently to prevent movement by wind.

2. Sandwich board sign specifications ~~include~~. Specifications regulating sandwich board signs are shown on Table 7.10:

~~a.~~	~~Quantity~~	~~one~~
~~b.~~	~~Area~~	~~max. eight square feet~~
~~c.~~	~~Width~~	~~max. 24 inches~~
~~d.~~	~~Height~~	~~max. 48 inches~~
~~e.~~	~~Depth/projection~~	~~n/a~~
~~f.~~	~~Clearance~~	~~n/a~~
~~g.~~	~~Illuminated~~	~~no~~
~~h.~~	~~Allowed zones~~	~~within area described above~~

Table 7.10 Sandwich board sign standards

Zones Allowed	C1, C2, SC, UC
Sign Permit Required	Yes
Maximum Number	One
Maximum Area (height x width)	Eight square feet
Maximum Height	48 inches
Maximum Width	24 inches
Min. Pedestrian Clearance	Four feet
Illumination Allowed	No
Maximum Time Permitted	Daily; subject to C. 1.c. above

Figure 7.23 Sandwich board sign detail

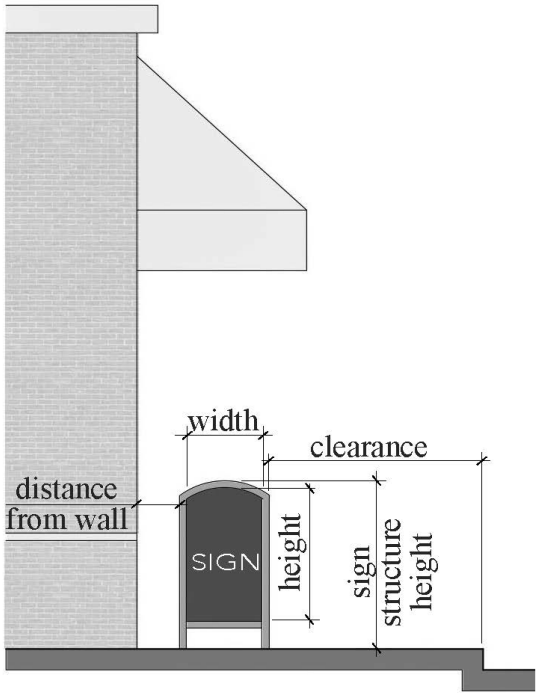


Figure 7.24 Sandwich board sign example

E. *Site Signs.*

1. *General standards.* The following standards apply to all site signs:

a. Site signs are ~~intended for vacant land parcels~~only allowed on properties with active listings for sale or for rent, or on lots under construction with active building permits, and are not permitted on parcels with existing or built-out residential or non-residential uses.

b. Only one such sign oriented per street front per premises shall be erected. Any two such signs located on the same premises shall be located at least 100 feet apart as measured using a straight line.

~~b.~~c. See Sec. 30-5-102 J *Signage* for construction rules and regulations associated with site signs.

~~c. Such signs shall be removed within seven days after completion of the project or event.~~

2. *Site sign specifications*. Specifications regulating site signs are shown on Table 7.11:

Table 7.11 Site sign standards

Zones Allowed	All
Sign Permit Required	No
Maximum Number	One per street frontage
Maximum Area: Residential Zone	Eight square feet, unless otherwise specified in E. 1.c above
Maximum Area: Non – Residential Zone	32 square feet
Illumination Allowed	No
Maximum Time Permitted	Seven days after active listing or building permit has expired.

Figure 7.25 Site sign example

F. *Yard signs.*

1. *General standards.* The following standards apply to all yard signs:

a. Yard signs shall not be erected or placed in parks, alleys or in a street or other public right-of way or place.

b. Unless otherwise specified herein, yard signs shall be displayed not more than twice per year per dwelling unit.

~~a.~~c. An unlimited number of yard signs are permitted within 60 days before and five days after any general or special election.

2. *Yard sign specifications*. Specifications regulating yard signs are shown on Table 7.12:

Table 7.12 Yard sign standards

Zones Allowed	All
Sign Permit Required	No
Maximum Number	One per street frontage, unless otherwise specified in F. 1 above
Maximum Area: Residential Use	Eight square feet
Maximum Area: Non – Residential Use	32 square feet
Illumination Allowed	No
Maximum Time Permitted	Five days, or seven days after an active listing has expired, unless otherwise specified in F. 1. above

Figure 7.26 Yard sign examples

30-7-111 Off-Premise sign standards

A. *General requirements*

1. Off-premises signs, also known as off-site signs, are permitted with a ~~conditional use~~ Use by Special Review permit.

~~Business or historic district identification signs. A business district identification sign is an off-premises sign for the identification of a historic district, specific business district, activity node as identified in the Comprehensive Plan, or a business improvement or redevelopment area approved by the Town. Business or historic district signs shall not:~~

~~a. Interfere with pedestrian or vehicular safety;~~

~~b. Detract from the pedestrian quality of the surrounding area; or~~

~~c. Add to an over-proliferation of signs on one property or in an area.~~

~~2. Church and civic club off-premise signs. A church or civic club off-premise sign is intended to direct people to the church or civic club and/or state meeting dates and times. Such signs shall not:~~

~~a. Interfere with pedestrian or vehicular safety;~~

~~b. Detract from the pedestrian quality of the surrounding area;~~

~~c. Add to an over-proliferation of signs on one property or in an area;~~

~~d. Be allowed for any organization that does not have "non-profit" status;~~

~~e. Measure more than four square feet; or~~

~~f. Number more than five for any organization.~~

~~3. Subdivision or development directional signs. The Town may work with an applicant to provide directional signs to subdivision and neighborhood developments while those developments are in active development. Directional signs may be placed outside of the right-of-way along arterial and/or collector roadways within the Town. The location and form of all off-site subdivision or development signs requires approval by the Town. The message of said signs shall be limited to the name of the property or development being advertised, an address, a telephone number/website address, a directional arrow, mileage to the subject property and the terms "Lot(s)/Home(s) for sale".~~

2. Off-premises signs shall not:

   a. Interfere with pedestrian or vehicular safety;

   b. Detract from the pedestrian quality of the surrounding area;

   c. Add to an over-proliferation of signs on one property or in an area; or

   d. Measure more than 4 square feet in area, except for sandwich board signs.

B. *Billboard signs*. No new billboard signs are allowed within the Town of Berthoud after May 4, 2012. Billboard signs in existence on May 3, 2012 are considered legal and non-conforming, subject to the requirements of this Code with respect to non-conforming uses.

C. *Off-premise sandwich board signs.* Sign permits issued prior to _____, 2024 remain in effect for existing off-premise sandwich board signs associated with businesses located further than one block north or south of Mountain Avenue between 2nd Street and 5th Street, or within the one block dimension but outside of the normal line-of-sight of motorists on Mountain Avenue. After _____, 2024 no additional sign permits for off-premise sandwich board signs will be issued. No new off-premise sandwich board signs are allowed.

SECTION 7 SIGNS

30-7-101 General provisions

A. *Purpose.* The regulations in this Section are intended to coordinate the use, placement, physical dimensions, and design of all signs within the Town. These regulations are established to safeguard the health, safety, convenience, order and welfare of all residents of the Town. The Town recognizes that signs may act as a visual means of communication between the public and businesses and those businesses have an expectation of using signs to identify and advertise themselves. In addition, the purpose of these regulations is to:

1. Recognize that signs are a necessary means of visual communication for the convenience of the public and provide flexibility within the sign review/approval process to allow for unique circumstances and creativity.
2. Recognize and ensure the right of those concerned to identify businesses, services and other activities by the use of signs, and not limit signs which are accessory and incidental to the use on the premises where such signs are located.
3. Provide a reasonable balance between the right of an individual to identify his or her business and the right of the public to be protected against the visual discord resulting from the unrestricted proliferation of signs and similar devices.
4. Protect the public from damage or injury caused by signs that are poorly designed or maintained.
5. Ensure signs are well-designed and contribute in a positive way to the Town's visual environment, express local character, and help develop a distinctive image for the Town of Berthoud.
6. Encourage signs that are responsive to the aesthetics and character of their particular location, adjacent buildings and uses, and the surrounding neighborhood. Ensure signs are compatible and integrated with the building's architectural design and with other signs on the property.
7. Ensure signs are appropriate for the type of street on which they are located.
8. Ensure signs adhere to the Town’s Dark Sky regulations.
9. Enhance property values and business opportunities.
10. Assist in wayfinding.
11. Provide fair and consistent permitting and enforcement.

B. *Intent.* It is the intent of these regulations to provide for the proper control of signs in a manner consistent with the First Amendment guarantee of free speech. It is not the intent of these regulations to regulate signs based on the content of their messages. Rather, these regulations advance important, substantial, and compelling governmental interests.

1. The incidental restriction on the freedom of speech that may result from the regulation of signs hereunder is no more than is essential to the furtherance of the important, substantial, and compelling interests that are advanced by these regulations.
2. The Town has an important and substantial interest in preventing sign clutter (which is the proliferation of signs of increasing size and dimensions as a result of competition among property owners for the attention of passing motorists and pedestrians), because sign clutter:
    a. Creates visual distraction and obstructs views, potentially creating a public safety hazard for motorists, bicyclists, and pedestrians;
    b. May involve physical obstructions of streets or sidewalks, creating public safety hazards;

c. Degrades the aesthetic and essential historic character of the Town, making the Town a less attractive place for tourism, commerce, and private investment; and

d. Dilutes or obscures messages displayed along the Town's streets through the proliferation of distracting structures and competing messages.

3. The Town has a substantial and/or compelling interest in preventing traffic accidents.

4. The Town has a substantial and/or compelling interest in preventing negative impacts associated with temporary signs. Temporary signs may be degraded, damaged, moved, or destroyed by wind, rain, snow, ice, and sun, and after such degradation, damage, movement, or destruction, such signs harm the safety and aesthetics of the Town's streets if they are not removed.

C. *Relationship to other regulations.* The provisions of these regulations shall apply to the display, construction, erection, alteration, use, maintenance, and location of all signs within the Town.

1. Nothing contained in this Section shall be deemed a waiver or variance of the provisions of any other provisions of the Development Code as applicable to signs.

2. If any provision of this Section conflicts with any other adopted Town code that regulates signs, the more restrictive standard shall apply provided, however, to the extent an approved, unexpired and currently effective Planned Unit Development as described in Section 30-3-104 R *Planned Unit Development (PUD) Overlay District* includes specific sign allowances and/or restrictions that directly conflict with these regulations, the approved PUD regulations shall apply to the extent of the conflict. In lieu thereof, the property owner may elect to fully comply with these regulations in the area of the conflict.

3. The Town recognizes other regulations pertaining to signage (i.e., State of Colorado, Department of Highways, "Rules and Regulations Pertaining to Outdoor Advertising," effective January 1, 1984, and as may be amended).

4. The content of signs related to marijuana businesses is restricted by state laws and regulations, and both the advertising and sale of marijuana are prohibited by federal law. The Town has no authority to supersede state or federal marijuana laws.

5. Nothing in this Section shall be construed as a defense to a violation of applicable state or federal law.

6. Where any provision of this Section covers the same subject matter as other Town, state or federal regulations, the more restrictive regulation shall apply.

30-7-102 Sign permits

A. *Sign permit required*. To ensure compliance with the regulations of this Section, a sign permit shall be required in order to erect, move, alter, reconstruct or repair any permanent or temporary sign, except signs that are exempt from permits under Section 30-7-103 *Exempt signs*.

1. In multiple tenant buildings, a separate permit shall be required for each business entity's sign(s).

2. Separate building and electrical permits may be required for signs and will be determined on a case-by-case basis.

3. Changing or replacing the copy on an existing lawful sign shall not require a permit.

B. *Comprehensive sign plan.* A comprehensive sign plan is required as a part of the development review process for all commercial projects with multiple lots or buildings or multiple tenants. Comprehensive sign plans are also required for all new signs on multiple tenant buildings or centers with multiple lots.

1. For any multi-tenant center, industrial park or other unified form of commercial site development or redevelopment, the applicant shall submit a comprehensive sign plan with a sign permit application that consists of coordinated and/or shared signage for the entire development.

2. A comprehensive sign plan shall be in accordance with the following criteria:

   a. Signs shall meet the design criteria established in Section 30-7-106 *Sign design*.

   b. After reviewing an applicant's submittal of a comprehensive sign plan, the Director may vary standards for area, height and number of individual signs during sign permit review.

   c. The Director may approve up to a twenty percent (20%) change in one or more dimensional or numerical standards based on the applicant demonstrating the change is warranted by a comprehensive sign plan which represents exceptional design.

C. *Application*. Applications for sign permits shall be made in writing on forms furnished by the Town. The application shall contain:

1. The location by street number of the proposed sign structure;

2. Names and addresses of the owner, sign contractor and sign erectors;

3. Legible site plans which include the specific location of the sign and setbacks to adjacent property lines and buildings;

4. A detailed drawing indicating the dimensions, materials, and colors of the proposed sign structure. A certification by a registered professional structural engineer may be required by staff for a monument or projecting sign;

5. A description of the lighting to be used, if applicable and a narrative detailing how the proposed lighting will be compliant with the Town's Dark Sky regulations;

6. If the sign is to be located off the premises in compliance with Section 30-7-111 *Off-Premise sign standards*, a written lease or permission from the property owner of the site on which the sign will be located; and

7. Sign permit fee as established by the current fee schedule.

D. *Staff review and approval.*

1. Within a reasonable period of the date of application submission, staff shall either certify the application is complete and in compliance with all submittal requirements or reject it as incomplete and notify the applicant in writing of any deficiencies. The applicant shall address deficiencies and resubmit application materials.

2. When staff has determined the application to be complete, staff shall review the sign permit in accordance with the established review criteria and has the authority to approve, approve with conditions or deny the sign permit. Upon staff's approval of the sign permit, the sign permit and any building or electrical permits required for the sign shall be issued to the applicant.

E. *Review criteria*. The following review criteria will be used by the Town to evaluate all sign permit applications:

1. Sign meets the requirements of this Section;

2. Sign conforms to the requirements of the building and electrical code;

3. Sign conforms to the size, height, material and location requirements of the Zoning Code for the zoning district in which it is located;

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

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

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

7. Sign would not detract from the pedestrian quality of a street or area, if applicable;

8. Sign meets the Town's Dark Sky regulations;

9. Sign would not add to an over-proliferation of signs on a property or area; and

10. Sign structure and location are consistent with the purpose and intent of this Section.

F. *Appeal*. Any appeal of Town's denial of a sign permit or approval with conditions shall be made to the Board of Adjustment as provided in Chapter 30, Section 3: Zoning, of the Development Code.

30-7-103 Exempt signs

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

1. *General*. Signs that are not visible beyond the boundaries of the lot or parcel upon which they are located and/or from any public thoroughfare or right-of-way, except that such signs shall be subject to the safety regulations of the adopted version of the Uniform Building Code and all other Codes (electrical, mechanical, etc.) governing building construction in the Town.

2. *Bulletin board.* Bulletin board signs not exceeding 12 square feet in gross surface area accessory to a religious institution, school, or other public or nonprofit institution.

3. *Site sign*. Site signs as defined in Sec. 30-1-116 *Definitions* and subject to the standards in Section 30-7-110 *Temporary Sign Standards*.

4. *Directional*. On-premises directional and instructional signs not exceeding six square feet in area each.

5. *Incidental signs.* Incidental signs as defined in Sec. 30-1-116 *Definitions* which do not exceed three square feet in area.

6. *Flags*. Exempt flags include:

   a. for residential properties up to two flagpoles no more than 18 feet high with a combined total of 48 square feet of flag area.

   b. for commercial areas up to two flagpoles of no more than 36 feet high with a combined total of 144 square feet of flag area. Additional flag installations shall be subject to a sign permit and the square footage of any additional flag shall be included in the total sign area permitted for the subject property.

7. *Yard sign.* Yard signs as defined in Sec. 30-1-116 *Definitions* and subject to the standards in Section 30-7-110 *Temporary sign standards*.

8. *Temporary window signs.* Temporary window signs as defined in Sec. 30-1-116 *Definitions,* limited to 25 percent or less of any individual window area.

9. *Text*. No permit shall be required for text or copy changes on conforming or legal nonconforming signs; provided that no structural changes are made to the sign.

10. *Time and temperature*. Signs displaying only time and temperature, not to exceed 6 square feet. Time and temperature devices shall not be included within the measurement of maximum sign area permitted by Section 30-7-109 B *Sign allowance.*

11. *Public signs* as defined at Section 30-1-116 *Definitions*.

12. *Vehicular signs*. Vehicular signs as defined at Section 30-1-116 *Definitions*, provided that the primary purpose of such vehicles is not for the display of signs, and provided that they are parked or stored in areas appropriate to their use as vehicles.

    a. *Projection.* Signs on vehicles shall not project beyond the surface of the vehicle in a manner which creates a hazard to pedestrians, cyclists or other vehicles.

    b. *Prohibitions.* It shall be unlawful to place or store a vehicle with a sign on it in such manner as to increase the permitted sign area or number of signs either on-site or off-site for a non-residential use. Also see Section 30-7-104 A. 12 *Prohibited Signs*.

13. *Handheld signs.* Handheld signs as defined at Section 30-1-116 *Definitions* shall not exceed 20 square feet in area. No person shall place, maintain or otherwise utilize a handheld sign in a manner which obstructs or makes hazardous the free passage of pedestrians and motor vehicles on any street, sidewalk or public right-of-way.

30-7-104 Prohibited signs

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

1. Flashing, rotating, blinking or moving signs, animated signs, signs with moving, rotating or flashing lights or signs that create the illusion of movement.

2. Electronic messaging signs, except signs which convey a static digital message such as a price sign at fueling stations or a time and temperature device.

3. Any sign that is erected in such a location as to cause visual obstruction or interference with motor vehicle traffic, bicycle traffic or traffic-control devices including any sign that obstructs clear vision in any direction from any street intersection or driveway.

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

5. Roof signs.

6. Internally illuminated signs. See Section 30-7-107 *Sign illumination*.

7. Pole signs.

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

9. Off-premises signs, except for temporary sandwich board signs. See Section 30-7-111 *Off- premise sign standards*.

10. Any sign which interferes with free passage from or obstructs any fire escape, downspout, window, door, stairway, ladder or opening intended as a means of ingress or egress or providing light or air.

11. Any sign located in such a way as to intentionally deny visual access to an adjoining property owner's existing sign.

12. Vehicular signs that are on stationary or immobile vehicles or trailers for over seven days including but not limited to, signs painted on or attached to semi-trailers or cargo containers when exhibited on public property or private property adjacent to public right-of-way. Vehicular signs used in connection with a special event and construction trailers are exempted from the requirements of this Section during the duration of the special event or construction project only. Upon the conclusion of the special event, such signs must be removed.

13. Searchlights.

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

15. Abandoned signs, as defined in Section 30-1-116 *Definitions*, (together with its supporting structure). If the sign or sign structure is covered or the identifying symbols or letters removed, an extension of time may be granted by the Town upon good cause for such extension being shown. (This provision shall not apply to permanent signs accessory to businesses which are open only on a seasonal basis, provided that there is clear intent to continue operation of the business).

16. Any sign or sign structure which:

    a. Is structurally unsafe;

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

    c. Is not kept in good repair; or

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

17. Any sign or sign structure which:

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

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

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

30-7-105 Sign measurement

A. *Sign area*. The area of a geometric shape enclosing any message, logo, symbol, name, photograph or display face shall be measured using standard mathematical formulas.

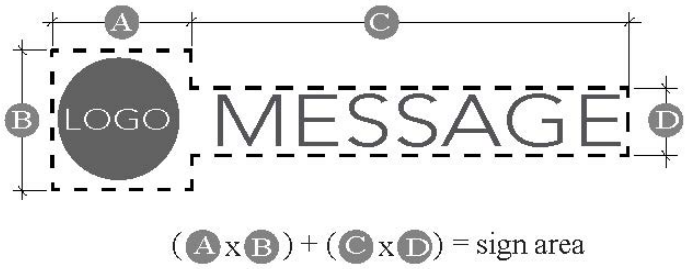
1. *Sign support*. Supporting framework or bracing that is clearly incidental to the display itself shall not be computed as sign area.

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

3. *Three-dimensional signs*. Where a sign consists of one or more three-dimensional objects (i.e. balls, cubes, clusters of objects, sculpture), the sign area is the largest display surface visible from any single direction.

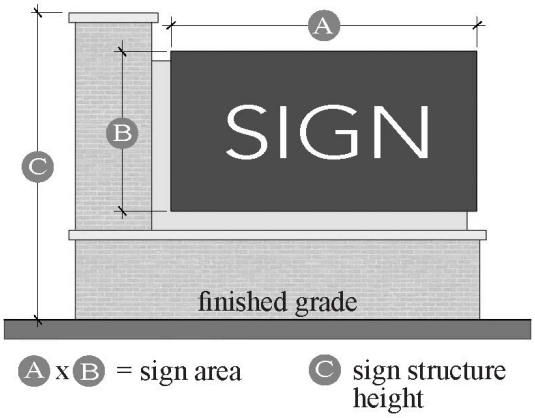
4. *Wall signs*. If a sign is attached to a wall only that portion of the wall onto which the sign face or letters are placed shall be calculated in the sign area, with the following exception: colors used behind or around a sign to differentiate it from the building façade shall be included in the sign area.

Figure 7.1: Sign area measurement



B. *Sign height*. The height of a sign shall be measured from the highest point of a sign structure to the finished grade. When berms are used in conjunction with signage, the height of the sign shall be measured from the mean elevation of the fronting street.

Figure 7.2: Sign area and height measurement



30-7-106 Sign design

A. *Design compatibility*.

1. *Creative design encouraged*. Signs shall make a positive contribution to the general appearance of the street and commercial area in which they are located. A well-designed sign can be a major asset to a building. The Town encourages imaginative and innovative sign design.

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

3. *Additional design considerations.*

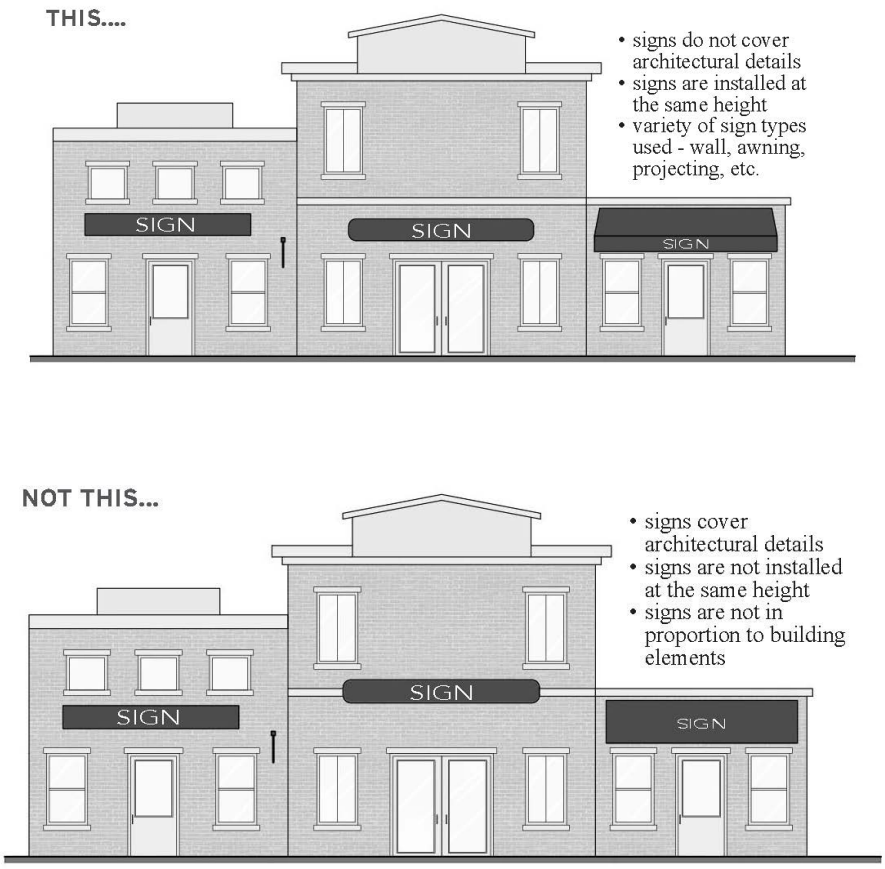
   a. *Visibility*. Signs shall not visually overpower nor obscure architectural features.

   b. *Integrate signs with the building and landscaping.* Carefully coordinate the sign with the architectural design, overall color scheme and landscaping. Signs shall be designed to complement or enhance the other signs for a building.

c. *Unified sign band.* Whenever possible, signs located on buildings with the same blockface shall be placed at the same height, in order to create a unified sign band. Locate wall signs at the first-floor level only for retail uses.

d. *Pedestrian-oriented signs.* Pedestrian-oriented signs are encouraged. It is desirable to include a pedestrian-oriented sign as one of the permanent permitted signs for a business. These signs are designed for and directed toward pedestrians so they can easily and comfortably read the sign as they stand adjacent to the business.

Figure 7.3: Sign placement



4. *Reduce sign impact*. Because residential and commercial uses generally exist in close proximity, the foundation and support structure for signs shall be designed, located and/or screened with landscaping so that they minimize impact on adjacent residential neighborhoods, without impairing the communicative purpose of the sign. Small-scale signs are encouraged.

30-7-107 Sign illumination

A. *External illumination.* Unless otherwise specified, all signs that use illumination shall use indirect lighting as defined in Sec. 30-1-116 *Definitions*.

1. All signs that use illumination shall have their lighting directed in such a manner as to illuminate only the face of the sign without causing glare.
2. Any external light source must be downcast and fully shielded.
3. Projecting light fixtures shall be simple and unobtrusive in appearance, and shall not obscure the graphics of the sign.

B. *Internal illumination prohibited.* Signs shall not be internally illuminated, with the following exceptions:

1. Neon tubing and LED light ropes are acceptable methods of sign design or sign illumination in the commercial and industrial zone districts.
2. The portion of a sign face dedicated to text or characters may be halo lit, as shown in Figure 7.4. No sign cabinets or light boxes with push through lettering shall be internally illuminated.

Figure 7.4: Sign illumination

C. *Compliance*.

1. All sign illumination shall meet the Town of Berthoud "Dark Sky" regulations.
2. All lighted signs shall meet all applicable electrical codes and the electrical components used shall bear the label of an approval agency. Electrical permits shall be obtained for electric signs.

D. *Hours of operation.* All illuminated signs shall be turned off at close of business.

30-7-108 Sign installation, maintenance, alteration and removal

A. *Sign installation*.

1. Where possible, signs shall be mounted so that the mounting brackets and associated mounting hardware are concealed.
2. Projecting signs shall be mounted so they generally align with others in the block.
3. The Town may inspect any sign governed by this Section and shall have the authority to order the repair, alteration or removal of a sign which constitutes a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation or obsolescence.

B. *Sign maintenance*.

1. All signs and all components thereof, including sign structures and sign faces, shall be kept neatly painted, in a good state of repair and in compliance with all building and electrical codes in force at the time of installation.
2. The owner of a sign and the owner of the premises on which such sign is located shall be jointly and severally liable to maintain such sign, including any illumination sources in neat and orderly condition, and in a good working order at all times, and to prevent the development of any rust, corrosion, rotting or other deterioration in the physical appearance or safety of such sign.
3. The owner of any sign regulated by this Section shall be required to keep signs and supporting hardware, including temporary signs and time/temperature signs structurally safe, clean, free of visible defects and functioning properly at all times. Repairs to signs shall be equal to or better in quality of materials and design than the original sign.

C. *Sign alteration.*

1. Any alteration to an existing sign, other than for a change of copy or for maintenance, shall require a new sign permit pursuant to Section 30-7-102 *Sign permits*.
2. Sign alterations shall include, without limitation:
   a. Changing the size of the sign.
   b. Changing the shape of the sign.
   c. Changing the material of which the sign is constructed.
   d. Changing or adding lighting to the sign.
   e. Changing the location of the sign.
   f. Changing the height of the sign.

D. *Sign removal*

1. *Discontinued establishments*. Whenever a business, industry, service or other use is discontinued, the sign(s) pertaining to the use shall be removed or obscured by the person or entity owning or having possession over the property within 60 days after the discontinuance of such use.
2. *Removal of illegal signs in the public right-of-way*. The Town may cause the removal of any sign within the public right-of-way or on property that is otherwise abandoned that has been placed there without first complying with the requirements of this Section.
3. *Repair and removal of abandoned, poorly maintained signs/signs in violation of Code*. The Town may cause the repair or removal of any sign that has become a hazard to public safety. Signs in violation of any other provision of this Code may also be removed by the Town.

4. *Storage of removed signs*. Signs removed in compliance with this Section shall be stored by the Town for 30 days, during which they may be recovered by the owner only upon payment to the Town for costs of removal and storage. If not recovered within the 30-day period, the sign and supporting structure shall be declared abandoned and title shall vest with the Town. The costs of removal and storage (up to 30 days) may be billed to the owner.

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

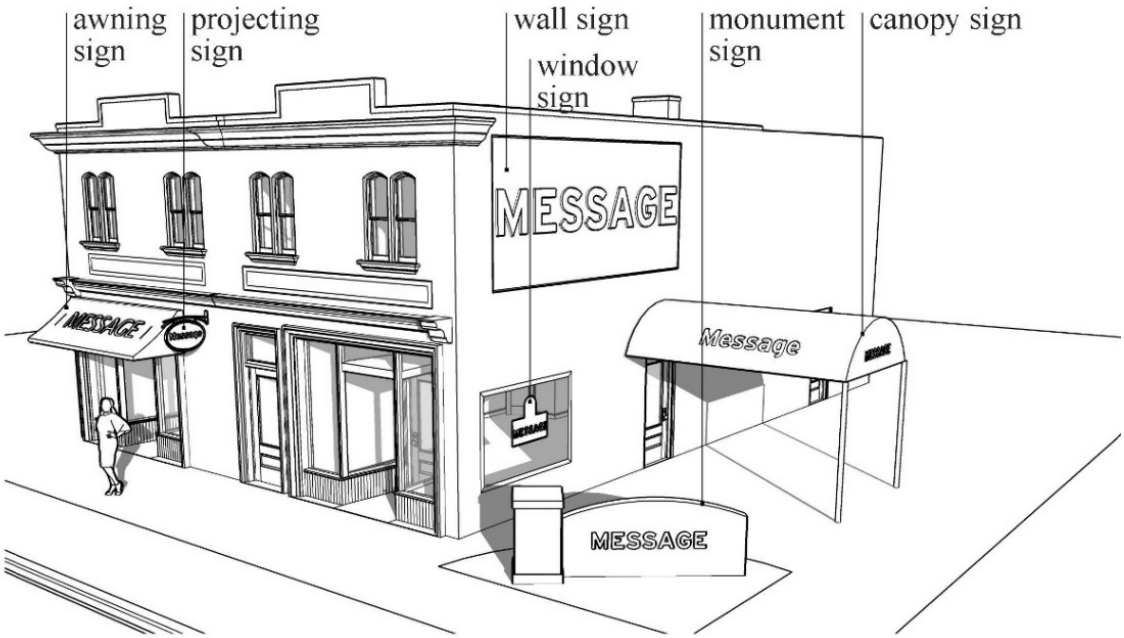
6. *Penalties.* Signs which are not permitted by this Code shall be subject to administrative remedies contained herein.

30-7-109 Permanent sign standards

A. *Permitted permanent sign types*. The illustration in Figure 7.5 identifies the types of permanent signs permitted per this Section.

1. All permanent signs shall be located off the street right-of-way, unless otherwise granted permission for such location by the Town or the Colorado Department of Transportation (CDOT).

Figure 7.5: Permanent Sign Types



B. *Sign allowance*.

1. *Non-residential signs*. All businesses and other non-residential properties within the Town are allowed permanent signage of any type (monument, wall, projecting, canopy, awning, etc.) within the square footage totals identified below and other limitations of this Section:

a. Two square feet for each linear foot of building up to 200 linear feet of building frontage and an additional one square foot for each linear foot of building frontage over 200 feet. Unless specifically stated otherwise in this Section, the maximum size of any single sign is 288 square feet (12 feet by 24 feet). Any request for a larger single sign will be reviewed by the Planning Commission as a variance to this Section, in accordance with Section 30-3-108 *Board of Adjustment*.

b. Where the linear frontage of all buildings is less than 30 percent of the total lot frontage, allowable sign sizes are two square feet of sign for each linear foot of building and an additional one square foot of sign for each linear foot of property frontage (less the linear building frontage).

c. Accessory wall signs count toward the total sign allowance and are limited to no more than 20% of the total wall sign allowance each.

2. *Residential signs*. All residential properties within the Town are allowed permanent signage of any type (monument, wall, projecting, canopy, awning, etc.) within the square footage totals identified below and other limitations of this Section:

a. The sign allowance for multi-family residential or mixed-use development shall be within the same limits as non-residential signage; see subsection B 1. above, with the following exception: all home-based business signs are limited to no more than two square feet in size.

b. All home-based business signs or other signs on lots with single-family or two-family dwellings are limited to no more than two square feet in size.

C. *Awning signs*.

1. *General standards*. The following standards apply to all awning signs:

a. Signs may be placed only on awnings that are located on first- and second-story building frontages, including those fronting a parking lot or pedestrian way.

b. No awning sign shall project outside the face of an awning.

2. *Awning sign specifications*. Specifications regulating awning signs are shown on Table 7.1:

Table 7.1 Awning sign standards

Zones Allowed	R4, C1, C2, M1, M2, SC, UC, PUD
Sign Permit Required	Yes
Maximum Number	One per window
Maximum Area	Within sign allowance
Maximum Width	Width of window
Maximum Letter Height	Variable
Maximum Valance Height	12 inches
Maximum Projection	Seven feet
Minimum Clearance	Eight feet
Illumination Allowed	Yes; under awning and directed downward

Figure 7.6 Awning sign detail

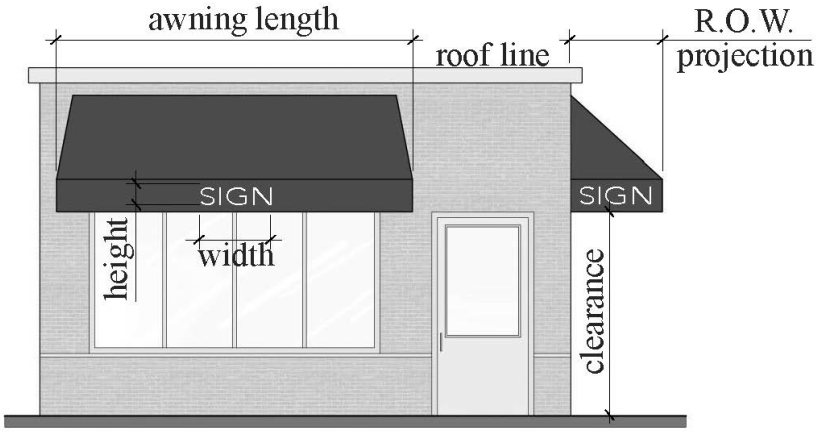


Figure 7.7 Awning sign example

D. *Canopy signs*.

1. *General standards*. The following standards apply to all canopy signs:

   a. No canopy, with or without signage, shall extend above the roof line of any building.

   b. No canopy sign shall project above the top of the canopy upon which it is mounted.

   c. Under-canopy signs which are perpendicular to the face of the building shall be deemed to be projecting signs.

   d. Under-canopy signs which are parallel to the face of the building shall be a minimum of eight feet above finished grade and shall be deemed to be wall signs.

2. *Canopy sign specifications*. Specifications regulating canopy signs are shown on Table 7.2:

Table 7.2 Canopy sign standards

Zones Allowed*	R4, C1, C2, M1, M2, SC, UC, PUD
Sign Permit Required	Yes
Maximum Number	One per canopy face
Maximum Area	38 square feet
Maximum Width	25 feet
Maximum Height	18 inches
Letter Height	Min. five inches/max. 12 inches
Maximum Valance Height	12 inches
Maximum Projection	20 feet from face of building
Minimum Clearance	12 feet from finished grade
Illumination Allowed	Yes; under canopy and directed downward
*Canopy signs are not permitted in the Residential Conversion or Downtown Commercial character areas within the Mountain Avenue Overlay District	

Figure 7.8 Canopy sign detail

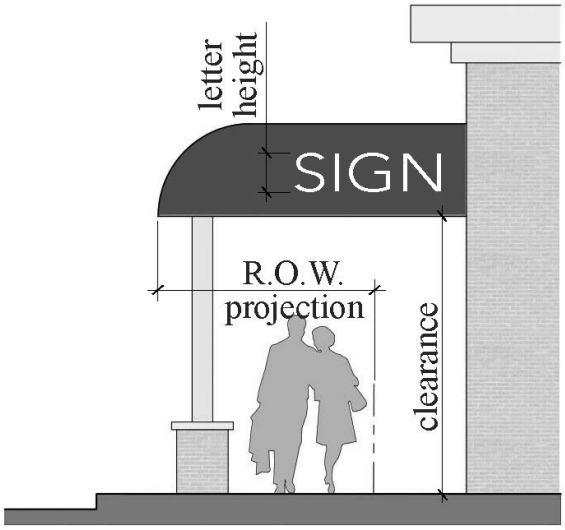


Figure 7.9 Canopy sign example

E. *Monument signs*.

1. *General standards*. The following standards apply to all monument signs:

   a. *Location.*

      i. A monument sign may be located only on a site frontage adjoining a public street.

      ii. No monument sign in any zoning district can be erected closer than eight feet from any curbline, nor closer than four feet to any building.

      iii. No monument signs in any business or industrial district may be located less than 25 feet from any property line adjacent to a residential zoning district line.

   b. *Sign mounting.* The sign shall be mounted on a solid monument-type base. The sign base shall not be greater than 50% of the sign area.

   c. *Monument sign design.* The design of a monument sign shall be consistent with the overall scale of the building. The design and placement of the sign shall not obstruct traffic safety sight distance areas.

   d. *Monument sign landscaping requirements.*

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

      ii. Landscaping shall be provided at the base of the supporting structure equal to twice the area of one face of the sign. For example, 20 square feet of sign area equals 40 square feet of landscaped area.

      iii. The Planning Commission may reduce or waive this requirement if it is determined that the additional landscaping would not contribute significantly to the overall aesthetic character of the project.

2. *Monument sign specifications*. Specifications regulating monument signs are shown on Table 7.3 and Table 7.4:

Table 7.3 Monument sign standards

Zones Allowed	All, except Downtown Commercial character area within the Mountain Avenue Overlay District
Sign Permit Required	Yes
Maximum Number	One per project entrance
Maximum Area: Residential Use* (height x width)	35 square feet
Maximum Area: Non – Residential Use* (height x width)	100 sq. ft.
Maximum Height *	12 feet
Illumination Allowed	Yes; indirect only
*See Table 7.4 for Mountain Avenue Overlay District character areas	

Table 7.4 Monument sign area, height and setbacks– Mountain Avenue Overlay District

	Berthoud West	Residential Conversion	Berthoud East	Agriculture	New Berthoud
Maximum Area	100 square feet	35 square feet	100 square feet	100 square feet	135 square feet
Maximum Height	10 feet	5 feet	10 feet	10 feet	12 feet
Mountain Ave/Highway 56 Setback	5 feet	5 feet	5 feet	10 feet	12 feet
Note: Monument signs are prohibited in the Mountain Avenue Downtown Commercial character district					

Figure 7.10 Monument sign detail

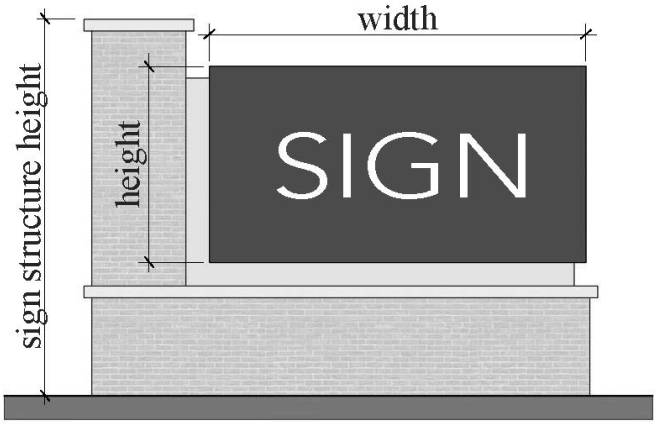


Figure 7.11 Monument sign example: Residential Use

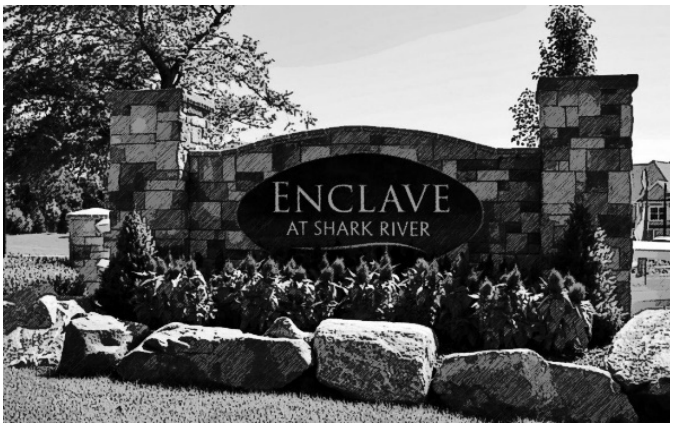
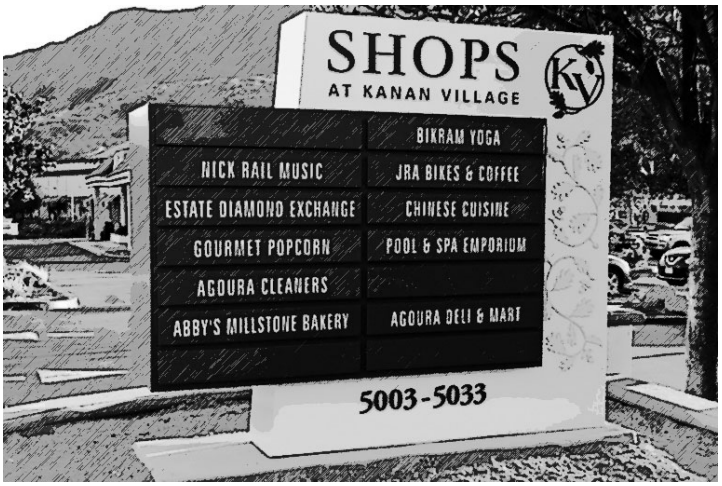


Figure 7.12 Monument sign example: Non-Residential Use



F. *Projecting signs*.

1. *General standards*. The following standards apply to all projecting signs:

   a. Projecting signs shall be placed only on a ground floor facade, except for businesses located above the ground level with direct exterior pedestrian access.

   b. Projecting signs shall be no higher than wall that it projects from or no higher than bottom of second story window framing

   c. Mount projecting signs so that they align with others in the block and fit with architectural details of the structure.

   d. Sign supports and brackets shall be compatible with the design and scale of the sign.

2. *Projecting sign specifications*. Specifications regulating projecting signs are shown on Table 7.5:

Table 7.5 Projecting sign standards

Zones Allowed	R4, C1, C2, SC, UC, M1, M2
Sign Permit Required	Yes
Maximum Number	One per façade; two max.
Maximum Area (height x width)	Six square feet
Maximum Letter Height	10 inches
Maximum Projection	Four feet from face of building
Minimum Clearance	Eight feet from finished grade
Illumination Allowed	Yes; indirect only

Figure 7.13 Projecting sign detail

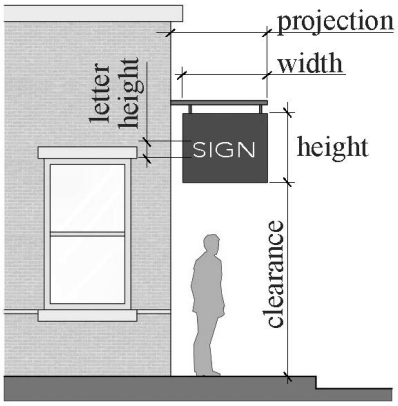
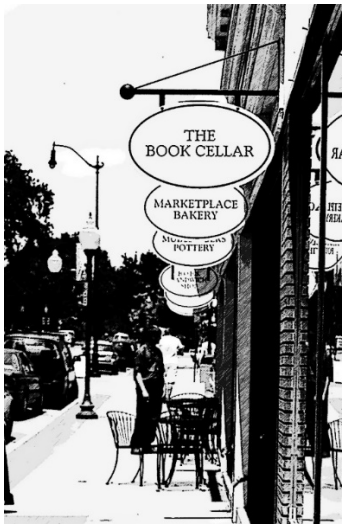


Figure 7.14 Projecting sign example



G. *Wall signs*.

1. *General standards*. The following standards apply to all wall signs:

   a. The sign shall not be placed to obstruct any portion of a window, doorway or other architectural detail.

   b. Wall signs on buildings at the first-floor level are allowed for businesses on higher floors that have a principal entrance on the first floor.

   c. Wall signs plus accessory wall signs shall be in accordance with Section 30-7-109.B *Sign allowance*.

2. *Wall sign specifications*. Specifications regulating wall signs are shown on Table 7.6 and Table 7.7:

Table 7.6 Wall sign standards

Zones Allowed	R4, C1, C2, SC, UC, M1, M2
Sign Permit Required	Yes
Maximum Number	One per street frontage per unit, plus three accessory wall signs
Maximum Area*	Within sign allowance
Maximum Height	No higher than building eave or 25 feet above grade
Maximum Projection	12 inches from face of building
Illumination Allowed	Yes; indirect only
*See Table 7.7 for Mountain Avenue Overlay District character areas	

Table 7.7 Wall sign area – Mountain Avenue Overlay District

	Berthoud West	Residential Conversion	Downtown Commercial	Berthoud East	Agriculture	New Berthoud
Maximum Area	100 square feet	35 square feet	60 square feet	100 square feet	100 square feet	135 square feet

Figure 7.15 Wall sign detail

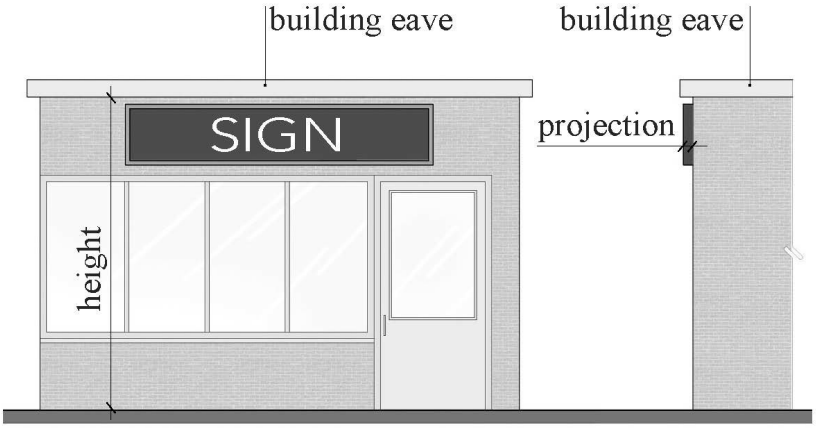


Figure 7.16 Wall sign example

H. *Window signs*.

1. *General standards*. The following standards apply to all permanent window signs:

   a. Permanent window signs shall be located only in those windows of the unit or space occupied by a business.

   b. Permanent window signs shall not be displayed in windows above the ground floor level.

   c. Permanent window signs shall not be animated.

   d. When determining the maximum permitted number and the maximum permitted area of permanent signs, temporary window signs shall not be taken into account unless otherwise specified or regulated in this Development Code. However, in no case shall a permanent, temporary, or combination of such window signs cover more than 25 percent of any individual window area.

2. *Window sign specifications*. Specifications regulating window signs are shown on Table 7.8:

Table 7.8 Window sign standards

Zones Allowed	C1, C2, SC, UC, M1, M2
Sign Permit Required	Yes
Maximum Number	Unlimited, within maximum area
Maximum Area	25 percent of any individual window area
Maximum Height	Top of ground floor window
Illumination Allowed	Neon only

Figure 7.17 Window sign detail

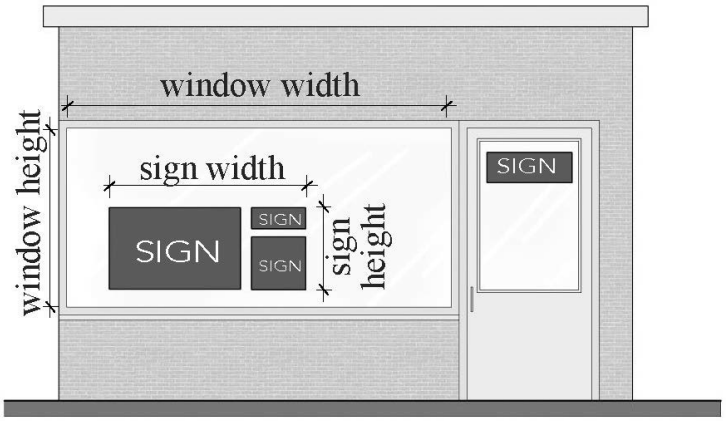


Figure 7.18 Window sign example

30-7-110 Temporary sign standards

A. *Permitted temporary sign types.* The illustrations in Figure 7.19 identify the types of temporary signs permitted per this Section.

1. All temporary signs shall be located off the street right-of-way, unless otherwise granted permission for such location by the Town or the Colorado Department of Transportation (CDOT). In no case may any such sign impede the view or travel of any motorists or pedestrians or be attached to any structure within the right-of-way (i.e., may not be attached to a government sign, telephone pole, etc.).

B. *Duration.* The purpose of temporary signs is to display messages for a temporary duration. Temporary signs shall not be used to circumvent the regulations that apply to permanent signs or to add permanent signage to a property in addition to that which is allowed by these regulations. In general, a temporary sign shall be removed as of the date that:

1. It becomes an abandoned sign;
2. It falls into disrepair; or
3. The expiration of the number of days in the tables below.

Figure 7.19: Temporary Sign Types

C. *Banners signs.*

1. *Special event limitation*. Temporary banners signs are limited to special events as defined in Sec. 30-1-116 Definitions. This limitation also extends to portable signs, promotional tents or other signs not permanently affixed or attached to the ground or to any structure, with the exception of site signs, yard signs and sandwich boards signs as regulated in this Section.

2. *General standards.* The following standards apply to all banner signs:

   a. Signs shall be erected no sooner than 30 days prior and removed no later than five days after the event.

   b. Banners shall be securely attached to the wall of the establishment or light poles on private property.

   c. Wind banner signs shall be securely attached to the ground on private property.

3. *Banner sign specifications*. Specifications regulating banner signs are shown on Table 7.9:

Table 7.9 Banner sign standards

Zones Allowed	All
Sign Permit Required	Yes
Maximum Number	One per street frontage
Maximum Area (height x width)	32 square feet
Illumination Allowed	No
Maximum Time Permitted	30 days; no more than two times per calendar year

Figure 7.20 Banner sign detail – ground mount

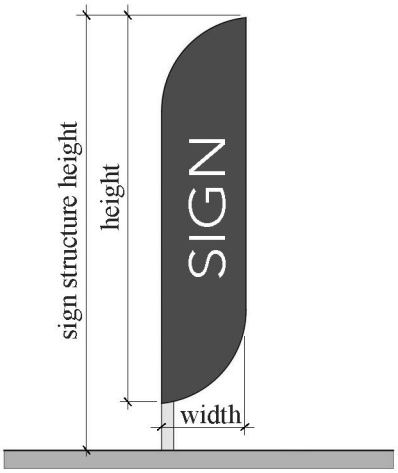


Figure 7.21 Banner sign example – ground mount

Figure 7.22 Banner sign example – wall mount

D. *Sandwich board signs.*

1. General standards. The following standards apply to all sandwich board signs:

   a. A sandwich board sign shall be placed only on the property of the business displaying such sign, or on the adjacent sidewalk. See Section 30-7-111 Off-premise sign standards regarding sign permits issued prior to _____, 2024 for off-premise sandwich boards.

   b. All such signs shall be located off the street right-of-way, unless otherwise granted permission for such location by the Town or the Colorado Department of Transportation (CDOT).

   c. Sandwich board signs must be removed upon close of business each day and may be replaced the following day.

   d. Plastic sandwich board frames are not allowed.

   e. A sandwich board sign shall not obstruct pedestrian or vehicular circulation. Any sandwich board sign that is deemed unsafe for pedestrians or motorists may be removed by the Town.

   f. Sandwich board signs must be anchored to the ground or weighted sufficiently to prevent movement by wind.

2. Sandwich board sign specifications. Specifications regulating sandwich board signs are shown on Table 7.10:

Table 7.10 Sandwich board sign standards

Zones Allowed	C1, C2, SC, UC
Sign Permit Required	Yes
Maximum Number	One
Maximum Area (height x width)	Eight square feet
Maximum Height	48 inches
Maximum Width	24 inches
Min. Pedestrian Clearance	Four feet
Illumination Allowed	No
Maximum Time Permitted	Daily; subject to C. 1.c. above

Figure 7.23 Sandwich board sign detail

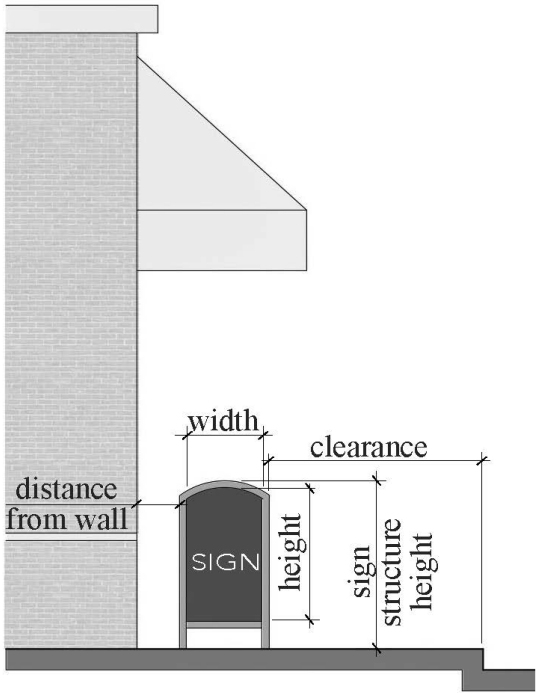


Figure 7.24 Sandwich board sign example

E. *Site Signs.*

1. *General standards.* The following standards apply to all site signs:

   a. Site signs are only allowed on properties with active listings for sale or for rent, or on lots under construction with active building permits, and are not permitted on parcels with existing or built-out residential or non-residential uses.

   b. Only one such sign oriented per street front per premises shall be erected. Any two such signs located on the same premises shall be located at least 100 feet apart as measured using a straight line.

   c. See Sec. 30-5-102 J *Signage* for construction rules and regulations associated with site signs.

2. *Site sign specifications*. Specifications regulating site signs are shown on Table 7.11:

Table 7.11 Site sign standards

Zones Allowed	All
Sign Permit Required	No
Maximum Number	One per street frontage
Maximum Area: Residential Zone	Eight square feet, unless otherwise specified in E. 1. c above
Maximum Area: Non – Residential Zone	32 square feet
Illumination Allowed	No
Maximum Time Permitted	Seven days after active listing or building permit has expired.

Figure 7.25 Site sign example

F. *Yard signs.*

1. *General standards.* The following standards apply to all yard signs:

   a. Yard signs shall not be erected or placed in parks, alleys or in a street or other public right-of way or place.

   b. Unless otherwise specified herein, yard signs shall be displayed not more than twice per year per dwelling unit.

   c. An unlimited number of yard signs are permitted within 60 days before and five days after any general or special election.

2. *Yard sign specifications*. Specifications regulating yard signs are shown on Table 7.12:

Table 7.12 Yard sign standards

Zones Allowed	All
Sign Permit Required	No
Maximum Number	One per street frontage, unless otherwise specified in F. 1 above
Maximum Area: Residential Use	Eight square feet
Maximum Area: Non – Residential Use	32 square feet
Illumination Allowed	No
Maximum Time Permitted	Five days, or seven days after an active listing has expired, unless otherwise specified in F. 1. above

Figure 7.26 Yard sign examples

30-7-111 Off-Premise sign standards

A. *General requirements.*

1. Off-premises signs, also known as off-site signs, are permitted with a Use by Special Review permit.
2. Off-premises signs shall not:
    a. Interfere with pedestrian or vehicular safety;
    b. Detract from the pedestrian quality of the surrounding area;
    c. Add to an over-proliferation of signs on one property or in an area; or
    d. Measure more than 4 square feet in area, except for sandwich board signs.

B. *Billboard signs*. No new billboard signs are allowed within the Town of Berthoud after May 4, 2012. Billboard signs in existence on May 3, 2012 are considered legal and non-conforming, subject to the requirements of this Code with respect to non-conforming uses.

C. *Off-premise sandwich board signs.* Sign permits issued prior to _____, 2024 remain in effect for existing off-premise sandwich board signs associated with businesses located further than one block north or south of Mountain Avenue between 2nd Street and 5th Street, or within the one block dimension but outside of the normal line-of-sight of motorists on Mountain Avenue. After _____, 2024 no additional sign permits for off-premise sandwich board signs will be issued. No new off-premise sandwich board signs are allowed.

Ordinance 1334 (Series 2024) Appendix C

30-1-116 Definitions

A. The words and phrases used in this Code shall have the meanings defined below unless otherwise specifically provided or unless clearly required by the context. Questions of definition or wording usage shall be interpreted by the Town Administrator based on the context of their usage and the intention of the section of this Code in which they occur.

1. *Access drive* means a street or right-of-way providing ingress and egress to properties adjacent to a regional thoroughfare, arterial street, collector street, or local street.

2. *Accessory building* or *structure* means a detached subordinate and smaller building which is:

   a. Integrally related to the principal use on the lot;

   b. Subordinate and clearly incidental to the principal building or use of the lot;

   c. Customarily incidental to the principal building or use of the lot;

   d. Located on the same lot as the principal building;

   e. Used only at the same time as the principal building is active and operational;

   f. Not detrimental or an alteration of the character of the area in which the building is located; and

   g. Not used for living or sleeping quarters

   An accessory building or structure shall include, but not be limited to, storage sheds and detached garages in residential and non-residential zoning districts. Microwave dishes, antennas and similar devices which have a surface area of six square feet or larger shall also be considered accessory structures and shall comply with requirements for accessory buildings and structures, including height and setback requirements of Section 3 of this Chapter.

3. *Accessory dwelling* means an apartment integrated within a single-family dwelling, or located in a detached accessory building, such as carriage houses or agricultural-type outbuildings, located on the same lot as a single-family dwelling. Accessory dwellings shall be limited to 850 square feet in floor area. For purposes of calculating residential density, each accessory dwelling shall count as one-third of a dwelling unit. There shall not be more than one accessory dwelling located on a lot in addition to the principal single-family dwelling.

4. *Accessory use* means a use of land or structure incidental to or subordinate to the principal use of a lot which is:

   a. Integrally related to the principal use on the lot;

   b. Subordinate and clearly incidental to the principal use of the lot;

   c. Customarily incidental to the principal use of the lot;

   d. Located on the same lot as the principal use;

   e. Used only at the same time as the principal use is active and operational; and

   f. Not detrimental nor an alteration of the character of the area in which the use is located.

5. *Adjacent* means meeting or touching at some point, or separated from a lot or parcel by one of the following: a street, alley, or other right-of-way, lake, stream or open space.

6. *Adjacent property owner* means an owner of record of any estate, right or interest in real property abutting the subject property.

7. *Affordable housing development* or *project* means a development or project in which: (1) at least 75 percent of the gross acreage to be developed under the plan is to be developed as residential dwelling units or mobile home park spaces; (2) at least ten percent of said dwelling units or spaces (the

"affordable housing units") are to be available for rent or purchase on the terms described in the definitions of affordable housing unit for rent or affordable housing unit for sale (as applicable); (3) the construction of the dwelling units or spaces is to occur as part of the initial phase of the project and (i) prior to the construction of the market rate units or (ii) on a proportional basis, according to the same ratio as the number of affordable units bears to the number of the market rate units; and (4) the units will be required by binding legal instrument acceptable to the Town and duly recorded with that County's Clerk and Recorder, to be occupied by and affordable to low-income households for at least 20 years.

8. *Affordable housing unit for rent* means a dwelling unit which is available for rent on terms that would be affordable to households earning 80 percent or less of the median income of that County's residents, as adjusted for family size, and paying less than 30 percent of their gross income for housing, including rent and utilities. The unit must be occupied by and be affordable to such low-income household(s) for a period of at least 20 years.

9. *Affordable housing unit for sale* means a dwelling unit which is available for purchase on terms that would be affordable to households earning 80 percent or less of the median income of Larimer or Weld County residents, as adjusted for family size and paying less than 38 percent of their gross income for housing, including principal, interest, taxes, insurance, utilities and homeowners' association fees. The unit must be occupied by and affordable to such low-income household(s) for a period of at least 20 years or more.

10. *Agricultural activity* means farming, including plowing, tillage, cropping, seeding, cultivating or harvesting for the production of food and fiber products; horticulture, the grazing or raising of livestock (except in feedlots); aquaculture; sod production; orchards; Christmas tree plantations; nurseries; and the cultivation of products as part of a recognized commercial enterprise. Agricultural activity shall not include the cultivation of marijuana.

11. *Agricultural land* means land that is being used for agricultural activities.

12. *Alley* means a public or private minor or secondary way which is used primarily for vehicular service access to the back or side of properties that otherwise abut a street, as described in Section 30-2-105.

13. *Alteration* means any change, addition or modification in construction, occupancy or use.

14. *Alternative power generation facilities* means any use of land in which alternative energies are produced. Alternative energies are those energy sources that are an alternative to fossil fuels, including but not limited to: solar, wind, biofuel, and hydrogen.

15. *Amusement center* means an establishment providing primarily enclosed recreation activities including, but not limited to bowling, roller skating or ice skating, billiards, swimming pools, motion picture theaters, and related amusements. Accessory uses may include the preparation, serving and sale of food and/or sale or rental of equipment related to the uses.

16. *Amusement park* means an outdoor enterprise whose main purpose is to provide the general public with entertaining activity, where tickets are sold or fees collected at the activity. Commercial amusements include miniature golf courses, outdoor arcades, Ferris wheels, children's rides, roller coasters, skateboard parks, go-cart tracks, water parks and similar uses.

17. *Animal boarding* means the operation of an establishment in which domesticated animals other than household pets are housed, groomed, bred, boarded, trained or sold. This term shall not include the operation of a kennel.

18. *Animals, domestic* means common household pets, such as dogs and cats, kept for amusement, companionship, decoration or interest.

19. *Animals, food* means fish, fowl, cattle, swine, sheep and others raised for the purpose of food consumption.

20. *Animals, wild* means animals, such as wolves, tigers, lions and snakes that are not normally a domestic animal or farm animal and would ordinarily be confined in a zoo or found in the wild.

21. *Animated sign* means a sign having an intermittent or continuing variation in the illumination or physical position of any part of the device, except such variations necessary for displaying time-of-day information or temperature information.

22. *Annexation* means the act of attaching, adding, joining, or uniting a parcel of land to the legal entity known as the Town of Berthoud.

23. *Appeal* means a request by an applicant to the Board of Adjustment or Town Board for a review of an administrative interpretation of any provision of this Chapter or a request for a variance.

24. *Applicant* means the owner of land; the owner's authorized representative, or the optionee of the land, as well as mineral owners and lessees; or the Developer applying for an approval by the Town pursuant to this Chapter.

25. *Appurtenances* mean the visible, functional, or ornamental objects accessory to and part of a building.

26. *Aquifer recharge area* means an area where water is absorbed into a natural aquifer adding to the zone of saturation.

27. *Arcade* means a series of arches supported on piers or columns.

28. *Area light* means a light that produces over 2,050 lumens. Area lights include, but are not limited to, street lights, parking lot lights and yard lights.

29. *Area of lot* means the total horizontal area within the lot line boundaries of a lot.

30. *Area of special flood hazard* means the area covered by the floodwaters of the base flood, and are typically delineated on National Flood Insurance Program (NFIP) maps.

31. *Automatic timing device* means a device that automatically controls the operation of a light fixture or fixtures, circuit or circuits. Photocells and light and or motion sensors should be considered automatic-timing devices

32. *Automotive repair, (major)* means an establishment primarily engaged in the repair or maintenance of commercial and heavy truck motor vehicles, trailers and similar large mechanical equipment, including paint, body and fender and major engine and engine part overhaul, provided it is conducted within a completely enclosed building. Such use shall not include the sale of fuel, gasoline or petroleum products.

33. *Automotive repair, (minor)* means an establishment primarily engaged in the repair or maintenance of passenger and light truck motor vehicles, trailers and similar mechanical equipment, including brake, muffler, upholstery work, tire repair and change, lubrication, tune ups and transmission work, car washing, detailing, polishing or the like, provided it is conducted within a completely enclosed building. Such use shall not include the sale of fuel, gasoline or petroleum products.

34. *Average footcandle* means the level of light measured at an average point of illumination between the brightest and darkest areas. The measurement can be made at the ground surface or at four to five feet above the ground.

35. *Awning* means a fixed or movable roof-like cover of canvas or other material extending in front of a doorway or window, or over a deck, to provide protection from the sun or rain.

~~36. *Awning sign* means a sign which is painted, stitched, sewn or stained onto the exterior of an awning.~~

~~37. *Banner* means any sign intended to be hung either with or without frames, possessing characters, letter, illustrations or ornamentations applied to paper, plastic, vinyl or fabric of any kind.~~

38. *Bar* or *tavern* means an establishment providing or dispensing fermented malt beverages, and/or malt, vinous or spirituous liquors and in which the sale of food products such as sandwiches or light snacks is secondary.

39. *Base flood* means the flood having a one percent chance of being equaled or exceeded in any given year, also known as the 100-year flood, and is a standard used by the National Flood Insurance Program (NFIP).

40. *Beacon, revolving* means a rotating or blinking source of light or electronic simulation of a revolving source of light.

40.1. *Bed and breakfast* means an establishment operated in a private residence or portion thereof, which provides temporary accommodations to overnight guests for a fee and which is occupied by the operator of such establishment.

40.2. *Berm* means an earthen barrier of compacted soils preventing the passage of liquid materials, or providing screening from adjacent uses.

40.3. *Bicycle parking, enclosed* shall mean bicycle storage in lockers, a room or other space within a parking structure or other building, including a shed or carport. All types of enclosed bicycle storage must be easily accessible to entrances and walkways, secure, lighted and protected from the weather. Each storage space shall provide a minimum of six square feet in area. The storage space shall not impede fire exits or be located so that parked bicycles interfere with public access.

40.4. *Bicycle parking, fixed* shall mean bicycle parking that allows the bicycle frame and both wheels to be securely locked to the parking structure. The structure shall be of permanent construction such as heavy gauge tubular steel with angle bars permanently attached to the pavement foundation. Fixed bicycle parking facilities shall be at least two feet in width and five and one-half feet in length, with additional back-out or maneuvering space of at least five feet.

40.5. *Bikeway* means a path designed for use by bicyclists, which may be used by pedestrians.

40.6. *Bike lane* means a dedicated lane of a street intended for use by bicycles.

40.7. *Billboard* means a sign advertising products not made, sold, used, or served on the premise displaying the sign.

40.8. *Blank wall* means an exterior building wall with no openings and a single material and uniform texture on a single wall plane.

40.9. *Block* means a unit of land, or a group of lots, bounded by streets or by a combination of streets and public lands, or other rights-of-way other than an alley, waterways or any barrier to the continuity of development, or land which is designated as a block on any recorded subdivision tract.

40.10. *Board* means the governing body of the Town of Berthoud; also known as the Town of Berthoud Board of Trustees.

40.11. *Board of Adjustment* means the Town of Berthoud Planning Commission acting as the Board of Adjustment.

40.12. *Boarding and rooming house* means a building or portion of which is used to accommodate, for compensation, four or more boarders or roomers, not including members of the occupant's immediate family who might be occupying such building. The word compensation shall include compensation in money, services or other things of value.

41. *Bollard* means a pole used to protect a building from impact or to close a road or path to vehicles above a certain width.

42. *Building* means any permanent or temporary structure built for the shelter or enclosure of persons, animals, chattels or property of any kind, which is governed by the following characteristics:

a. Is permanently affixed to the land, or

b. Has one or more floors and a roof.

43. *Building code(s)* means the set of standards that must be followed in the construction and remodeling of buildings and structures.

44. *Building envelope* means the two dimensional (horizontal) space within which a building or structure is permitted to be built on a lot. The size of a building envelope is typically defined by setbacks, easements, and floor-area ratio.

45. *Building frontage* means the horizontal, linear dimension of that side of a building, which abuts a street, a parking area, a mall, or other circulation area open to the public and has either a main window display or a public entrance to the building.

46. *Building height* is measured from the average of finished grade at the center of all walls of the building to the top of the parapet or highest roof beam (whichever is higher) on a flat or shed roof, to the top of the parapet or deck level (whichever is higher) of a mansard roof, or the average distance between the highest ridge and its eave of a gable, hip, or gambrel roof.

47. *Building Official* means a person or persons charged with implementing and enforcing provisions of the Building Code.

48. *Bulb* means the source of electric light — to be distinguished from the whole assembly (See Luminaire).

49. *Business* means any lawful commercial endeavor to engage in the manufacturing, purchase, sale, lease or exchange of goods and/or the provision of services.

50. *CBT Unit* means a Unit of the Colorado Big Thompson Project. A CBT Unit shall be defined to have a firm yield of 0.6 acre feet.

51. *Caliper* means the American Association of Nurserymen standard for trunk measurement of nursery stock, as measured at six inches above the ground for trees up to and including four-inch caliper size, and as measured at 12 inches above the ground for larger sizes.

52. *Candela (cd)* means a unit of luminous intensity.

53. *Canopy* means an ornamental or functional roof-like structure which is supported from the façade of a building. It may or may not be supported by columns.

~~54. *Canopy sign* means a sign that is permanently affixed to a roofed shelter attached to and supported by a building, by columns extending from the ground or by a combination of a building and columns.~~

55. *Cantilever* means an architectural element which projects from a structure and is supported at only one end.

56. *Cash in lieu of water dedication* means a separate and distinct fee from water taps, as required in Section 30-1-105 hereof, which fee shall be utilized primarily to acquire water rights and necessary facilities for all beneficial uses within the Town. The Town shall issue a Certification of Water Dedication Credits for cash in lieu of water dedication payments for future development of the Town.

57. *Cash-in-lieu* (also known as "fee-in-lieu") for all purposes except water dedication means that the applicant, at the discretion of Town staff with final approval by the Town Administrator, shall pay the Town money instead of dedicating land in those cases where such delivery or dedication is required.

58. *Cemetery* means land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including mausoleums and mortuaries when operated in conjunction with, and within the boundaries of, such cemetery.

59. *Center line* means a line running midway between the bounding right-of-way lines of a street or alley. Where the bounding lines are irregular, the center line shall be determined by the Town Planner or Town Engineer.

60. *Certificate of occupancy* means a certificate issued by the Town only for the benefit of the Town after final inspection and upon a finding that the building, structure, site and/or development complies with all provisions of the applicable Town codes, permits, requirements and approved plans.

61. *Change in use* or *Change in Land Use* means a change in the purpose or activity for which a particular piece of land or its buildings is designed, arranged or intended or for which it is occupied or maintained as provided in the zoning regulations for the zone district in which the land is located.

62. *Chapter* means Chapter 30 of the Berthoud Municipal Code, also referred to as the Berthoud Development Code, both also referred to as this Code.

63. *Character* means those attributes, qualities and features that make up and distinguish a building or development and give it a sense of purpose, function, definition and uniqueness.

64. *Child care center* shall have the same definition as C.R.S. §26-6-102 (1.5) in effect at the time of interpretation.

65. *Child care home* means a residential home providing care to no more than six children.

66. *Child care home, large* means a family child care home that provides care for seven to 12 children.

67. *Church* or *place of worship and assembly* means a building containing a hall, auditorium or other suitable room or rooms used for the purpose of conducting religious or other services or meetings of the occupants of such structure. Church or place of worship and assembly shall include churches, synagogues or the like, but shall not include buildings used for commercial endeavors, including, but not limited to, commercial motion picture houses or stage productions.

68. *Clerestory* means a portion of an interior rising above adjacent rooftops and having windows admitting daylight to the interior.

69. *Clinic* means a building designed and used for the diagnosis and treatment of human patients that does not include overnight care facilities.

70. *Clubs and lodges* means organizations of persons for special purposes or for the promulgation of sports, arts, literature, politics or other common goals, interests or activities, characterized by membership qualifications, dues or regular meetings, excluding clubs operated for profit and/or places of worship or assembly.

71. *Commercial mineral deposits* mean oil, gas, gravel and other natural deposits that may be extracted from a property for economic benefit.

72. *Common area* means an area of land and buildings within a residential development which is developed for the use and enjoyment of all residents of the project, as distinguished from land designated for their individual, private use.

73. *Common equestrian stabling and grazing* means shared pastures and/or common barns for horses in a conservation subdivision and which is owned and maintained by a homeowner's association.

74. *Community Design Standards* means the standards set forth in Chapter 30, Section 2: Design Standards.

75. *Community facility* means a publicly owned facility or office building which is primarily intended to serve the recreational, educational, cultural, and administrative or entertainment needs of the community as a whole.

76. *Community influence area (CIA)* means the area extending three miles or more beyond the Town's municipal boundaries, for which the Town may be statutorily required to undertake general land use planning activities.

77. *Compatibility* means the characteristics of different uses or activities or design which allow them to be located near or adjacent to each other in harmony. Some elements affecting compatibility include

height, scale, mass and bulk of structures. Other characteristics include pedestrian or vehicular traffic, circulation, access and parking impacts, landscaping, lighting, noise, odor and architecture. Compatibility does not mean "the same as." Rather, compatibility refers to the sensitivity of development proposals to nearby existing and proposed development.

78. *Comprehensive Plan* means the adopted Town of Berthoud Comprehensive Plan, as amended.

79. *Compressed gravel* means gravel that has 95 percent compaction at standard proctor densities at two percent ± optimum moisture content.

80. *Condominium* means a single dwelling unit in a multiple unit structure or a commercial/industrial building which is separately owned and which may be combined with an undivided interest in the common areas and facilities of the property.

81. *Conservation easement* means a right to prohibit certain acts with respect to the property in order to maintain the property in a manner that will preserve its value for recreation, education, habitat, open space, or historical importance.

82. *Construction documents* means the written specifications and drawings showing the specific location and design of improvements to be installed for the subdivision or development project in accordance with all applicable requirements and land uses.

83. *Container* (also known as cargo or shipping container) means a truck trailer body or a shipping container that can be detached from the chassis for loading into a vessel, a rail car or stacked in a container depot. Containers may be ventilated, insulated, refrigerated, flat rack, vehicle rack, open top, bulk liquid or equipped with interior devices. Containers are intended for the temporary and mobile transport of goods, and may not be permitted for permanent use as storage, or as a permanent building.

84. *Convenience retail store* means a retail store containing less than 5,000 square feet of gross floor area which sells everyday goods and services which may include, without limitation, ready-to-eat food products, groceries, over-the-counter drugs and sundries.

85. *Convenience shopping center* means a shopping and service center located in a complex which is planned, developed and managed as a single unit, and located within and intended to primarily serve the consumer demands of adjacent employment areas and residences.

86. *Cooperative Planning Area (CPA)* means the broader region within which land use activities are deemed to potentially impact the Town. While the Town may not have land use jurisdiction over much of this area, it is considered to be an area of significant planning influence.

87. *Cornice* means a continuous, molded projection that crowns a wall or other construction, or divides it horizontally.

88. *Covenant* means a private written agreement outlining regulations specific to a development. It is not enforced by the Town. No covenant shall be construed to be a waiver or modification of a requirement of this Code.

89. *Critical feature of Flood Control System Critical feature* means an integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.

90. *Critical plant community* means vegetation which is essential to the conservation of threatened or endangered species and which may require special management considerations or protection.

91. *Crosswalk* means a designated area for pedestrians to cross a street or other right-of-way.

92. *Cul-de-sac* means a local street with only one outlet and having the other end for the reversal of traffic movement.

93. *Cultural assets* means buildings, locations and other features considered historically or socially significant to the community.

94. *Dedicated land* means land transferred to the Town by platting, title, deed or other legal method approved by the Town Attorney.

95. *Dedication* means any grant to a public entity by a landowner of a right to use that land for public purposes. It involves a transfer of property rights and an acceptance of the dedicated property by the appropriate public agency.

96. *Density (gross)* means the overall average number of dwelling units located in a development and calculated on a per-acre basis. Gross density is calculated by dividing the total number of residential units by the total acreage contained within a development.

97. *Density (net)* means the number of dwelling units located in a development divided by the developable area. Developable area includes the entire residential portion of the development, except land dedicated for public and private streets, detention ponds, third-party easements, rights-of-way, parks, open space, and other land areas open to the public.

98. *Design standards* mean the standards that set forth specific requirements for buildings and infrastructure.

99. *Detached structure* means any structure having no party wall or common wall with another structure. Bridges, tunnels and other similar means of connecting one structure to another shall not be considered to constitute a party wall or a common wall.

100. *Detention basin* means a man-made or natural water collection facility designed to collect surface and sub-surface water in order to impede its flow and to release the water into natural or manmade outlets at a rate that is not greater than the rate of flow prior to the development of the property.

101. *Developer* means any person, partnership, joint venture, limited liability company, association or corporation who participates as owner, promoter, developer or sales agent in the planning, platting, development, promotion, sale or lease of a development.

102. *Development* means the carrying out of any building activity or mining operation, the making of any material change in the use or appearance of any structure or land, or the dividing of land into two or more parcels. When appropriate in context, development shall also mean the act of developing or the result of development.

    a. Development shall also include:

        i. Any construction, placement, reconstruction, alteration of the size, or material change in the external appearance of a structure on land;

        ii. Any change in the intensity of use of land, such as an increase in the number of dwelling units in a structure or on a tract of land or a material increase in the intensity and impacts of the development;

        iii. Any alteration of a shore or bank of a river, stream, lake, pond, reservoir or wetland;

        iv. The commencement of drilling oil or gas wells, mining, stockpiling of fill materials, filling or excavation on a parcel of land;

        v. The demolition of a structure;

        vi. The clearing of land as an adjunct of construction;

        vii. The deposit of refuse, solid or liquid waste, or fill on a parcel of land;

        viii. The installation of landscaping within the public right-of-way, when installed in connection with the development of adjacent property;

ix. The construction of a roadway through or adjoining an area that qualifies for protection as a wildlife or natural area; and

x. Any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations located within the area of special flood hazard.

b. Development shall not include:

i. Work by a highway or road agency or railroad company for the maintenance or improvement of a road or railroad track, if the work is carried out on land within the boundaries of the right-of-way;

ii. Work by any public utility for the purpose of inspecting, repairing, renewing or constructing on established rights-of-way any mains, pipes, cables, utility tunnels, power lines, towers, poles, or other infrastructure. This exemption shall not include work by a public entity in constructing or enlarging mass transit or fixed guide way mass transit depots or terminals or any similar traffic-generating activity;

iii. The maintenance, renewal, improvement, or alteration of any structure, if the work affects only the interior or the color of the structure or the decoration of the exterior of the structure;

iv. The use of any land for an agricultural activity;

v. A change in the ownership or form of ownership of any parcel or structure; or

vi. The creation or termination of rights of access, easements, covenants concerning development of land, or other rights in land.

103. *Development agreement* means an agreement by a developer with the Town which clearly establishes the developer's responsibility regarding project phasing, the provision of public and private facilities and improvements and any other mutually agreed to terms and requirements.

104. *Development plan* means the written and graphical documents that detail the provisions for development of a Planned Unit Development (PUD). These provisions may include, and need not be limited to, easements, covenants and restrictions relating to: use; location and bulk of buildings and other structures; intensity of use or density of development; utilities, private and public streets, ways, roads, pedestrians, areas, and parking facilities; common open space, and other public facilities.

105. *Developmental disability* means a disability that is manifested before the person reaches 22 years of age; constitutes a substantial handicap to the affected individual; and is attributable to mental retardation or related conditions which include cerebral palsy, epilepsy, autism or other neurological conditions when such conditions result in impairment of general intellectual functioning or adaptive behavior similar to that of a mentally retarded person.

106. *Distillery* means any establishment where spirituous liquors are manufactured. Distilleries may include a tasting room and retail sales where such manufactured liquors may be sold and consumed on-site. Distilleries are regulated and licensed in accordance with the Colorado Department of Revenue Liquor Enforcement Division.

107. *Dormer* means a projecting structure built out from a sloping roof, usually with a vertical window or vent.

108. *Downtown* means the central business district of the Town. The boundary of downtown may change as the Town grows.

109. *Drive aisle* means the lanes in a parking lot devoted to the passage of vehicles, as opposed to the parking stalls. The term drive aisle does not include lanes used only, or primarily for, drive-in customer service.

110. *Drive-through use* means an establishment which by design, physical facilities, service, product or packaging procedures encourages or permits customers to receive services, obtain goods or be entertained while remaining in their motor vehicles.

111. *Driveway* means a constructed vehicular access serving one or more properties and abutting a public or private road.

112. *Dwelling* means a building used primarily for residential occupancy, including single-family dwellings, two-family dwellings and multi-family dwellings. Dwellings may include home occupations as defined by this Code.

113. *Dwelling, multi-family* means a dwelling containing three or more dwelling units, not including hotels, motels, fraternity houses and sorority houses and similar group accommodations.

114. *Dwelling, single-family* means a building designed exclusively for occupancy by one family, but not including mobile homes, except as otherwise provided herein.

115. *Dwelling, single-family attached* means a residential building containing dwelling units, each of which primary ground floor has access to the outside and which are attached to each other by party walls without openings. The term is intended primarily for such dwelling types as townhouses and duplexes.

116. *Dwelling, single-family detached* means a single-family dwelling which is not attached to any other dwelling or building by any means, excluding mobile homes.

117. *Dwelling, two-family* means a building designed for occupancy by two families living independently of each other.

118. *Dwelling unit* means any building or a portion thereof which contains living facilities, including provisions for sleeping, eating, cooking, and sanitation, as required by the International Building Code or the International Residential Code, as locally amended.

119. *Easement* means a right generally established in a real estate deed or on a recorded plat to permit the use of land by the public, a corporation or particular persons for specified uses.

120. *Eave* means the overhanging lower edge of a roof.

121. *Eighty-five-degree full cut-off type fixtures* means fixtures that do not allow light to escape above an 85-degree angle measured from a vertical line from the center of the lamp extended to the ground.

122. *Elevation* means the external vertical plane of a building.

123. *Employment campus* means an area characterized by single and multi-tenant uses commonly including corporate headquarters, research and development facilities, laboratories, offices and light industrial uses.

124. *Engineer* means a professional engineer licensed by the State of Colorado.

125. *Entertainment facilities and theaters* mean a building or part of a building devoted to showing live performances.

126. *Environmentally sensitive areas* mean aquifer recharge areas, significant wildlife habitat and migration corridors, unique vegetation and critical plant communities, and ridge lines.

127. *Equipment (small) rental establishments without outdoor sales* means the display of equipment entirely within a building for sale or rent, and outdoor storage or display of equipment is not permitted. Equipment allowed through this definition are typically hand-operated, intended to be stored indoors, and geared to the general public and not the construction industry, such as ladders, blowers, mowers, saws, generators, etc.

128. *Equipment rental (heavy) establishments with outdoor sales* means the display of heavy equipment outside of a building for sale or rental purposes. Examples of such equipment includes, but is not limited to tractors, dozers, cranes, harvesters, etc.

129. *Exhaust pipe* means a pipe used to guide waste exhaust gases away from a controlled combustion inside an engine or stove.

130. *Exhaust vent* means a continuous open passageway from the flue collar or draft hood of the appliance to the outside atmosphere for the purpose of removing flue gases.

131. *Exotic animals* means all animals raised or boarded that are not commonly classified as household pets or livestock, but are wild in nature and may have the ability to inflict bodily harm on humans, including snakes in excess of four feet in length.

132. *Extension of water service* means any extension of the Town water service for which a tapping charge is assessed or any increase in Town water service resulting from a Change in Land Use.

133. *Exterior lighting* means temporary or permanent lighting that is installed, located or used in such a manner to cause light rays to shine outside. Fixtures that are installed indoors that are intended to light something outside are considered exterior lighting.

134. *Façade* means the elevation or exterior face of a building.

135. *Family* means an individual living alone, or either of the following groups living together as a single housekeeping unit and sharing common living, sleeping, cooking and eating facilities:

    a. Any number of persons related by blood, marriage, adoption, guardianship or other duly authorized custodial relationship; or

    b. Any unrelated group of persons consisting of:

        i. Not more than three persons; or

        ii. Not more than two unrelated adults and their children, if any; or

        iii. Not more than eight developmentally disabled persons and appropriate staff occupying a dwelling unit and living as a single, housekeeping unit; or

    c. Not more than one individual related by blood, marriage or adoption who is required to register as a sexual offender under the provisions of Colorado law.

136. *Farm animals* means animals commonly raised or kept in an agricultural, rather than urban, environment including but not limited to, chickens, pigs, sheep, goats, horses, cattle, llamas, emus, ostriches, donkeys and mules.

137. *Feedlot* means any tract of land or structure, pen or corral, wherein cattle, sheep, goats, emus, ostriches or swine are maintained in close quarters for the purpose of raising such livestock.

138. *FEMA* means Federal Emergency Management Agency.

139. *Fence* means any structure that is comprised of posts, boards, wire, stakes, rails or any combination of similar elements that provides a physical barrier, enclosure or boundary.

~~140. *Fence sign* means a sign affixed in any way to or painted on any part of a fence.~~

141. *FHA* means Federal Housing Administration.

142. *Final acceptance* means the acknowledgement by the Town that the guaranty or warranty period for public improvements has expired and there are no outstanding items to be corrected under the provisions of the guaranty or warranty.

143. *Final Development Plan (FDP)* means a development review process under previous versions of the Land Development Code.

144. *Final plat* means a completed map of a subdivision setting forth fully and accurately all legal information, survey certification and any accompanying materials as required by this Code.

145. *Fixture* means the assembly that holds the lamp in a lighting system. It includes the elements designed to give light output control; such as a reflector (mirror) or refractor (lens), the ballast, housing, and the attachment parts.

146. *Flood* or *flooding* means a temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland waters or the unusual and rapid accumulation of runoff or surface waters from any source.

147. *Floodplain* or *flood hazard area* means areas which have been designated by the Board, the Colorado Water Conservation Board or FEMA as susceptible to flooding.

148. *Floodprone* means areas subject to flooding which have not been designated as a floodplain or flood hazard area by the Board, the Colorado Water Conservancy Board or FEMA.

149. *Floodway* means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than 0.5 foot.

150. *Flood Insurance Rate Map (FIRM)* means the official map on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

151. *Flood Insurance Study* means the official report provided by the Federal Emergency Management Agency that includes flood profiles, the Flood Boundary-Floodway Map, and the water surface elevation of the base flood.

152. *Flood light* means light that produces up to 1,800 lumens and is designed to "flood" a well-defined area with light. Generally, floodlights produce from 1,000 to 1,800 lumens.

153. *Floor area*, also called *gross floor area*, means the total square footage of the building measured along the outside walls of the building and including each floor level, but not including open balconies, garages or other enclosed automobile parking areas and basement storage areas, and not including one-half of all storage and display areas for durable goods.

154. *Floor Area Ratio (FAR)* means the amount of gross floor area of all principal buildings on a lot or block, as the case may be, divided by the total area of such lot, or the block size, respectively, on which such buildings are located. For mixed-use blocks, the residential square footage shall be added to the commercial development for a total block FAR.

155. *Flow line* means the low point within a street section wherein water collects and flows, typically the gutters along each edge of the pavement.

156. *Footprint*, also called *ground level footprint*, means the outline of a building's perimeter at ground level.

157. *Foot-candle* means the illumination produced on a surface one foot from a uniform point source of one candela. Foot-candles will be measured by a light meter.

158. *Foster care home* shall have the same meaning as §26-6-102(4.5) of the Colorado Revised Statutes applicable at the time of interpretation.

159. ~~*Freestanding sign* means a sign includes only a sign which is supported by one or more columns, uprights, poles or braces extended from the ground, or which is erected on the ground and shall also include a monument sign, and pole signs but does not include a sign attached to a structure.~~

160. *Frontage* means the length of property along one side of a street between property or lease boundary lines.

161. *Full cutoff fixture* means a fixture which, as installed, gives no emission of light above a horizontal plane.

162. *Functional open space* means open space which is large enough to serve a practical purpose such as recreation, wildlife habitat or preservation of areas of agricultural, archeological or historical significance and shall exclude areas used for off-street parking, off-street loading, service driveways and setbacks from oil and gas wells or their appurtenances, or other hazards to the public.

163. *Funeral home* means a building used for the preparation of deceased persons for burial or cremation, for the display of deceased persons and/or for ceremonies or services related thereto, including cremation and the storage of caskets, funeral urns, funeral vehicles and other funeral supplies.

164. *Gable* means the triangular portion of wall enclosing the end of a pitched roof from cornice or eaves to ridge.

165. *Garage* means a building or part of a building wherein motor vehicles are housed or stored.

166. *Gasoline station* means any building, land area, premises or portion thereof, where gasoline or other petroleum products or fuels are sold and in which light maintenance activities such as engine tune-ups, lubrication and minor repairs may be conducted. Gasoline stations shall not include premises where heavy automobile maintenance activities such as engine overhaul, automobile painting and body and fender work are conducted.

167. *Geologic hazards* mean unstable or potentially unstable slopes, undermining, faulting, landslides, rock falls, flood, wildfire or similar naturally occurring dangerous features or soil conditions or natural features unfavorable to development.

168. *Glare* means intense light that results in discomfort and/or a reduction of visual performance and visibility.

169. *Grade* means the degree of rise or descent of a sloping surface.

170. *Grade, finished* means the final elevation of the ground surface after development.

171. *Grade, natural* means the elevation of the ground surface in its natural state, before man-made alterations.

172. *Grocery store, large* means a retail establishment which primarily sells food, but also may sell other convenience and household goods, and which occupies a space greater than 25,000 square feet. The term large grocery store is synonymous with supermarket.

173. *Grocery store, small* means a retail establishment primarily selling food, as well as other convenience and household goods, which occupies a space of not more than 25,000 square feet.

174. *Gross square footage (GSF)* means the total floor area designed for occupancy and use, including basements, mezzanines, stairways and upper floors, if any, expressed in square feet and measured from the centerline of joint partitions and from outside wall faces.

175. *Group home, developmentally disabled* means a group home, licensed by the state, for the exclusive use of not more than eight developmentally disabled persons and the appropriate staff.

176. *Group home, elderly* means an owner-occupied or nonprofit group home for the exclusive use of not more than eight persons 60 years of age or older and the appropriate staff.

    a. "Nonprofit group home" means a group home for the elderly which is owned and operated by a person or organization as provided by 31-23-303, C.R.S., 1973.

    b. "Owner-occupied group home" means a group home for the elderly which is owned and operated by an individual or individuals who actually reside at and maintain their primary place of residence in the group home.

177. *Group home, mentally ill* means a group home, licensed by the state, for the exclusive use of not more than eight mentally ill persons and the appropriate staff.

178. *Growth Management Area (GMA)* means the existing incorporated area of the Town as well as additional areas outside of the current Town limits determined to be feasible for development at greater than county densities within the next 20 years.

179. *Guaranty* means any form of security in an appropriate amount and form satisfactory to the Town. "Guaranty" shall cover construction performance and warranty term provisions.

180. *Guest house* means an accessory structure which is physically detached from a single-family dwelling unit, is serviced through the same utility meters or connections as the principal use, and is intended for temporary occupancy by visitors to the family residing in the single-family dwelling.

181. *Health club* means a facility that provides physical fitness services and/or equipment to its members.

182. *Highway, corridor* means the area within and adjacent to the rights-of-way of Colorado Highway 56, Colorado Highway 287 and Interstate 25.

183. *High intensity activity node* means a land use that caters to the needs of local residents and visitors alike and may contain a wide palette of uses that include commercial, office, residential, civic and transit amenities.

184. *Hip roof* means a roof having sloping ends and sides meeting at an inclined projecting angle.

185. *Historic district* means an area related by historical events or themes by visual continuity or character or by some other special feature that helps give it a unique historical identity. Such area may be designated a historic district by local, state, or federal government and given official status and protection.

186. *Historic site* means a structure or place of historical significance. Such structure or place may be designated a historic site by local, state, or federal government and given official status.

187. *Holiday lighting* means festoon type lights, limited to small individual bulbs on a string, where the output per bulb is no greater than 15 lumens.

188. *Home occupation* means an occupation or business activity conducted by the resident which results in a product or service and which is actively conducted by a person on the same lot on which the person resides.

189. *Homeowners association* means the association set up to enforce the covenants and to maintain all common areas and buildings for a development. Also known as an "Owners Association."

190. *Horticulture* means the growing of turf, fruits, vegetables, herbs, flowers or ornamental plants.

191. *Hospital* means an institution providing health services for human in-patient medical or surgical care for the sick or injured and including related facilities such as laboratories, out-patient departments, training and central services facilities and staff offices.

192. *Hotel/motel/lodging establishment* means a building intended and used for occupancy as a temporary abode for individuals who are lodged with or without meals, in which there are 12 or more guest rooms.

193. *Household pet* means any animal that has been bred or raised to live in or about the habitation of humans and is dependent on people for food and shelter, not including animals defined as livestock, exotic animals or animals capable of inflicting substantial physical harm to humans. Includes dogs, domestic cats, canaries, parrots, pygmy goats, hamsters, ferrets, potbellied pigs, guinea pigs and similar rodents, fish, reptiles, rabbits and such other species as would normally be sold at a pet shop.

194. *Human scale (pedestrian scale)* means the proportional relationship between the dimensions of a building or building element, street, outdoor space or streetscape element and the average dimensions of the human body, taking into account the perceptions and walking speed of a typical pedestrian.

195. *I-25 corridor/Hwy. 56 gateways* means the land near this intersection that may include bridge enhancements, entrance monumentation and special landscape treatments designed to announce entrance into the community.

196. *Illuminance* means the amount of light that covers a surface, measured by foot-candle or lux.

197. *Illuminating device* means the following:

1. *Light fixture types*

    a. *Full cutoff fixture types* — A fixture which, as installed, gives no emission of light above a horizontal plane.

    b. *Floodlights and spotlights* — Fixtures defined as having a full beam width or beam spread of less than 110 degrees.

2. *Lamp types*

    a. *Incandescent lamps* — Lamps which produce light via an electrically heated metallic filament.

    b. *Fluorescent lamps* — Lamps that use fluorescence of a phosphor to produce visible light.

198. *High intensity discharge (HID) lamps* mean lamps, which produce visible light directly by the electrical heating or excitation of a gas. Examples of such lighting include, but are not limited to, Metal Halide, High Pressure Sodium, Low Pressure Sodium and Mercury Vapor. Fluorescent lights are not considered HID lighting.

199. *Illumination, concealed* means an artificial light source either internal to a sign structure or shielded from public view and from the surrounding properties used to illuminate only the face of a sign and not any area beyond the face.

200. *Illumination, direct* means lighting by means of an unshielded light source (including neon tubing) which is effectively visible as a part of the sign, where light travels directly from the source to the viewer's eye.

201. *Illumination, external or indirect* means lighting by means of a light source directed at a reflecting surface in a way that illuminates the sign from the front, or a light source that is primarily designed to illuminate the entire building facade upon which a sign is displayed. Indirect illumination does not include lighting which is primarily used for purposes other than sign illumination; e.g., parking lot lights, or lights inside a building that may silhouette a window sign but are primarily installed to serve as inside illumination.

202. *Illumination, internal* means lighting by means of a light source that is within a sign having a translucent background, silhouetting opaque letters or designs, or which is within letters or designs that are made of a translucent material.

203. *Industrial, Heavy* means uses engaged in the processing and manufacturing of materials or products predominantly from extracted or raw materials, or a use engaged in storage of, or manufacturing processes using flammable or explosive materials, or storage or manufacturing processes that potentially involve hazardous conditions. Heavy industrial also means those uses engaged in the cleaning of equipment or work processes involving solvents, solid waste or sanitary waste transfer stations, recycling establishments, truck terminals, public works yards, and container storage.

204. *Industrial, light* means uses engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales or distribution of products, provided all manufacturing activities are contained entirely within a building and noise, odor, smoke, heat, glare and vibration resulting from the manufacturing activity are contained entirely within the building. Light industrial shall also mean uses such as the manufacture of electronic instruments, preparation of food products, pharmaceutical manufacturing, research and scientific laboratories or the like. Light industrial shall not

include uses such as mining and extracting industries, petrochemical industries, rubber refining, and primary metal or related industries.

205. ~~*Informational sign* means a noncommercial sign the sole purpose of which is to convey information or directions with respect to the premises on which it is maintained.~~

206. *Infrastructure* means those man-made structures which serve the common needs of the population, such as: potable water systems; wastewater disposal systems; solid waste disposal sites or retention areas; storm drainage systems; electric, gas or other utilities; bridges; roadways; bicycle paths or trails; pedestrian sidewalks, paths or trails; and transit stops.

207. *Initial acceptance* means an acknowledgment by the Town that to the best of the Town's knowledge, all work has been completed in accordance with the plans and specifications.

208. *Inn* means a building intended and used for occupancy as a temporary abode for individuals who are lodged with or without meals, in which there are less than 12 guest rooms. Integrate means to combine or coordinate separate elements (such as housing, recreation, jobs, and shopping) to provide a harmonious, interrelated whole; organized or structured so that constituent parts function cooperatively.

209. *Intra-neighborhood connections* mean connections (such as trails and roads) within the same neighborhood.

210. *Inter-neighborhood connections* mean connections (such as trails and roads) between neighborhoods.

211. *Irrigation ditch* or *canal* means a channel designed to transport irrigation water.

212. *Junk* means scrap brass, iron, lead, tin, zinc; all other scrap metals and the alloys; bones; rags; used cloth, rope, rubber, tinfoil, bottles; old or used machinery of any type; used tools; used appliances; used lumber or crates; building materials; industrial equipment, fabrication of any material; used pipe or pipe fittings; used conduit or conduit fittings; used automobile parts; derelict vehicles, farm and heavy equipment construction vehicles; used tires and other manufactured goods that are so worn, deteriorated or obsolete as to make them unusable in their existing condition.

213. *Junkyard* means a building, structure or parcel of land, or portion thereof, used for collecting, displaying, storing, selling or reselling junk. Junkyards shall not include a recycling facility.

214. *Kennel* means a facility licensed to house dogs, cats or other household pets and/or where grooming, breeding, boarding or training or selling of animals is conducted as business.

215. *Laboratory* and/or *research facility* means a facility primarily engaged in scientific research, analysis, production, and/or experimentation of a product.

216. *Lamp* or *bulb* means the light-producing source installed in the socket portion of a luminaire.

217. *Landowner* means any owner of a legal or equitable interest in real property, and includes the heirs, successors, and assigns of such ownership interests.

218. *Landscaping* means any combination of living plants such as trees, shrubs, plants, vegetative ground cover or turf grasses, and may include structural features such as walkways, fences, benches, works of art, reflective pools or fountains. Landscaping shall also include irrigation systems, mulches, topsoil and soil preparation, re-vegetation and the preservation, protection and replacement of existing trees.

219. *Land improvements* means physical changes made to land and/or structure placed on or under the land surface in order to change the natural or preexisting conditions of the land.

220. *Lane* means a private street, portion of a roadway delineated for a single line of vehicles; or a secondary means of access to the lots abutting a street and not intended for general traffic circulation.

221. *Laundry and dry-cleaning retail outlet* means a laundry or dry-cleaning business which consists primarily of serving retail customers, provided that any laundry and dry-cleaning processing that occurs on the premises is limited to items which are brought directly to the premises by the retail customer.

222. *Legal building site* means a lot that can be developed within the provisions of this Code and within other rules and regulations adopted by the Town.

223. *Levee* means a manmade structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control or divert the flow of water so as to provide protection from temporary flooding.

224. *Levee system* means a flood protection system which consists of a levee or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

225. *Light pollution* means any adverse effect of manmade light including, but not limited to, light trespass, up-lighting, the uncomfortable distraction to the eye, or any man made light that diminishes the ability to view the night sky. Often used to denote urban sky glow.

226. *Light trespass* means any light emitted by a luminaire falls where it is not wanted or needed or shines beyond the property on which the luminaire is installed.

227. *Lighting* means any or all parts of a luminaire that function to produce light.

228. *Lighting, indirect* when applied to the lighting of signs, shall mean reflected light only from a concealed light source outside the sign face which reflects from the sign face only or from the sign face and sign copy.

229. *Limited indoor recreation facility* means a place where recreation activities occur completely within an enclosed structure including but not limited to bowling alleys, skating rinks, pool halls, and video and pinball parlors.

230. *Limited outdoor recreation facility* means a place with outdoor activities including but not limited to miniature golf, batting cages, water slides, skateboard parks, driving ranges, and go-cart tracks.

231. *Livestock* means cows, horses, swine, goats, donkeys, mules, sheep or chickens.

232. *Long-term care facility* means any of the following:

    a. *Convalescent center* means a health care institution that is planned, organized, operated and maintained to offer facilities and services to inpatients requiring restorative care and treatment and that is either an integral patient care unit of a general hospital or a facility physically separated from, but maintaining an affiliation with, all services in a general hospital.

    b. *Nursing care facility* means a health care institution planned, organized, operated and maintained to provide facilities and health services with related social care to inpatients that require regular medical care and 24-hour per day nursing services for illness, injury or disability. Each patient shall be under the care of a physician licensed to practice medicine in the State of Colorado. The nursing services shall be organized and maintained to provide 24-hour per day nursing services under the direction of a registered professional nurse employed full time.

    c. *Intermediate health care facility* means a health-related institution planned, organized, operated and maintained to provide facilities and services which are supportive, restorative or preventive in nature, with related social care, to individuals who because of a physical or mental condition, or both, require care in an institutional environment but who do not have an illness, injury or disability for which regular medical care and 24-hour per day nursing services are required.

233. *Lot* means a designated parcel, tract or area of land established by plat or subdivision of at least a sufficient size to meet minimum requirements for use, street frontage coverage and area, and to

provide required yards and other open spaces in the zoning district in which the lot is located, and which has direct access onto a public or private street.

234. *Lot, corner* means a lot or parcel of land abutting upon two or more streets at their intersection, or upon two parts of the same street forming an interior angle of less than 135 degrees. All corner lots shall have one front yard, one back or rear yard and two side yards. The Town Planner and Building Official shall designate these yards and will base their decision on the orientation of the structure on the lot and the street to which the structure is addressed to.

235. *Lot depth* means the average distance between the front lot line and the rear lot line.

236. *Lot, flag* means a lot so shaped and designed that the main building site area is set back from the street on which it fronts and includes a narrow access strip connecting the main building site with the frontage street.

237. *Lot line, front* means the property line dividing a lot from a street. On a corner lot only one street line shall be considered as a front line, and the shorter street frontage shall be considered the front line.

238. *Lot line, rear* means the line opposite the front lot line.

239. *Lot, reverse corner* means a corner lot having its side street line substantially a continuation of the front lot line of the first lot to its rear.

240. *Lot line, side* means any lot lines other than the front lot line or rear lot line.

241. *Lot size* means the total horizontal area within the lot lines of a lot; synonymous with area of lot.

242. *Lot width* means the distance parallel to the front lot line, measured at the front building setback line. Lot width on a curving front lot line means the distance parallel to the tangent of the front lot line at the building setback line. The lot width and the lot frontage may have different lengths on an irregularly shaped lot as they are measured at different points on the lot.

243. *Lowest floor* means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this Chapter.

244. *Lumen* means a unit of luminous flux; the flux emitted within a unit solid angle by a point source with a uniform luminous intensity of one candela. One foot-candle is one lumen per square foot. One lux is one lumen per square meter.

245. *Luminaire* means the complete lighting unit, including the lamp, the fixture, and other parts.

246. *Luminance* means at a point and in a given direction, the luminous intensity in the given direction produced by an element of the surface surrounding the point divided by the area of the projection of the element on a plane perpendicular to the given direction. Units: candelas per unit area. The luminance is the perceived brightness that can be seen, the visual effect of the illuminance, reflected, emitted or transmitted from a surface.

247. *Machine shop* means a workshop where power-driven tools are used for making, finishing, or repairing machines or machine parts.

248. *Management Agency* means the agency in charge of the "208 Water Quality Plan" in the Berthoud area.

249. *Manager* means the Town Manager or Administrator of the Town of Berthoud.

250. *Manufactured home* means a single-family dwelling which:

    a. Is partially or entirely manufactured in a factory;

b. Is at least 24 feet wide and 36 feet long;

c. Is permanently affixed to and installed on an engineered permanent foundation at the entire perimeter of the dwelling.

d. Has a pitched or cosmetically equivalent roof of at least 4/12 pitch, and brick, or cosmetically equivalent wood exterior siding; and

e. Is certified pursuant to the "National Manufactured Housing Construction and Safety Standards Act of 1974", 42 U.S.C. 5401, et seq., as amended.

251. *Manufacturing* means a business which makes products by hand or by machinery.

252. *Massing* means the distribution of the volume of a structure or landscape and the visual weight relationships of the various forms of a structure or landscape to one another and to the structure or landscaping as a whole.

253. *Master plan* means a development plan that shows how an entire site is proposed for development in a general fashion including a delineation of proposed construction phases.

254. *Mean sea level* means, for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

255. *Measurement of luminance* means a lamp output with the following characteristics:

a. *Total output:* Measurement of total output is in lumens. This should be understood to be the initial lumen value for the lamp.

b. *Illuminance:* Measurements of illuminance are expressed in initial lumens per square foot. (A desktop illuminance of 20 initial lumens per square foot is adequate for most purposes.)

In measuring illuminance, the light detector or meter should be pointed directly at the light source or sources. The intervening light path should be free of obstruction.

256. *Median* means an area in the approximate center of a street or highway which is used to separate the directional flow of traffic.

257. *Medical and dental office* or *clinic* means an establishment operated by one or more duly licensed members of the human health care professions including, but not limited to, physicians, dentists, chiropractors, psychiatrists and osteopaths, where patients are not lodged overnight but are admitted for outpatient examination and/or treatment.

258. *Medical marijuana center* means a person licensed pursuant to C.R.S. Title 12, Article 43.3, to operate a business as described in C.R.S. 12-43.3-402 that sells medical marijuana to registered patients or primary caregivers as defined in section 14 of article XVIII of the state constitution, but is not a primary caregiver.

259. *Medical marijuana-infused products manufacturer* means a person licensed pursuant to C.R.S. Title 12, Article 43.3 to operate a business as described in C.R.S. 12-43.3-404.

260. *Medical Marijuana Optional premises cultivation operation* means a person licensed pursuant to C.R.S. Title 12, Article 43.3 to operate a business as described in C.R.S. 12-43.3-403.

261. *Meeting place and place for public assembly* means a hall, auditorium or other suitable room or rooms used for the purpose of conducting meetings of the membership and guests of the owner of such structure. The same shall not include commercial endeavors such as commercial movie picture houses, stage productions or the like.

262. *Micro-brewery* means any establishment that manufactures malt liquors or fermented malt beverages on-site, including the sale and consumption of such beverages on-site. Micro-brewery can also mean brew pub, where food is permitted to be served for consumption on-site. Breweries and brew pubs are

regulated and licensed in accordance with the Colorado Department of Revenue Liquor Enforcement Division.

263. *Mini-storage warehouse* means a building or a group of buildings, not consisting of containers as defined herein, comprised of separate, individual self-storage units divided from the floor to ceiling by walls, each with an independent entrance from the exterior of the building and that are designed to be rented or leased on a short-term basis to the general public for private storage of personal goods, materials and equipment.

264. *Mixed use* shall mean the development of a lot tract or parcel of land, building or structure with two or more different uses including but not limited to residential, office, retail, public uses, personal service or entertainment uses, designed, planned and constructed as a unit.

265. *Mixed use building* means a building designed, planned and constructed as a unit, used partially for residential use and partly for commercial uses including, but not limited to, office, retail, public uses, personal service or entertainment uses.

266. *Mixed use dwelling unit* means the dwelling unit in a mixed use building. For purposes of calculating residential density, each dwelling unit shall count as one-half dwelling unit.

267. *Mobile home* means a unit partially or entirely manufactured in a factory, built on a permanent chassis, and which is designed to be transported on streets to the place where it is to be occupied as a dwelling unit, is at least eight feet wide and 32 feet long; and is designed to be used as a dwelling without permanent foundation when connected to required utilities. A mobile home does not include a factory built home, manufactured home, or a recreational vehicle (RV).

268. *Model home* means a dwelling temporarily used as a sales office or demonstration home for a residential development under construction, said dwelling being used as an example of a product offered for sale to purchasers (by a realtor, building developer or contractor). The dwelling may be furnished but not occupied as a residence while being used as a "model home."

269. *Model plans* means a set of standard plans for a home.

270. *Modified grid pattern* means a grid pattern of streets and blocks adapted to the topography, unique natural features, environmental constraints, and peripheral open space areas.

271. *Mullion* means a slender vertical member dividing the opening for a pair of double doors, sometimes removable to permit the passage of large objects, or also, a vertical member between the lights of a window.

272. *Municipality* means an incorporated city or town.

273. *Muntin* means a strip of wood or metal that separates and holds panes of glass in a window.

274. *Native Seed Area* means an area that is planted using broadcast native or drought-tolerant seed mix, resulting in a drought-tolerant turf. These areas have a water dedication requirement of 0.8 acre-feet per acre.

275. *Natural Area* means an area that (a) is appropriately vegetated and free of weeds; (b) is capable of maintaining the existing vegetation without irrigation; (c) has been dedicated to and accepted by the Town; and (d) is a wetland under the criteria in the Wetlands Delineation Manual utilized by the U.S. Army Corps of Engineers and U.S. Environmental Protection Agency in effect at the time of dedication to the Town. All Natural Areas shall be encumbered by a conservation easement. Natural Areas do not require any irrigation. In order to qualify as a Natural Area, the Developer must pay the Town's fees and expenses incurred in determining whether the area is a wetland and appropriately vegetated, and the Natural Area must be accepted by the Town at the Town's sole discretion by and through the Town Administrator.

276. *Natural preserve/open lands* means areas identified on the Town Comprehensive Plan Preferred Land Use map or related maps including but not limited to: parks, bodies of water, the Hwy. 287 buffer area,

trail corridors, conservation easements, irrigation ditches, floodplains and flood ways, natural drainage and water ways, significant native trees and vegetation, wildlife travel corridors, special habitat features, remnant native prairie habitat, plains cottonwood galleries, and any wetland greater than one-quarter acre in size.

277. *Neighborhood* means a geographical area, the focus of which are residential uses, but also may include a mixture of activities that people need to live. A neighborhood may include a diversity of housing types, schools, parks, shopping and jobs (frequently service-type), and civic buildings.

278. *Neighborhood commercial center* means a shopping center which contains businesses that are intended to provide goods and services to the immediate neighborhood (within a one-quarter mile radius).

279. *New construction* means structures for which the start of construction or remodeling commenced on or after the effective date of this Code.

280. *Nightclub* means a bar or tavern containing more than 100 square feet of dance floor area.

~~281. *Noncommercial sign* means a sign that does not commercially advertise and which references any noncommercial activity or event.~~

282. *Nonconforming building* means a building or structure, or portion thereof, that does not conform to the regulations of this Code, but that was lawfully constructed under the regulations in force at the time of construction.

283. *Nonconforming sign* means a sign which does not conform to the regulations within this Code but was lawfully erected under the regulations in force at the time it was erected.

284. *Nonconforming use* means a use that does not conform to the use regulations of this Code, but that was lawfully established under the regulations in force at the time the use was established and has been in regular use since that time.

285. *Noxious weeds* means plants that are determined by the State of Colorado, Larimer or Weld County, or the Town as a noxious weed or an alien plant that is aggressively invasive including but not limited to Leafy Spurge, Russian Knapweed, Spotted Knapweed, Diffuse Knapweed, Canada Thistle, Musk Thistle, Field Bindweed, Volunteer Rye, and Jointed Goatgrass.

286. *Nursing facility* means a facility, or a distinct part of a facility, which meets the state nursing home licensing standards, is maintained primarily for the care and treatment of inpatients under the direction of a physician, and meets the requirements in federal regulations for certification as a qualified provider of nursing facility services. "Nursing facility" includes private, nonprofit, or proprietary intermediate nursing facilities for the mentally retarded or developmentally disabled.

287. *Off-site improvement* means any improvement on property wholly or partly located outside the area of the property being subdivided, whether or not in the same ownership of the entity doing the subdivision.

288. *Oil and gas operation* means any structure, facility or activity which is constructed on or disturbs land in association with oil or gas drilling, production or waste treatment and disposal, including but not necessarily limited to wells, tanks or tank batteries, pits, access roads for ingress and egress and pipelines.

289. *Oil or gas well* means a well that produces oil or gas.

290. *Open space* means any land or water area with its surface open to the sky, which serves specific uses of providing park and recreation opportunities, conserving natural areas and environmental resources and protecting areas of agricultural, archeological or historical significance. Open space shall not be considered synonymous with vacant or unused land. Usable open space shall exclude areas used for off-street parking, off-street loading, service driveways, setbacks from oil and gas wells and their

appurtenances, or other hazards to the public, native open areas on steep slopes, floodways, or easements for utilities.

291. *Open space, common* means a parcel of land, an area of water, or a combination of land and water within a development designed and intended primarily for the use or enjoyment of residents, occupants and owners of that development.

292. *Open space, public* means an open space area conveyed or otherwise dedicated to the Town for public recreational or conservation uses. Public opens spaces are to be unencumbered by oil and gas wells, their appurtenances or other hazards to the public.

293. *Open Water* means a body of water, such as a pond or reservoir, whether existing or created and whether for purposes of water storage, aesthetic, or recreation, that has an adequate physical and legal water supply to maintain the open water condition year round, and that has been accepted by the Town for Open Water land use.

294. *Outdoor light fixture* means when an outdoor illuminating device, outdoor lighting or reflective surface, luminous tube, lamp or similar device, permanently installed or portable, used for illumination, decoration, or advertisement. Such devices include, but are not limited to, lights used for:

    a. parking lot lighting;

    b. roadway lighting;

    c. buildings and structures;

    d. recreational areas;

    e. landscape lighting;

    f. billboards and other signs (advertising or other);

    g. product display area lighting;

    h. building or structure decoration; or

    i. building overhangs and open canopies.

295. *Outdoor storage* means the keeping, in an unenclosed area, of any equipment, goods, junk, material, merchandise or vehicles, including boats, RV's and trailers, in the same place for more than 24 hours. Containers may not be permitted for use as permanent storage or building purposes without site plan and/or building permit approval.

296. *Outlot* means a measured piece of land contained within subdivided land that is not a building lot. An outlot may be conveyed to the public for open space or other public purposes, be retained by the developer for merger with a later subdivision, or be conveyed to an owners association.

297. *Overall Development Plan (ODP)* means a development plan that shows how an entire site is proposed for development and which may be processed as a Planned Unit Development in accordance with the previous Land Development Code.

298. *Owner* means any person who alone, jointly or severally with others, or as an agent, trustee, executor or other representative capacity, has legal or equitable title to any property.

299. *Parapet* means a low, protective wall at the edge of a terrace, balcony or roof, especially that part of an exterior wall, fire wall, or party wall that rises above the roof.

300. *Parcel* means a tract or plot of land.

301. *Park* means an area open to the general public and reserved and usable for recreational, educational or scenic purposes.

302. *Park, pocket* means an approximately one-half acre park including playground equipment that is developed, owned and maintained by persons other than the Town of Berthoud.

303. *Parking area (off-street)* means all off-street areas and spaces designed, used, required or intended to be used for the parking, storage, maintenance, service, repair, display or operation of motor vehicles, including driveways or access ways in and to such areas, but not including any outdoor storage area used principally as a "recreational vehicle, boat or truck storage" use, storage areas for landscaping and other bulk items or public streets and rights-of-way.

304. *Parking garage* means an off-street parking area within a building.

305. *Parking lot* means an outdoor off-street parking area or vehicular use area.

306. *Parking space* means an area of at least 200 square feet with dimensions of ten feet by 20 feet exclusive of driveways, aisles or maneuvering areas. All parking spaces shall have direct unobstructed access to a street, drive aisle or alley.

307. *Parkway* means that portion of the public right-of-way between the curb line and the adjoining property line.

308. *Partially shielded light* means when the bulb of the fixture is shielded by a translucent siding and the bulb is not visible at all. Light may be emitted at the horizontal level of the bulb.

309. *Pergola* is a structure of parallel colonnades supporting an open roof of beams and crossing rafters or trellis work.

310. *Permanent monument* means any structure of masonry and/or metal permanently placed on or in the ground, including those expressly placed for surveying reference.

311. *Person* means a natural person, joint venture, stock company, partnership, association, club, company, corporation, business, trust or organization or the manager, lessee, agent, representative, officer or employee of any of the foregoing entities, acting as a unit.

312. *Personal and business service shops* means shops primarily engaged in providing services generally involving the care of the person or such person's appearance or rendering services to business establishments such as laundry or dry-cleaning retail outlets, portrait/photographic studios, beauty or barber shops, employment service, or mailing and copy shops.

313. *Phase* means a portion of property that is being platted and engineered for development at one time.

314. *Pilaster* means a rectangular support or pier treated architecturally as a column, with a base shaft and capital.

315. *Planned Unit Development (PUD) Overlay* means an overlay zone that may be used to modify permitted or conditional land uses and specific standards including lot size, building bulk, gross density, and lot coverage or floor area ratios. A PUD overlay may only be used to modify the existing zoning of a parcel.

316. *Plant nursery and greenhouse* means any land or structure used primarily to raise trees, shrubs, flowers or other plants for sale or for transplanting.

317. *Plat* means a map of certain described land showing property and lot boundaries, location of public utilities, easements and other information prepared in accordance with the requirements of this Code, approved by the Town and recorded in the records of the respective County Clerk and Recorder.

318. *Preliminary Development Plan (PDP)* means a development review process under previous versions of the Land Development Code.

319. *Prime farmland* means land that has the best combination of physical, water supply and chemical characteristics for producing food, feed, forage, fiber and oilseed crops, and other agricultural crops with minimum inputs of fuel, fertilizer, pesticides, and labor and without intolerable soil erosion, as

determined by the Secretary of Agriculture. Prime farmland includes land that possesses the above characteristics but is being used currently to produce livestock and timber. It does not include land already in or committed to urban development or water storage.

320. *Principal use* means the main use of land or of a structure as distinguished from a subordinate or accessory use.

321. *Private school* means a school that does not derive its support, in whole or in part, from moneys raised by a city, town, state, county or school district tax.

322. *Professional office* means an office for professionals such as physicians, dentists, lawyers, architects, engineers, artists, musicians, designers, teachers, accountants and others who through training are qualified to perform services of a professional nature and where no storage or sale of merchandise exists, except as accessory to the professional services.

323. *Program deficiency* means a defect in a community's floodplain management regulations or administrative procedures that impairs effective implementation of those floodplain management regulations or of the National Flood Insurance Program standards.

324. *Proof of ownership* means ownership as specified in a current title insurance commitment, title policy, certification of title issued by a title insurance company licensed by the State of Colorado or recorded deed or copy of current property taxes.

325. *Property* means all real property subject to development regulation by the Town.

326. *Property line* means the boundary of any lot, parcel or tract as the same is described in the conveyance of such property to the owner; and does not include the streets or alleys upon which the said lot, parcel or tract abuts.

327. *Public areas* means streets, parks, open spaces and other property designated or described for public use on a map or plat approved by the Town and for which fee title is vested in the Town or other public entity.

328. *Public facilities* means those constructed facilities, including but not limited to, transportation systems or facilities, water systems or facilities, wastewater systems or facilities, storm drainage systems or facilities, fire, police and emergency systems or facilities, electric, gas, telecommunication utilities or facilities, and publicly owned buildings or facilities.

329. *Public hearing* means a meeting called by the Board of Trustees, Planning Commission, or the Board of Adjustment for which public notice has been given and which is held in a place at which interested parties may attend to hear issues and to express their opinions.

330. *Public improvement* means any drainage ditch, roadway, parkway, sidewalk, pedestrian way, tree lawn, landscaped open space, off-street parking area, lot improvement or other facility which benefits the public.

331. *Public school* means a school that derives all or a portion of its support from moneys raised by a general state, county or school district tax and is controlled and operated by the Thompson R2J or Weld County School District.

332. *Public utility* means a common carrier supplying electricity, wire telephone service, natural gas, water, wastewater or storm water service or similar public services, but shall not include railroads or other forms of rail mass transit or depots or terminals supporting the same; or wireless telecommunication facilities.

333. *Push cart* means a mobile vending cart, pushcart or trailer that is not motorized or attached to a vehicle for towing and that does not exceed ten feet in length, four feet in width or eight feet in height. A pushcart may be used to cook and prepare food for vending or to serve commissary prepared, ready-to-eat or packaged food in individual servings.

334. *Raw water* means water rights acceptable to the Town for domestic purposes after treatment, or water rights acceptable to the Town that may be used for irrigation of public facilities.

335. *Raw Water Credit* means the number of S.F.E.s for which dedication credits are certified by the Town in exchange for cash in lieu of water dedication payments or water rights dedications to the Town.

336. *Recessed light* means when a light is built into a structure or portion of a structure such that the light is fully cut-off and no part of the light extends or protrudes beyond the underside of a structure or portion of a structure.

337. *Recreational vehicle (RV)* means a vehicle primarily designed as temporary living quarters for recreational, camping or travel use, which either has its own motive power or is drawn by another vehicle. The following shall be considered a recreational vehicle:

    a. *Camping trailer* or *tent trailer* means a folding structure, constructed of canvas, plastic or similar water repellent material designed to be mounted on wheels and designed for travel and recreation.

    b. *Motorized camper, motor home, recreational conversion van* or *bus* means a recreational vehicle consisting of a portable, temporary dwelling to be used for travel, recreation and vacation uses, and constructed as an integral part of a self-propelled vehicle.

    c. *Pick-up camper* means an enclosure designed to be mounted on or loaded into a pick-up truck chassis for use as a temporary dwelling for travel and recreation.

    d. A *tent*, meaning a portable or temporary cover or shelter, with or without side panels, which is supported by poles and is made of canvas, plastic or similar materials.

    e. A *travel trailer*, meaning a towed vehicle designed as a temporary dwelling for travel and recreation. Travel trailer, self-contained, means a trailer which can operate independently of connections to sewer, water and electric systems. It contains a water-flushed toilet, lavatory, shower or bath and kitchen sink, all of which are connected to water storage and sewage holding tanks located within the trailer.

338. *Recreational vehicle park* means a parcel of land specifically developed for locating only recreational vehicles on lots on a short-term basis.

339. *Recreational vehicle site* means a plot of ground within a recreational vehicle park intended for the accommodation of a recreational vehicle, tent or other individual camping unit on a temporary basis.

340. *Recycling facility* means a building or lot used for the collection and/or processing of recyclable material. Processing shall mean the preparation of material for efficient shipment by such means as baling, compacting, flattening, grinding, crushing, mechanical sorting or cleaning. Such a facility, if entirely enclosed within a building or buildings, shall be considered a warehouse.

341. *Religious assembly (neighborhood scale)* means any structure or place wherein religious worship, ceremonies, rituals, and education are held for a congregation, and one that is not considered a community scale religious assembly.

342. *Religious assembly (community scale)* means any structure or building larger than 25,000 square feet in size wherein religious worship, ceremonies, rituals, and education are held.

343. *Resource extraction, processing and sales* means removal or recovery by any means whatsoever of sand, gravel, soil, rock, minerals, mineral substances or organic substances other than vegetation, from water or land on or beneath the surface thereof, exposed or submerged.

344. *Restaurant, drive-through* means any establishment in which the principal business is the sale of foods and beverages to the customer in a ready-to-consume state and in which the design or principal method of operation of all or any portion of the business is to allow food or beverages to be served

directly to the customer in a motor vehicle without the need for the customer to exit the motor vehicle.

345. *Restaurant, fast food* means any establishment in which the principal business is the sale of food and beverages to the customer in a ready-to-consume state, and in which the design or principal method of operation includes the following characteristics.

    a. Food and beverages are usually served in paper, plastic or other disposable containers;

    b. The consumption of food and beverages is encouraged or permitted within the restaurant building, within a motor vehicle parked upon the premises, or at other facilities on the premises outside the restaurant building; or the food and beverages are available for carry-out or pick up from drive-through facilities.

346. *Restaurant, standard* means any establishment in which the principal business is the sale of food and beverages to customers in a ready-to-consume state; where fermented malt beverages, and/or malt, special malt or vinous and spirituous liquors may be produced on the premises as an accessory use; and where the design or principal method of operation includes one or both of the following characteristics:

    a. Customers are served their food and/or beverages by a restaurant employee at the same table or counter at which the items are consumed; or

    b. Customers are served their food and/or beverages by means of a cafeteria-type operation where the food or beverages are consumed within the restaurant building.

347. *Resubdivision* means the changing of any existing lot or lots, street rights-of-way or easements of a subdivision plat previously recorded with the Larimer or Weld County Clerk and Recorder.

348. *Retail establishment, large* means a retail establishment, or any combination of retail establishments in a single building, occupying a total of more than 50,000 gross square feet of floor area, except that no supermarket shall be deemed to be a large retail establishment.

349. *Retail establishment, small* means a retail establishment, or any combination of retail establishments in a single building, occupying a less than 50,000 gross square feet of floor area.

350. *Retail and supply yard establishments with outdoor storage* means any use where building supply products such as lumber or landscape materials are offered for sale, and are displayed and stored in an unenclosed area.

351. *Retention basin* means a pond, pool or basin used for permanent storage of water runoff.

352. *Right-of-way* means a strip of land occupied or intended to be occupied by a street, crosswalk, railroad, road, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, irrigation ditch or for another special use. The usage of the term "right-of-way" for land platting purposes shall mean that every right-of-way established and shown on a final plat is to be separate and distinct from the lots or parcels adjoining such right-of-way and not included within the dimensions of such lots or parcels. Rights-of-way intended for streets, crosswalks, water mains, sanitary sewers, storm drains or any other use involving maintenance by a public agency shall be dedicated to that public use on the plat on which such right-of-way is established.

353. *Roof, gable* means a roof sloping downward in two parts from a central ridge, so as to form a gable at each end.

354. *Roof, hip* means a roof having sloping ends and sides meeting at an inclined projecting angle.

355. ~~*Roof sign* means a sign erected above the highest point of the coping of a flat roof; or to the deck line of a mansard roof; or to the average height of a gable, pitched or hipped roof. Also, any sign mounted on a pitched or sloping wall and extending higher than the lowest portion of the adjoining roof shall constitute a roof sign.~~

356. *Salvage* or *wrecking yard* means a place where motor vehicles and parts are wrecked, disassembled, repaired and resold, a place where secondhand goods including waste paper, bottles, automobile tires, clothing, other scrap materials and salvage are collected to be stored and a place where used lumber and used building materials are stored for sale or resale.

357. *Sanitary facilities* mean toilets, urinals, lavatories, showers, utility sinks and drinking fountains, and the service buildings containing these units.

358. *Sanitary waste station* means a facility used for removing and disposing of waste from self-contained camping vehicle sewage holding tanks.

359. *Senior housing* means multifamily residential structures that provide housing for an elderly population, and typically include minimum age restrictions.

360. *Searchlight* means an apparatus used to project a beam of light.

361. *Service building* means a structure housing toilet, lavatory, bath, laundry, service sink and other such sanitary facilities as may be required.

362. *Setback* means the required unoccupied space between the nearest projection of a structure and the property line of the lot on which the structure is located.

363. *Setback, front yard* means the distance a building or structure must be placed from the front lot line.

364. *Setback, rear yard* means the distance a building or structure must be placed from the rear lot line.

365. *Setback, side yard* means the distance a building or structure must be placed from the side lot line.

366. *Sexually-oriented* or *adult-oriented use* means a use of property where the principal use, or a significant or substantial adjunct to another use of the property, is the sale, rental, display or other offering of live entertainment, dancing or material which is distinguished or characterized by its emphasis on depicting, exhibiting, describing or relating to "specified sexual activities" or "specified anatomical areas" as the primary attraction to the premises, including, but not limited to:

    a. *Adult arcade* means any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically or mechanically controlled still or motion picture machines, projectors or other image-producing devices are maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by the depicting or describing of specified sexual activities or specified anatomical areas.

    b. *Adult bookstore, adult novelty store* or *adult video* means a commercial establishment which devotes a significant or substantial portion of its stock-in-trade or interior floor space to, or has as one of its principal business purposes, the sale, rental or viewing, for any form of consideration, of (a) any books, magazines, periodicals or other printed matter or photographs, films, motion pictures, videocassettes, slides, or other visual representations which are characterized by the depiction or description of specified sexual activities or specified anatomical areas, or (b) any instruments, devices or items which are designed or intended for use with or in specified sexual activities.

    c. *Adult cabaret* means a nightclub, bar, restaurant, concert hall, auditorium or similar commercial establishment which features:

        i. Persons who appear in a state of nudity;

        ii. Live performances which are characterized by the exposure of specified anatomical areas or by specified sexual activities; or

        iii. Films, motion pictures, video cassettes, slides or other photographic reproductions which are characterized by the depiction or description of specified sexual activities or specified anatomical areas.

d. *Adult motel* means a hotel, motel or similar commercial establishment which offers private rooms to the public and provides patrons live performances or closed-circuit television transmissions, films, motion pictures, video cassettes, slides or other photographic reproductions which are characterized by the depiction or description of specified sexual activities or specified anatomical areas and has a sign visible from a public right-of-way which advertises the availability of this adult type of photographic reproductions.

e. *Adult motion picture theater* means a commercial establishment which is distinguished or characterized by showing of films, motion pictures, videocassettes, slides or similar photographic reproductions with an emphasis on depicting or describing specified sexual activities or specified anatomical areas which are regularly shown for any form of consideration.

f. *Adult theater* means a theater, concert hall, auditorium or similar business which, for any form of consideration, regularly features persons who appear in a state of nudity or live performances which are characterized by the exposure of specified anatomical areas or by specified sexual activities.

g. *Adult photo studio* means any establishment which, upon payment of a fee, provides photographic equipment and/or models for the purpose of photographing "specified anatomical areas."

h. *Commercial establishment with respect to the regulation of sexually oriented businesses* may have other principal business purposes that do not involve the depicting or describing of specified sexual activities or specified anatomical areas and still be categorized as a sexually oriented business. Such other business purposes will not serve to exempt such commercial establishments from being categorized as a sexually oriented business so long as one of its principal business purposes is the offering for sale or rental for consideration the specified materials which depict or describe specified sexual activities or specified anatomical areas. The term commercial establishment includes clubs, fraternal organizations, social organizations, civic organizations or other similar organizations with paid memberships.

i. *Nude model studio* means any place where a person who appears in a state of nudity or displays specified anatomical areas is provided for money or any form of consideration to be observed, sketched, drawn, painted, sculpted, photographed or similarly depicted by other persons.

j. *Nudity or state of nudity* means:

   i. The appearance of human bare buttock, anus, male genitals, female genitals or the areola or nipple of the female breast; or

   ii. A state of dress which fails to opaquely and fully cover human buttocks, anus, male or female genitals, pubic region or areola or nipple of the female breast.

k. *Peep booth* means a viewing room, other than a private room, of less than 150 square feet of floor space upon the premises of a sexually oriented business where there are exhibited photographs, films, motion pictures, video cassettes or other video reproductions, slides or other visual representations which depict or describe specified sexual activities or specified anatomical areas.

l. *Private room* means a room in an adult motel that is not a peep booth, has a bed in the room, has a bath in the room or adjacent to the room, and is used primarily for lodging

m. *Sexual encounter establishment* means a business or commercial establishment which, as one of its primary business purposes, offers for any form of consideration, a place where two or more persons may congregate, associate or consort for the purpose of specified sexual activities or the exposure of specified anatomical areas, when one or more of the persons exposes any specified anatomical area.

n. *Sexually oriented business* means an adult arcade, adult bookstore, adult video store, adult cabaret, adult motel, adult motion picture theater, adult theater, nude model studio, sexual encounter establishment or other similar business and includes:

i. The opening or commencement of any sexually oriented business as a new business;

ii. The conversion of an existing business, whether or not a sexually oriented business, to a sexually oriented business;

iii. The addition of any sexually oriented business to any other existing sexually oriented business;

iv. The relocation of any sexually oriented business; or

v. The continuation of a sexually oriented business in existence on the effective date of the initial ordinance codified herein.

o. *Specified anatomical areas* means:

i. Less than completely and opaquely covered: human genitals, pubic region, buttocks, and female breast below a point above the top of the areola.

ii. Human male genitals in a discernibly turgid state even if completely and opaquely covered.

p. *Specified sexual activities* means acts, simulated acts, exhibitions, representation, depictions or descriptions of:

i. Human genitals in a state of sexual stimulation or arousal.

ii. Fondling or other erotic touching of human genitals, pubic region, buttocks or female breast.

iii. Intrusion, however slight, of any object, any part of an animal's body, or any part of a person's body into the genital or anal openings of any person's body or into the body of an animal.

iv. Cunnilingus, fellatio, anilingus, masturbation, bestiality, lewd exhibition of genitals or excretory function.

v. Flagellation, mutilation or torture for purposes of sexual arousal, gratification or abuse.

q. *Stage* means a raised floor or platform at least three feet above the surrounding floor measured perpendicularly from the edge of the stage to the surrounding floor and at least 36 square feet in area.

367. *Shielded light* means when the light emitted from the fixture is projected below a horizontal plane running through the lowest point of the fixture where light is emitted. The bulb is not visible with a shielded light fixture, and no light is emitted from the sides of the fixture. Also considered a full cut-off fixture.

368. *Shopping center* means a group of retail and service establishments located in a complex which is planned, developed, owned or managed as a unit, with off-street parking provided on the property.

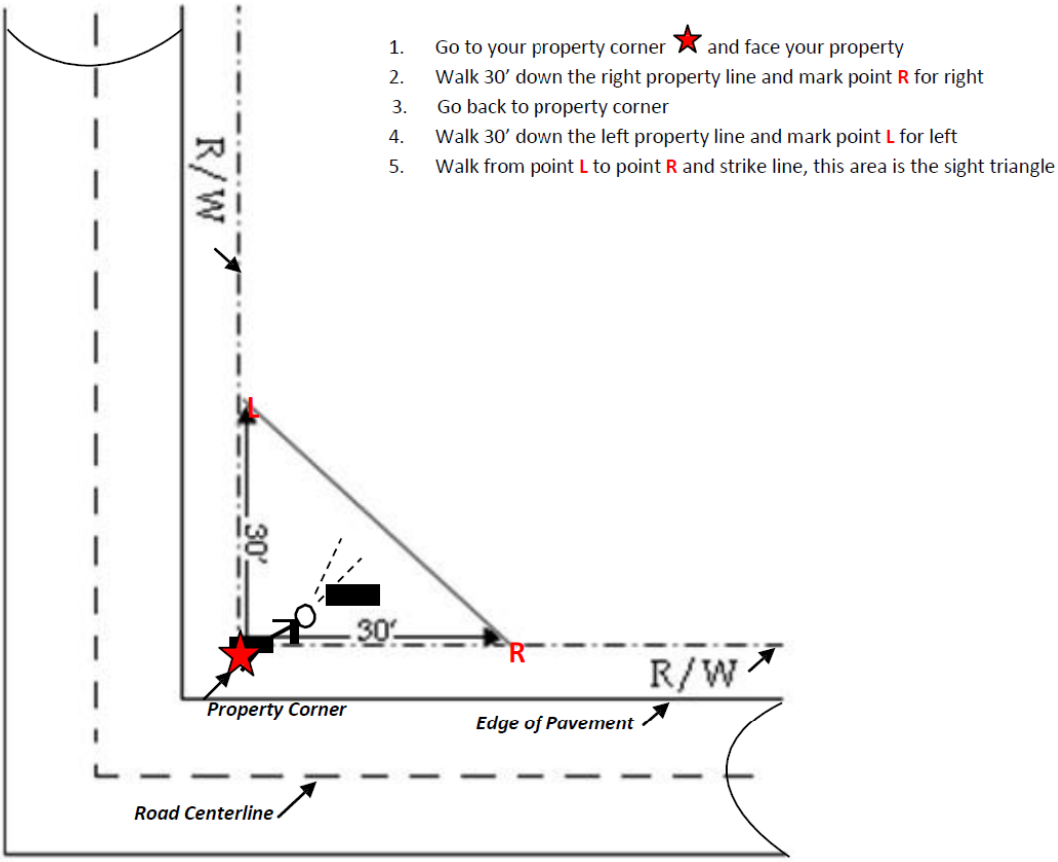
368.5. *Side loaded garage* means a garage that is oriented so that the garage doors are perpendicular to the front street.

369. *Sidewalk* means the hard surface path within the street right-of-way for use by pedestrians and/or bicyclists.

370. *Sight distance triangle* means the area defined by the intersection of any two right-of-way lines of streets or railroads and a straight line intersecting those two right-of-way lines at points 30 feet from the intersection, no obstruction to vision between a height of two and one-half feet and 12 feet above the imaginary plane defined by those three points of intersection permitted, at the plane of the street.

This includes structures, walls, fences, shrubbery or trees except that shade trees will be permitted where all branches are not less than eight feet above the street level.

Simple directions to find sight triangle:



371. *Sign* means any device that is sufficiently visible to persons not located on the lot where the device is located, affixed or placed on a structure, land, or produced by painting on or posting or placing any painted, lettered, pictured, figured or colored material on any building structure or surface.~~to accomplish either of the following objectives: (a) is designed to attract the attention of such persons; or (b) communicate information to them.~~

372. *Sign, abandoned* means a sign, including sign face and supporting structure which is unsafe, constitutes a hazard to safety or health by reason of inadequate maintenance, dilapidation, or obsolescence and/or is not kept in good repair; or which contains no sign copy on all sign faces for a continuous period of three months.

373. *Sign, awning* means a sign which is painted, stitched, sewn or stained onto the exterior of an awning.

374. *Sign, banner* means any sign intended to be hung either with or without frames, possessing characters, letter, illustrations or ornamentations applied to paper, plastic, vinyl or fabric of any kind.

54. ~~*Canopy sign*~~*Sign, canopy* means a sign that is permanently affixed to a roofed shelter attached to and supported by a building, by columns extending from the ground or by a combination of a building and columns.

373. *Sign, directional* means any sign that is designed and erected for the purpose of providing direction and/or orientation for pedestrian or vehicular traffic.

374. *Sign, handheld* means a temporary sign held, suspended or supported by a person. Handheld signs do not include handheld signs used for traffic control or safety purposes. Also known as a human directional, sign spinner, sign twirler or sign twister sign.

374. *Sign, ~~I~~incidental* -means a small sign affixed to a residential or non-residential building or structure, machine, equipment, fence, gate, wall, gasoline pump, public telephone, or utility cabinet.

375. Sign, freestanding means a sign which is supported by one or more columns, uprights, poles or braces extended from the ground, or which is erected on the ground~~ and shall also include a monument sign and pole signs but does not include a sign attached to a structure~~.

375. *Sign, monument* means a permanent freestanding sign supported by, or integrated into, a base or pedestal at least two-thirds the dimension of the width and thickness of the sign it supports.

376. *Sign, off-premise* means a sign advertising a business, person, activity, goods, products or services not provided on the site~~property~~ upon which the sign is located, or that directs persons to any location not on that site.~~.~~

xxx. *Sign, permanent* means any sign constructed of durable materials and affixed, lettered, attached to or placed upon a fixed, non-movable, non-portable supporting structure.

377. *Sign, projecting* means ~~any~~ a sign supported by a building wall and projecting more than 12 inches from that wall. Also known as a blade sign.

377. *Sign, public* means a sign erected by the Town or by any federal, state, or county government agency, including but not limited to traffic control and safety signs.

378. *Sign, roof* means a sign erected above the highest point of the coping of a flat roof; or to the deck line of a mansard roof; or to the average height of a gable, pitched or hipped roof. Also, any sign mounted on a pitched or sloping wall and extending higher than the lowest portion of the adjoining roof shall constitute a roof sign.

377. *Sign, sandwich board* means a non-wheeled movable advertising or business ground side constructed in such a manner as to form an "A" or a tent-like shape, hinged or not hinged at the top, with each angular face held at an appropriate distance by a supporting member.

378. *Sign, site* means a temporary freestanding sign constructed of vinyl, plastic, wood or metal and designed or intended to be displayed for a limited period of time on a site with an active listing for sale or for rent, or on properties with active building permits, e.g., a construction site.

379. *Sign, special event* means a temporary sign directing attention to an activity of limited duration.

xxx. *Sign, temporary* means any sign based upon its materials, location and/or means of construction, e.g., light fabric, cardboard, wallboard, plywood, paper or other light materials, with or without a frame, intended or designed to be displayed for a limited period of time.

379. *Sign, time and/or temperature* means a sign displaying the time and/or temperature~~, intended to be displayed for a limited period of time~~ and capable of being viewed from any public right-of-way, parking area or neighboring property.

380. *Sign, vehicular* means a sign displayed on a truck, bus, trailer or other vehicle which is being operated or stored in the normal course of a business, such as signs which are located on moving vans, delivery trucks, rental trucks and trailers and the like, provided the primary purpose of such vehicles is not for the display of signs and provided they are parked or stored in areas appropriate to their use as vehicles.

~~379. *Sign, projecting* means any sign supported by a building wall and projecting from that wall.~~

380. *Sign, wall* means any sign painted on, incorporated in or affixed to the building wall, or any sign consisting of cut-out letters or devices affixed to the building wall with no background defined on the sign other than the building wall itself.

xxx. *Sign, wall accessory* means a sign that has less importance and prominence than the main sign on the wall in size, location, and design emphasis.

381. *Sign, window* ~~is~~ means a sign that is painted on, applied or attached to a window or that can be read through the window from the public right-of-way.

382. *Sign, yard* means a temporary freestanding sign constructed of paper, vinyl, plastic, wood, metal or other comparable material, and designed or intended to be displayed for a limited period of time on a lot containing one or more existing permanent structures.

383. *Significant wildlife habitat and migration corridors* are areas designated by the Colorado Division of Wildlife and/or the Colorado Natural Diversity Information Source (www.ndis.nrel.colostate.edu) as areas of landscape that provide food, cover and water sufficient to meet the needs of a given species to survive and reproduce.

384. *Single Family Equivalent Unit ("SFE" or S.F.E.")* means a number related to the volume of water necessary to meet the demand and use requirements including systems losses and consumptive use requirements, of an average single family dwelling unit which is defined herein as 0.4 acre feet. An S.F.E. shall be defined as 0.4 acre feet for all purposes. The S.F.E. unit value assigned to such average dwelling unit is 1.0.

385. *Single room occupancy boarding house* means a housing type consisting of one room, often with cooking facilities and with private or shared bathroom facilities.

386. *Site plan* means a scale drawing of a lot, showing the actual measurements, the size and location of any existing or proposed buildings, the location of the lot in relation to abutting streets, and other details such as parking areas, access points, landscaped area, building areas, setbacks from lot lines, building heights, floor areas, densities, utility locations and easements.

387. *Site specific development plan* shall mean and be limited to the Final Plat of a subdivision, Conveyance Plat, a Final Development Plan of a PUD, or a Site Plan when approved as a site specific development plan by the Planning Commission or Board.

~~388. *Special event sign* means a temporary sign directing attention to an activity of limited duration.~~

389. *Split garages* means having at least two separate garages that are oriented in different directions.

390. *Spotlight* or *floodlight* means any lamp that incorporates a reflector or a refractor to concentrate the light output into a directed beam in a particular direction (see definition for floodlight).

391. *Staff* means a full or part-time employee of the Town. Staff may also include professional firms and/or persons designated by the Town to act within a certain capacity including legal, engineering, planning, code enforcement, inspection and other professional fields.

392 *Start of construction* includes substantial improvement, and means the date the building permit was issued, provided that the actual start of construction, repair, reconstruction, placement or other improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure.

393. *Street* means a public thoroughfare which affords the principal means of vehicular access to abutting property. The term includes public or private streets.

394. *Street, arterial* means a street as described in Section 30-2-105.

395. *Street, collector* means a street as described in Section 30-2-105.

396. *Street, local* means a street as described in Section 30-2-105.

397. *Street, rural* means a street as described in Section 30-2-105.

398. *Street furniture* means constructed objects, such as outdoor seating, kiosks, bus shelters, sculpture, tree grids, trash receptacles, fountains and telephone booths, that have the potential for enlivening and giving variety to streets, sidewalks, plazas and other outdoor spaces open to and used by the public.

399. *Streetscape* means the distinguishing character of a particular street, within the public right-of-way, including paved materials, and the adjacent space extending along both sides of a street including landscaping, sidewalks, medians, lighting, street furniture, and signage.

400. *Structure* means a combination of materials to form a construction for use, occupancy or ornamentation whether installed on, above or below the surface of land or water.

401. *Subdivider* or *developer* means any person, partnership, joint venture, limited liability company, association or corporation who participates as owner, promoter, developer or sales agent in the planning, platting, development, promotion, sale or lease of a development.

402. *Subdivision* means the platting of a lot or the division of a lot, tract or parcel of land into two or more lots, plots or sites.

403. *Subsidence* means a local mass movement that involves the downward settling or sinking of the solid Earth's surface. Subsidence may be due to natural geologic processes or man's activity such as coal mining.

404. *Substantial damage* means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would be equal to, or exceed, 50 percent of the market value of the structure before it was damaged.

405 *Substantial improvement* means any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either:

a. Before the improvement or repair is started; or

b. If the structure has been damaged and is being restored, before the damage occurred.

c. For the purpose of this definition, substantial improvement is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. Substantial improvements shall be calculated cumulatively over a period of the previous ten years.

The term does not, however, include either:

a. Any project for improvement of a structure to comply with existing state or local health, sanitary or safety code specifications which are solely necessary to assure safe living conditions; or

b. Any alteration of a structure listed on the National Register of Historic Places or the State Inventory of Historic Places.

406. *Supplemental Irrigation Water* means additional potable water which will be required for irrigation at times when water is not available through a non-potable irrigation system.

407. *Swing-in garage* means a garage that is oriented so that the garage doors are perpendicular to the street.

408. *Tandem garage* means a garage that allows for the parking of one car in front of another.

409. *Tandem parking* means parking two cars in a driveway or parking space so that one car is right in front of the other and the front car cannot move until the back car is moved.

410. *Tavern* see "Bar or tavern".

411. *Technical Review Committee (TRC)* means the committee established to review development proposals and subdivision applications on behalf of the Town.

412 *Temporary business* means a business commonly recognized as being conducted for regularly scheduled or occurring portions of a year — not to exceed four consecutive months. Examples of a temporary business include, but are not limited to, Christmas tree sale lots, farmer's markets, circuses, carnivals, new home sales operations, etc.

413. *Temporary directional* sign means a free-standing sign giving direction to an open house, house for sale, garage sale or a temporary business.

414. *Temporary lighting* means lighting that is intended to be used for a special event for seven days or less.

415. *Temporary use* means a prospective use intended for limited duration, is to be located in a zoning district not permitting such use, and shall not include continuing a nonconforming use or building.

416. *Title commitment* means formal documentation from a title insurance company licensed by the State of Colorado listing the name of the owner of the property under consideration, the legal description of the property and any encumbrances of the property such as easements, rights-of-way, liens or mineral interests.

417. *Tourist facility* means an establishment set up to primarily provide local tourist information to visitors.

418. *Town* means the Town of Berthoud, a municipal corporation of the State of Colorado. The Town may act through the Board or an official of the Town specifically authorized to perform the act.

419. *Town Administrator* means the Town Administrator of the Town of Berthoud, Colorado.

420. *Tract* means a parcel platted in a subdivision set aside as unsuitable for development or for a public or community-wide purpose which shall be shown on the plat. A public or community-wide purpose may include a drainage area, stormwater detention or retention areas, areas for signs, parks, open space, utilities, or land areas reserved for other public facilities. Except for restricted tracts, a tract is further defined as having been dedicated to the Town or a quasi-public agency having an easement to the Town or quasi-public agency, or as being owned by a homeowners' association for the subdivision in which the tract is located.

421. *Tree lawn* means a strip of landscaping within the right-of-way, generally between the street and an adjacent sidewalk.

422. *Truck depot* means an establishment engaged primarily in the fueling, servicing, repair or parking of tractor trucks or similar heavy commercial vehicles, including the sale of accessories and equipment for such vehicles. A truck stop may also include overnight accommodations, showers or restaurant facilities primarily for the use of truck crews.

423. *Undermining* means land that has been mined under the surface of the ground.

424. *Uplighting* means lighting that is directed in such a manner as to shine light rays above the horizontal plane.

425. *Use by right* means a use that is permitted by the zoning district regulations

426. *USGS datum* means United States Geological Survey basis of elevations.

427. *Vacant land* means land that does not have structures or other development on it.

428. *Variance* means a grant of relief from the requirements of this Code which permits construction in a manner that would otherwise be prohibited by this Code.

429. *Vegetation* means plants growing in a place, including, but not limited to trees, shrubs, vines, grasses and groundcover.

430. *Vehicle trip* means a single or one-way vehicle movement to or from a property or study area. Vehicle trips can be added together to calculate the total number of vehicles expected to enter and leave a specific development or site over a designated period of time.

431. *Vested property right* means the right to undertake and complete the development and use of property under the terms and conditions of a site specific development plan approved as provided in this Code.

432. *Veterinary hospital* means any facility which is maintained by or for the use of a licensed veterinarian in the diagnosis, treatment or prevention of animal diseases.

433. *Veterinary facilities, small animal clinic* means any facility maintained by or for the use of a licensed veterinarian in the diagnosis, treatment or prevention of animal diseases wherein the animals are limited to dogs, cats or other comparable household pets and wherein the overnight care of said animals is prohibited except when necessary in the medical treatment of the animal.

434. *Walkable* means a distance of one-fourth mile or within a five to ten minute walk.

435. *Walkway* means:

   a. A right-of-way dedicated to public use that is not within a street right-of-way, to facilitate pedestrian access through a subdivision block by means of a hard surface path; or

   b. Any portion of a parking area restricted to the exclusive use of pedestrian travel.

436. *Walkway, connecting* means:

   a. Any street sidewalk; or

   b. Any walkway that directly connects a building entrance(s) to a sidewalk adjoining a street sidewalk, and connects other origins and destinations for pedestrians, including but not limited to commercial establishments, schools, parks, dwellings, work places and transit stops, without requiring pedestrians to walk across parking lots or driveways, around buildings or following parking lot outlines which are not aligned to a logical route.

437. *Warehouse and distribution* means storage, wholesale, and distribution of manufactured products, supplies or equipment, including accessory offices or showrooms, including incidental retail sales, but excluding bulk storage of materials that are inflammable or explosive or that create hazardous or commonly recognized offensive conditions.

438. *Warehousing* means a business which stores or stocks merchandise or commodities.

439. *Water right* means a decreed right to use in accordance with its priority a certain portion of the waters of the State by reason of the appropriation of the same. It shall include both direct flow and storage rights. Water right shall also be used in the context of water right dedications to include allotment contracts with the Northern Colorado Water Conservancy District and its Municipal Subdistrict.

440. *Water surface elevation* means the height, in relation to the NGVD of 1929 (or other datum where specified) of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

441. *Wetland* means lands as defined by Federal standards where there is a transition between terrestrial and aquatic systems, where the water table is usually at or near the surface, or the land is covered by shallow water.

442. *Wireless telecommunication equipment* means any equipment used to provide wireless telecommunication service which is not affixed to or contained within a wireless telecommunication facility, but is instead affixed to or mounted on an existing building or structure that is used for some other purpose. Wireless telecommunication equipment also includes a ground mounted base station used as an accessory structure that is connected to an antenna mounted on or affixed to an existing building.

443. *Wireless telecommunication facility* means any freestanding facility, building, pole, tower or structure used to provide only wireless telecommunication services, and which consists of, without limitation, antennae, equipment and storage and other accessory structures used to provide wireless telecommunication services.

444. *Wireless telecommunication services* means services providing for the transmission of wireless communications utilizing frequencies authorized by the Federal Communications Commission for paging systems, enhanced specialized wireless telecommunication, television, personal communication services or cellular telephone.

445. *Workshop and custom small industry* means a facility wherein goods are produced or repaired by hand, using hand tools or small-scale equipment, including small engine repair, furniture making and restoring, upholstering, restoration of antiques and other art objects, or other similar uses.

446 *Yard* means that portion of the open area on a lot extending open and unobstructed from the ground upward from a lot line for a depth or width specified by the regulations for the zone district in which the lot is located.

447. *Yard, front* means a yard extending across the full width of the lot between the front lot line and the nearest line or point of the building.

448. *Yard, rear* means a yard extending across the full width of the lot between the rear lot line and the nearest line or point of the building.

449. *Yard, side* means a yard extending from the front yard to the rear yard between the side lot line and the nearest line or point of the building.

450. *Zone district* means a zone district of the Town as established in Section 3 of this Chapter, unless the term is used in a context that clearly indicates that the term is meant to include both the zone district(s) of the Town and the zone district(s) of an adjoining governmental jurisdiction. Also referred to as "zoning district."

451. *Zoning map* means the official zoning map adopted by the Town by ordinance, as amended.

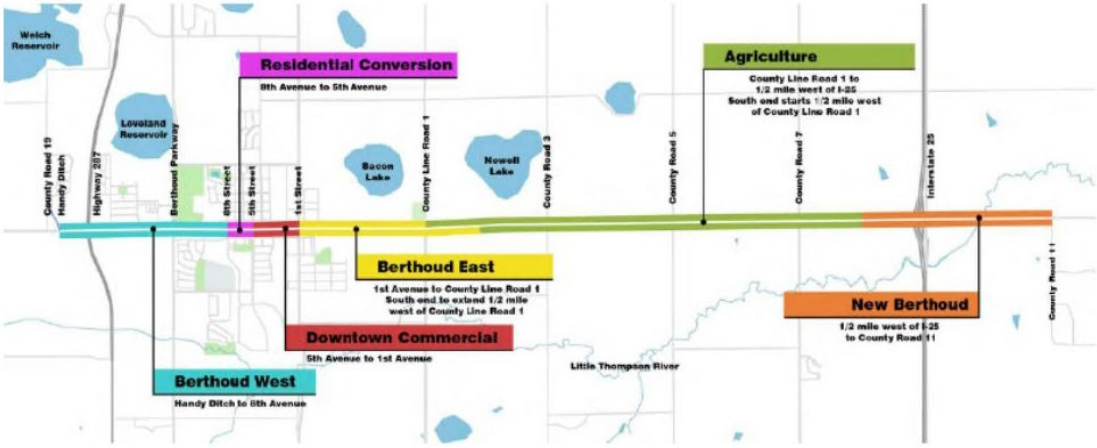
(Ord. No. 1299 , § 1(Exh. A), 12-14-2021)

30-3-114 Mountain Avenue Overlay District

1. *Intent:* The Mountain Avenue Overlay Corridor focuses on protecting and enhancing the existing historical districts and directing the general character of new development along Mountain Avenue/Hwy 56. The overlay district defines and emphasizes unique character districts along the corridor and sets specific guidelines as to architecture, site planning, parking, urban design and streetscapes within this area. The underlying zoning remains, but specific design, architecture and setback requirements are governed by the overlay district.

2. *Applicability/Boundaries:*

   a. *Boundary of Mountain Avenue Overlay District.* The boundary of this Mountain Avenue Overlay district (herein referred to as the "Mountain Avenue Overlay District") shall be the area so labeled and depicted in the map below, and as approved in the official zoning map, which is incorporated herein by reference; which generally extends along HWY 56 and is applicable to all properties within 150 feet of the centerline of Hwy 56, Larimer County Road 8, and Weld County Road 44 within Town Limits.



   b. *Applicability.* All of the regulations and requirements of this Section shall fully apply when any of the following occur (the property must be brought into full compliance with this Article when any of the following occur):

      1. Construction of any new Structure.

      2. Parking area reconfiguration (repair and restriping of existing parking lot is exempt).

      3. Structural Alterations. Any structural alteration shall follow the Mountain Avenue Overlay District regulations as follows:

         i. *Exterior Walls.* When any change is made to the façade or an exterior wall of an existing structure, all of the façade visible from Mountain Avenue, shall be brought into full compliance with the Mountain Avenue Overlay District found herein.

         ii. *Addition(s):* Any addition must be in full compliance with the Mountain Avenue Overlay.

      4. Signs ~~Permits~~. ~~When a Sign Permit is required within the boundary, apart from refacing the face of existing signs.~~ Any expansion, change, or removal of any existing signage shall be brought into compliance with ~~the Mountain Avenue Overlay District~~ Section 7 Signs.

      5. Change of Use. Any change of use will require compliance with applicable standards of the Mountain Avenue Overlay.

c. *Exemptions:*

1. General property maintenance and/or general property repair, such as roof repairs, interior remodels and repair, paint, and any other non-structural repair, or;

2. The maintenance, repair, upgrading or replacement of any water, sewer, HVAC, or electrical facilities will not trigger a requirement that such property or structure be brought into compliance with the Mountain Avenue Overlay District.

3. Existing single-family homes are exempt from the requirements of this overlay and shall follow the development standards of the underlying zoning district.

d. *Legal Non-conformities.*

1. Except as provided in this District to the contrary; all nonconforming uses, nonconforming structures and nonconforming lots, shall be governed by Section 30-3-107.

3. *Overlay Requirements—Character Districts.* The 7.75-mile corridor passes through several distinct environments, each with a unique and definable character that separate them from other places along the corridor. These districts are often defined by architecture, land uses, scale, density, streetscapes, and landscaping. This Overlay protects and enhances the character of each district.

A. *Berthoud West Character District.* This is a largely undeveloped district with views of the Rocky Mountains, and in close proximity to downtown and Highway 287. This area is envisioned as a vibrant walkable commercial district with opportunities for shopping, employment and other services. Though this district is in close proximity to the town core, it will build on the unique characteristics of downtown, but not replicate it.

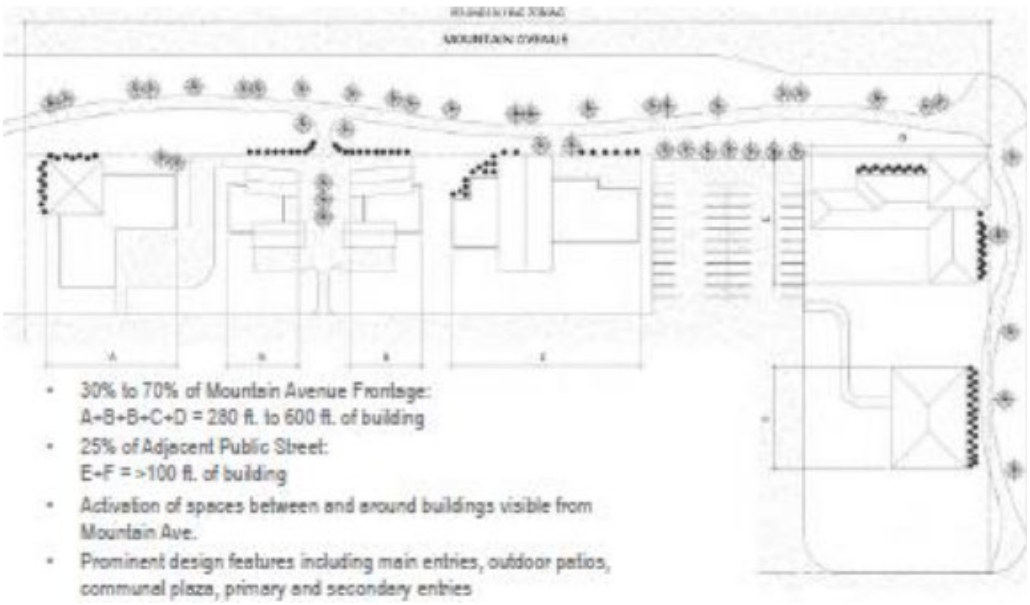
1. *District Extent:* This district extends approximately 800 feet west of Hwy 287 and east to 8th Street. The parcels that are located within this district are highlighted in the map below.

2. *Architecture:*

Intent: As primarily a commuter route with limited business access, high vehicular speeds have been the norm, but are expected to be reduced with development to encourage pedestrians and cyclists. Building location and entry orientation will also play a key role in enhancing the patron's experience.

a. *Building* Façades~~*Facades*~~*.* Buildings' façades~~facades~~ along Mountain Avenue shall extend along a minimum of 35 percent but not more than 75 percent of the total property frontage and be built to the required setback line with minor variations for façade~~facade~~ articulation.

Figure 3.8: Building Frontage Requirements



b. *Overall Building Location and Placement of Key Features.*

i. *Configuration:* Configuration and placement of buildings shall give intentional shape and layout to adjacent exterior gathering spaces and pedestrian/bicycle connections, while being site-specific in response to landscape and hardscape features. "Cookie-cutter" flat-façade~~facade~~ buildings that lack articulation and site-specific features will not be allowed. Building placement should follow the principles in Figure 3.9 below.

ii. *Site Planning:* Modern site planning principles include efforts to combine the infrastructure required to develop from building to building or lot to lot. Sharing infrastructure such as detention, parking, internal pedestrian spaces are strongly encouraged.

iii. *Staggered Setbacks and Heights:* A variation in building placement by staggering setbacks as well a variation in building heights is required for any multi-tenant site plan or Master Plan.

iv. *Limited Access:* Limited access directly from Mountain Avenue allows for long stretches of uninterrupted streetscapes, improves traffic flow on Mountain Ave, and increases the need for automobile access to developments from cross-streets and back streets.

Figure 3.9: Building Placement Example

c. *Exterior Activation.*

i. *Requirement for Exterior Activation:* Each building/~~site plan~~property must possess at least one of the following locating the features so they are readily-visible to and from Mountain Avenue to ensure a strong visual connection: outdoor patios, primary and secondary entries, canopies and other features help "activate" a development.

ii. *Screening:* Three-dimensional building elements to act as screening for service type accessories including roof- and ground-mounted HVAC equipment, electrical/gas meters, loading docks/service entries, etc. These service equipment components shall not be visible from the public R.O.W. or from adjacent properties/uses.

d. *Massing and Articulation.*

i. *Compatibility and Configuration:* A building's three-dimensional configuration plays a significant role in determining the impact it will have on the surrounding environment. The proposed building shall be designed to be compatible with other structures in the surrounding vicinity in size, scale and character. Building mass shall be well-

proportioned and organized to define various horizontal and vertical elements while clearly expressing the internal function of the building. See Figure 3.10.

ii. *Multiple Buildings:* Multiple buildings in a common commercial development shall be consistent in architectural form/detailing, materials, roof styles and colors to achieve a harmonious design vocabulary and continuity within itself.

iii. *Multi-tenant buildings/Buildings over 60 Feet Long:* Large retail buildings shall be broken down into a series of complementary forms with a clearly defined pattern. Blend larger flat roof areas with smaller pitched roof elements that denote key functions such as entries or primary window groupings. Horizontal step backs of the façade~~facade~~ shall be significant in relation to the overall length and scale of the building. For instance, a 60 feet long building should have two to three primary massing elements with at least four feet to six feet of grade plane changes (i.e. eight to ten percent of the overall length). Screening elements for items such as ground-mounted or roof-mounted mechanical equipment shall be integrated into the building design and not appear as an after-thought. Creating large expanses of windows with a branded display wall in close proximity to the glass so that it is readily visible from the exterior is not permitted.

Figure 3.10: Four-Sided Architecture Example

e. *Materials and Colors.*

i. *Exterior Materials:* façade~~facade~~ materials shall be high-quality, durable products such as brick, stone or decorative precast concrete. The primary building skin shall be a high-quality, aesthetically pleasing, durable material such as brick, natural stone, manufactured stone, especially at the base of the building that is susceptible to damage by maintenance equipment such as plows, shovels, mowers, etc.

ii. *Primary Material:* The primary material shall constitute at least 65 percent of the total wall area for the front and side façades~~facades~~ visible from Mountain Avenue and at least 50 percent for the rear façade~~facade~~; excluding the glazing area of the façade.

iii. *Glazing:* Exterior glazing shall be high-performance clear glass (not tinted or reflective) with a low-E coating and visible light transmittance (Tvis) of

60 percent or higher. Use of opaque/spandrel glass to simulate ground-level vision windows is discouraged. Creating large expanses of windows with a branded display wall in close proximity to the glass so that it is readily visible from the exterior is not permitted.

iv. *Secondary* façade~~*facade*~~ *materials:* may include cement-based stucco, hardboard siding or decorative metal panels with concealed fasteners and low-gloss finish.

Figure 3.11: Façade Examples

v. *Screening elements:* such as site walls for parking lots and trash enclosures shall be of the same high-quality durable material as the primary building skin.

vi. *Primary Façade Colors:* Primary building façade~~facade~~ colors shall be non-reflective, muted neutral or earth tones with only small "pops" of bright, higher intensity colors. High-gloss, metallic finishes or fluorescent colors are not allowed. ~~Trademark colors specific to a corporate brand shall only be permitted on building signage subject to the sign code.~~

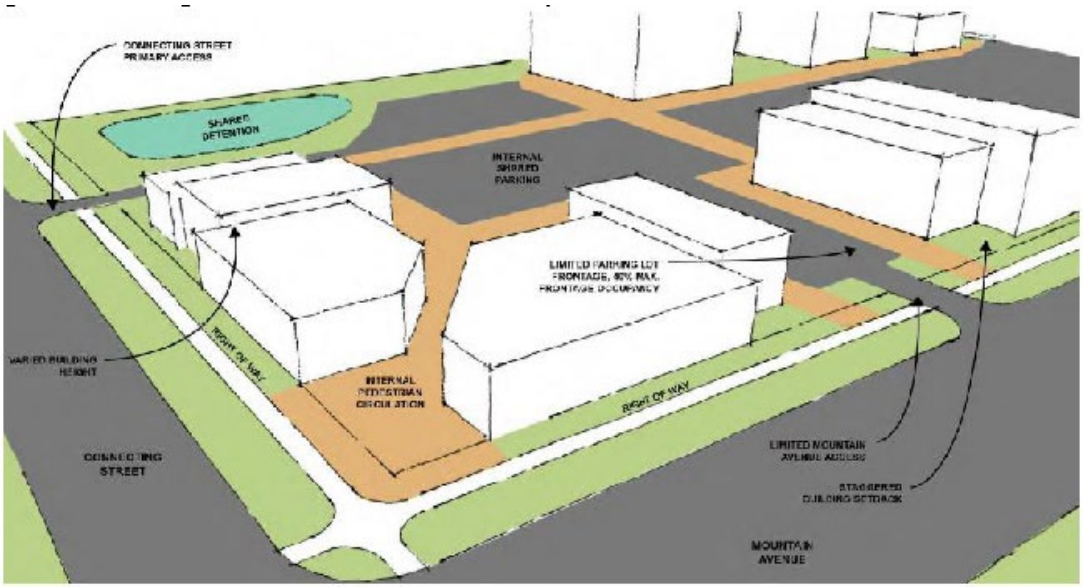
3. *Parking:*

a. *Parking:* On-street diagonal parking is proposed on Gateway Park Blvd within the proposed village center. To reduce its visual presence on Mountain Avenue, required parking shall be located behind and between buildings. Required parking areas shall not occupy more than 40 percent of the Mountain Avenue frontage and must not be forward of any building or structure. In addition, such parking areas shall be screened by a landscape hedge, wrought iron fence, or wall as detailed in Table 3.4.

b. *Drive ~~Thru~~ Through Areas:* Restaurant and bank drive-~~thrus~~ -through areas shall be oriented away from Mountain Avenue and shall only be accessed by a rear access drive, with no visible drive ~~thru~~ -through areas fronting Mountain Avenue, as described in Table 3.4.

c. *Shared Parking:* New off-street parking lots should be shared to reduce the overall footprint of paved parking areas and be tucked behind and between buildings to minimize their visual presence.

Figure 3.12: Parking and Pedestrian Circulation Examples



4. *Signage:*

   a. ~~Ground mounted freestanding~~ Monument signs with horizontal massing are preferred; pole signs are not permitted.

   ~~b. Internally illuminated signs are permitted but the entire sign panel may not be illuminated. Text and logos may be illuminated, but the sign panel and cabinet shall be opaque.~~

   ~~c~~b. See ~~Table 3.9~~ Section 7 Signs for specific signage requirements.

Table 3.4 Berthoud West Character District Dimensional Standards

Mountain Avenue Development Criteria		
Description		Berthoud West
	Density and Lot Coverage	Per Underlying Zoning
A	Building Height[5]	Maximum: 3 Stories (40 feet)
B	Minimum Lot Width	Per Underlying Zoning
	Building Orientation	Parallel to Front lot line
Building Setbacks		
C	Mountain Ave / Highway 56[6,7]	14 ft. min, 20 ft. max
D	Secondary or side street	20 ft. min[8]
E	Side yard (3 stories)	10 ft. min
E	Side yard (2 Stories)	Per Underlying Zoning
E	Side yard (1 Story)	Per Underlying Zoning
F	Rear	Per Underlying Zoning
G	Rear Alley	Per Underlying Zoning
Off-Street Parking and Driveway Setbacks		
H	Mountain Ave / Highway 56[9]	20 ft min. or 5 ft greater than building setback, whichever is greater

I	Secondary or side street	20 ft. min
J	Side yard	5 ft. min 0 ft. if shared
K	Rear	5 ft. min 0 ft. if shared
	Max parking and driveway frontage[4]	40% of lot frontage
Mountain Avenue ROW Encroachments		
	Outdoor dining areas and display areas	0 ft.
	Awnings	0 ft.
	Balconies	0 ft.
	Bay windows and building projections	0 ft.
	Building eaves	0 ft.
	Patio cover roof	0 ft.

Notes:

1. The ground floor front façade may be recessed/setback to accommodate outdoor dining and or display areas, and such areas shall have a zero-foot setback.
2. A six-foot minimum unobstructed clear zone shall be provided within the ROW around outdoor dining areas for pedestrian circulation.
3. Balconies, bay windows, and other building projections extending in and to the public ROW shall provide a ten-foot minimum vertical clearance above the sidewalk elevation or finished grade.
4. Off street parking areas and driveways fronting Mtn Avenue/Hwy 56 and/or secondary side streets shall be screened from view from the Public ROW. Screening shall be three feet min. in height and shall be accomplished with berms, low walls, plantings, etc. Wall materials shall match materials used on the associated building. Wood fences are not allowed.
5. Small tower elements and roof forms/parapet walls associated with primary building areas may exceed the maximum building height by 15 percent.
6. Permanent features such as steps, ramps, landings, and uncovered porches shall not extend more than 40 percent into the required setback.
7. Front setbacks abutting Mountain Avenue/HWY 56 shall be measured from the edge of the ROW.
8. Zero-foot setbacks are allowed for buildings fronting Gateway Park Blvd located at the proposed village center.
9. Drive ~~thru~~ through windows shall not be oriented towards Mountain Avenue and shall be located only at the rear of the building, and not fronting Mountain Avenue/HWY 56.

B. *Residential Conversion District.* This district is characterized by charming older homes occupied by businesses and commercial uses. Majestic street trees create a seemingly continuous canopy over Mountain Avenue, and expanded green spaces surrounding the homes and detached walks with tree lawns create a walkable neighborhood.

1. *District Extents:* The Residential Conversion character district extends along Mountain Avenue between 8th Street and 5th Street in the downtown area. The parcels that are located within this district are highlighted in the map below.

2. *Preservation of Historic Homes and Context:*

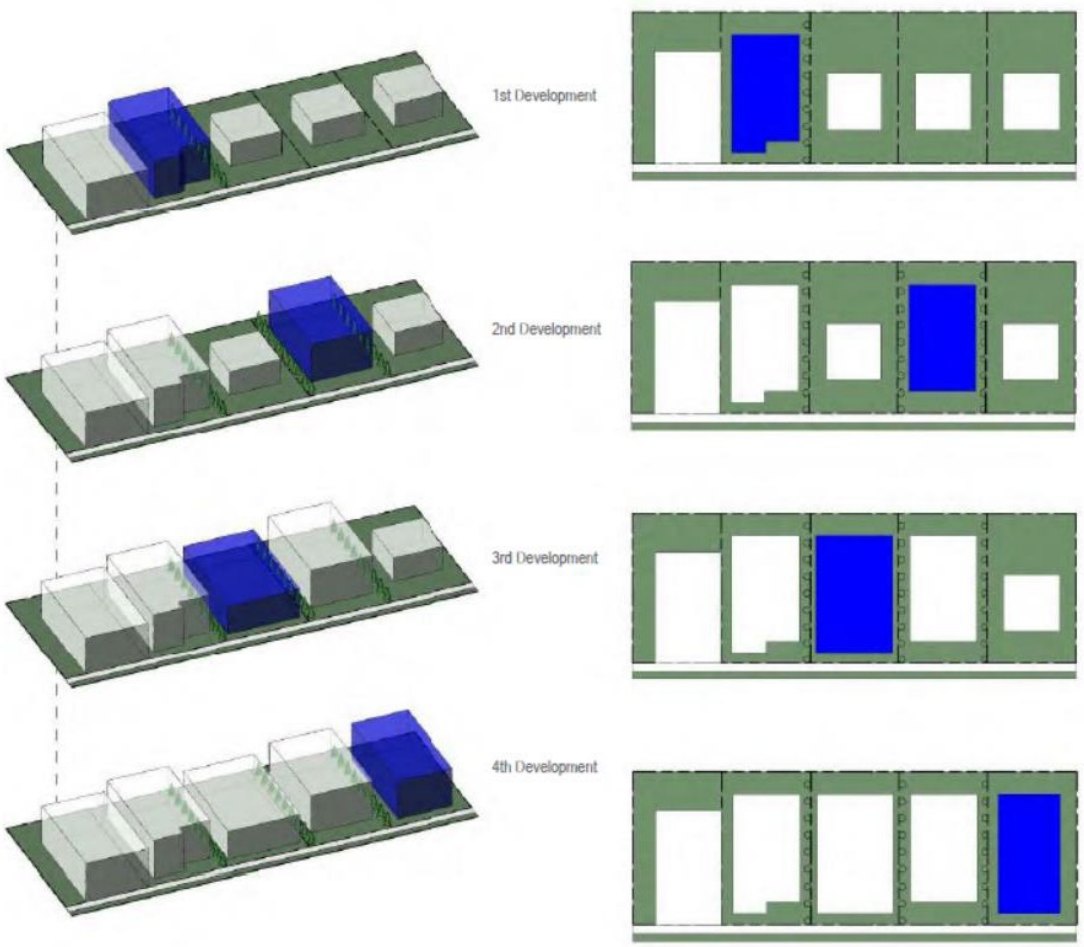
   i. Additions should be located to the side and/or rear of the house and should be consistent with the scale of the original home. Side additions should be setback from the front face enough to allow the profile of the original structure to be clear and obvious.

   ii. When converting a single-family house to a new use, original location and character of the front porch/ stoop shall be maintained.

   iii. Providing handicapped accessibility to existing historic homes that typically have elevated stoops and porches must maintain the integrity of the original historic structure.

3. *Building Setbacks:* Building setbacks within the Residential Conversion District will need to maintain a portion of the typically large front lawn space of original historic homes, while allowing for the transition to smaller front and side yard lot line necessary for newer developments. Building Setbacks must follow Figure 3.13 below.

Figure 3.13: Special Residential Conversion District Infill Setback Examples



The diagram above shows the progression of new development adjacent to existing residential structures and how, over time, the block can infill with a higher density while respecting the residential character that currently exists.

4. *Architectural Guidelines For New Construction:*

   i. General proportions should be consistent with adjacent structures, including similar floor-to-floor heights and solid-to-void ratios.

   ii. Divide larger structures into smaller components that more closely mimic the traditional single-family home dimensions. These series of smaller components should not be more than 25 feet to 30 feet wide and be expressed in wall panel changes of at least eight feet; as well as material changes.

   iii. Although plate-lines/roofs on new construction will be taller, they should be consistent in form and character. This can be accomplished by blending predominately flat roof areas over larger expanses with sloped roof elements at key accent locations such as entries and highly-visible corners.

   iv. Step down stories and rooflines from back to front and from side to side.

v. The diversity of architectural styles that currently exists shall be retained to the greatest extent possible.

vi. New buildings shall be oriented parallel to their lot lines with the primary entry integrated into a porch or portico design element facing Mountain Avenue.

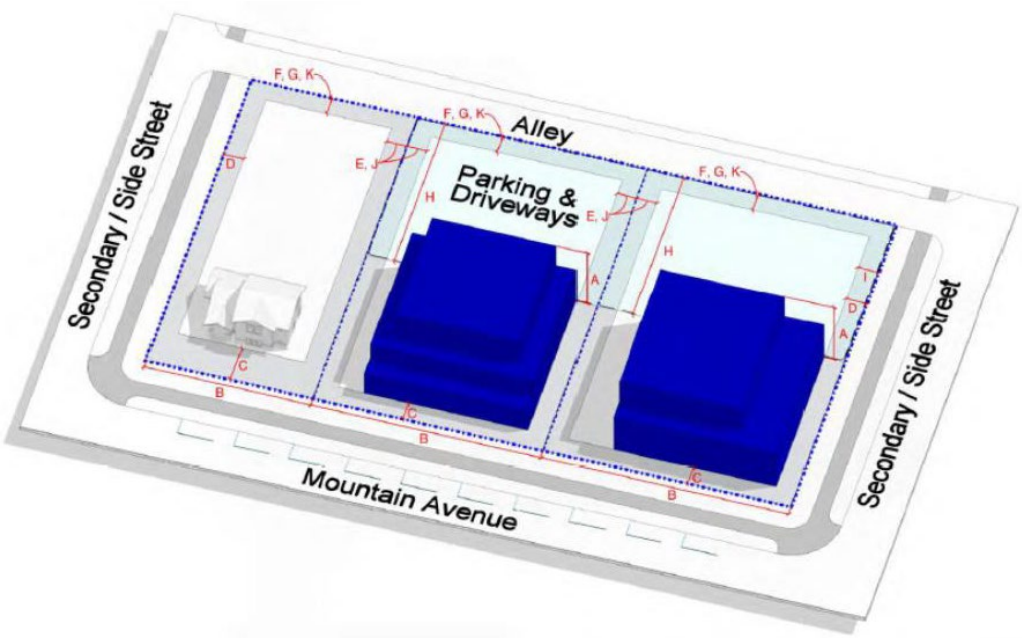
5. *Parking:*

a. *Parking:* Required parking shall be located behind and between buildings. Only 40 percent of required on-site parking may be allowed along Mountain Avenue frontage and shall not be forward of any building or structure. In addition, such parking areas shall be screened by a landscape hedge, wrought iron fence, or wall as detailed in Table 3.5.

b. *Drive* -through~~*Thru*~~ *Areas:* Restaurant and bank drive-through areas~~thrus~~ are not permitted.

c. *Shared Parking:* New off-street parking lots should be shared to reduce the overall footprint of paved parking areas and be tucked behind and between buildings to minimize their visual presence.

Figure 3.14: Parking Location



6. *Signage:* The type, scale and style of signage should be designed to complement the residential character of this district.

~~a. Internally Lit Signs Prohibited: The use of internally illuminated signs is prohibited.should be restricted. If signs are illuminated, external down-lighting should be provided.~~

~~b~~a. Building mounted, and ~~freestanding ground mounted~~ monument signs are preferred; pole signs are prohibited.

~~c~~b. See ~~Table 3.9~~ Section 7 Signs for additional signage requirements.

Table 3.5 Residential Conversion Character District Dimensional Standards

Mountain Avenue Development Criteria		
Description		Residential Conversion
Density and Lot Coverage		Per Underlying Zoning
A	Building Height[5]	Maximum: 3 Stories (40 feet) Minimum: 2 Stories (20 feet)
B	Minimum Lot Width	Per Underlying Zoning
	Building Orientation	Parallel to Front lot line
Building Setbacks		
C	Mountain Ave / Highway 56[6,7]	10 ft. min, 20' max
D	Secondary or side street	10 ft min, 15 ft. max
E	Side yard (3 stories)	10' ft. min
E	Side yard (2 Stories)	5 ft. min
E	Side yard (1 Story)	5 ft. min
F	Rear	Per Underlying Zoning
G	Rear Alley	Per Underlying Zoning
Off-Street Parking and Driveway Setbacks		
H	Mountain Ave / Highway 56[9]	Behind building, accessed from alley where possible
I	Secondary or side street	5 ft. min
J	Side yard	0 ft. min
K	Rear	0 ft. min
	Max parking and driveway frontage[4]	0%
Mountain Avenue ROW Encroachments		
	Outdoor dining areas and display areas	8 ft. max.[2]
	Awnings	6 ft. max
	Balconies	4 ft. max[3]
	Bay windows and building projections	2 ft. max
	Building eaves	2 ft. max
	Patio cover roof	2 ft. max.

Notes:

1. The ground floor front façade may be recessed/setback to accommodate outdoor dining and or display areas, and such areas shall have a zerp-foot setback.
2. A six-foot minimum unobstructed clear zone shall be provided within the ROW around outdoor dining areas for pedestrian circulation.
3. Balconies, bay windows, and other building projections extending in and to the public ROW shall provide a ten-foot minimum vertical clearance above the sidewalk elevation or finished grade.
4. Off street parking areas and driveways fronting Mtn Avenue/Hwy 56 and/or secondary side streets shall be screened from view from the Public ROW. Screening shall be three feet min. in height and shall be accomplished with berms, low walls, plantings, etc. Wall materials shall match materials used on the associated building. Wood fences are not allowed.
5. Small tower elements and roof forms/parapet walls associated with primary building areas may exceed the maximum building height by 15 percent.
6. Permanent features such as steps, ramps, landings, and uncovered porches shall not extend more than 40 percent into the required setback.
7. Front setbacks abutting Mountain Avenue/HWY 56 shall be measured from the edge of the ROW.
8. Zero-foot setbacks are allowed for buildings fronting Gateway Park Blvd located at the proposed village center.

9. Drive -through~~thru~~ windows shall not be oriented towards Mountain Avenue and shall be located only at the rear of the building, and not fronting Mountain Avenue/HWY 56.

C. *Downtown Commercial Character District.* Berthoud's Downtown District represents a concentration of character and personality, and shapes much of the Town's identity. Its buildings give a sense of history, its businesses and restaurants show the liveliness of the town, and its quirks set it apart from other towns in Northern Colorado.

1. *District Extent:* The Downtown Commercial character district extends along Mountain Avenue between 5th Street and 1st Street in the downtown area.

2. *Architectural Guidelines:*

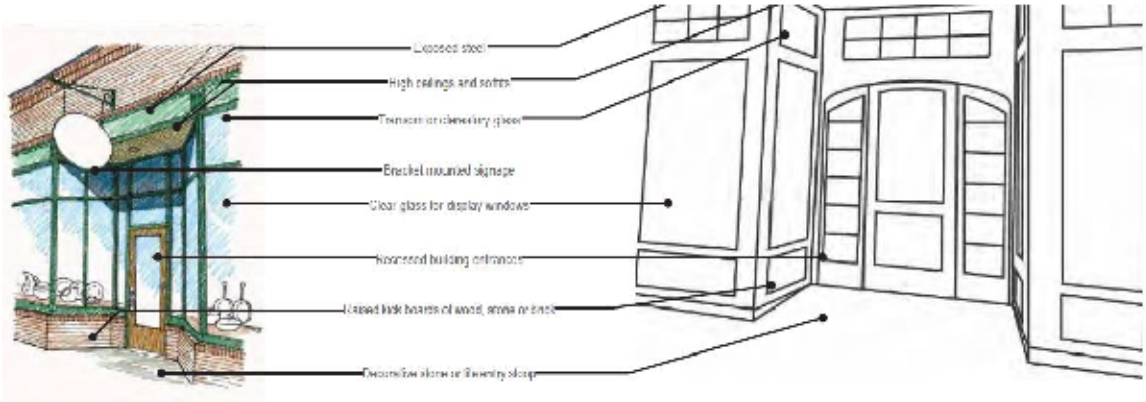
a. *Ground level storefronts:* Ground level retail storefronts are indicative of the mercantile economy of historic downtowns of the late 19th and early 20th centuries. They often feature formal, symmetrical façades~~facades~~, large expanses of display windows flush with the building front walls, recessed entrances and decorative glass transoms. Such storefronts should possess the following characteristics as depicted in Figure 3.~~16~~ 15 and as described below:

i. Retail storefronts create an intimate, pedestrian scale along the street, encouraging residents to slow down, interact and window shop.

ii. Primarily glazed, ground level storefronts create a distinction between the public retail façade~~facade~~ and the more private areas of the upper levels, often expressed by individual punched window openings.

iii. The higher ceilings of historic, ground level retail storefronts have a character not often found in more modern construction.

Figure 3.15: Ground Level Storefront Example



b. *Infill development/Design:* Communities are encouraging infill development of vacant downtown properties and redevelopment of inappropriate or underutilized buildings to revitalize their historic downtowns. Designed properly, new construction can blend seamlessly with original, historic buildings to create a vibrant downtown environment.

i. Maintain natural materials and colors that often utilize local materials and represent the workmanship of local craftsmen. Modern metal siding and other industrial materials are inappropriate as primary façade~~facade~~ materials in the historic downtown area.

ii. New infill development shall not mimic the exact historic designs and details of existing structures but pick up on the rhythm and spacing of elements to be compatible with and complementary to them.

iii. Orient building parallel to street and align front façade~~facade~~ with established sidewalk edge.

iv. If a portion of the building must be set back, use traditional urban site features to maintain defined sidewalk edge noted above

v. Create a clearly defined front entry recessed at least three feet so out-swinging doors do not project into the perpendicular circulation path

vi. Predominate massing at the front property line should be one- or two-stories with setbacks for additional stories

vii. Floor-to-floor heights shall appear to be consistent with heights traditionally seen in older adjacent buildings

viii. Building Materials: Utilize similar high-quality, durable materials such as brick or stone with only accents of more modern materials

c. *Building Awnings:* Awnings have been used for centuries to shade the façades~~facades~~ and display windows of buildings and provide residents with protection from the elements. Awnings also provide a unifying design element to enhance the downtown streetscape and provide opportunities for colorful accents and signage.

i. Awnings Encouraged: Awnings are encouraged on all development.

ii. Awnings should be consistent with primary building, and color should accent the primary building. On-Street Parking:

3. *Parking and Access:*

a. On-site parking areas shall be located at the rear of any building as depicted on Figure 3.~~15~~16.

b. Curb Cuts: No new curb cuts from Mountain Avenue shall be allowed.

c. Drive -through~~Thru~~ Areas: Restaurant and bank drive-through areas~~thrus~~ are not permitted.

d. Shared Parking: New off-street parking lots should be shared to reduce the overall footprint of paved parking areas and be tucked behind and between buildings to minimize their visual presence.

Figure 3.16: Parking and Access Examples

4. *Signage:*

a. In general, building mounted signs are recommended in this district. This includes wall mounted signs, window signs, and awning signs. The type, scale and style of the signage should be designed to complement the character of this district and the building that the sign is associated with.

~~b. Internally Lit Signs Prohibited. The use of internally illuminated signs and awnings are prohited. should be restricted. If signs are illuminated, external down-lighting should be provided.~~

~~c~~b. Sandwich Board Signs: Please see Section 30-7-~~109~~110.~~H~~D.~~4.~~ Plastic signs are not allowed. ~~A yearly sign permit is required and must be renewed on an annual basis.~~

~~d~~c. ~~Free standing~~ Monument signs are prohibited in this district.

~~e~~d. See ~~Table 3.9~~ Section 7 Signs for additional signage requirements.

Table 3.6 Downtown Commercial Character District Dimensional Standards

Mountain Avenue Development Criteria		
Description		Downtown Commercial
	Density and Lot Coverage	Per Underlying Zoning
A	Building Height[5]	Maximum: 3 Stories (40 feet) Minimum: 2 Stories (20 feet)
B	Minimum Lot Width	Per Underlying Zoning
	Building Orientation	Parallel to Front lot line
Building Setbacks		
C	Mountain Ave / Highway 56[6,7]	0 ft. min, 10 ft. max[1]
D	Secondary or side street	0 ft. min, 10 ft. max[1]
E	Side yard (3 Stories)	0 ft.
E	Side yard (2 Stories)	0 ft.
E	Side yard (1 Story)	0 ft.
F	Rear	Per Underlying Zoning
G	Rear Alley	Per Underlying Zoning
Off-Street Parking and Driveway Setbacks		
H	Mountain Ave / Highway 56[9]	Behind building, not accessed from Mountain Avenue
I	Secondary or side street	5 ft. min
J	Side yard	0 ft. min
K	Rear	0 ft. min
	Max parking and driveway frontage[4]	0%
Mountain Avenue ROW Encroachments		
	Outdoor dining areas and display areas	8 ft. max[2]
	Awnings	6 ft. max
	Balconies	4 ft. max[3]
	Bay windows and building projections	2 ft. max
	Building eaves	2 ft. max
	Patio cover roof	2 ft. max.

Notes:

1. The ground floor front façade may be recessed/setback to accommodate outdoor dining and or display areas, and such areas shall have a zero-foot setback.
2. A six-foot minimum unobstructed clear zone shall be provided within the ROW around outdoor dining areas for pedestrian circulation.
3. Balconies, bay windows, and other building projections extending in and to the public ROW shall provide a ten-foot minimum vertical clearance above the sidewalk elevation or finished grade.
4. Off street parking areas and driveways fronting Mtn Avenue/Hwy 56 and/or secondary side streets shall be screened from view from the Public ROW. Screening shall be three feet min. in height and shall be accomplished with berms, low walls, plantings, etc. Wall materials shall match materials used on the associated building. Wood fences are not allowed.
5. Small tower elements and roof forms/parapet walls associated with primary building areas may exceed the maximum building height by 15 percent.
6. Permanent features such as steps, ramps, landings, and uncovered porches shall not extend more than 40 percent into the required setback.

7. Front setbacks abutting Mountain Avenue/HWY 56 shall be measured from the edge of the ROW.

8. Zero-foot setbacks are allowed for buildings fronting Gateway Park Blvd located at the proposed village center.

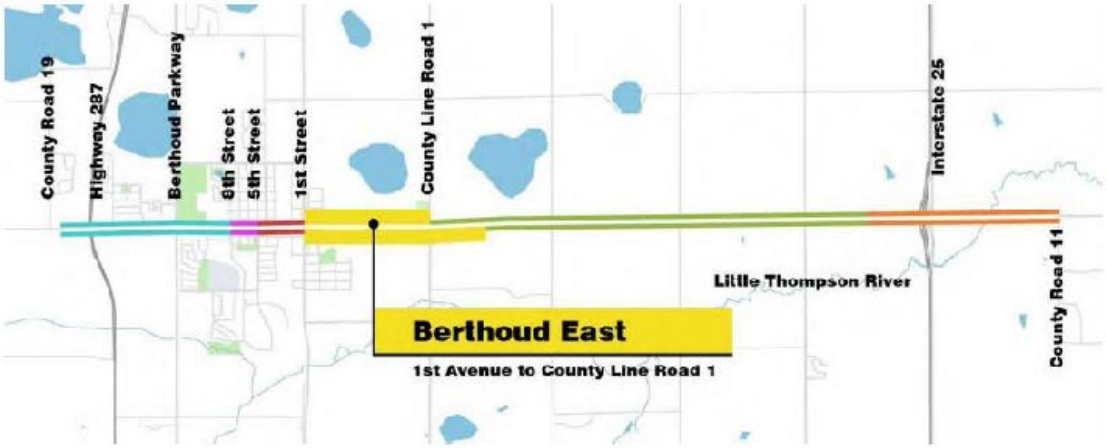
9. Drive -through~~thru~~ windows shall not be oriented towards Mountain Avenue and shall be located only at the rear of the building, and not fronting Mountain Avenue/HWY 56.

D. *Berthoud East Character District.* A transition district from the rural agrarian areas to the downtown core. The undeveloped land on the south side of Hwy 56 is envisioned as a vibrant walkable residential district with a mixed-use area near the intersection of County Line Road 1 providing opportunities for shopping, dining, employment and other services. Appropriate land use, scale and density transitions from existing residential neighborhoods are critical.

1. *District Extents:* The parcels that are located within this district are highlighted in the map below.

North side of Hwy 56 — 1st Street to County Line Road 1.

South side of Hwy 56 — 1st Street to one-half mile east of County Line Road 1.



2. *Architectural Guidelines for Berthoud East District:* Similar to the Berthoud West District, the "~~"~~East District"~~"~~ focuses on building massing and articulation, and to carefully balance economic interests with the public good by ensuring strong pedestrian and bicycle connectivity with the downtown and residential districts to the west.

a. *Scale and Density Focus.*

i. Multi-story, mixed use buildings will be encouraged in the denser mixed-use areas immediately adjacent to Mountain Avenue and then taper off in height, size and intensity of use as development extends further away from the overlay district.

ii. Long façades~~facades~~ shall be broken down into smaller architectural expression through stepping. Stepping can be accomplished in both building elevation and in plan. Third story step-backs provide a gradual scale transition between building heights and opportunities for rooftop patio space.

Figure 3.17: Stepping Examples

b. *Building Materiality.* Buildings are meant to convey a sense of permanence and vitality with the use of appropriate materials reinforcing this goal. Materials should be predominantly brick, stone and architectural concrete with accents of wood, stucco or metal wall panels. Variation in materiality is encouraged but should be limited to a maximum of four materiality changes over the total building ~~facade~~façade.

i. Recommended percentage of material variation is as follows:

50 percent to 60 percent — Masonry veneer (brick or stone), architectural concrete

ii. Up to three accent materials required:

15 percent to 20 percent — Accent material 'A' (wood, stucco or metal wall panel)

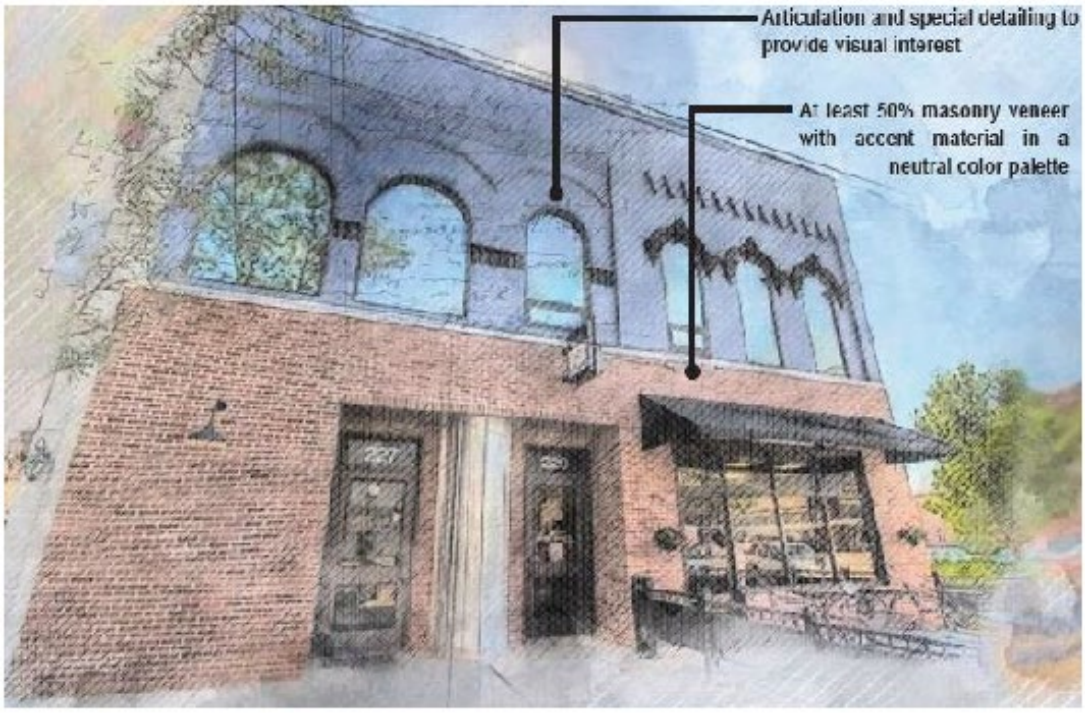
15 percent to 20 percent — Accent material 'B' (wood, stucco or metal wall panel)

15 percent to 20 percent — Accent material 'C' (wood, stucco or metal wall panel)

iii. Articulation and special detailing that provides visual interest and breaks up large expanses of a single building material is supported.

iv. Color: Color palettes should be primarily of neutral tones with pops of accent color. Accent color and location are to be reviewed and approved with the Site Plan approval process.

Figure 3.18: Materiality Examples



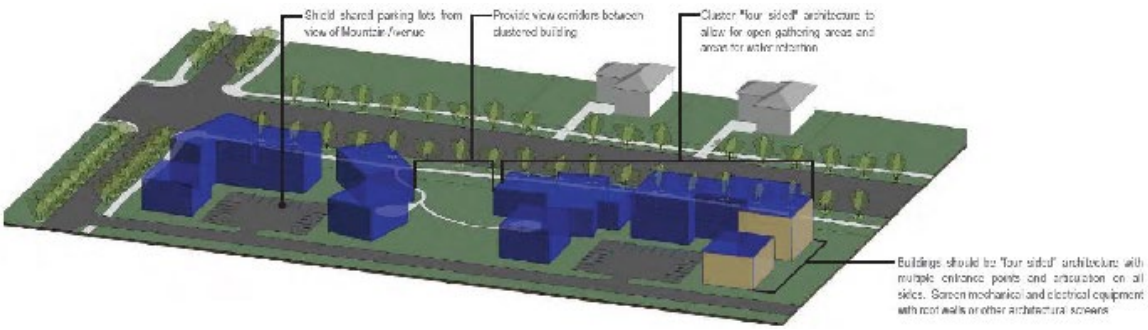
c. *Balancing Developed Spaces:* Shaping multiple buildings into dense clusters of development, formed around pedestrian and bicycle pathways while leaving reasonable expanses of open areas, will provide view corridors from Mountain Avenue and allow space for water retention.

   i. Buildings shall define a strong street edge with upper floor step back and architectural embellishments at corners and main entry features.

   ii. Buildings shall be oriented on front edge of setback to Mountain Avenue to allow parking in the rear. This provides for a more aesthetic streetscape by screening parking from Mountain Avenue.

   iii. Provide "four-sided" architecture with multiple entrance points or articulation and mechanical and electrical equipment screening. All mechanical equipment is to be screened from views from across the street and/or middle of intersections or adjacent properties, whichever is further.

Figure 3.19: Four -Sided Architecture



d. *Materials and Colors.*

i. Exterior façade~~facade~~ materials shall be high-quality, durable products such as brick, stone or decorative precast concrete.

ii. The primary building façade~~facade~~ shall be of high-quality durable materials such as brick/stone veneer or decorative precast concrete, especially at the base of the building that is susceptible to damage by maintenance equipment such as plows, shovels, mowers, etc.

iii. The primary material shall constitute at least 70 percent of the total wall area for the front and side façades~~facades~~ visible from Mountain Avenue and at least 50 percent for the rear façade~~facade~~; excluding glass.

iv. Exterior glazing shall be high-performance clear glass (not tinted or reflective) with a low-E coating and visible light transmittance (Tvis) of 60 percent or higher. Use of opaque/spandrel glass to simulate ground-level vision windows is discouraged. Creating large expanses of windows with a branded display wall in close proximity to the glass so that it is readily visible from the exterior is not permitted.

v. Secondary façade~~facade~~ materials can include cement-based stucco, hardboard siding or decorative metal panels with concealed fasteners.

vi. Screening elements such as site walls for parking lots and trash enclosures shall be of the same high-quality durable material as the primary building skin.

vii. Primary building façade~~facade~~ colors shall be non-reflective, muted neutral or earth tones with only small "pops" of bright, higher intensity colors. Metallic or fluorescent colors are not allowed. ~~Trademark colors specific to a corporate brand shall only be permitted on building signage subject to the sign code.~~

3. *Parking:*

a. *Parking:* Required parking shall be located behind and between buildings. Only 40 percent of required on-site parking may be allowed along Mountain Avenue frontage and shall not be forward of any building or structure. In addition, such parking areas shall be screened by a landscape hedge, wrought iron fence, or wall as detailed in Table 3.5.

b. *Drive* -through ~~*Thru*~~ *Areas:* Restaurant and bank drive--through areas~~thrus~~ are not permitted.

c. *Shared Parking:* New off-street parking lots should be shared to reduce the overall footprint of paved parking areas and be tucked behind and between buildings to minimize their visual presence.

4. *Signage:*

a. Building mounted signs and ground mounted monument~~freestanding~~ signs with horizontal massing are preferred.

~~b. Internally illuminated signs are permitted but the entire sign panel may not be illuminated.~~

~~c. Text and logos may be illuminated, but the sign panel and cabinet shall be opaque.~~

~~d~~b. See ~~Table 3.9~~ Section 7 Signs for additional signage requirements.

E. *Agricultural Character District.* Farms, big skies, distant views, and scattered farmsteads provide a pleasant separation between Interstate 25 and the Town which adds to Berthoud's small-town appeal. The primary goal of this district is to retain the rural and agrarian character and to protect the iconic views to the Rocky Mountains.

1. *District Extents:* The Agriculture Character District extents vary on the north and south frontages.

- North side of Hwy 56 — County Line Road 1 to one-half mile west of I-25
- South side of Hwy 56 — One-half mile east of County Line Road 1 to one-half mile west of I-25.

2. *Agricultural Character District Architectural Guidelines:* The architectural style of this area is of an agricultural or farmstead nature. It is recommended that all new development compliment this agricultural/farmstead nature.

a. Building materials should be of residential grade and include cement-based stucco, hardboard siding, brick, stone, or decorative metal panels with concealed fasteners.

b. Roof lines should be of gable end, hip, and valley styles, with dormers, and shed roofs. Clay and concrete tiles are not encouraged.

c. Primary Building Façade Colors shall be non-reflective, muted neutral or earth tones, with limited accent colors. Metallic or fluorescent colors are prohibited.

Figure 3.20: Examples of Agricultural Style Development

3. *Signage:*

   a. Building mounted signs and ground mounted monument~~freestanding~~ signs with horizontal massing are preferred.

   ~~b. Internally illuminated signs are permitted but the entire sign panel may not be illuminated. Text and logos may be illuminated, but the sign panel and cabinet shall be opaque.~~

   ~~c~~b. Please see ~~Table 3.9~~ Section 7 Signs for additional signage requirements.

Figure 3.21: Agricultural Character Setback Graphic

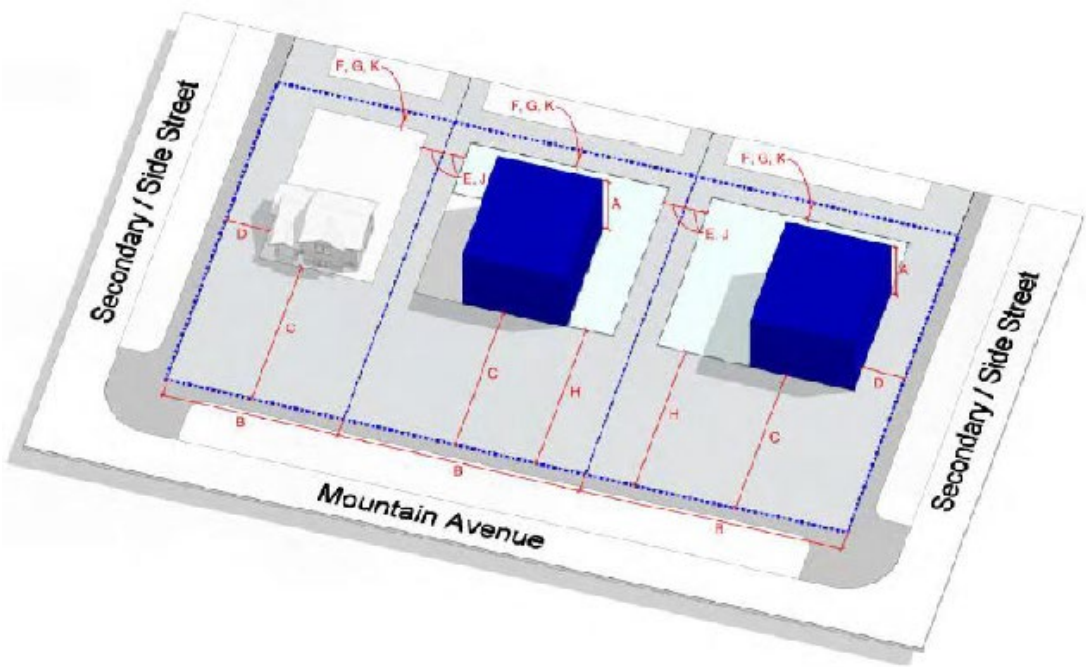


Table. 3.7 Agricultural Character District Dimensional Standards

Mountain Avenue Development Criteria		
Description		Agriculture
	Density and Lot Coverage	Per Underlying Zoning

A	Building Height[5]	Maximum: 2 Stories (35 feet)
B	Minimum Lot Width	Per Underlying Zoning
	Building Orientation	Parallel to Front lot line
Building Setbacks		
C	Mountain Ave / Highway 56[6,7]	80 ft. min
D	Secondary or side street	20 ft. min
E	Side yard (3 Stories)	NA
E	Side yard (2 Stories)	Per Underlying Zoning
E	Side yard (1 Story)	Per Underlying Zoning
F	Rear	Per Underlying Zoning
G	Rear Alley	Per Underlying Zoning
Off-Street Parking and Driveway Setbacks		
H	Mountain Ave / Highway 56[9]	80 ft. min
I	Secondary or side street	
J	Side yard	5 ft. min, 0 ft. if shared
K	Rear	5 ft. min, 0 ft. if shared
	Max parking and driveway frontage[4]	40% lot frontage
Mountain Avenue ROW Encroachments		
	Outdoor dining areas and display areas	0 ft.
	Awnings	0 ft.
	Balconies	0 ft.
	Bay windows and building projections	0 ft.
	Building eaves	0 ft.
	Patio cover roof	0 ft.

Notes:

1. The ground floor front façade may be recessed/setback to accommodate outdoor dining and or display areas, and such areas shall have a zero-foot setback.
2. A six-foot minimum unobstructed clear zone shall be provided within the ROW around outdoor dining areas for pedestrian circulation.
3. Balconies, bay windows, and other building projections extending in and to the public ROW shall provide a ten-foot minimum vertical clearance above the sidewalk elevation or finished grade.
4. Off street parking areas and driveways fronting Mtn Avenue/Hwy 56 and/or secondary side streets shall be screened from view from the Public ROW. Screening shall be three feet min. in height and shall be accomplished with berms, low walls, plantings, etc. Wall materials shall match materials used on the associated building. Wood fences are not allowed.
5. Small tower elements and roof forms/parapet walls associated with primary building areas may exceed the maximum building height by 15 percent.
6. Permanent features such as steps, ramps, landings, and uncovered porches shall not extend more than 40 percent into the required setback.
7. Front setbacks abutting Mountain Avenue/HWY 56 shall be measured from the edge of the ROW.
8. Zero-foot setbacks are allowed for buildings fronting Gateway Park Blvd located at the proposed village center.
9. Drive -through~~thru~~ windows shall not be oriented towards Mountain Avenue, and shall be located only at the rear of the building, and not fronting Mountain Avenue/HWY 56.

F. *New Berthoud Character District.* New Berthoud straddles the I-25/Hwy 56 interchange and is the gateway into Town. The lasting impression should relate to "Berthoud Proper" and offer a fresh new twist.

1. *District Extent:* The New Berthoud Character District extends one-half mile west of I-25 to County Road 11. Parcels located within this district are highlighted in the map below.

2. *Architectural Guidelines for New Berthoud District:* Expansive master planned developments are anticipated in the New Berthoud District with large scale retail/lifestyle uses near the I-25/Mountain Avenue interchange, then transitioning to mixed-use and residential developments further away.

   a. *Massing and Form.*

      i. The configuration and massing of these large buildings should give the appearance of individual buildings in the manner of traditional town centers.

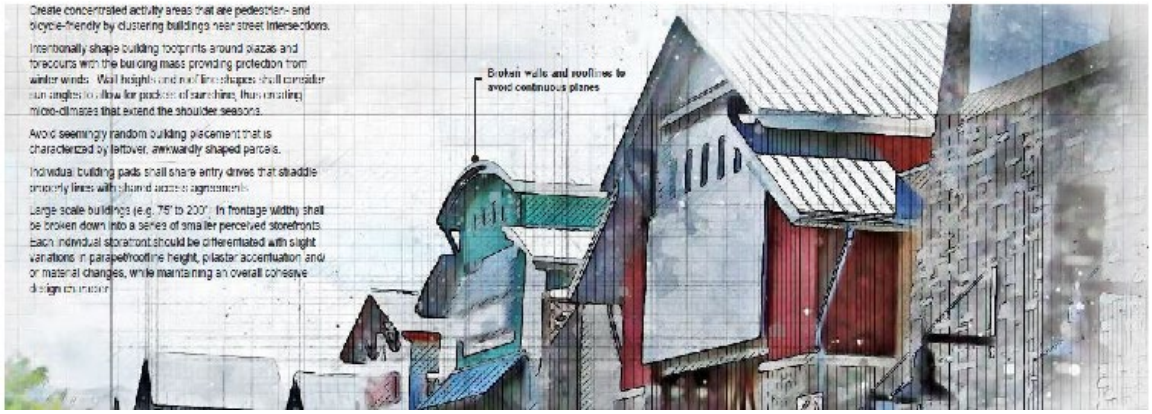
      ii. Wall and rooflines should be broken to avoid continuous planes, giving the appearance of individual buildings being built over an extended period of time but with a consistent architectural vocabulary.

      iii. Pedestrian approaches should be well-defined with large overhangs or dynamic canopy elements provided for weather protection.

      iv. Buildings should be clustered near street intersections to create concentrated activity areas that are pedestrian- and bicycle-friendly.

      v. Building footprints around plazas and forecourts with the building mass providing protection from winter winds. Wall heights and roofline shapes shall consider sun angles to allow for pockets of sunshine, thus creating micro-climates that extend the shoulder seasons.

Figure 3.22: Massing New Berthoud Character District



b. *Massing and Form for Buildings over 75 feet in length.*

i. Individual building pads shall share entry drives that straddle property lines with shared access agreements.

ii. Large scale buildings (e.g. 75 feet to 200 feet or more in frontage width) shall be broken down into a series of smaller perceived storefronts. Each individual storefront should be differentiated with slight variations in parapet/roofline height, pilaster accentuation and/or material changes, while maintaining an overall cohesive design character.

iii. Large scale buildings (e.g. 75 feet to 200 feet or more in frontage width) shall be designed to have scale-defining elements that reduce the perceived size.

iv. Provide cornice details that terminate in the main field wall while more prominent overhangs cap the defining architectural wall elements.

v. Provide transom windows to direct natural light deeper into space.

vi. Pedestrian-scale canopy elements are encouraged to provide shelter from adverse weather conditions, while defining the break between the base and the body of the building.

vii. First floor storefront base with large expanses of vertically oriented glass (more than 50 percent of façade~~facade~~ area) are encouraged for commercial development.

Figure 3.23: Massing for Buildings 75' in width or larger

3. *Parking:*

   a. *Parking:* On-street diagonal parking is proposed on Gateway Park Blvd within the proposed village center. To reduce its visual presence on Mountain Avenue, required parking shall be located behind and between buildings. Required parking areas shall not occupy more than 40 percent of the Mountain Avenue frontage and must not be forward of any building or structure. In addition, such parking areas shall be screened by a landscape hedge, wrought iron fence, or wall as detailed in Table 3.4.

   b. *Drive* -through~~*Thru*~~ *Areas:* Restaurant and bank drive-through areas~~thrus~~ shall be oriented away from Mountain Avenue and shall only be accessed by a rear access drive, with no visible drive -through~~thru~~ areas fronting Mountain Avenue, as described in Table 3.4.

   c. *Shared Parking:* New off-street parking lots should be shared to reduce the overall footprint of paved parking areas and be tucked behind and between buildings to minimize their visual presence.

4. *Signage:*

   a. Building mounted signs and ground mounted monument~~freestanding~~ signs with horizontal massing are preferred.

   ~~b. Internally illuminated signs are permitted but the entire sign panel may not be illuminated.~~

   ~~c. Text and logos may be illuminated, but the sign panel and cabinet shall be opaque.~~

   ~~d~~b. See ~~Table 3.9~~Section 7 Signs for additional signage requirements.

Table 6.8 New Berthoud Character District Dimensional Standards

Mountain Avenue Development Criteria

Description		New Berthoud
	Density and Lot Coverage	Per Underlying Zoning
A	Building Height[5]	Maximum: 3 Stories (40 feet)
B	Minimum Lot Width	Per Underlying Zoning
	Building Orientation	Parallel to Front lot line
Building Setbacks		
C	Mountain Ave / Highway 56[6,7]	80 ft. min
D	Secondary or side street	20 ft. min
E	Side yard (3 Stories)	Per Underlying Zoning
E	Side yard (2 Stories)	Per Underlying Zoning
E	Side yard (1 Story)	Per Underlying Zoning
F	Rear	Per Underlying Zoning
G	Rear Alley	Per Underlying Zoning
Off-Street Parking and Driveway Setbacks		
H	Mountain Ave / Highway 56[9]	80 ft. min
I	Secondary or side street	
J	Side yard	5 ft. min, 0 ft. if shared
K	Rear	5 ft. min, 0 ft. if shared
	Max parking and driveway frontage[4]	40% lot frontage
Mountain Avenue ROW Encroachments		
	Outdoor dining areas and display areas	0 ft.
	Awnings	0 ft.
	Balconies	0 ft.
	Bay windows and building projections	0 ft.
	Building eaves	0 ft.
	Patio cover roof	0 ft.

Notes:

1. The ground floor front façade may be recessed/setback to accommodate outdoor dining and or display areas, and such areas shall have a zero-foot setback.
2. A six-foot minimum unobstructed clear zone shall be provided within the ROW around outdoor dining areas for pedestrian circulation.
3. Balconies, bay windows, and other building projections extending in and to the public ROW shall provide a ten-foot minimum vertical clearance above the sidewalk elevation or finished grade.
4. Off street parking areas and driveways fronting Mtn Avenue/Hwy 56 and/or secondary side streets shall be screened from view from the Public ROW. Screening shall be three feet min. in height and shall be accomplished with berms, low walls, plantings, etc. Wall materials shall match materials used on the associated building. Wood fences are not allowed.
5. Small tower elements and roof forms/parapet walls associated with primary building areas may exceed the maximum building height by 15 percent.
6. Permanent features such as steps, ramps, landings, and uncovered porches shall not extend more than 40 percent into the required setback.
7. Front setbacks abutting Mountain Avenue/HWY 56 shall be measured from the edge of the ROW.
8. Zero-foot setbacks are allowed for buildings fronting Gateway Park Blvd located at the proposed village center.
9. Drive -through~~thru~~ windows shall not be oriented towards Mountain Avenue and shall be located only at the rear of the building, and not fronting Mountain Avenue/HWY 56.

~~4. *Signage.*~~

a. All Signage must satisfy the requirements in Table 3.9 below.

Table 3.9 Signage Requirements By Character District

Description	Berthoud West	Residential Conversion	Downtown Commercial	Berthoud East	Agriculture	New Berthoud
Maximum size of a single sign	100 sf	35 sf	60 sf	100 sf max	100 sf	135 sf
Freestanding pole sign	Prohibited	Prohibited	Prohibited	Prohibited	Prohibited	Prohibited
Freestanding monument sign	10 feet or less in height, sign area is 135 sf max, area of the sign base may not be greater than 50% of the sign area	5 feet or less in height, sign area is 32 sf max, area of the sign base may not be greater than 50% of the sign area	Prohibited	10 feet or less in height, sign area is 135 sf max, area of the sign base may not be greater than 50% of the sign area	10 feet or less in height, sign area is 135 sf max, area of the sign base may not be greater than 50% of the sign area	12 feet or less in height, sign area is 155 sf max, area of the sign base may not be greater than 50% of the sign area
Wall signs (max per building face)	120 sf mx	35 sf max	80 sf max	120 sf max	100 sf max	105 sf max
Canopy signs	38 sf max, 18-inch max height	Prohibited	Prohibited	38 sf max, 18-inch max height	38 sf max, 18-inch max height	38 sf max, 18-inch max height
Projecting signs	Allowable, per sign code	Allowable, per sign code	Allowable, per sign code	Allowable, per sign code	Allowable, per sign code	Allowable, per sign code
Awning signs	Allowable, per sign code	Allowable, per sign code	Allowable, per sign code	Allowable, per sign code	Allowable, per sign code	Allowable, per sign code
Window signs	Allowable, per sign code	Allowable, per sign code	Allowable, per sign code	Allowable, per sign code	Allowable, per sign code	Allowable, per sign code
Sandwich board signs	Prohibited	Prohibited	Allowable, per sign	Prohibited	Prohibited	Prohibited

			~~code~~			
~~Billboard signs~~	~~Prohibited~~	~~Prohibited~~	~~Prohibited~~	~~Prohibited~~	~~Prohibited~~	~~Prohibited~~
~~Electronic signs~~	~~Per sign code~~	~~Prohibited~~	~~Prohibited~~	~~Per sign code~~	~~Per sign code~~	~~Per sign code~~
~~Off-premises signs~~	~~Prohibited~~	~~Prohibited~~	~~Prohibited, except sandwich board signs~~	~~Prohibited~~	~~Prohibited~~	~~Prohibited~~
~~Sign and awning illumination~~	~~Internal or external illumination is allowed with the following stipulations:~~ ~~Internal illumination: Letters and logo(s) may be internally illuminated, surrounding sign panel and supporting structure may not be illuminated. Awnings may not be internally illuminated.~~ ~~External illumination: Entire sign and support structure may be illuminated~~	~~Internal or external illumination is allowed with the following stipulations:~~ ~~Internal illumination: Letters and logo(s) may be internally illuminated, surrounding sign panel and supporting structure may not be illuminated. Awnings may not be internally illuminated.~~ ~~External illumination: Entire sign and support structure may be illuminated~~	~~External illumination only~~	~~Internal or external illumination is allowed with the following stipulations:~~ ~~Internal illumination: Letters and logo(s) may be internally illuminated, surrounding sign panel and supporting structure may not be illuminated. Awnings may not be internally illuminated.~~ ~~External illumination: Entire sign and support structure may be illuminated~~	~~Internal or external illumination is allowed with the following stipulations:~~ ~~Internal illumination: Letters and logo(s) may be internally illuminated, surrounding sign panel and supporting structure may not be illuminated. Awnings may not be internally illuminated.~~ ~~External illumination: Entire sign and support structure may be illuminated~~	~~Internal or external illumination is allowed with the following stipulations:~~ ~~Internal illumination: Letters and logo(s) may be internally illuminated, surrounding sign panel and supporting structure may not be illuminated. Awnings may not be internally illuminated.~~ ~~External illumination: Entire sign and support structure may be illuminated~~

	~~with cut-off style fixtures. Awnings may be externally illuminated.~~	~~with cut-off style fixtures. Awnings may be externally illuminated.~~		~~with cut-off style fixtures. Awnings may be externally illuminated.~~	~~with cut-off style fixtures. Awnings may be externally illuminated.~~	~~with cut-off style fixtures. Awnings may be externally illuminated.~~
~~Sign setbacks from Mountain Ave/Highway 56~~	~~5 feet min~~	~~5 feet min~~	~~Zero feet min, except sandwich board signs, which can be placed on corners in Mountain Ave. right-of-way between 2nd and 5th Streets~~	~~5 feet min~~	~~10 feet min~~	~~10 feet min~~

Notes:

1. ~~Corporate colors and other c~~Colors used behind or around a sign to differentiate it from the building façade shall be included in the sign area.

~~2. The following signs, banners, flags, and special event signage, defined and found in the Exempt Signage of Section 30-107-3, shall be allowed in the Mountain Avenue Overlay under the following conditions:~~

~~a. Banners, flags and other special event signage is allowed for one continuous two-week period associated with a grand opening of any business.~~

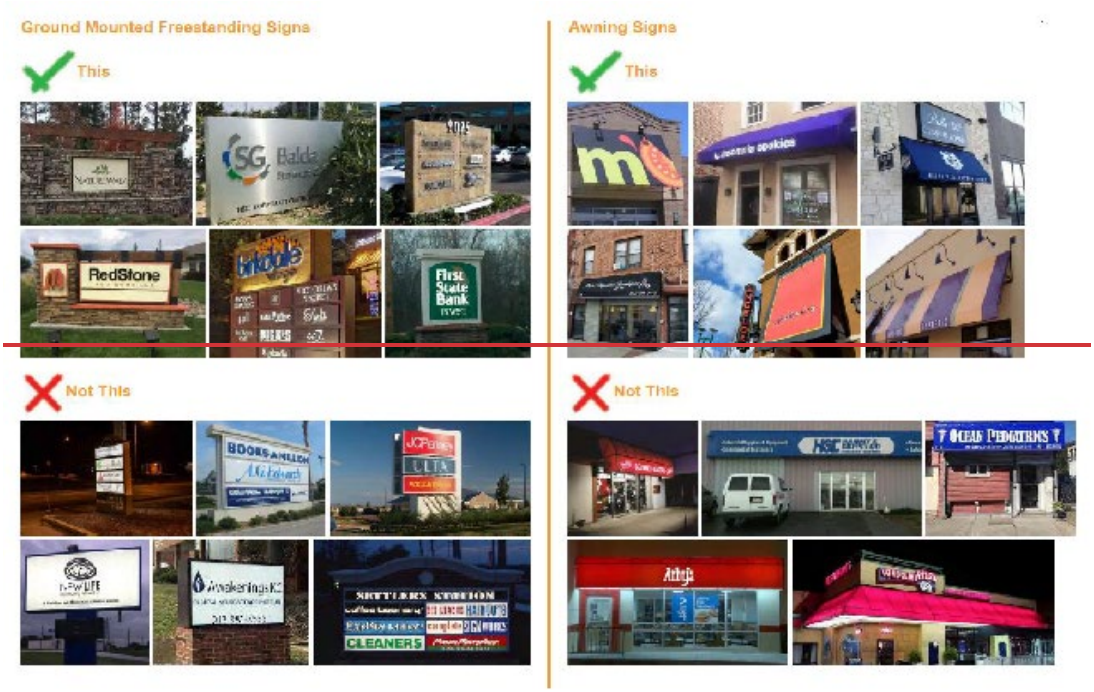
~~b. Banners, flags, and other special event signage is allowed for a continuous two-week period one time per calendar year.~~

~~c. Two flags per the criteria of the authorized time periods in a and b above. Such flags must be placed outside of the Public ROW and be no more than eight feet in height.~~

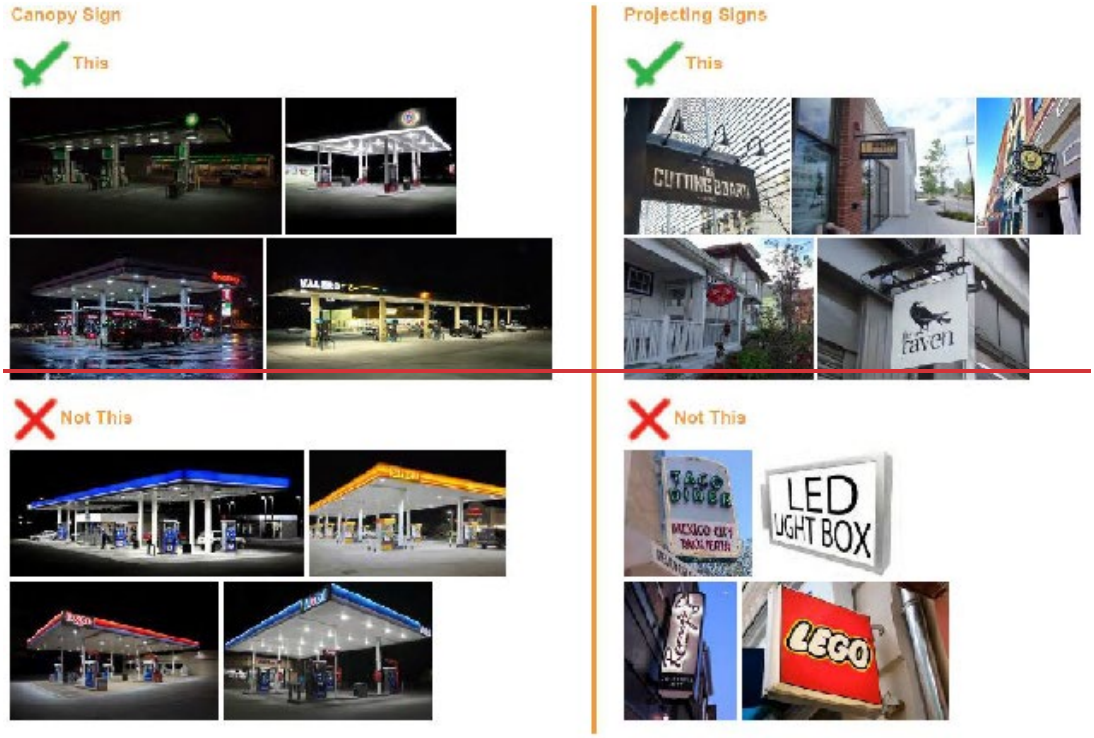
~~d. One Banner 32 square feet in size or less, shall be erected under the conditions of a and b of the aforementioned criteria in this code.~~

~~e. Any other special event signage not specifically defined by this code that satisfy the conditions of a and b above, shall be 32 square feet in size or less, and located out of the ROW, shall be reviewed by Staff for approval for compliance with the criteria stated in this section.~~

~~Figure 3.23: Examples of Freestanding and Awning Signs~~



~~Figure 3.24: Examples of Canopy and Projecting Signs~~



(Ord. No. 1280 , § 1(Exh. A), 1-28-2020; Ord. No. 1299 , § 1(Exh. A), 12-14-2021)

30-5-102 Construction Rules and Regulations

J. *Signage.* At least one temporary ~~construction~~ site sign, a minimum of 12 square feet and a maximum of 32 square feet in size, shall be located within the Site boundary and shall be easily visible and readable from the adjacent roadway or entry to the Site. The sign must the information shown below.

PROJECT LOGO AND/OR NAME

Developer/Owner: [Name and Phone #]
Contractor: [Name and Phone #]
Builder: [Name and Phone #]

TOWN BOARD INFORMATION

COMMUNITY DEVELOPMENT DEPARTMENT

Meeting Date:	**February 8, 2024**
Agenda Title/Subject:	**Ordinance 1335 (Series 2024) Public Hearing to present proposed amendments to the Berthoud Development Code specifically, adopting Section 3 of Chapter 30**
Type of Item:	**Regular Item**
Purpose:	**Amending the Land Use Code to adopt Section 3, Chapter 30 of the Municipal Code to recognize the adoption of the Innovation District Standards by the Town Board of Trustees on April 25, 2023**
Presented by:	**Anne Johnson, Community Development Director**

ATTACHMENTS:

- Planning Commission Minutes, Draft form
- Public Notice
- Ordinance 1335 (Series 2024)
- Ordinance 1335 (Series 2024) Appendix A
- First Street Master Plan, April 25, 2023

BACKGROUND:
It is necessary to update the Berthoud Land Development Code to recognize the Innovation District/1st Street Overlay District Standards adopted by the Town Board of Trustees on April 25, 2023.

UPDATE/NEXT STEPS:
The Planning Commission's recommendation of approval from their February 8, 2024 public hearing are presented as an introduction at the Town Board of Trustee's meeting on February 20, 2024 and the public hearing on March 12, 2024.

FISCAL IMPACT AND FUND SOURCE:
There is no negative fiscal impact to the Town in clarifying the Town Development Code, Chapter 30 of the Municipal Code

COMMUNITY TOUCHSTONES:
Consideration of the amendment requests does not negatively impact community touchstones. Consideration of approval of the request does provide support for enhancing community identity, provides for support to strengthen the Town's sustainability and resiliency goals and affords the development community with a transparent set of standards to know what the expectations are for developing in the Town of Berthoud.

RECOMMENDED ACTION(S):
Planning Commission recommends the Town Board of Trustees approve Ordinance 1335 (series 2024) with the attached Ordinance Appendix A on second reading to be held on March 12, 2024.

The Board of Trustees may give direction to staff to bring Ordinance 1334 (Series 2024) back for consideration at a public hearing on March 12, 2024.

807 Mountain Avenue | PO Box 1229 | Berthoud, CO 80513 | O: 970.532.2643 | F: 970.532.0640 | **Berthoud.org**

Planning Commission Minutes – February 8, 2024, at 6:00 p.m.

1. **Call to Order** – The Planning Commission convened a regular meeting on. Commissioner Anderson called the meeting to order at 6:00 p.m.

2. **Pledge of Allegiance**

3. **Roll Call** – Members present:

	Karen Anderson	(Chairperson)
	Abigail Smith	(Vice Chairperson)
	Jon Van Benthem	(Secretary)
	Joe Donnelly	(Commissioner)
	Marc Hofmans	(Commissioner)
	Nick Semedalas	(Commissioner)
	Brett Wing	(Commissioner)
Staff present:	Anne Johnson	(Community Development Director)
	Teri Reger	(Planning Technician)
	Jeremy Olinger	(Deputy Town Administrator)
Consultants:	Gerald Dahl	
	Martin Landers	
	Erin Smith, Town Attorney	

4. **Approval of Minutes –** Minutes from January 11, 2024, Planning Commission Meeting.

   MOTION made by Commissioner Wing to APPROVE the Minutes for January 11, 2024.

   SECONDED by Commissioner Van Benthem.

   With those all-in favor, THE MOTION CARRIED.

5. **Update on Town Projects in 2023 and 2024**
   Presented by: Jeremy Olinger, Deputy Town Administrator

6. **Public Hearing: Sign Code**
   Community Development Director Anne Johnson introduced a recommendation to the Planning Commission regarding amendments to Section 7, Chapter 30, the Berthoud Sign Code, Ordinance 1334.

   Public Comment was opened at 7:24 p.m. ***Public Comment was closed at 7:25 p.m.***

   MOTION made by Commissioner Wing to forward our recommendation of approval of the amendments contained in Ordinance 1334 (Series 2024) with Appendices A, B, C and D to the Town Board of Trustees. The rationale for approval is that the proposed guidelines provide transparent expectations for future development in the Town of Berthoud, supports the Town's community identity outlined in the 2021 update to the Comprehensive Plan, and aligns the

Town's Sign Code with current findings of the U.S. Supreme Court.

SECONDED by Vice Chairperson Smith. With all in favor, THE MOTION CARRIED.

7. **Public Hearing: Amendments to the Berthoud Development Code specifically, adopting Section 3 of Chapter 30, Ordinance 1335**

Community Development Director Anne Johnson introduced a recommendation to the Planning Commission regarding adopting Section 3, Chapter 30 of the Municipal Code to recognize the adoption of the Innovation District Standards by the Town Board of Trustees on April 25, 2023

Public Comment was opened at 7:48 p.m. ***Public Comment was closed at 7:48 p.m.***

MOTION made by Commission Hofmans to *forward our recommendation of approval of the amendments contained in Ordinance 1335 (Series 2024) with Appendix A to the Town Board of Trustees. The rationale for approval is that the guidelines for the Berthoud Innovation District/1st Street Corridor were approved by the Town Board of Trustees on April 25, 2023. Inclusion of these standards by reference in the Town Development Code provides transparent expectations for future development in the Town of Berthoud and supports the Town's community identity outlined in 2023 Guidelines for the 1st Street Corridor.*

SECONDED by Commissioner Semedalas. With all in favor, THE MOTION CARRIED.

8. **Reports by Staff**

Planning Commission Field Trip is scheduled for March 16, 2024.
Planning Commission Meeting on February 25, 2024, has been cancelled the next meeting will be March 14, 2024.

Board of Trustees Update:

Commissioner Wing commended Deputy Town Administrator Olinger for his presentation and information he shared regarding Town Projects.
Commissioner Wing also asked, spurred by the upcoming field trip, how leaders can influence affordable housing.
Chairperson Anderson suggested that perhaps the Director for Habitat for Humanity could come and talk to the Commission.

9. **Adjourn** –

The meeting was adjourned at 7:58 p.m.

_____ _____

CHAIRPERSON SECRETARY

TOWN OF BERTHOUD, COLORADO

NOTICE OF PUBLIC HEARING
Amendments to the Berthoud Development Code

PUBLIC NOTICE IS HEREBY GIVEN of public hearings before the Berthoud Planning Commission on Thursday, February 8, 2024 at 6:00 p.m. and before the Town Board on Tuesday, February 20, 2024 and Tuesday, March 12, 2024 at 6:30 pm to consider amendments to Chapter 30, Section 3 of the Berthoud Municipal Code, specifically adding language recognizing the First Street Overlay District standards previously adopted by the Town Board of Trustees. The public hearings will be held at Town Hall 807 Mountain Avenue Berthoud 80513.

Given and Posted on this _____ day of January, 2024.

Published: Loveland Reporter Herald January 20, 2024-2029777

Prairie Mountain Media, LLC

PUBLISHER'S AFFIDAVIT

County of Larimer
State of Colorado

The undersigned, __Agent__, being first duly sworn under oath, states and affirms as follows:

1. He/she is the legal Advertising Reviewer of Prairie Mountain Media LLC, publisher of the *Loveland Reporter Herald*.
2. The *Loveland Reporter Herald* is a newspaper of general circulation that has been published continuously and without interruption for at least fifty-two weeks in Larimer County and meets the legal requisites for a legal newspaper under Colo. Rev. Stat. 24-70-103.
3. The notice that is attached hereto is a true copy, published in the *Loveland Reporter Herald* in Larimer County on the following date(s):

   Jan 20, 2024

Melissa Najera
Signature

Subscribed and sworn to me before me this 22nd day of January, 2024.

Shayla Najera
Notary Public

(SEAL)

SHAYLA NAJERA
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20174031965
MY COMMISSION EXPIRES July 31, 2025

Account:	1051549
Ad Number:	2029777
Fee:	$18.56

1.4

TOWN OF BERTHOUD ORDINNANCE
NUMBER 1335
(SERIES 2024)

AN ORDINANCE ADDING SECTION 3 TO THE BERTHOUD MUNICIPAL CODE CHAPTER 30, TO SUPPORT THE 2023 ADOPTION OF THE INNOVATION DISTRICT/1st STREET CORRIDOR GUIDELINES

WHEREAS, the Town of Berthoud is a municipal corporation possessing all powers granted to a statutory town by Title 31 of the Colorado Revised Statutes; and

WHEREAS, the Town wishes to implement the vision and values expressed in the 2021 update to the Comprehensive Plan, including strengthening the Town's sense of place, enhancing community identity, supporting community resilience and sustainability touchstones; and

WHEREAS, the Town Board of Trustees adopted the 1st Street Corridor/Innovation District Guidelines at their public hearing on April 25, 2023 and wishes to reference these guidelines in the Land Development Code; and

WHEREAS, the Planning Commission, after proper notice, has held a public hearing on February 8, 2024 on this ordinance providing for a recommendation of approval from the Town Board of Trustees; and

WHEREAS, the Board of Trustees, after proper notice introduced this Ordinance at their meeting on February 20, 2024 and heard the proposal at a public hearing on March 12, 2024 on this ordinance providing for the adoption of said code amendments pursuant to C.R.S. Section 31-16-203; and

WHEREAS, the Development Code and amendments thereto have been submitted to the Board of Trustees in writing and the Board of Trustees has determined that such code and amendments thereto should be adopted as herein set forth.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD, COLORADO:

Section 1. The attached Ordinance 1335 (Series 2024) shall be amended as presented in Appendix A and adopted into Chapter 30 of the Berthoud Municipal Code.

Section 2. Interpretation: This Ordinance shall be so interpreted and construed to effectuate its general purpose.

Section 3. Effective Date: The provisions of this Ordinance shall take effect thirty (30) days following the date of public hearing.

[INTENTIONALLY LEFT BLANK]

INTRODUCED on this 27th day of February, 2024.

TOWN OF BERTHOUD

By _____

William Karspeck, Mayor

ATTEST:

By: _____

Christian Samora, Town Clerk

READ, ADOPTED, AND APPROVED on this 12th day of March, 2024.

TOWN OF BERTHOUD

By _____

William Karspeck, Mayor

ATTEST:

By: _____

Christian Samora, Town Clerk

Berthoud 1st Street Corridor Overlay District

Section 30-3-115 1st Street Corridor Overlay District

1. *Intent.* The 1st Street Corridor Overlay District focuses on directing the general character of new development and redevelopment within the 1st Street corridor, in accordance with the 1st Street Corridor Plan adopted by Resolution 2023-09.

2. *Boundaries.*

   A. *General.* The boundary of this 1st Street Corridor Overlay District (herein referred to as the 1st Street Overlay) shall be the area so labeled and depicted in Figure 3.24, and as approved in the official zoning map, which is incorporated herein by reference. The 1st Street Overlay is applicable to all properties within the 1st Street corridor within Town Limits.

   B. *Districts.* As depicted in Figure 3.24, the 1st Street Overlay is comprised of two Character Districts: The Innovation District and the Urban Residential District. The Innovation District is a distinct business district encompassing a majority of the 1st Street Overlay area. The Urban Residential District supports potential commercial and employment opportunities in the Innovation District.

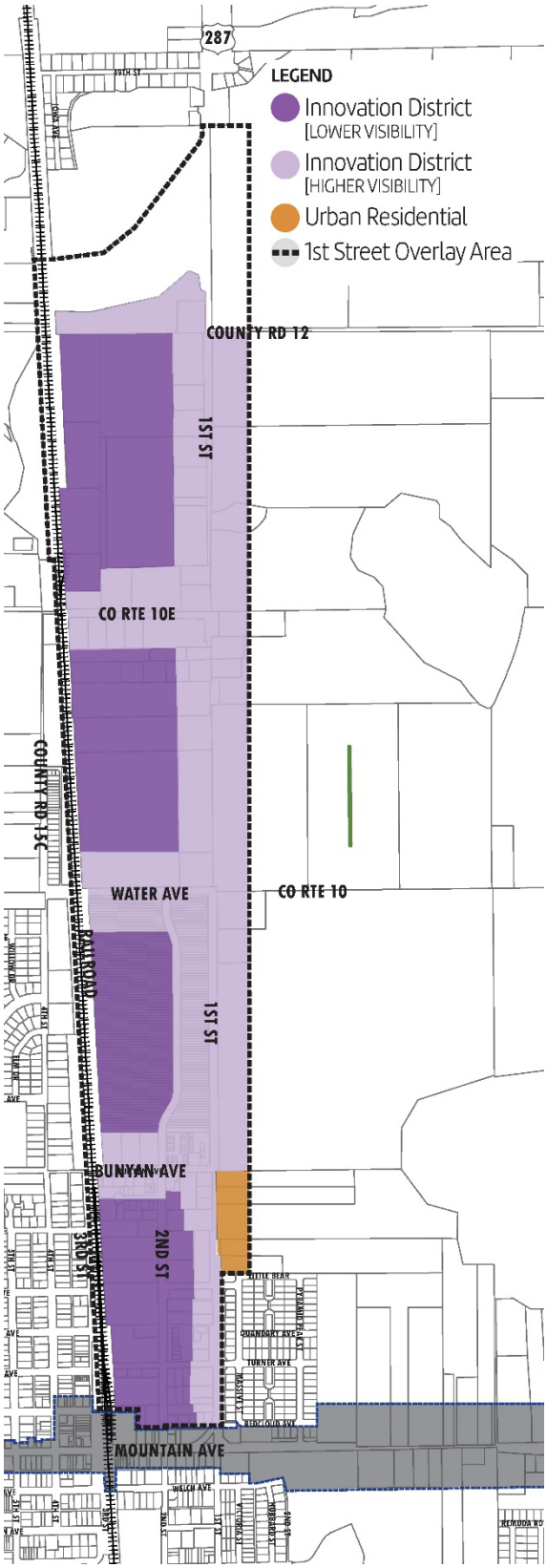
   C. *Visibility Areas.* As depicted in Figure 3.24, the Innovation District is comprised of a Higher Visibility Area and a Lower Visibility Area.

      a. Higher Visibility Areas are defined within 300 feet of the centerline of 1st Street, Bunyan Avenue, Water Avene, CR10, CR10E, and CR12.

      b. Lower Visibility Areas are the remaining areas outside the Higher Visibility Areas.

Figure 3.24: 1st Street Overlay Boundaries

Berthoud 1st Street Corridor Overlay District



3. *Applicability.* All of the regulations and requirements of this Section shall fully apply when any of the following occur on property within the 1st Street Overlay:

   A. Construction of any new principal structure.

   B. Parking area reconfiguration.

   C. Structural Alterations. Any structural alteration shall follow the 1st Street Overlay regulations as follows:

      a. Exterior Walls. When any change is made to the façade or an exterior wall of an existing structure within a Higher Visibility Area, all of the façade shall be brought into full compliance with the 1st Street Overlay found herein.

      b. Addition(s): Any addition to an existing structure within a Higher Visibility Area must be in full compliance with this 1st Street Overlay.

   D. Sign Permits. Any expansion, change, or removal of any existing signage shall be brought into compliance with Section 7 Signs.

   E. Change of Use. Any change of use will necessitate land development review and require compliance with applicable standards of this Code and the 1st Street Overlay regulations.

4. *Exemptions.* The following exemptions to the regulations and requirements of this Section are applicable to property within the 1st Street Overlay:

   A. General property maintenance and/or general property repair, such as roof repairs, interior remodels and repair, exterior painting, parking lot repair/restriping, and any other non-structural repair, or;

   B. The maintenance, repair, upgrading or replacement of any water, sewer, HVAC, or electrical facilities will not trigger a requirement that such property or structure be brought into compliance with this 1st Street Overlay.

   C. Existing single-family residential uses are exempt from the requirements of this 1st Street Overlay and shall follow the development standards of the underlying zoning district.

5. *Legal Nonconformities.* Except as provided in this 1st Street Overlay to the contrary; all nonconforming uses, nonconforming structures and nonconforming lots, shall be governed by Section 30-3-107 *Nonconforming use/buildings*.

6. *Architectural Standards/Guidelines.* All applicable development within the 1st Street Overlay shall be in accordance with the architectural standards of this Code and the Architectural Design Guidelines.

   A. All applicable development within the Urban Residential District shall be in compliance with Section 30-2-116 *Residential design standards*.

      a. During the land development approval process, and specifically Section 30-6-112 *Site plan* and Section 30-3-106 *Use by Special Review* as applicable, an applicant proposing development within the Urban Residential District shall illustrate how the development will comply with the requirements set forth in the Architectural Design Guidelines for the Urban Residential Character District.

   B. All applicable development within the Innovation District shall be in compliance with Section 30-2-117 *Commercial and industrial standards*.

a. During the land development approval process, and specifically Section 30-6-112 *Site plan* and Section 30-3-106 *Use by Special Review* as applicable, an applicant proposing development within a Higher Visibility area shall illustrate how the development will comply with the requirements set forth in the Architectural Design Guidelines for the Urban Industrial Character District.

b. During the land development approval process, and specifically Section 30-6-112 *Site plan* and Section 30-3-106 *Use by Special Review* as applicable, an applicant proposing mixed use development shall illustrate how the development will comply with the requirements set forth in the Architectural Design Guidelines for the Urban Downtown Character District.

7. *Use and Dimensional Standards.* All applicable development within the 1st Street Overlay shall be in accordance with the land use and dimensional standards in Table 3.9:

Table 3.9: 1st Street Corridor Overlay District Use and Dimensional Standards

Uses Allowed	Per Underlying Zoning
Mixed-Use Standards	Per R-4 Zoning
Maximum Density	Per Underlying Zoning
Maximum Building Height: Innovation District	3 Stories (40 feet)
Maximum Building Height: Urban Residential District	Per Underlying Zoning
Minimum Lot Size	Per Underlying Zoning
Minimum Lot Width	Per Underlying Zoning
Building Setbacks	Per Underlying Zoning
Building Orientation	Parallel to Front lot line
Maximum Parking and Driveway Frontage	40% of lot frontage

TOWN OF BERTHOUD, COLORADO

1st Street Corridor Plan

Approved by Berthoud Town Board on April 25, 2023

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Public Workshop #1 Exhibits A2
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Modified Trends Map Concept A A18
Modified Trends Map Concept B A19

CHAPTER 1

Overview

The Town of Berthoud continues to plan for managed growth and sustainable development, and 1st Street is an attractive location for future development for various reasons: adjacent properties are highly visible to drivers; there is convenient access to US 287 and Mountain Avenue; and Town infrastructure is in close proximity. In addition, the Comprehensive Plan and Zoning Code allow unique land uses that aren't permitted in most areas within the Town. The 1st Street Corridor Plan (Plan) sets the stage for 1st Street to serve as a central spine for one of the Town's growth areas east of the railroad.

Purpose of the Plan

The Plan provides a vision and set of goals for guiding the growth, development, redevelopment and design of the 1st Street corridor. More specifically, the Plan addresses architecture, scale, form, character and intensity of development, connectivity, multi-modal transportation, streetscapes, and landscaping within the 1st Street Corridor Study Area.

Town staff coordinated with a multidisciplinary consultant team to guide the planning effort. Input for the 1st Street Corridor Plan was sought from local residents, businesses, property owners, and community leaders, particularly through a series of three community meetings.

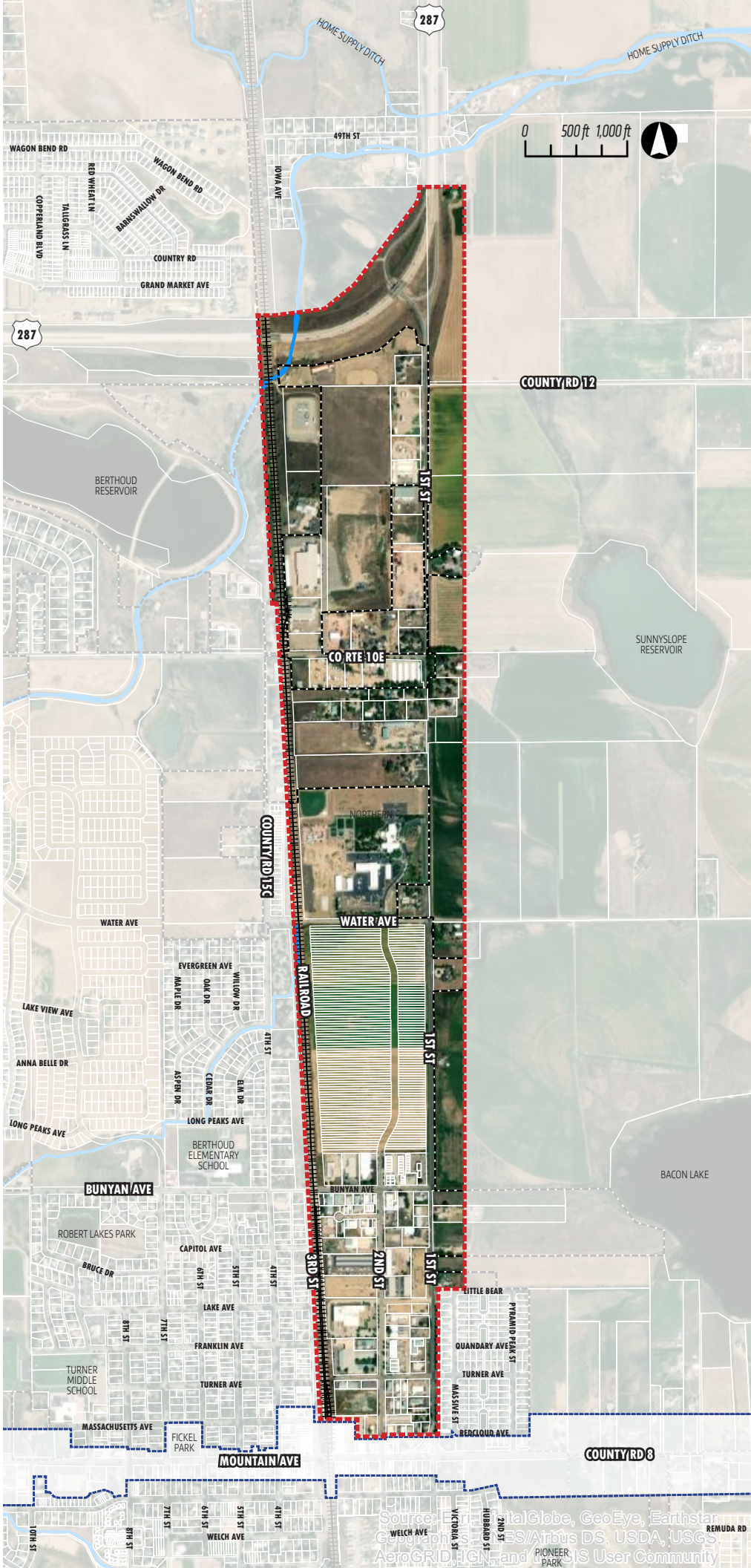
The 1st Street Corridor Plan provides Berthoud with a roadmap for accomplishing community planning objectives along the 1st Street corridor for many years to come.

PROJECT GOALS

- Identify and enhance the character of 1st Street
- Protect existing neighborhoods
- Envision distinct and memorable spaces and places that add to Berthoud's charm and boost the concept of an Innovation District along 1st Street, per the 2021 Comprehensive Plan
- Improve the experience for pedestrians, bicyclists, transit users, and motorists in a safe environment
- Create conditions and a collaborative environment where business and innovation can thrive

Study Area

The 1st Street Corridor Study Area generally covers the area with US 287 on the north (including the interchange), the railroad on the west, Mountain Avenue on the south, and approximately 300 feet east of 1st Street. The corridor stretches about 2 miles from north to south.



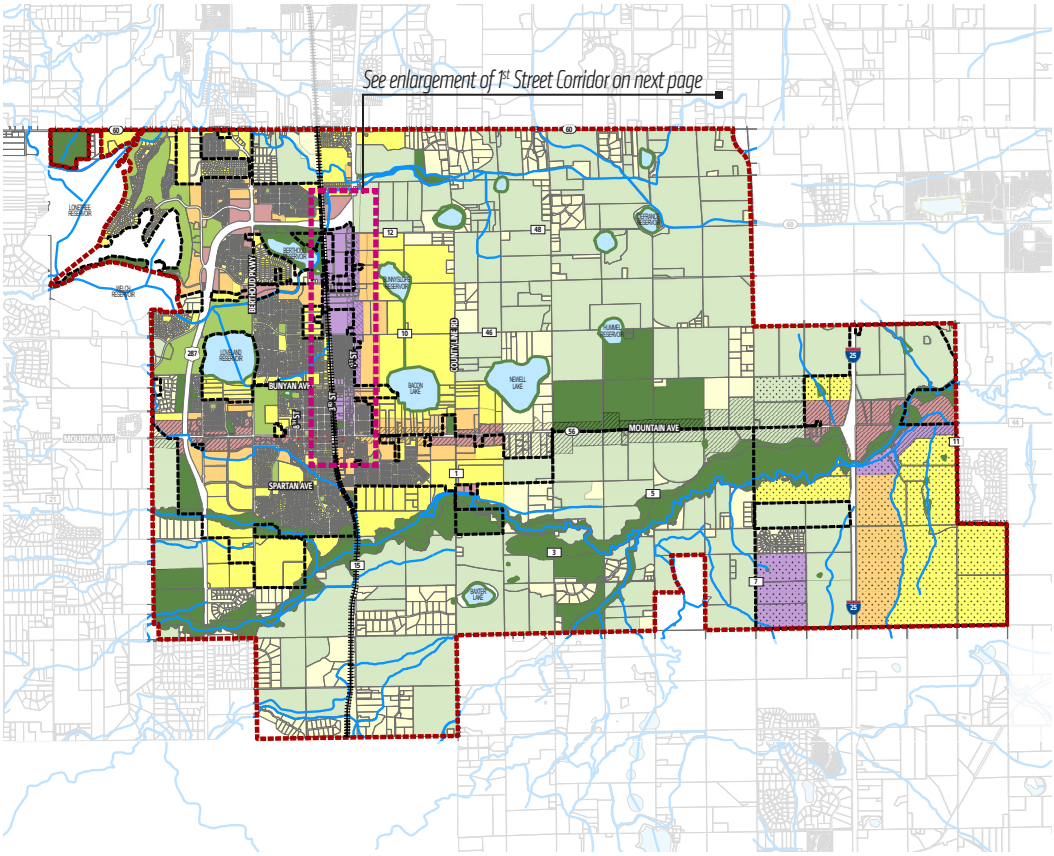
Relationship to the Comprehensive Plan

As illustrated in the map below, the Future Land Use Plan in the Town of Berthoud's 2021 Comprehensive Plan was built around a set of Character Districts that defined the land use, urban design, and character traits of Berthoud's districts and corridors.

The 1st Street Corridor is primarily characterized by two of those Character Districts, which are described in more detail on page 5. One is an Innovation District intended to be a distinct business district strategically designed to attract, retain, and cultivate talent in a variety of industries, from creativity, makers, and startups to technology, research, and development. Urban Residential uses to the east of 1st Street are also intended to support potential commercial and employment opportunities in the Innovation District.

This Plan will further articulate the desired character and function of the Study Area.

FUTURE LAND USE PLAN | *2021 BERTHOUD COMPREHENSIVE PLAN*



PLACE TYPE: GENERAL URBAN AREAS
- Innovation District
- Urban Residential

PLACE TYPE: NATURAL AREAS
- Environmentally Sensitive Area
- Open Space
- Parks, Recreation & Trails

PLACE TYPE: RURAL AREAS
- Agricultural
- Rural Residential

PLACE TYPE: SUBURBAN AREAS
- Suburban Residential
- Suburban Business

PLACE TYPE: URBAN CENTER
- Old Town Residential
- Downtown

PLACE TYPE: SPECIAL DISTRICTS
- 1st Street Corridor
- Mountain Avenue Corridor
- New Berthoud

Future Land Use Map

The Future Land Use Map from the 2021 Berthoud Comprehensive Plan is categorized by six Place Types, which each has its own set of Character Districts that define the land use character of the various neighborhoods, corridors, and districts that comprise Berthoud. One of the Character Districts is the Innovation District, which encompasses a majority of the 1st Street Corridor Study Area. Urban Residential is another prominent Character District east of 1st Street. Preferred land uses are summarized on the next page.

PLACE TYPE: GENERAL URBAN AREAS
- Innovation District
- Urban Residential

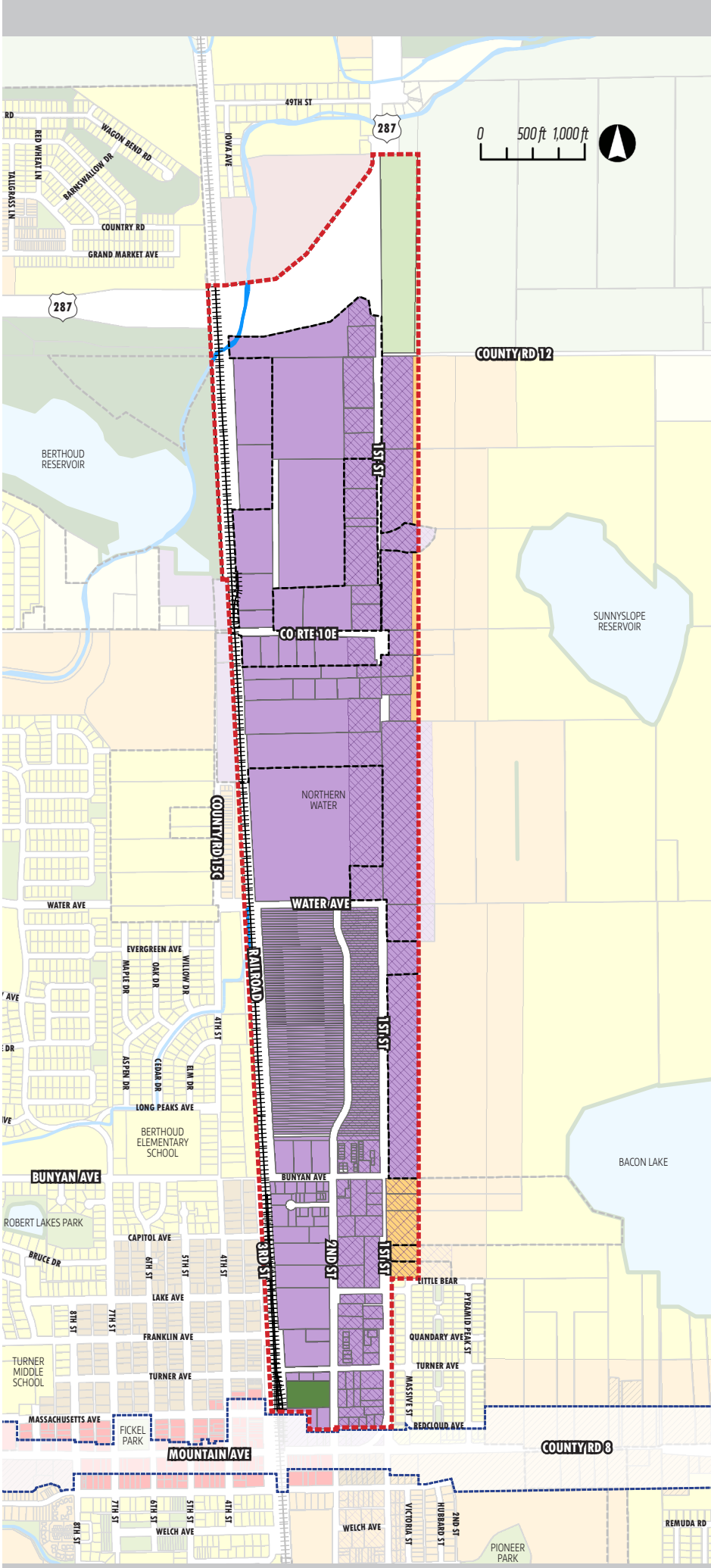
PLACE TYPE: NATURAL AREAS
- Environmentally Sensitive Area
- Open Space
- Parks, Recreation & Trails

PLACE TYPE: RURAL AREAS
- Agricultural
- Rural Residential

PLACE TYPE: SUBURBAN AREAS
- Suburban Residential
- Suburban Business

PLACE TYPE: URBAN CENTER
- Old Town Residential
- Downtown

PLACE TYPE: SPECIAL DISTRICTS
- 1st Street Corridor
- Mountain Avenue Corridor



Character Districts

Per the 2021 Comprehensive Plan, the 1st Street Corridor provides, "optimal opportunities for mixed use development and creation of new sub-districts...", which assumes Town annexation of unincorporated properties over time to guide future land use. As summarized below, the 1st Street Corridor is comprised of two Character Districts: the Innovation District and the Urban Residential District.

GUIDING PRINCIPLE

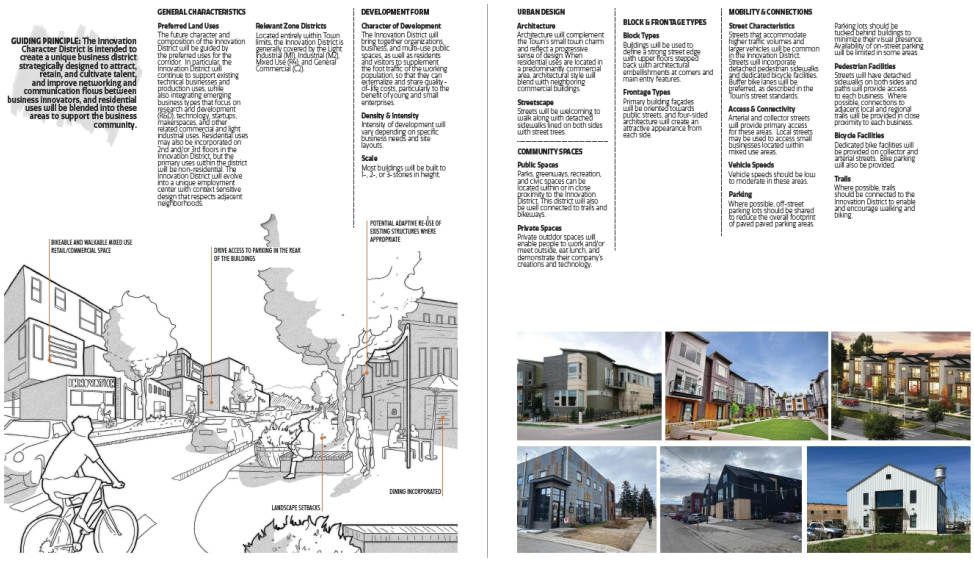
The 1st Street Corridor is intended to evolve into a modern innovation hub designed as a green and connected campus that provides for a range of employment and business uses catering to creatives, artisans, makers, startups, and other innovators. Residential uses can be blended into these areas to support the business community.

Innovation District | CHARACTER DISTRICT

Guiding Principle: The Innovation Character District is intended to create a unique business district strategically designed to attract, retain, and cultivate talent, and improve networking and communication flows between business innovators, and residential uses will be blended into these areas to support the business community.

Preferred Land Use: The future character and composition of the Innovation District will be guided by the preferred uses for the corridor. In particular, the Innovation District will continue to support existing technical businesses and production uses, while also integrating emerging business types that focus on research and development (R&D), technology, startups, makerspaces, and other related commercial and light industrial uses. Residential uses may also be incorporated on 2nd and/or 3rd floors in the Innovation District, but the primary uses within the district will be non-residential. The Innovation District will evolve into a unique employment center with context sensitive design that respects adjacent neighborhoods.

Scale: Most buildings will be built to 1, 2, or 3-stories in height.

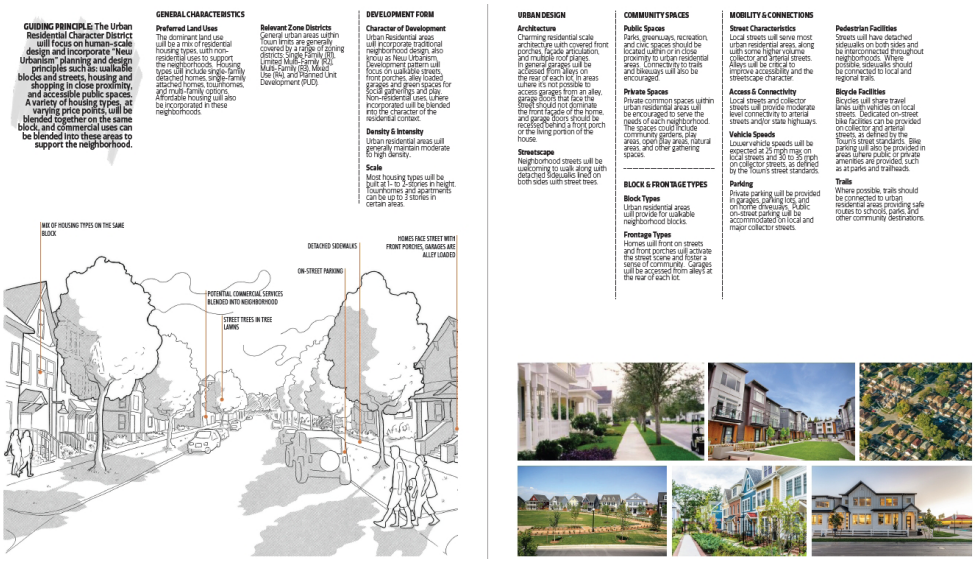


Urban Residential | CHARACTER DISTRICT

Guiding Principle: The Urban Residential Character District will focus on human-scale design and incorporate "New Urbanism" planning and design principles such as: walkable blocks and streets, housing and shopping in close proximity, and accessible public spaces. A variety of housing types, at varying price points, will be blended together on the same block, and commercial uses can be blended into these areas to support the neighborhood.

Preferred Land Use: The dominant land use will be a mix of residential housing types, with nonresidential uses to support the neighborhoods. Housing types will include single-family detached homes, single-family attached homes, townhomes, and multi-family options. Affordable housing will also be incorporated in these neighborhoods.

Scale: Most housing types will be built at 1 to 2-stories in height. Townhomes and apartments can be up to 3 stories in certain areas.



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CHAPTER 2

Planning Process

Overview

The Project Timeline on the right shows how the Plan was developed across three project phases:

1/ DISCOVERY
Including data collection, analysis, and Public Workshop #1 to gather community input

2/ CONCEPTS
Including Public Workshop #2 to share preliminary corridor plan concepts

3/ DIRECTION
Including Public Workshop #3 to share more detailed corridor concepts

The key takeaways and general details of the three Public Workshops are provided in this chapter. In addition, the consultant team coordinated with Town staff every other week throughout the planning and design process to discuss draft concepts, outreach elements, and other deliverables to ensure the plan reflects the direction and intents envisioned by Town leaders and community members.

PROJECT TIMELINE

DISCOVERY
MAY – AUG 2022

CONCEPTS
AUG – OCT 2022

DIRECTION
OCT 2022 – MAR 2023

MAY
- **PROJECT KICK-OFF**

JUN
- **DATA COLLECTION & ANALYSIS**

JUL
- **PUBLIC WORKSHOP #1** + OUTREACH
  Thu, July 21, 2022 @ 6:00 PM
  Northern Water | 220 Water Ave, Berthoud

AUG
- **PLAN CONCEPTS**

SEP
- **PUBLIC WORKSHOP #2** + OUTREACH
  Wed, September 14, 2022 @ 6:00 PM
  Northern Water | 220 Water Ave, Berthoud

OCT

NOV
- **PREFERRED CONCEPT**

DEC
- **PUBLIC WORKSHOP #3** + OUTREACH
  Tue, December 6, 2022 @ 5:00 PM
  Town Hall | 807 Mountain Ave, Berthoud

JAN

FEB
- **DRAFT PLAN**

MAR
- **PLAN ADOPTION**
- **FINAL DOCUMENTS**

Public Participation

The 1st Street Corridor Plan was built upon community feedback collected from a public participation process that included a set of three Public Workshops, which are summarized on the next page. The findings from each workshop contributed to an iterative process that helped prepare and refine draft plan concepts for the corridor. Periodic updates were also provided to Town officials.

The third Public Workshop was coordinated with a meeting with the Town Board and Planning Commission to present the draft plan concepts and gather feedback from Town officials. The outcome from this step provided direction for the final plan concepts.

A complete set of exhibits, findings, and results from the three Public Workshops is provided in the Appendix.

In addition to the public workshops, the project was promoted in the community through a project website, in the Berthoud InFocus monthly newsletter (see right), and a traveling exhibit board with project information that was stationed at key locations in town.

BERTHOUD INFOCUS

JULY 2022

ISSUE NO. 92

GUIDING GROWTH

Community Calendar

As dates approach for the monthly meetings, please check the Town of Berthoud website at www.Berthoud.org where we will post updated information and changes. There will also be information about how to "digitally attend" and provide public comments.

1st Street Corridor

The Town is preparing a plan for Berthoud's 1st Street Corridor, which extends between Mountain Avenue and Hwy 287. The purpose of the project is to identify current and future needs of the 1st Street corridor and establish preferences and priorities based on those needs. The plan will provide a vision and a set of goals for guiding growth, development, redevelopment and design of the 1st Street corridor. More specifically, the plan will address architecture, scale, form, character of development, development density/intensity, connectivity, multi-modal transportation, streetscapes, landscaping and signage within the 1st Street corridor planning area.

Town staff and a local consulting team will guide the planning effort. Input for the 1st Street Corridor Plan will be sought from local residents, businesses, property owners, and community leaders. The final product - the 2022 1st Street Corridor Plan - will provide the Town with a roadmap for accomplishing community planning objectives along the corridor for many years to come.

Save the Date

A public workshop for the 1st Street Corridor Plan will be held July 21, 2022 from 6 – 7:30pm at Northern Water, 220 Water Avenue in Berthoud. This open house event will introduce the project, identify key planning issues, and provide feedback opportunity regarding corridor planning and design priorities.

For more information, please contact Curt Freese, Berthoud Community Development Director, at (970) 344-5818 or visit the project website: www.plan-tools.com/Projects/PlanBerthoud.

For questions, please call the Town of Berthoud at 970.532.2643.

Stay informed!

Please use the link below or QR code on the right to access the project website. There you can obtain additional project information, find out about upcoming meetings, access meeting summaries, and review draft documents as they become available. We encourage you to use the "Contact Us" page to get in touch with a member of the project team should you have any questions, comments, or suggestions or require more information concerning the project.

PROJECT WEBSITE www.plan-tools.com/Projects/PlanBerthoud

Public Workshop #1 | JULY 21, 2022

Intent: The first Public Workshop served as an opportunity for community members to share their thoughts on the 1st Street Corridor today. They also interacted with visual preference boards showing a variety of design and development elements to be considered for the corridor. In particular, workshop participants used dot stickers to indicate their preferences for the style of architecture and design for different land uses and a variety of corridor elements, as listed on the right.

Outcomes: Workshop findings informed the draft concepts relating to how the built environment is designed, including buildings, roadways, and streetscape.

LAND USE TYPES

- Commercial
- Industrial
- Residential
- Mixed Use

CORRIDOR ELEMENTS

- Intersection treatments
- Bike lanes
- Pedestrian crossings
- Streetscape
- Linear parks
- Green infrastructure
- Gathering spaces
- Signage and murals
- Off-street parking

NOTE: Workshop exhibits in Appendix

Public Workshop #2 | SEPTEMBER 14, 2022

Intent: The second Public Workshop enabled participants to share their comments on a series of exhibits (listed on the right) that encapsulate a general framework of how the built environment is designed, including buildings, roadways, and streetscape.

Outcomes: Workshop findings provided guidance to prepare more refined detail and finalize the draft concepts, including the preparation of 3D renderings and other graphics to illustrate the proposed look and feel of the 1st Street Corridor.

CORRIDOR CONCEPTS

Existing and modified corridor trends regarding:

- Land use
- Access and mobility
- Innovation District
- Urban Residential
- Architectural attributes
- Street right-of-way design

NOTE: Workshop exhibits in Appendix

Public Workshop #3 | DECEMBER 6, 2022

Intent: The third Public Workshop shared a gallery of 3D renderings and graphics that illustrated the overall design and character of the 1st Street Corridor.

Outcomes: Workshop findings provided feedback to finalize the graphics for inclusion in the 1st Street Corridor Plan.

GRAPHICS

- Perspectives: 1st St
- Perspectives: Bunyan Ave
- Linear Park
- Roundabout
- Jackson Parcel

NOTE: Workshop exhibits in Chapter 7

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CHAPTER 3

Opportunities & Constraints

Overview

This chapter focuses on the existing conditions of the 1st Street Corridor, including opportunities and constraints related to access, safety, connectivity, streetscape, architecture, site design, and zoning recommendations. These existing conditions are summarized on a series of maps to depict how their layouts and other physical attributes influence planning for the corridor. A series of exhibits depicting these opportunities and constraints were shared at Public Workshop #1 to collect community feedback.

Collectively, the opportunities and constraints provide a framework upon which corridor concepts are developed and proposed in Chapters 4, 5, and 6.

Existing Trends Map

TOWN ZONING DISTRICTS
PER THE 2020 BERTHOUD ZONING MAP

- R1: Single Family Residential
- R2: Limited Multi Family Residential
- R3: Multi Family Residential
- R4: Mixed Use*
- R5: Manufactured Home
- PUD: Planned Unit Development
- C1: Neighborhood Commercial
- C2: General Commercial
- M1: Light Industrial
- M2: Industrial
- T: Transition
- Ag: Agriculture

*There are presently no R4: Mixed Use Districts in and around the Study Area.

COUNTY ZONING DISTRICTS
PER THE 2019 LARIMER COUNTY ZONING MAP

- FA: Farming
- FA1: Farming
- E1: Estate Residential
- R1: Residential
- M: Multi-Family Residential
- C: Commercial
- I: Industrial

GENERAL MAP ELEMENTS

- Corridor Study Area Boundary
- Mountain Avenue Corridor

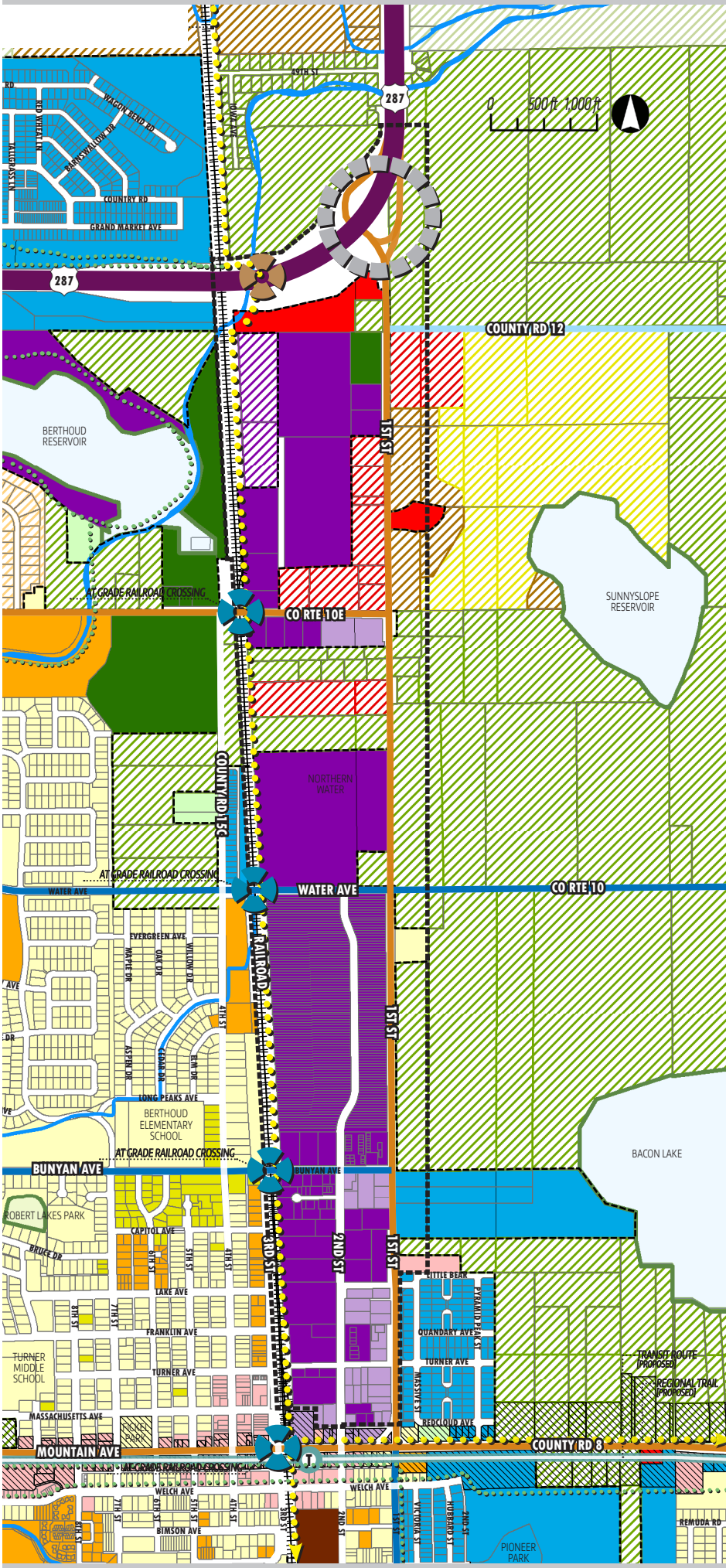
TRANSPORTATION ELEMENTS

- Existing At-Grade Railroad Crossing
- Potential Trail Underpass
- Existing US 287 Partial Interchange
- Potential Local Trail
- Potential Regional Trail
- Potential Transit Route

ROADWAY CLASSIFICATION HIERARCHY
PER THE 2021 BERTHOUD COMPREHENSIVE PLAN

- Highway
- 4-Lane Arterial Road*
- 2-Lane Arterial Road
- Major Collector Road
- Minor Collector Road

*The closest 4-lane arterial road is the northern end of Berthoud Parkway, which is located beyond the immediate Study Area to the west.



Approved by Berthoud Town Board on April 25, 2023

Opportunities Map

CHARACTER SUBAREAS

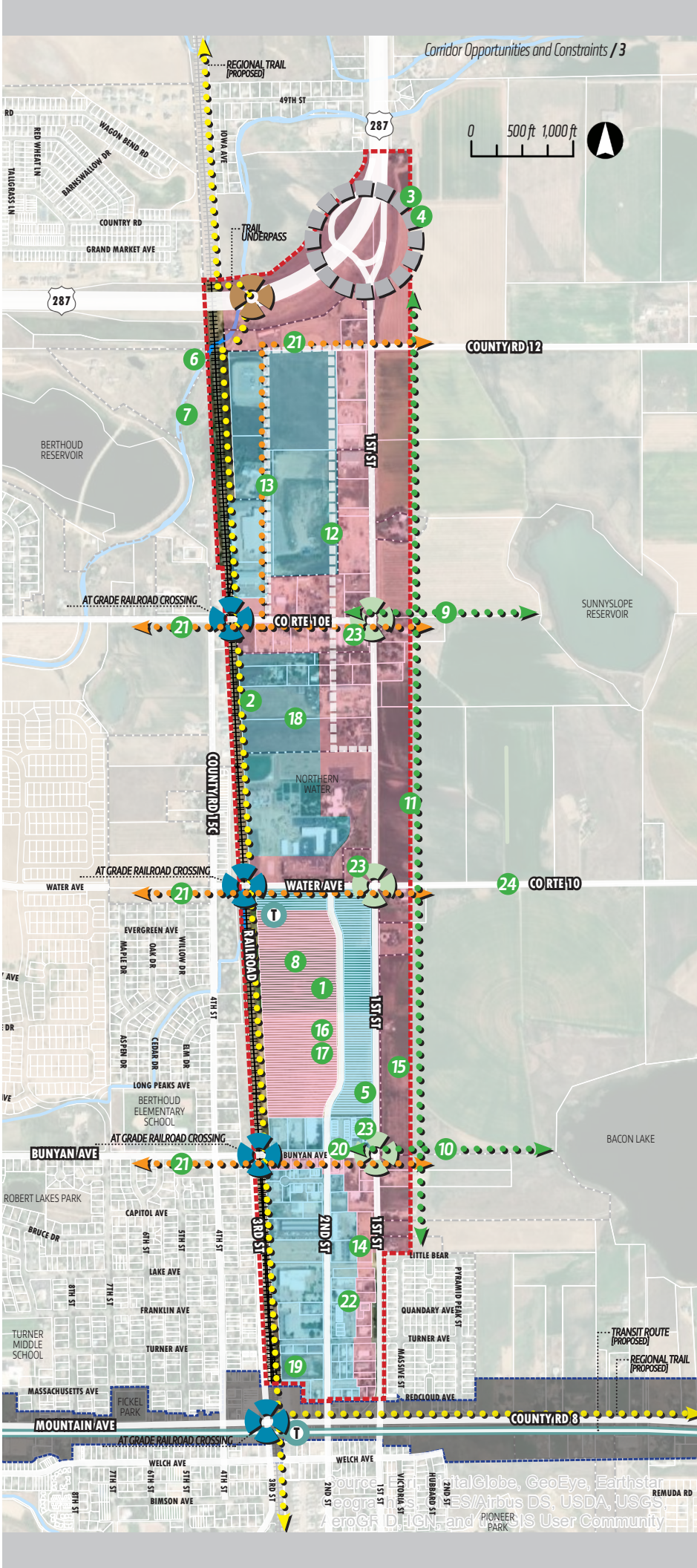
- Lower Visibility, Lesser Architectural Standards
- Higher Visibility, Higher Standards

TRANSPORTATION ELEMENTS

- Existing At-Grade Railroad Crossing
- Potential Trail Underpass
- Existing US 287 Partial Interchange
- Potential for Enhanced Pedestrian Experience
- Potential for Improved Connectivity
- Potential Green Connection to Lake/Reservoir
- Potential Regional Trail
- Potential Transit Route
- Potential Transit Station

OPPORTUNITIES

1. Mixed use or workforce housing w/ attainable rents
2. Regional trail parallel to railroad
3. Full interchange at US 287
4. Town gateway
5. Buffered on-street bike lanes on 1st St
6. Potential trail crossing across railroad
7. Town trail connecting to residential area
8. Potential for master planned live/work campus
9. Green connections to Sunnyslope Reservoir
10. Green connections to Bacon Lake
11. Greenway/linear park to serve as a method of transition between higher density urban residential and lower density suburban residential neighborhoods
12. 2nd St extension
13. North/south connector using existing access road
14. Exemplar architecture along corridor (ex: Agile RF)
15. Landscaping to buffer future residential from roadway
16. Delineation of on- and off-street parking patterns
17. Design of consistent outdoor storage fencing standards
18. Incubator for light manufacturing w/ limited retail
19. Use of regional detention area for passive open space, which can be replicated on similar sites
20. Bunyan Ave as key east/west connector
21. Improvements along east/west connections
22. Use of industrial external building walls for public art
23. Enhanced pededstrian experience, transportation improvements, and building street orientation at major intersections along 1st St
24. LCR 10/WCR 46 could provide regional eastern connectivity and function as a parallel route to SH 56



PLAN 1st STREET CORRIDOR BERTHOUD

Constraints Map

CHARACTER SUBAREAS

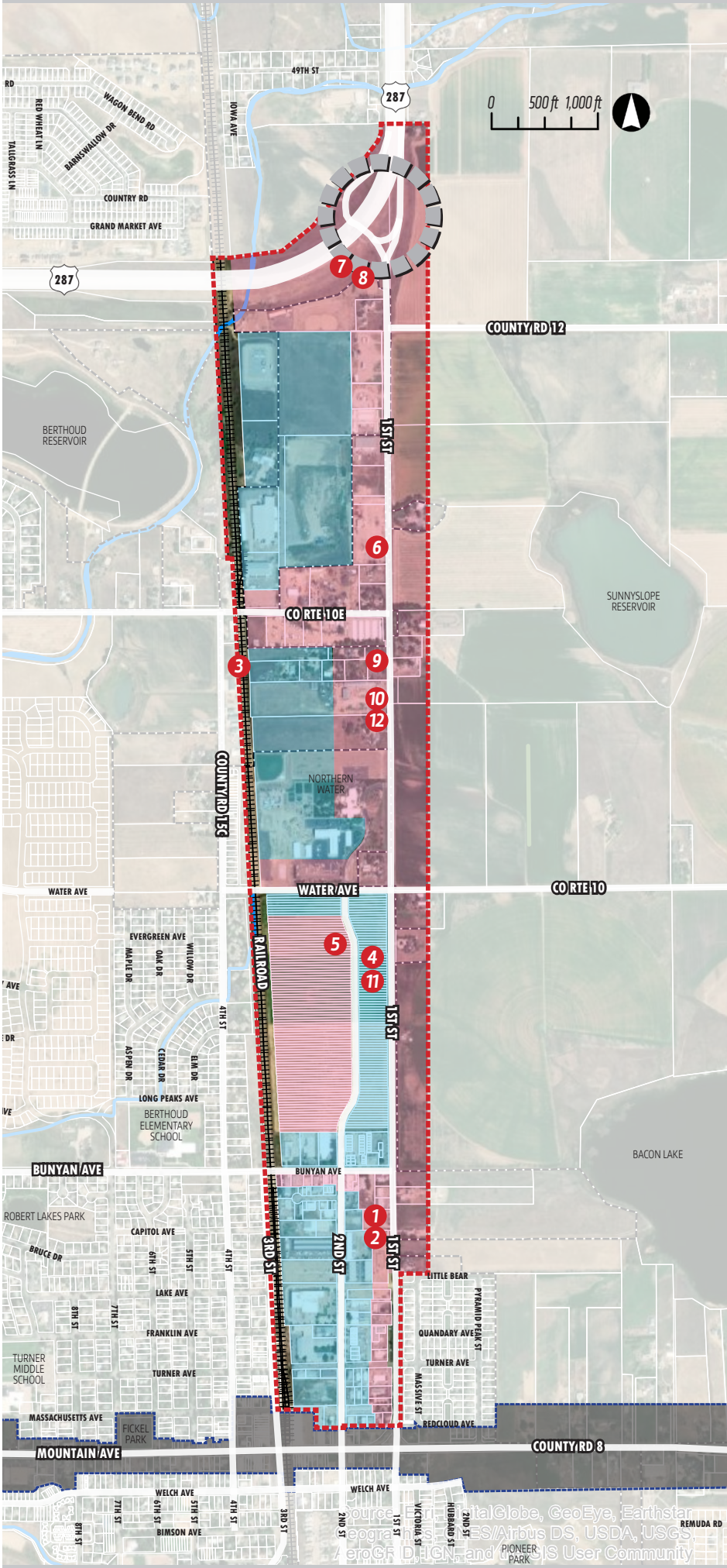
- Lower Visibility, Lesser Architectural Standards
- Higher Visibility, Higher Standards

TRANSPORTATION ELEMENTS

- Existing US 287 Partial Interchange

CONSTRAINTS

1. Inconsistent multimodal infrastructure along 1st St
2. Inconsistent parking orientation along 1st St
3. Limited railroad crossings impact east/west circulation
4. Sewer line at max capacity and need of upgrade
5. Limited north/south connectivity
6. Incomplete bike/pedestrian facilities
7. Partial interchange limits access
8. Large berms and challenging topography at US 287
9. Overhead power lines
10. Existing 80 ft ROW
11. Limited ADA accessible infrastructure
12. Frequent access points without turn lanes can create safety conflicts and make access management a challenge



CHAPTER 4

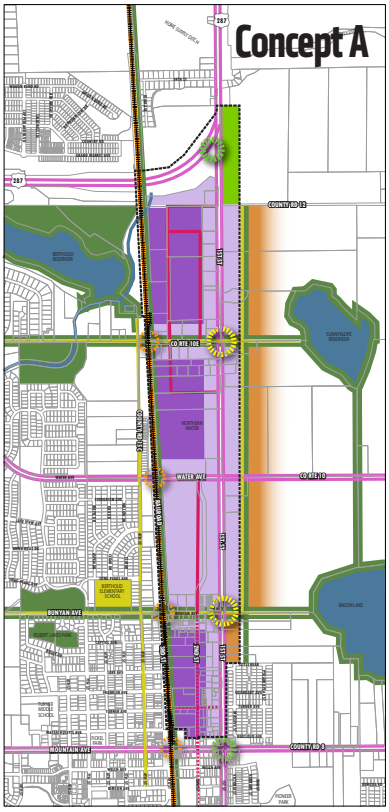
Plan Concepts

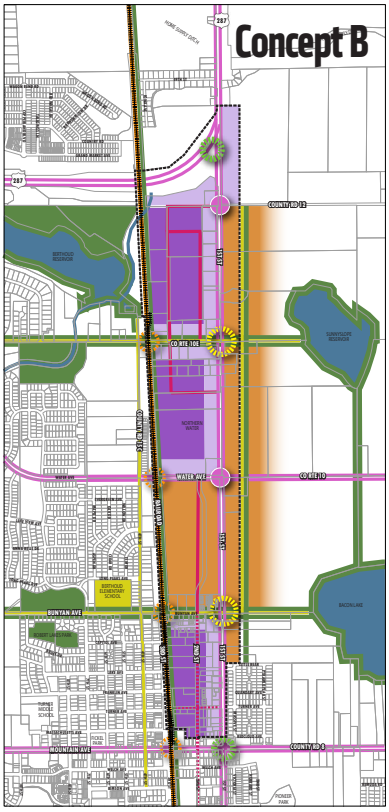
Alternative Plan Concepts

Based on community feedback from Public Workshop #1, two Modified Trends Concept Maps were created to translate the opportunities, constraints, and other existing trends. Concept A maximized the characterization of the 1st Street Corridor as an Innovation District, with industrial and mixed use emphasized as the central development trend. Concept B provided for a balanced development trend that builds upon Concept A by providing an increased secondary focus on urban residential uses to advance the corridor's housing component.

Concepts A and B and other related exhibits were shared at Public Workshop #2 to collect community feedback. The outcome from the workshop findings was a Preferred Concept Plan, including land use and transportation concepts, which are the focus of this chapter.

Concepts A and B are shown on the right, with full-page versions of both maps provided in the Appendix.





Preferred Corridor Plan

MODIFIED TREND ELEMENTS

- Town Gateway
- Enhanced Multimodal Intersection
- Railroad Crossing with Enhanced Multimodal Crossings
- Green Edge/Park/Open Space
- Roadway with Vehicular Priority
- Roadway with Multimodal Priority
- Existing Local Street
- Potential Local Street
- Railroad
- Potential Local Trail
- Potential Regional Trail
- Potential Transit Route
- Innovation District [LOWER VISIBILITY]
- Innovation District [HIGHER VISIBILITY]
- Urban Residential
- Agriculture

GENERAL MAP ELEMENTS

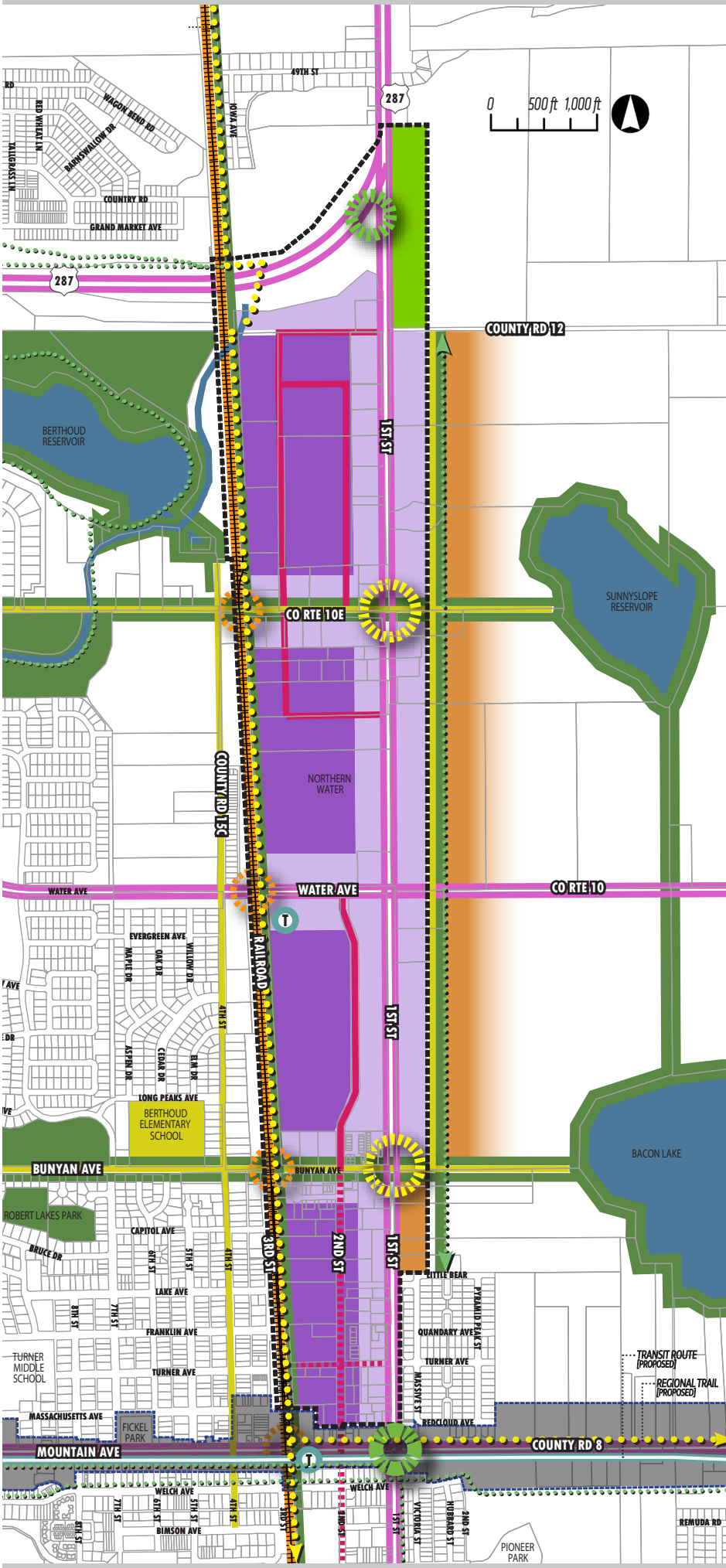
- Corridor Study Area Boundary
- Mountain Avenue Corridor

HIGHER & LOWER VISIBILITY AREAS

Higher and Lower Visibility Areas will have differing design standards. They will be designated within the approved corridor plan and determine the standards and requirements of the built environment.

Higher Visibility Areas are defined within 300 feet of the centerline of 1st Street, Bunyan Avenue, Water Avene, CR10, CR10E, and CR12. Architectural Design Guidelines for Higher Visibility Areas generally intend to preserve areas of the corridor to meet a higher standard of design details and material selection. They also allow for better quality design product along visible corridors where built environment most affects pedestrian and vehicular traffic.

Lower Visibility Areas preserve the ability for small businesses to enter the market and compete at lower cost. Architectural Design Guidelines for Lower Visibility Areas generally intend to preserve areas of existing uses and promote development of future affordability within the corridor. Architecture in this area will have less stringent requirements for design and materials.



LAND USE CONCEPTS

Higher Visibility Areas

As shown on the Preferred Corridor Plan, higher visibility areas are generally located along the east and west sides of 1st Street (only the west side south of Bunyan Avenue), as well as along major east/west streets like Route 10E, Water Avenue, and Bunyan Avenue.

The preferred land uses for the Innovation District are described in detail on the Future Land Use Map on page 4. In general, the Innovation District will support existing technical businesses and production uses and incorporate emerging commercial and light industrial uses that focus on research and development (R&D), technology, startups, makerspaces, and other related uses.

In terms of architecture and form, the built environment within the higher visibility innovation areas of the 1st Street Corridor should provide opportunities for craftsmanship, ornament, proportions, and decoration that are consistent with the local industrial vernacular of the corridor area. Architecture should follow the approved Berthoud Architectural Design Guidelines for the Urban Industrial/ Innovation Character District (see page 21 for details).

The precedent images below are representative of the architecture and site design anticipated for the higher visibility innovation areas.

PRECEDENT IMAGES: HIGHER VISIBILITY NON-RESIDENTIAL USES

LAND USE CONCEPTS

Lower Visibility Areas

As shown on the Preferred Corridor Plan, lower visibility areas are generally located along the western edge of the corridor, particularly along the railroad and away from major streets like 1st Street, Bunyan Avenue, and Water Avenue. Specific areas marked for lower visibility areas are located north and south of Route 10E and north and south of Bunyan Avenue.

The preferred land uses for the Innovation District are described in detail on the Future Land Use Map on page 4. In general, the Innovation District will support existing technical businesses and production uses and incorporate emerging commercial and light industrial uses that focus on research and development (R&D), technology, startups, makerspaces, and other related uses.

Regarding architecture and form, the built environment within the lower visibility innovation areas should provide economic and creative opportunities for ornament and decoration. Architecture should follow the approved Berthoud Architectural Design Guidelines for the Urban Industrial/Innovation Character District (see page 21 for details). However, leniency may be granted to properties with requirements affecting the ability to preserve existing and future affordability within the corridor.

The precedent images below are representative of the architecture and site design anticipated for the lower visibility innovation areas.

PRECEDENT IMAGES: LOWER VISIBILITY NON-RESIDENTIAL USES

LAND USE CONCEPTS

Mixed Use Areas

As shown on the Preferred Corridor Plan, mixed use areas may generally be located within both the higher and lower visibility areas of the Innovation District, which encompasses a majority of the 1st Street Corridor.

In addition to supporting existing technical businesses and production uses and integrating emerging commercial and light industrial uses, the Innovation District may also include residential uses on upper levels and other elements like parks and open space. This mixed use character would further enhance the attraction of the Innovation District as a place for residents, workers, students, creators, and others seeking a unique spot in town.

Mixed use building types should follow the approved Berthoud Architectural Design Guidelines for the Urban Downtown Character District (see page 21 for details). However, leniency may be granted for properties with requirements affecting the ability to preserve existing and future affordability within the corridor.

The precedent images below are representative of the architecture and site design anticipated for mixed use areas.

PRECEDENT IMAGES: MIXED USE AREAS

LAND USE CONCEPTS

Residential Areas

As shown on the Preferred Corridor Plan Map, residential areas may occur in either mixed use areas or neighborhoods with a mix of housing types. Mixed use areas may be located within both the higher and lower visibility areas of the Innovation District. Neighborhoods characterized as Urban Residential, which are located primarily east of 1st Street, may offer a diverse housing stock, including detached and attached single-family homes, townhomes, multi-family options, and affordable housing units.

Residential units may be provided on upper levels in mixed use buildings in the Innovation District. Urban Residential areas may include a mix of housing types, including single-family detached and attached homes, townhomes, and multifamily options. These neighborhoods will also incorporate affordable housing options where possible.

Residential architecture should follow the approved Berthoud Architectural Design Guidelines for the Urban Residential Character District (see page 21 for details).

The precedent images below are representative of the architecture and site design anticipated for residential areas.

PRECEDENT IMAGES: URBAN RESIDENTIAL AREAS

Architectural & Site Design Concepts

Based on guidance from Berthoud's 2021 Comprehensive Plan, the ***2021 Architectural Design Guidelines*** summarize specific design standards for architecture in the Town's various Character Districts, including the Innovation District and Urban Residential that define the 1st Street Corridor. As developers and builders propose new development along 1st Street, they are encouraged to consult the 2021 Architectural Design Guidelines for standards regarding the elements listed on the right.

Excerpts from the Architectural Design Guidelines are provided below for the Innovation District and Urban Residential Character Districts.

PDF Link: *2021 Architectural Design Guidelines*

PLACE TYPE
General Urban Areas

URBAN INDUSTRIAL

ARCHITECTURAL DESIGN GUIDELINES

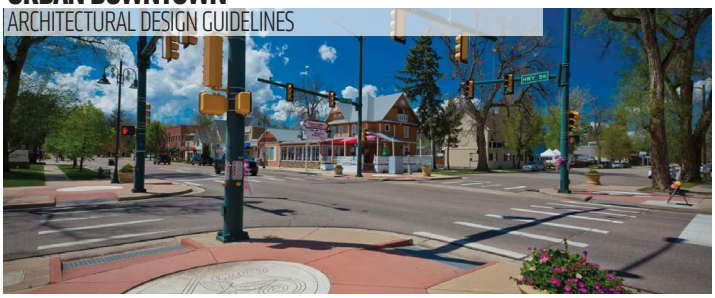
DESIGN ELEMENTS

- Site Design
- Landscaping and Screening
- Building Design

PLACE TYPE
Urban Center

URBAN DOWNTOWN

ARCHITECTURAL DESIGN GUIDELINES



DESIGN ELEMENTS

- Site Planning
- Pedestrian Areas and Parking
- Scale and Massing
- Architectural Detail
- Screening
- Landscaping
- Signage
- Lighting

PLACE TYPE
General Urban Areas

URBAN RESIDENTIAL

ARCHITECTURAL DESIGN GUIDELINES

DESIGN ELEMENTS

- Site Design
- Scale and Massing
- Architecture Character
- Materials and Color
- Parking and Circulation
- Roof Design
- Façade and Fenestration
- Fencing and Landscaping

Transportation Concepts

STREET TYPES & MODAL PRIORITIES

- Enhanced Multimodal Intersection
- Railroad Crossing with Enhanced Multimodal Crossings
- Roadway with Vehicular Priority
- Roadway with Multimodal Priority
- Existing Local Street
- Potential Local Street

The 1st Street Corridor is intended to provide a multimodal environment that enables pedestrians, bicyclists, transit riders, and motorists to safely move to, from, and around the corridor. While the overall transportation network provides access and facilities for all modes of transport, modal priority varies as categorized below.

- **Vehicle Modal Priority:** US 287, 1st Street, Water Avenue/Route 10
- **Pedestrian & Bike Modal Priority:** Route 10E, Bunyan Avenue, potential linear park along east side of 1st Street

A set of local commercial streets are proposed west of 1st Street, including a few existing streets like 2nd Street, Turner Avenue, and Clayton Place.

TRAILS

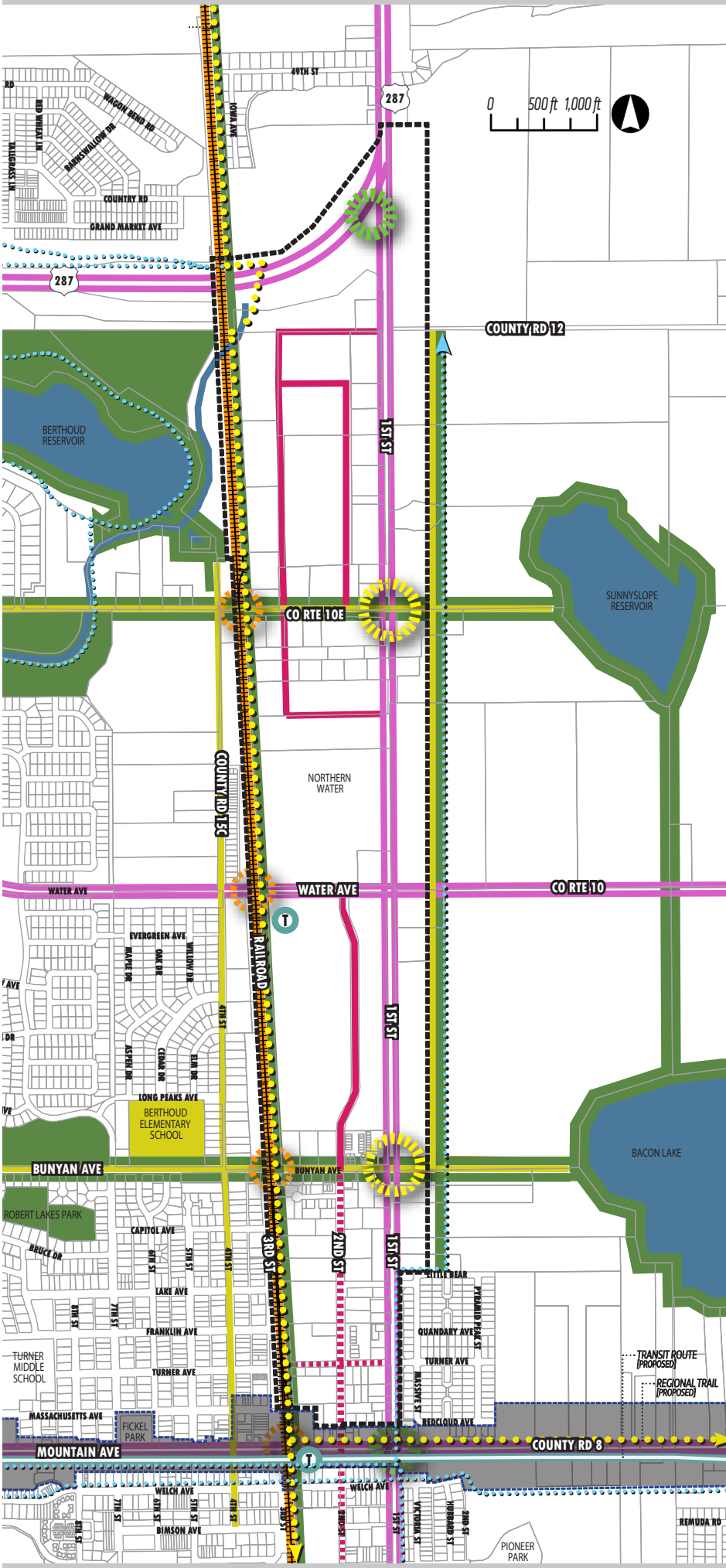
- Potential Local Trail
- Potential Regional Trail

One of the primary transportation action items from the 2021 Comprehensive Plan is to complete regional trail connections, as promoted in NFRMPO's 2021 Regional Active Transportation Plan. Potential regional trails are recommended along the railroad and Mountain Avenue/SH 56. The Regional Active Transportation (RATC) Network recommends a north/south trail along the BNSF railroad connecting Berthoud to Fort Collins (through Loveland). This regional trail would provide connections to the Little Thompson River trail, proposed to follow the Little Thompson River south of Mountain Avenue. Potential local trails are suggested in new developments, along Mountain Avenue, and around reservoirs. The recommended linear park on the east side of 1st Street may also provide trail-like access and mobility for pedestrians and bicyclists.

TRANSIT

- Potential Transit Route
- Potential Transit Station

The 2021 Comprehensive Plan carries forward the North I-25 Environmental Impact Statement (EIS) recommendation for a transit route along Mountain Avenue (SH 56). This route is intended to connect the Mobility Hub at I-25 to downtown Berthoud and the potential/future Passenger Rail Station. The Town is currently exploring transit service options, such as micromobility, to best meet the Town's mobility needs. Current BATS service is available along 1st Street and in the Innovation District. Any new service would also be available to this area.



Transportation Concepts

KEY EAST/WEST CONNECTORS

Bunyan Ave, Water Ave (CR10), CR10E, CR 12

Key east/west streets connect neighborhoods, community destinations, and the Innovation District. These streets should include one vehicular travel lane in each direction and prioritize the movement of bicyclists and pedestrians via enhanced multimodal facilities. Special consideration should be given to railroad crossings and the intersections of 1st Street. Intersections are focal points of crossing activity and are a critical part of the corridor. The intersections of 1st Street and CR 10E and Bunyan Avenue should be designed to prioritize the safe movement of pedestrians and bicyclists. These intersections should facilitate visibility and predictability for all users, creating an environment in which crossings feel safe, easy, and intuitive.

TRUCK ROUTES

Public feedback indicates the need to maintain and/or enhance truck and freight access to/from industrial properties. A preferred truck route and truck specific improvements (e.g., wider turning lanes) may be recommended.

PARKING

Private Parking: Private parking should be tucked behind or between buildings to minimize the visibility from public streets. Residential parking spaces should be accessed from alleyways.

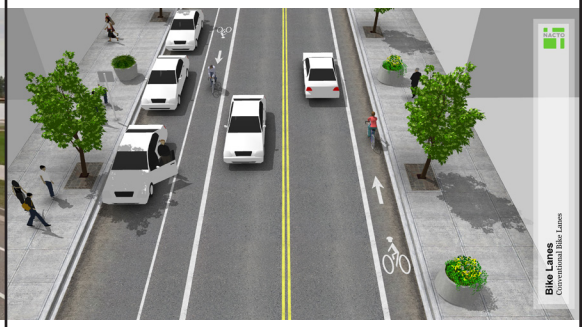
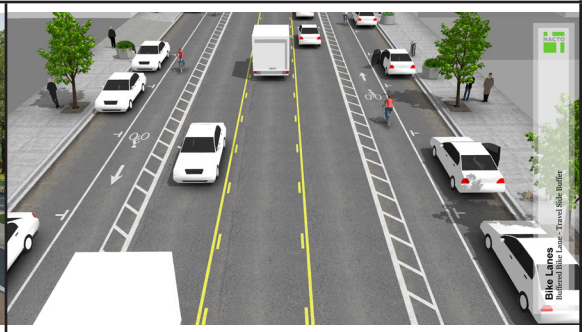
On-Street Public Parking: Parking is not recommended on 1st Street. However, public on-street parallel parking is permissible on local and collector streets, and is recommended to support adjacent commercial and mixed use land uses, such as in the Innovation District.

Local Streets: Where possible, unmetered parallel parking should be provided on both sides of local streets. The existing informal pull-in parking area should be formalized as parallel parking for consistency.

Truck Parking: There may be potential opportunities for truck parking within the Innovation District.

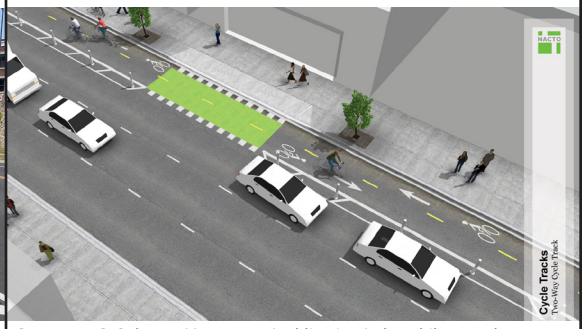
BIKE FACILITIES CONSIDERATIONS

Bicycle facilities are recommended on 1st Street, 4th Street, Bunyan Avenue, and CR 10E as these streets are key local and regional connectors to neighborhoods, community destinations, and the Innovation District. Bike lanes designate an exclusive space for bicyclists using a combination of pavement markings, signage, and/or separation. The appropriate bicycle facility type varies based on factors such as the average daily traffic (ADT) and the anticipated type(s) of cyclists using the facility. The table below informed the recommended facility type for the streets within the 1st Street Corridor Study Area.

Type	Typical Applications	
Conventional Bike Lanes Conventional bike lanes designate an exclusive space for bicyclists using pavement markings and signage. Bike lanes enable bicyclists to ride at their preferred speed without interference from vehicular traffic. Bike lanes facilitate predictable behavior and movements between bicyclists and motorists.	Conventional bike lanes are typically on the right side of the street, between the adjacent travel lane and curb, road edge, or parking lane. Most helpful on streets with ≥ 3,000 motor vehicle average daily traffic (ADT) and on streets with a posted speed ≥ 25 mph.	
	 Source: Google Earth Location: Gate Way Park Blvd, Berthoud	 Source: NACTO; https://nacto.org/publication/urban-bikeway-design-guide/bike-lanes/conventional-bike-lanes/
Buffered Bike Lanes Buffered bike lanes are conventional bicycle lanes paired with a designated buffer space separating the bicycle lane from the adjacent motor vehicle travel lane and/or parking lane. Buffered bike lanes provide greater separation between motor vehicles and bicyclists.	Buffered bike lanes can be considered anywhere a standard bike lane is being considered and on streets with extra lanes or extra lane width. Most helpful on streets with higher travel speeds, higher ADT, and/or high amounts of truck traffic.	
	 Source: Google Earth Location: Meadowlark Ave, Fort Collins	 Source: NACTO; https://nacto.org/publication/urban-bikeway-design-guide/bike-lanes/buffered-bike-lanes/

Transportation Concepts

BIKE FACILITIES CONSIDERATIONS [CONTINUED]

Type	Typical Applications
Cycle Tracks A cycle track is an exclusive bike facility that combines the user experience of a separated path with the on-street infrastructure of a conventional bike lane.	Most helpful on streets with parking lanes and on streets which bike lanes would cause many bicyclists to feel stress because of factors such as multiple lanes, high traffic volumes, high speed traffic, high demand for double parking, and high parking turnover. Features: A cycle track is physically separated from motor traffic and distinct from the sidewalk. Cycle tracks have different forms but all share common elements—they provide space that is intended to be exclusively or primarily used for bicycles, and are separated from motor vehicle travel lanes, parking lanes, and sidewalks. Cycle tracks may be one-way or two-way, and may be at street level, at sidewalk level, or at an intermediate level.
One Way Protected Cycle Tracks One-way protected cycle tracks are bikeways physically separated from the roadway allowing bicycle movement in one direction, typically the same direction as vehicular traffic.	Most applicable on streets with parking lanes and streets on which bike lanes would cause many bicyclists to feel stress because of factors such as multiple lanes, high traffic volumes, high speed traffic, high demand for double parking, and high parking turnover. Most helpful on streets with high bicycle volumes and streets with high ADT and speeds. Source: Streetsblog Denver; https://denver.streetsblog.org/2017/08/31/eyes-on-the-street-the-14th-street-bike-lane-is-immediately-denvers-best/ Location: 14th St, Denver Source: NACTO; https://nacto.org/publication/urban-bikeway-design-guide/cycle-tracks/one-way-protected-cycle-tracks/
Two Way Cycle Tracks Two-way cycle tracks (also known as on-street bike paths) are physically separated cycle tracks that allow bicycle movement in both directions on one side of the road. Two-way cycle tracks share some of the same design characteristics as one-way tracks but may require additional considerations at driveway and side-street crossings.	Most helpful on streets with few conflicts such as driveways or cross-streets on one side of the street. Also helpful on streets where more destinations are on one side thereby reducing the need to cross the street. Source: BikeWalkKC; https://bikewalkkc.org/advocacy/gillham-corridor-complete-street-projects/ Location: Gillham Rd, Kansas City  Source: NACTO; https://nacto.org/publication/urban-bikeway-design-guide/cycle-tracks/one-way-protected-cycle-tracks/

CHAPTER 5

Corridor Character Transitions

Overview

Spanning approximately 2 miles, the 1st Street Corridor extends from the urbanized portions of Berthoud on the south to more rural areas northward. Even as the corridor manages development over time, the development expectations and supporting design guidelines seek to honor Berthoud's small town heritage and rural aesthetic.

Three specific corridor character transition areas are summarized below and described in this chapter.

1/ URBAN CHARACTER
Extending from Mountain Ave to Bunyan Ave

2/ TRANSITIONAL CHARACTER
Extending from Bunyan Ave to Water Ave

3/ RURAL CHARACTER
Extending from Water Ave to CR12/US 287

Urban Character

MOUNTAIN AVENUE TO BUNYAN AVENUE
CORRIDOR CHARACTER TRANSITION

This stretch of 1st Street transitions from a major arterial (Mountain Avenue) to a major collector (Bunyan Avenue). It also includes a range of uses on both sides of the corridor. A variety of existing technical businesses and production uses occupy the west side of 1st Street, while Peakview Meadows neighborhood is located on the east side.

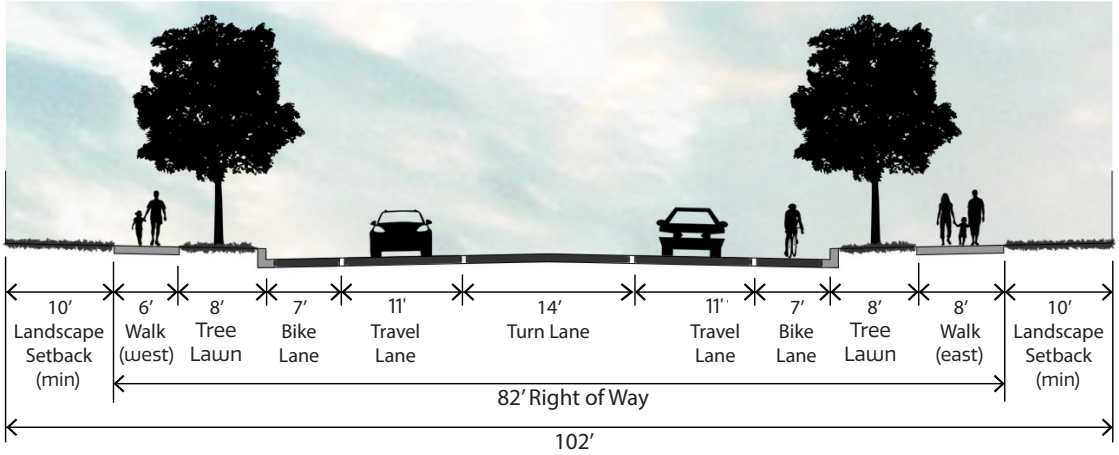
KEY CONCEPTS

- Street, sidewalk, and right of way widths are reduced to limit impacts to existing adjacent developments and promote a more pedestrian-scale environment
- Left turn lanes maintain existing access (no raised medians)
- Buffered bike lanes on both sides of the street
- Detached sidewalks and street trees in tree lawns on both sides of the street
- Water saving landscape treatments are encouraged, where appropriate
- Increased architectural standards required when development occurs along higher visibility parcels adjacent to 1st Street
- Trees with seasonal interest are encouraged in medians and tree lawns to reinforce the Town's image as the Garden Spot. Trees with seasonal interest include flowering trees, trees with interesting leaf colors, and trees with vibrant fall color.
- Curb and gutter on both sides of the street

Urban Character

MOUNTAIN AVENUE TO BUNYAN AVENUE

CORRIDOR CHARACTER TRANSITION



NORTHWARD VIEW, PEDESTRIAN PERSPECTIVE

PRECEDENT IMAGES

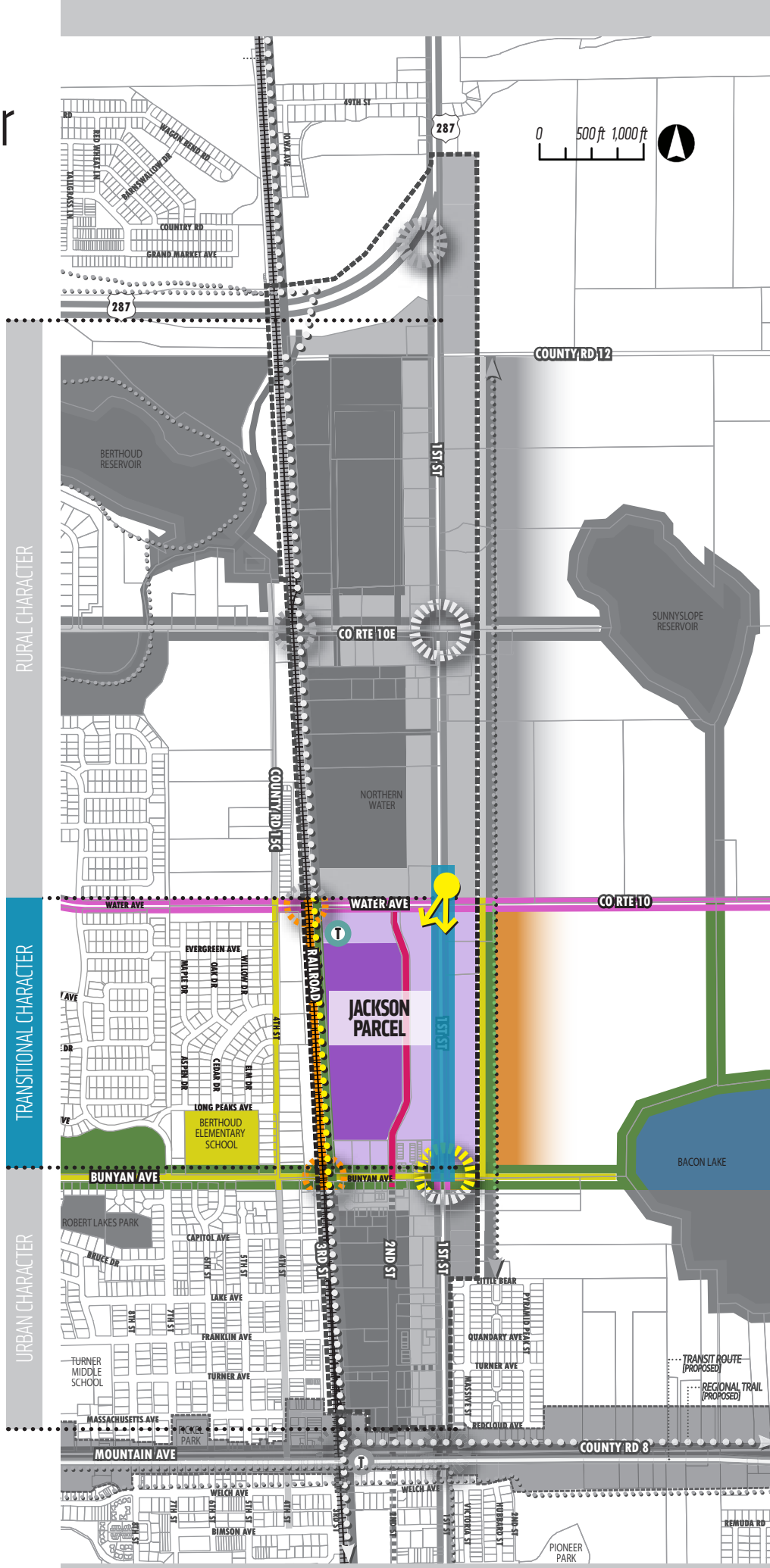
Transitional Character

BUNYAN AVENUE TO WATER AVENUE
CORRIDOR CHARACTER TRANSITION

This stretch of 1st Street transitions from one major collector (Bunyan Avenue) to another (Water Avenue), which enables the segment to serve as transitional zone between an urban character to the south and a rural character to the north. The 80-acre Jackson Parcel, which is described in more detail on page 36, occupies a significant portion of this transitional zone. There are a few existing technical businesses and production uses along the north side of Bunyan Avenue.

KEY CONCEPTS

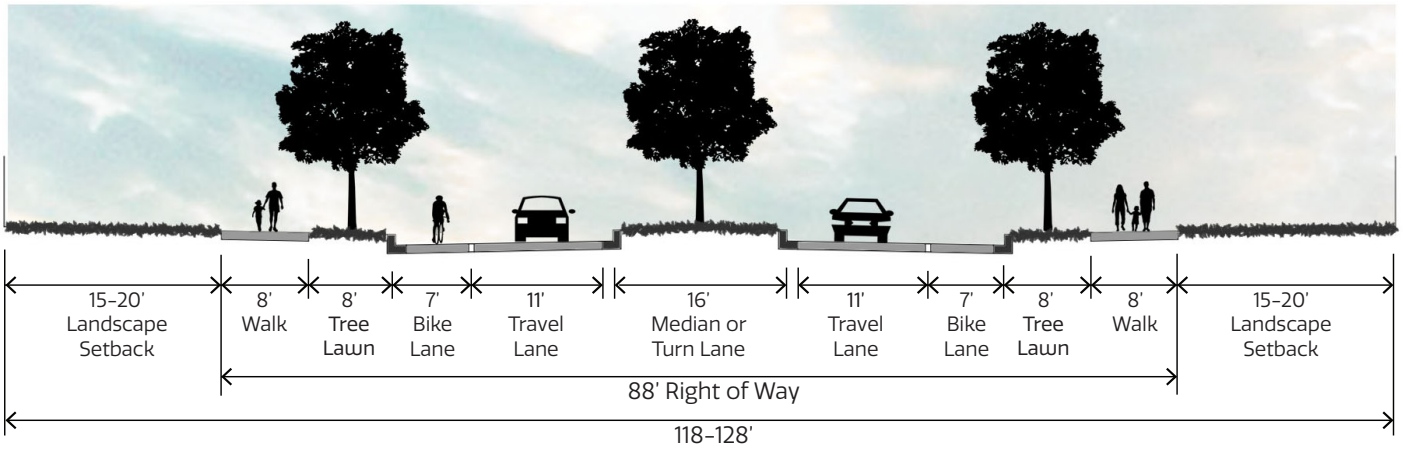
- Raised median with landscaping
- Buffered bike lanes on both sides of the street
- Detached sidewalks on both sides of the street
- Street trees in tree lawns on both sides of the street
- Water saving landscape concepts are encouraged, where appropriate
- Increased architectural standards required when development occurs along higher visibility parcels adjacent to 1st Street
- Trees with seasonal interest are encouraged in medians and tree lawns to reinforce the Town's image as the Garden Spot. Trees with seasonal interest include flowering trees, trees with interesting leaf colors, and trees with vibrant fall color.
- Curb and gutter and/or rural ditches
- Multimodal enhancements to facilitate safe pedestrian and bicyclist crossings at the intersection of 1st Street and Bunyan Avenue



Transitional Character

BUNYAN AVENUE TO WATER AVENUE

CORRIDOR CHARACTER TRANSITION



SOUTHWARD VIEW, PEDESTRIAN PERSPECTIVE

PRECEDENT IMAGES

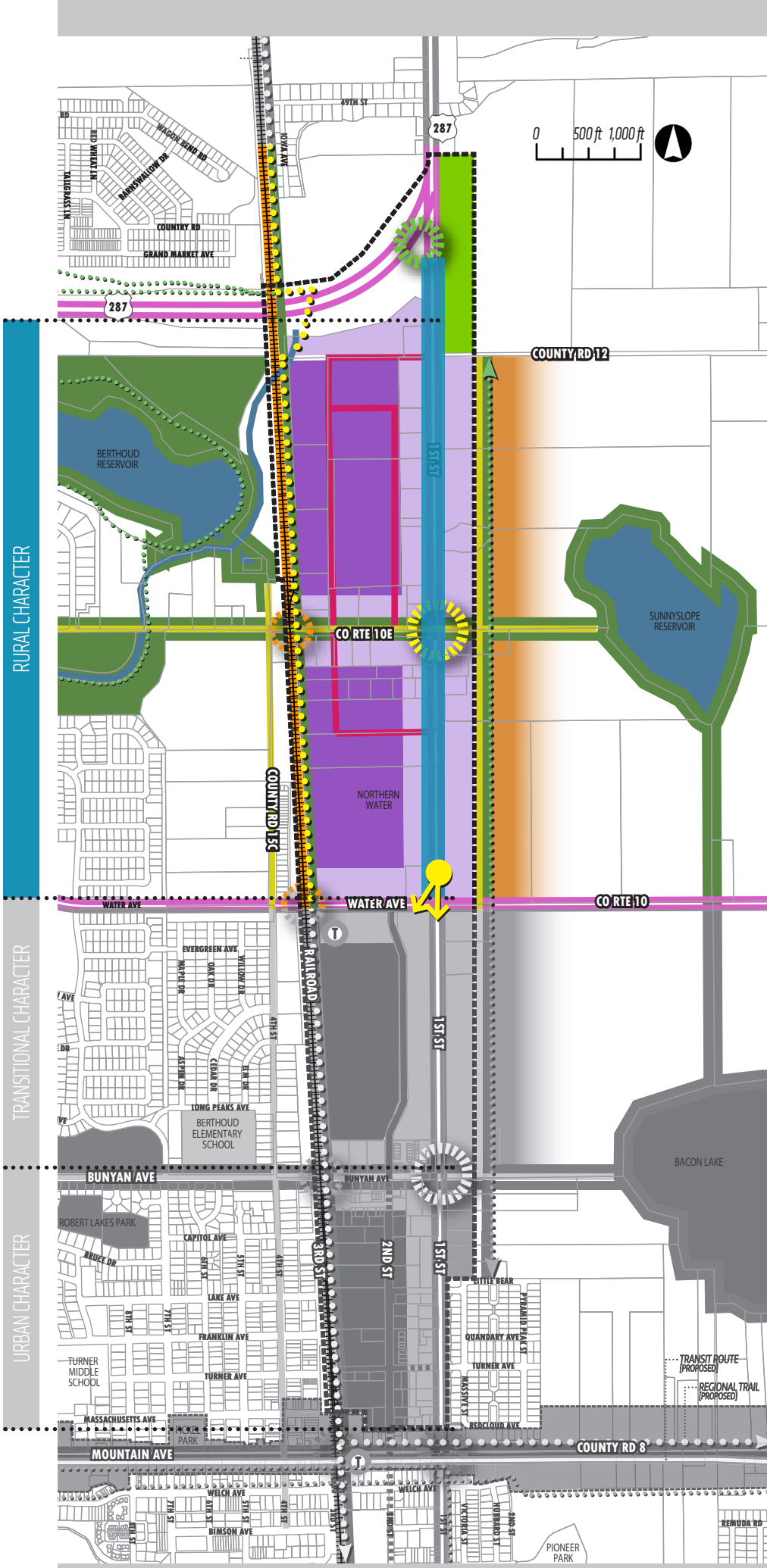
Rural Character

WATER AVENUE TO CR12/US 287
CORRIDOR CHARACTER TRANSITION

This stretch of 1st Street transitions from major collector (Water Avenue) to a minor collector (CR12) towards the US 287 interchange. The current character of this segment is predominantly rural in nature, particularly east of 1st Street. The west side includes a mix of existing technical businesses and production uses, including Northern Water's campus headquarters. A rural character is proposed for this segment, even as the corridor experiences new development.

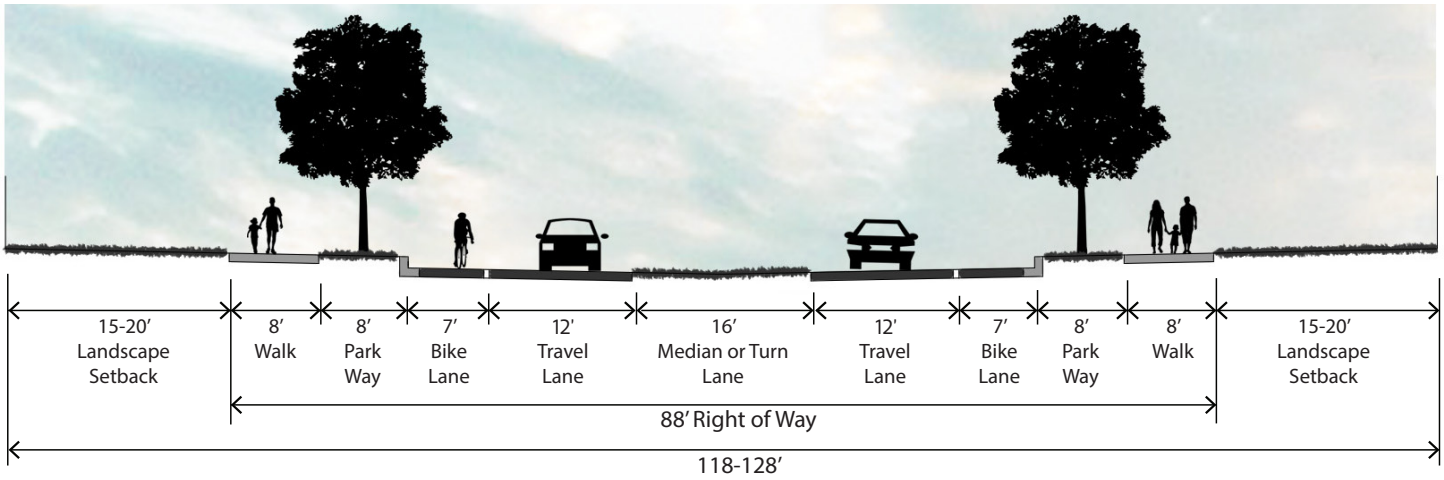
KEY CONCEPTS

- Sparsely landscaped depressed median is more rural in character, as compared to raised median
- Buffered bike lanes on both sides of the street
- Detached sidewalks on both sides of the street
- Street trees in tree lawns on both sides of the street
- Water saving landscape concepts are encouraged, where appropriate
- Increased architectural standards when development occurs along the higher visibility parcels adjacent 1st Street and Bunyan Avenue
- Portions of tree lawn can be landscaped with water saving plants instead of bluegrass to build on Garden Spot image
- Trees with seasonal interest are encouraged in medians and tree lawns to reinforce the Town's image as the Garden Spot. Trees with seasonal interest include flowering trees, trees with interesting leaf colors, and trees with vibrant fall color.



Rural Character

WATER AVENUE TO CR12/US 287
CORRIDOR CHARACTER TRANSITION



SOUTHWARD VIEW, PEDESTRIAN PERSPECTIVE

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CHAPTER 6

Focus Areas

Overview

The land use, transportation, and urban design concepts cover the entirety of the 1st Street Corridor. This chapter highlights focus areas that will play significant roles in defining the character and development of the corridor:

1/ LINEAR PARK
A potential linear park that provides modal priority to pedestrians and bicyclists east of 1st Street.

2/ JACKSON PARCEL
The largest cohesive portion of land that will be integral to building up the Innovation District envisioned for the corridor.

3/ BUNYAN AVENUE
Major east/west connector that links the corridor to the rest of Berthoud to the west.

4/ INTERSECTIONS
Traditional and roundabout intersection treatments.

5/ US 287 INTERCHANGE
Potential conversion of the north end into a full interchange.

Focus Areas

The focus areas are shown on the map on the right. Bunyan Avenue intersects with the potential linear park and serves as the southern boundary of the Jackson parcel, which illustrates how the focus areas can influence each other.

LINEAR PARK

Potential park spans approximately 2 miles on the east side of 1st Street to provide modal priority to pedestrians and bicyclists parallel to the main corridor.

See page 35 for details

JACKSON PARCEL

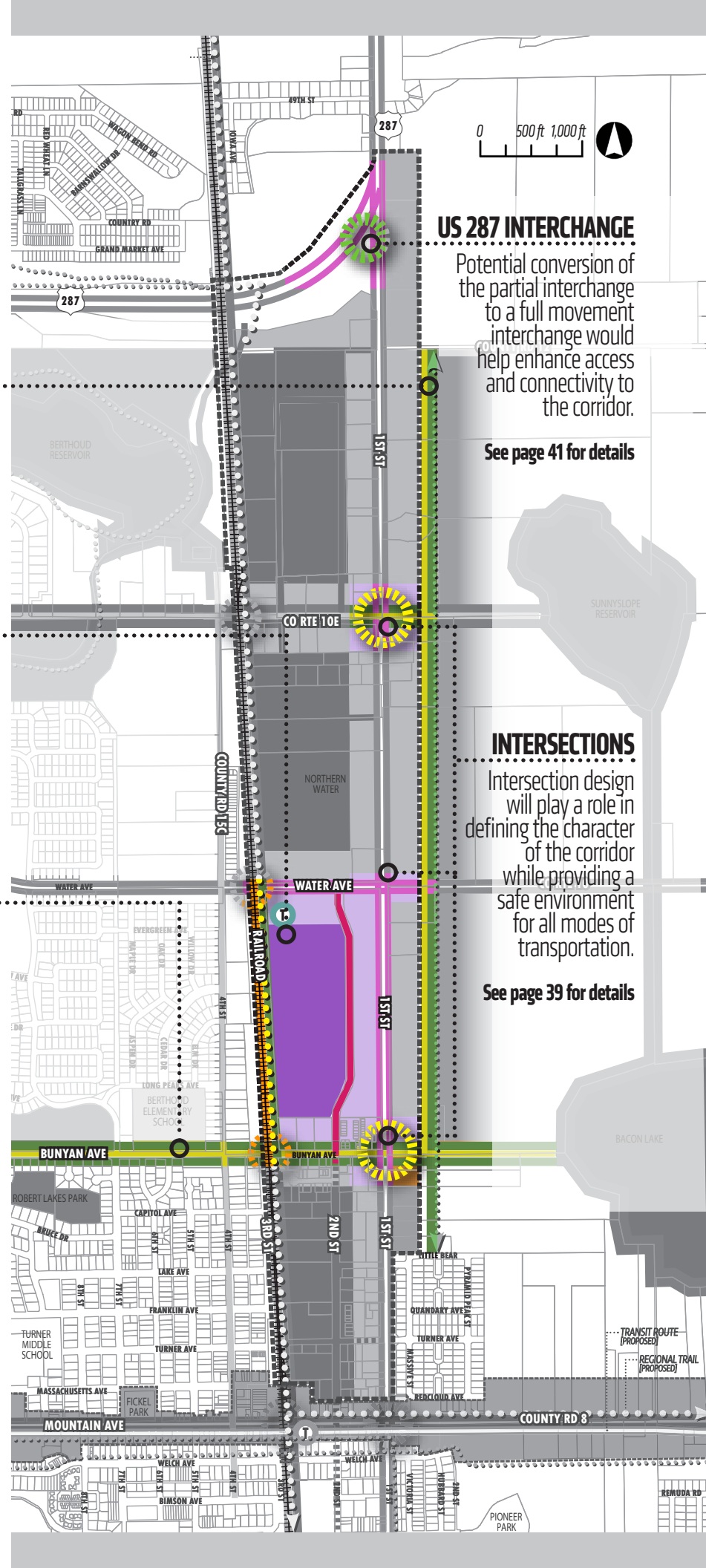
An approximately 80 acre property on the west side of 1st Street provides a unique opportunity to create a unified industrial/commercial mixed use district with options for housing, entertainment, and recreation.

See page 36 for details

BUNYAN AVE

Key east/west corridor serves as a parallel route to Mountain Avenue, linking the 1st Street Corridor to Berthoud's historic core, community destinations such as Berthoud Elementary School, Berthoud Recreation Center, Waggener Farm Park, and the Town's western growth area. A future eastern extension of Bunyan Avenue would also connect to Bacon Lake.

See page 37 for details



Linear Park

KEY CONCEPTS

- Linear park and trail extend from Peakview Meadows to CR12
- 120-foot wide park serves recreational and stormwater needs
- Uses in linear park will vary along its length
- Urban residential uses on east side front onto the park with parking behind
- Water saving landscape concepts are encouraged, where appropriate
- Increased architectural standards when development occurs along the higher visibility parcels adjacent Bunyan Avenue and the park
- Linear park will be bordered by higher visibility innovation uses on the west and urban residential on the east

NORTHWARD VIEW, AERIAL PERSPECTIVE

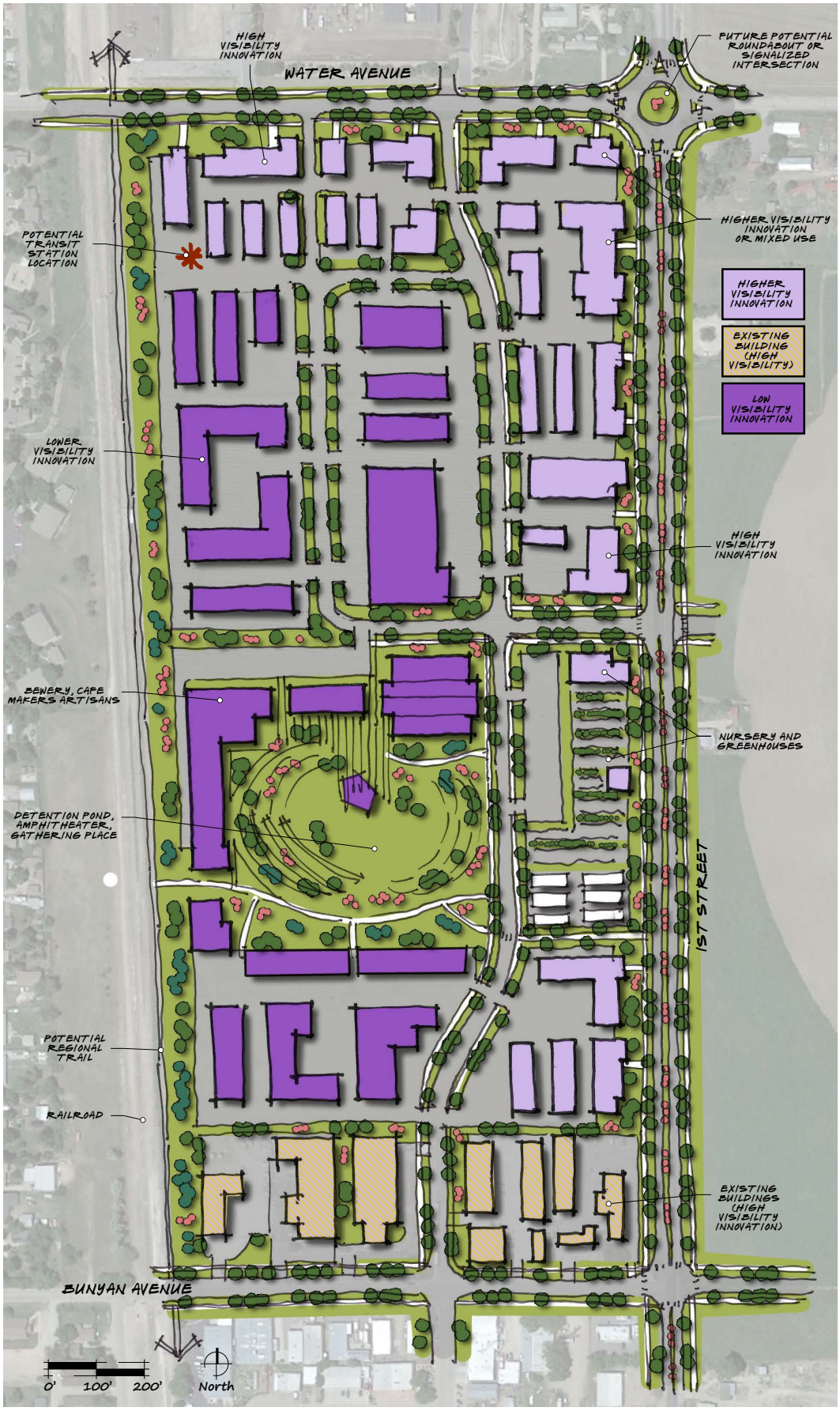
PRECEDENT IMAGES

Jackson Parcel

The Jackson Parcel is zoned industrial and proposed uses will include industrial innovation uses. Increased architectural standards are required for parcels with higher visibility, i.e., adjacent to 1st Street, Water Avenue, and Bunyan Avenue. Lesser architectural standards will be required for parcels with lower visibility, including those on the western side of the property by the railroad.

KEY CONCEPTS

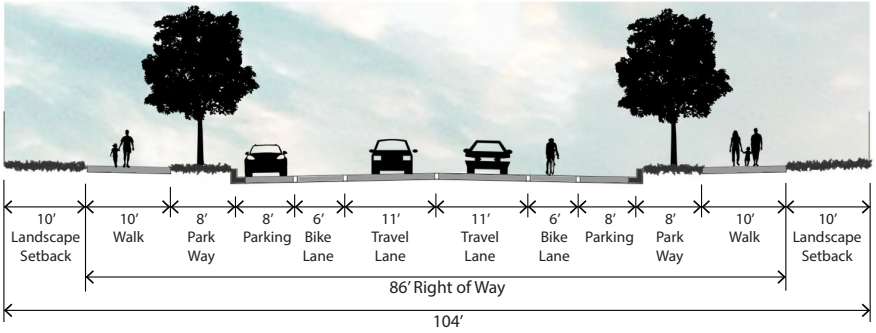
- Green edge and streetscape are important around perimeter of parcel
- Buildings front along 1st Street, 2nd Street, Water Avenue, and Bunyan Avenue to create a more pedestrian-friendly streetscape
- Increased level of walkability and bikeability
- Green space serves dual purpose (detention and gathering space)
- 1 to 2 story buildings adjacent to 1st Street, Water Avenue, and Bunyan Avenue
- Up to 3 story buildings in internal parcels
- Architectural character will be similar to the precedent images
- Parking areas are tucked behind and between buildings



Bunyan Avenue | WEST OF 1ST STREET

KEY CONCEPTS

- Buffered bike lanes on both sides of the street
- Parallel parking on both sides of the street
- Detached sidewalks on both sides of the street
- Street trees in tree lawns on both sides of the street
- Water saving landscape concepts are encouraged, where appropriate
- Increased architectural standards required when development occurs along higher visibility parcels adjacent to Bunyan Avenue



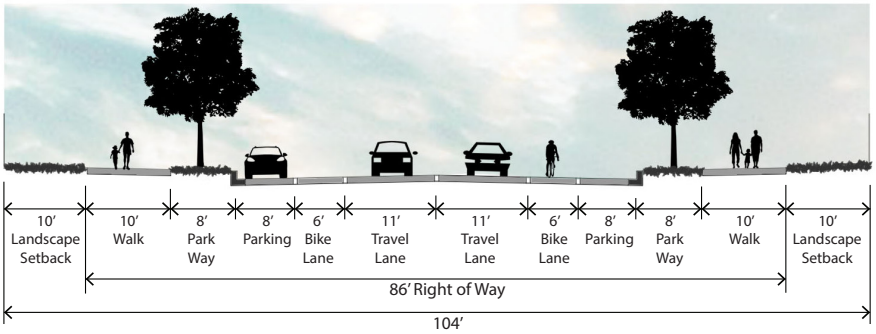
WESTWARD VIEW, PEDESTRIAN PERSPECTIVE

PRECEDENT IMAGES

Bunyan Avenue | EAST OF 1ST STREET

KEY CONCEPTS

- Strong visual and physical connection to Bacon Lake
- Buffered bike lanes on both sides of the street
- Parallel parking on both sides of the street
- Detached sidewalks on both sides of the street
- Street trees in tree lawns on both sides of the street
- Water saving landscape concepts are encouraged, where appropriate
- Increased architectural standards required when development occurs along higher visibility parcels adjacent to Bunyan Avenue and the park
- Linear park in the midground is bordered by higher visibility innovation uses on the west and urban residential on the east



EASTWARD VIEW, AERIAL PERSPECTIVE

PRECEDENT IMAGES

Intersections

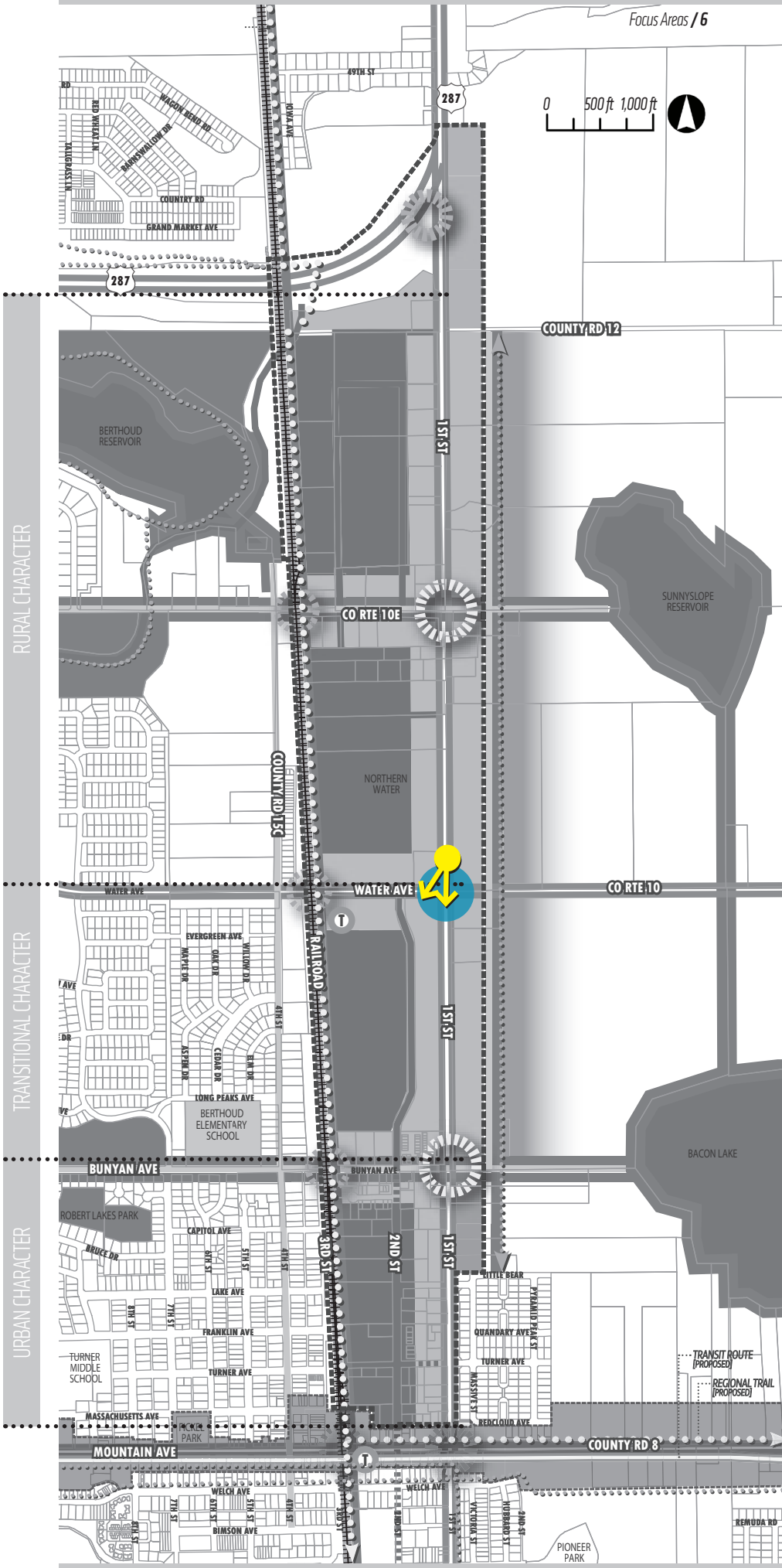
TRADITIONAL VS ROUNDABOUTS

Intersection treatments can add character to the 1st Street Corridor while also providing modal priority in a safe and appropriate manner. For example, a roundabout may be the more appropriate intersection treatment to transition from one district to another, to create a gateway, and to slow vehicular traffic.

Even though it is just outside the Study Area, the 1st Street intersection at Mountain Avenue presently has a roundabout. All other intersections along 1st Street each currently have a traditional design. However, a roundabout could be introduced at certain intersections along 1st Street, such as the Water Avenue intersection as marked on the map on the right.

KEY CONCEPTS

- Roundabouts could be used at intersections with higher vehicular priority
- At the roundabout, bikes have the option to merge on to sidewalks or share travel lanes with cars
- Center island could be a gateway and reinforce the Town's garden spot image
- Water saving landscape concepts are encouraged, where appropriate
- Roundabout will be sized appropriately to accommodate truck traffic
- Roundabouts require more space than traditional intersections and is anticipated to have a greater impact on adjacent properties



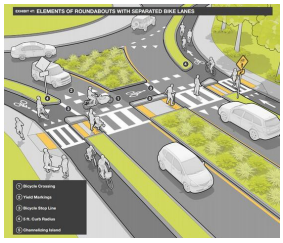
Intersections

TRADITIONAL VS ROUNDABOUTS

TRADITIONAL INTERSECTION: SOUTHWARD VIEW, PEDESTRIAN PERSPECTIVE

ROUNDABOUT INTERSECTION: SOUTHWARD VIEW, PEDESTRIAN PERSPECTIVE

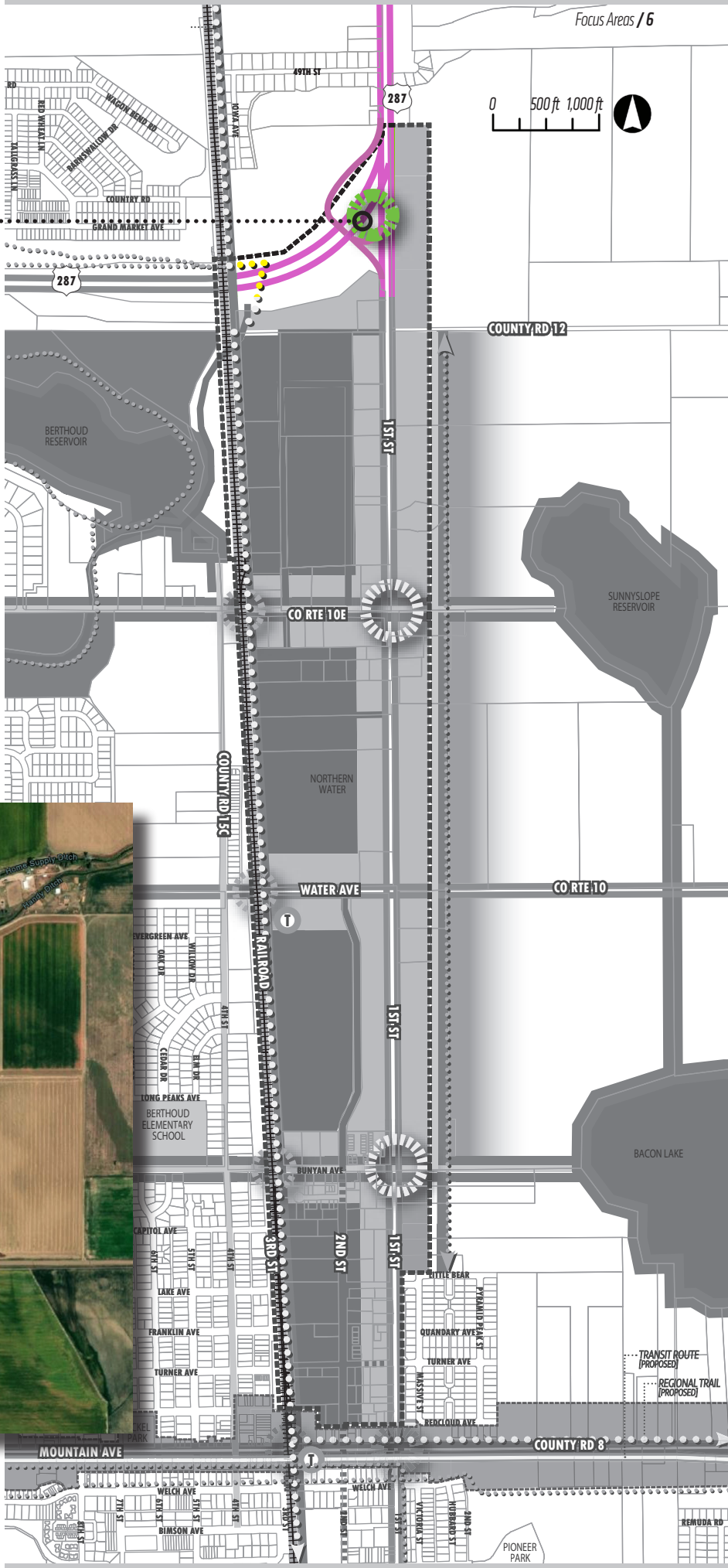
PRECEDENT IMAGES



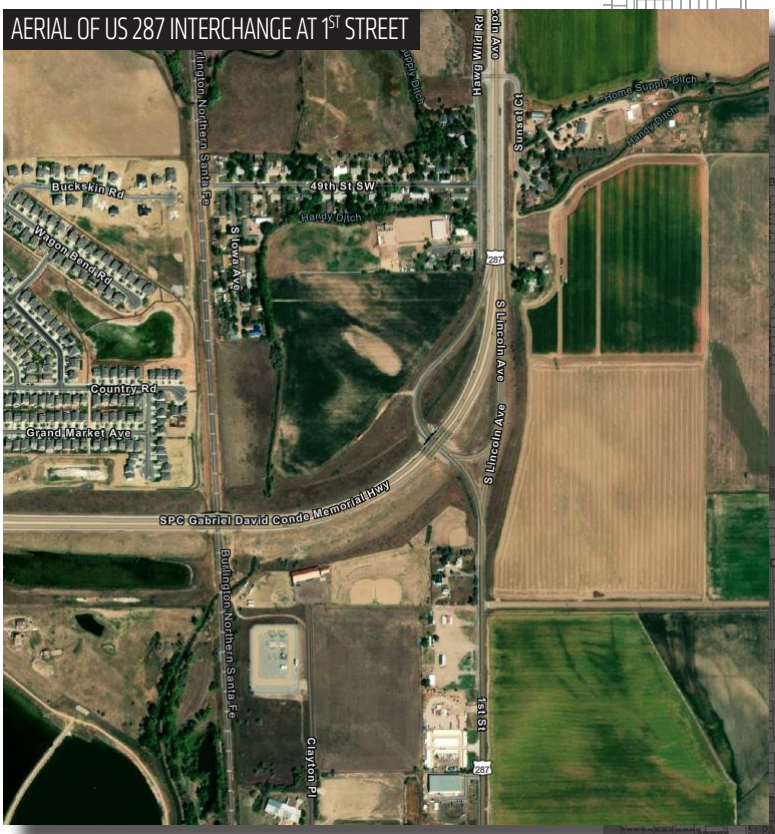
US 287 Interchange

INTERCHANGE

The US 287 interchange is currently a partial interchange; travelers northbound on 1st Street can only access northbound US 287 and southbound 1st Street can only be accessed from southbound US 287. ***It is recommended that the Town coordinate with the Colorado Department of Transportation (CDOT), the owner of US 287, to evaluate the potential impacts of converting this partial interchange to a full movement interchange.*** A full movement interchange would improve access and connectivity to the residents and businesses along 1st Street, and to the Innovation District. The full movement interchange may potentially alleviate some of the traffic and freight congestion at the other US 287 and Berthoud Parkway intersection. A full movement interchange would also likely increase the vehicular traffic of 1st Street. The US 287 and 1st Street interchange is an opportune location to create a northern gateway into Berthoud.



AERIAL OF US 287 INTERCHANGE AT 1ST STREET



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CHAPTER 7

Next Steps

Achieving the vision for the 1st Street Corridor as defined in this plan will require coordination of Town initiatives, partnerships, and resources that move projects from the drawing table to town approval meetings to groundbreakings. These projects may run a diverse range from development projects, property consolidation, and utility infrastructure improvements to streetscape enhancements, trail connections, and transit coordination.

The Implementation Matrix on the following page identifies action items by achievable goal, with each action item assigned a priority level and timeframe for completion, an estimated cost range, and one or more agencies to serve as resources and potential Town partners (listed on the right).

TOWN PARTNERS

BACC	Berthoud Area Chamber of Commerce
BFPD	Berthoud Fire Protection District
BHS	Berthoud Historical Society
BRC	Berthoud Rotary Club
CCCD	Colorado Center for Community Development
CCI	Colorado Creative Industries
CDOT	Colorado Department of Transportation
CHAFA	Colorado Housing and Finance Authority
COEDIT	Colorado Office of Economic Development and International Trade
CPW	Colorado Parks and Wildlife
CWCB	Colorado Water Conservation Board
DCI	Downtown Colorado, Inc.
DOLA	Colorado Department of Local Affairs
FHA	Federal Highway Administration
LC	Larimer County
LTWD	Little Thompson Water District
NCWCD	Northern Colorado Water Conservancy District (Northern Water)
NFRMPO	North Front Range Metropolitan Planning Organization
RAFT	Berthoud Rural Alternative for Transportation
REDI	Northern Colorado Regional Economic Development Initiative
TFORT	Transfort
UC	Upstate Colorado
WC	Weld County

Implementation Matrix

Action Items	Priority	Timeframe	Cost	Town Partners
MANAGED GROWTH				
Update the Town's Three Mile Area Plan to identify and coordinate potential annexation of properties in the corridor	2	ST	$	LC, property owners
Update the Town's Development Code as needed to support the types of development, architecture, and site features proposed for the corridor	2	ST	$	TBD
Coordinate projects and policies that impact both 1st Street and Mountain Avenue given the proximity of the two corridors	2	ON	$	Development community
Maintain communication with corridor property owners to be transparent with potential development proposals and corridor improvements	2	ON	$	TBD
Develop a formalized landscape concept plan for the tree lawns and medians to guide future development and create a cohesive look throughout the 1st Street corridor.	2	ST	$	TBD
TRANSPORTATION ENHANCEMENTS				
Coordinate multimodal transportation elements such as sidewalks, bike facilities, local and regional trails, transit stops and stations, intersection treatments, truck routes, etc. with relevant agencies	2	ON	$	CDOT, LC, NFRMPO, TFORT
Accommodate ride share, local transit, regional transit (e.g., potential future passenger rail), and other emerging mobility technologies into the Innovation District	2	ST	$	TBD
Apply Complete Streets principles to 1st Street and other corridors to ensure multimodal connectivity and accessibility is prioritized along the corridor	2	MT	$$	TBD
Coordinate with CDOT to evaluate the feasibility and impact of upgrading the US 287 partial interchange into a full movement interchange	3	LT	$$	CDOT
Coordinate wayfinding and signage with a community branding campaign and Town-wide wayfinding signage plan	2	ON	$	TBD, development community
Identify preferred truck routing and access within the Innovation District	3	ST	$	LC, TBD
INFRASTRUCTURE IMPROVEMENTS				
Work with utility companies to identify, preserve, and/or modify utility easements in the corridor	2	ON	$	TBD
Identify and build new or extended water, sewer, and stormwater utility infrastructure	1	ON	$$$	TBD
ENVIRONMENTAL SUSTAINABILITY				
Work with property owners to identify and preserve conservation easements in the corridor	3	ON	$	Property owners, development community
HOUSING DIVERSITY				
Use findings from a housing survey to identify how the corridor can help diversify Berthoud's housing stock	2	ST	$	CCI, CHAFA, DOLA
ECONOMIC RESILIENCY				
Use findings from a business survey to identify business retention and attraction opportunities along the corridor	2	ST	$	BACC, COEDIT, REDI, UC

MATRIX KEY

Priority Level

1: Critical
2: Vital
3: Desirable

Timeframe

ST: Short Term (1-3 years)
MT: Mid Term (3-5 years)
LT: Long Term (5+ years)
ON: Ongoing (as needed)

Cost

$: $0 - $100,000
$$: $100,000 - $500,000
$$$: $500,000+

Appendix

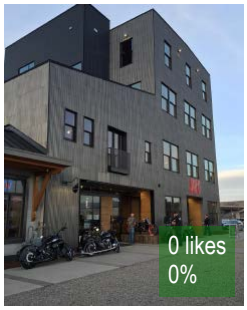
Public Workshop #1 Exhibits A2
Public Workshop #2 Exhibits A9
Public Workshop #3 Exhibits A14
Modified Trends Map Concept A A18
Modified Trends Map Concept B A19

Public Workshop #1 | JULY 21, 2022 | VISUAL PREFERENCE BOARDS

1st STREET CORRIDOR PLAN

TOWN OF BERTHOUD, COLORADO

Commercial



Industrial (High Visibility)

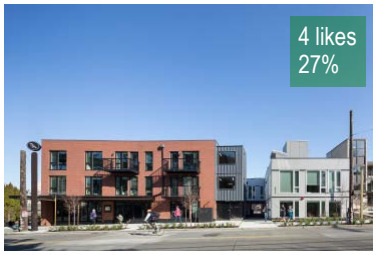
Industrial (Low Visibility)

Public Workshop #1 | JULY 21, 2022 | VISUAL PREFERENCE BOARDS

1st STREET CORRIDOR PLAN

TOWN OF BERTHOUD, COLORADO

Mixed use



Residential

Live-Work

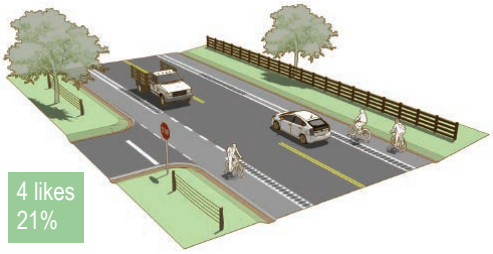
Public Workshop #1 | JULY 21, 2022 | VISUAL PREFERENCE BOARDS

1st STREET CORRIDOR PLAN

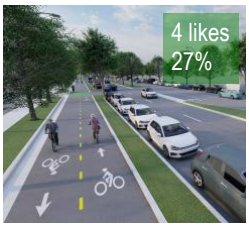
TOWN OF BERTHOUD, COLORADO

Local Street Intersections

Arterial Intersections



Bike Lanes



Pedestrian Crossings

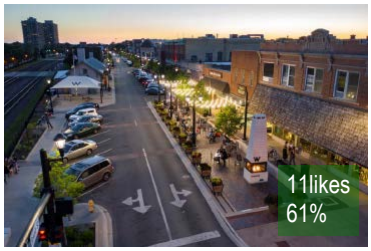
Public Workshop #1 | JULY 21, 2022 | VISUAL PREFERENCE BOARDS

1st STREET CORRIDOR PLAN

TOWN OF BERTHOUD, COLORADO

Arterial Streetscapes

Local Streetscapes



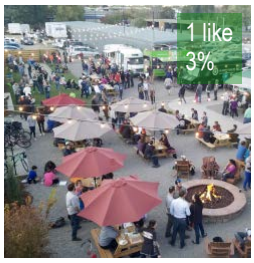
Linear Parks

Green Infrastructure

Public Workshop #1 | JULY 21, 2022 | VISUAL PREFERENCE BOARDS

1st STREET CORRIDOR PLAN
TOWN OF BERTHOUD, COLORADO

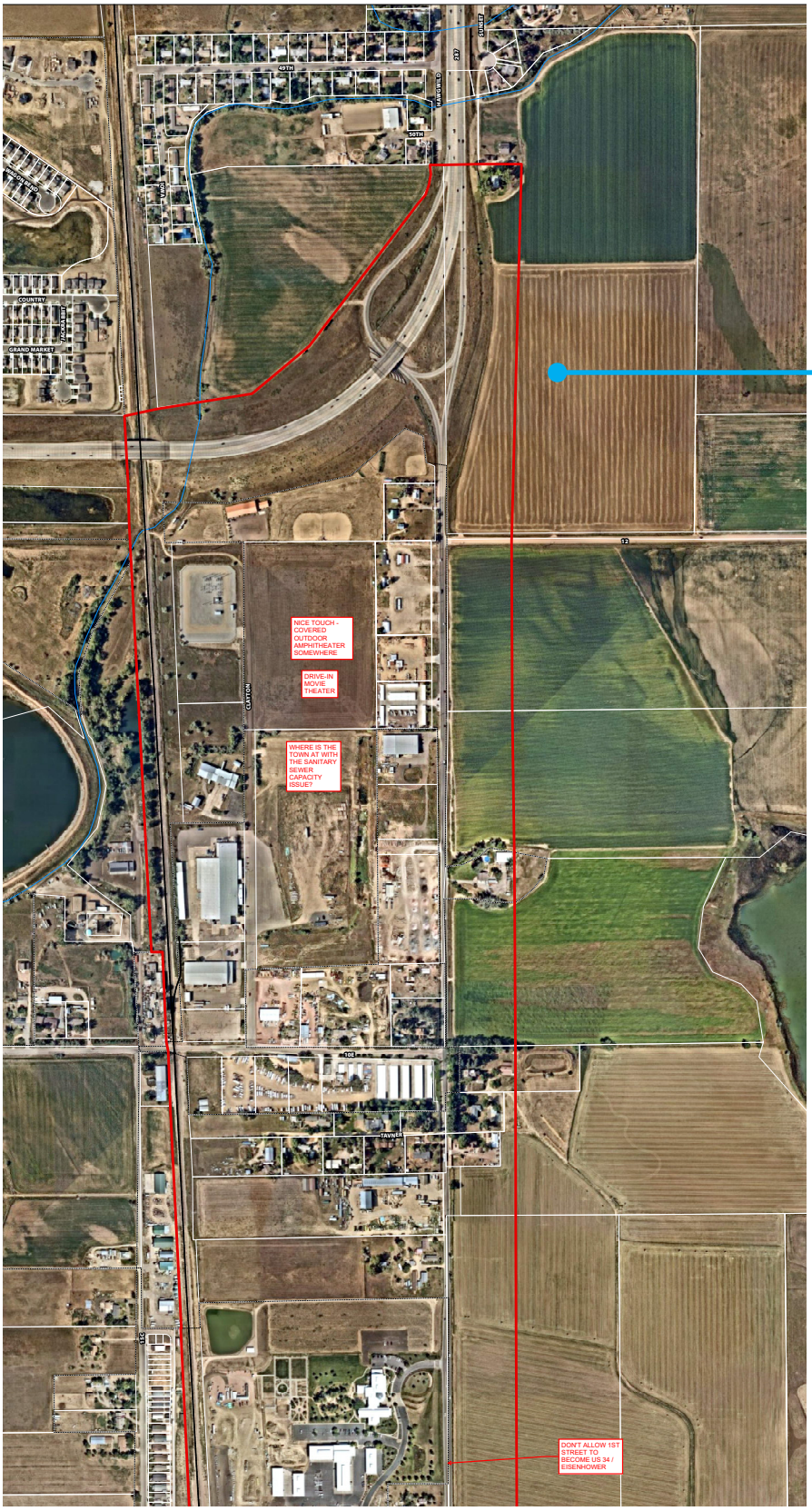
Gathering Spaces & Amenities

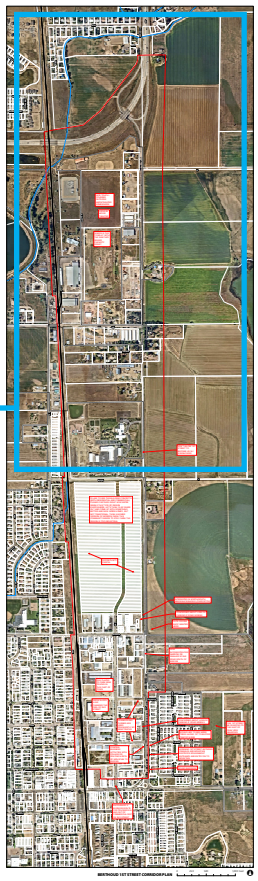


Signage & Murals

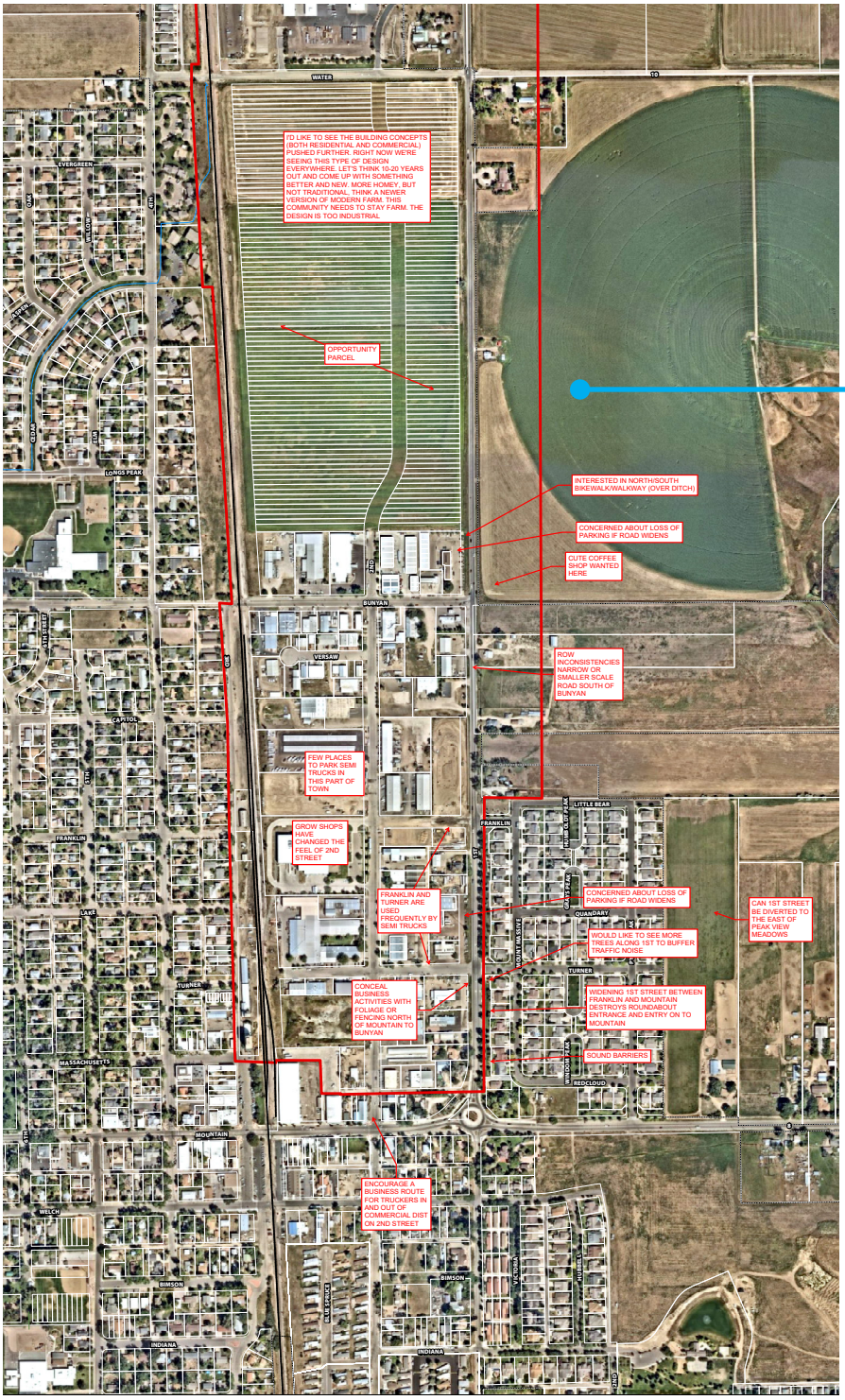
Off-Street Parking

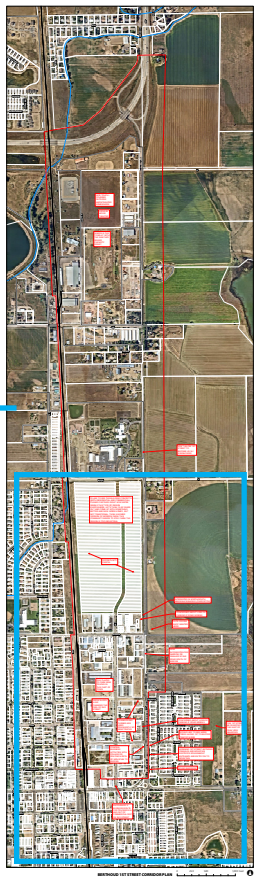
Public Workshop #1 | JULY 21, 2022 | AERIAL STRIP COMMENT MAP



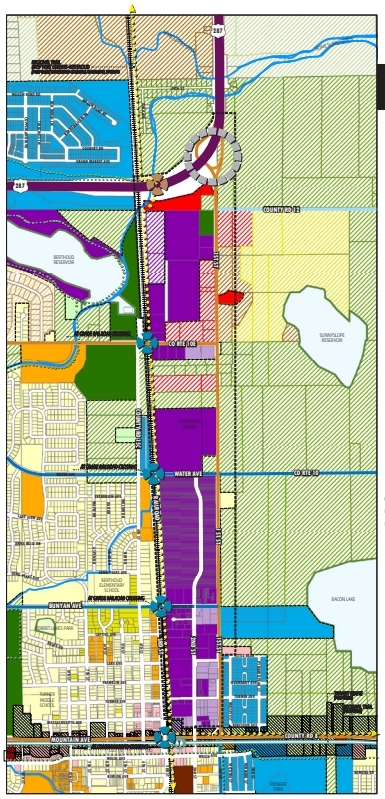


Public Workshop #1 | JULY 21, 2022 | AERIAL STRIP COMMENT MAP





Public Workshop #2 | SEPTEMBER 14, 2022 | EXHIBITS



EXISTING TRENDS MAP

1ST STREET CORRIDOR PLAN | BERTHOUD, CO

INSTRUCTIONS: To share comments about this map, please use the post-it notes and/or the note pad next to this map.

TOWN ZONING DISTRICTS
PER THE 2020 BERTHOUD ZONING MAP

- R1: Single Family Residential
- R2: Limited Multi Family Residential
- R3: Multi Family Residential
- R4: Mixed Use*
- R5: Manufactured Home
- PUD: Planned Unit Development
- C1: Neighborhood Commercial
- C2: General Commercial
- M1: Light Industrial
- M2: Industrial
- T: Transition
- Ag: Agriculture

*There are presently no R4: Mixed Use Districts in and around the Study Area.

Town Zoning: Based on the 2020 Berthoud Zoning Map, the majority of the Study Area is zoned for industrial use (M1, M2), with some pockets of other zoning uses on both sides of 1st Street. This includes some areas zoned for planned unit development (PUD), which may become an increasingly viable way to build a mix of uses that make up the Innovation District envisioned for the corridor. Each of the Town's zoning districts have its own set of site standards to guide potential development and corridor improvements.

COUNTY ZONING DISTRICTS
PER THE 2019 LARIMER COUNTY ZONING MAP

- FA: Farming
- FA1: Farming
- E1: Estate Residential
- R1: Residential
- M: Multi-Family Residential
- C: Commercial
- I: Industrial

County Zoning: Based on the 2019 Larimer County Zoning Map, County zoning districts are illustrated on the map for the same reason as Town zoning. The Town may eventually annex certain properties into Berthoud, at which point the Town's zoning classifications would supersede. However, there is also the potential that some properties remain unincorporated in the County, which accentuates the significance of understanding the underlying zoning districts at the County level.

GENERAL MAP ELEMENTS

- Corridor Study Area Boundary
- Mountain Avenue Corridor

TRANSPORTATION ELEMENTS

- Existing At-Grade Railroad Crossing
- Potential Trail Underpass
- Existing US 287 Partial Interchange
- Potential Local Trail
- Potential Regional Trail
- Potential Transit Route

ROADWAY CLASSIFICATION HIERARCHY
PER THE 2021 BERTHOUD COMPREHENSIVE PLAN

- Highway
- 4-Lane Arterial Road*
- 2-Lane Arterial Road
- Major Collector Road
- Minor Collector Road

*The closest 4-Lane arterial road is the northern end of Berthoud Parkway, which is located beyond the immediate Study Area to the west.

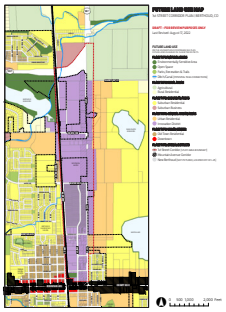
Roadway Classifications: Based on the 2021 Comprehensive Plan, the Existing Trends Map illustrates the hierarchy of road classifications in and around the 1st Street Corridor, including:

- Highway: US 287
- Two-Lane Arterials: 1st St, County Rd 10E, Mountain Ave
- Major Collectors: Water Ave/County Rd 10, Bunyan Ave
- Minor Collectors: County Road 12

0 500 1,000 2,000 Feet

ANNEXATION

Annexation of any property would place zoning jurisdiction in the Town's purview, which is beneficial to ensure any proposed developments or site improvements are consistent with the community's vision, eligible for Town services and in conformance with the Town's design and development standards. Properties that remain unincorporated are subject to County zoning regulations and services. The intermixing of incorporated and unincorporated properties is most notable in the area north of Water Avenue/County Road 10 and US 287.

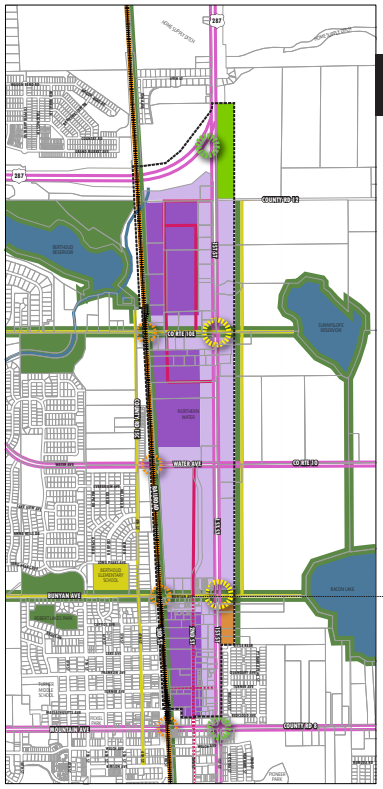


FUTURE LAND USE PLAN

As a supplemental map to the Existing Trends Map, the Future Land Use Plan Map (above) illustrates the underlying future land use categories identified in the 2021 Berthoud Comprehensive Plan.

Much of the 1st Street Corridor Study Area is characterized by the Innovation District Character District (shown in light purple on the map). While the focus of the Innovation District is primarily employment and business uses, residential uses may be integrated into development sites to support the business community.

A small portion of the Study Area north of the Peakview Meadows neighborhood is characterized by the Urban Residential Character District (shown in orange on the map).



MODIFIED TRENDS MAP - CONCEPT A

1ST STREET CORRIDOR PLAN | BERTHOUD, CO

INSTRUCTIONS: To share comments about this map, please write your feedback in the ***COMMENTS*** area below. You may also share comments using the post-it notes and/or the note pad next to this map.

- Town Gateway
- Green Edge / Park / Open Space
- Roadway with Vehicle Modal Priority
- Roadway with Pedestrian and Bike Modal Priority
- Pedestrian-focused Road crossing
- Proposed Local Commercial Street
- Existing Local Commercial Street
- Railroad
- Railroad crossing
- Innovation District (Lower Visibility)
- Innovation District (Higher Visibility)
- Urban Residential
- Agriculture

Higher Visibility Areas are defined as areas that are within 300 feet of the centerline of 1st Street, Bunyan Ave, Water Ave, CR10, CR10E, and CR12.

Lower Visibility Areas cover all other areas within the corridor study area and preserve the ability for small businesses to enter the market and compete at lower cost.

Higher and Lower Visibility Areas will have differing design standards.

BLOCK & FRONTAGE TYPES

1ST STREET, NORTH OF BUNYAN AVENUE
Urban character

1ST STREET, SOUTH OF BUNYAN AVENUE
Transition to downtown, more urban character, building used to define strong urban edge, narrow building setbacks, detached walks, street trees, more manicured landscape

Primarily buildings will front on public streets. Some building may side on to 1St Street. No buildings backing to public streets. In cases where lots abut more than 1 public street, buildings will front on the street with the highest classification or greatest public visibility.

0 500 1,000 2,000 Feet

DESCRIPTION

Concept A maximizes the characterization of the 1st Street Corridor as an Innovation District, with industrial and mixed use emphasized as the central development trend.

LAND USE

Focused Innovation District
MIXED USE/INDUSTRIAL EMPHASIS

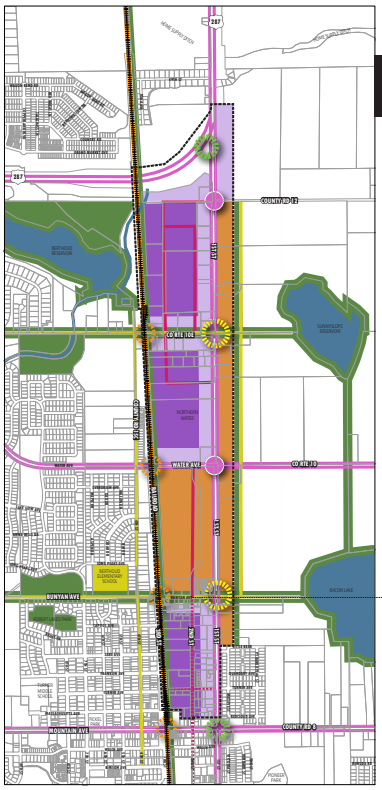
The majority of the 1st Street Corridor is characterized by a mixed use/industrial corridor, including technical business/production, R&D, startups, makerspaces, and other commercial/light industrial with live/work housing.

East side of 1st Street will be a continuation of the higher visibility mixed use industrial corridor on the west side of corridor (live/work units, mixed use buildings) with a buffered transition into urban residential to the east (townhomes and multi-family options). Affordable housing will be encouraged where possible.

PLEASE SHARE YOUR COMMENTS BELOW

- Love this plan! Prefer a mix of mixed use and housing. Hybrid of the 2 plans.
- Sound barrier for residential along 1st
- I like the Concept B personally but from a tax income generating perspective. If the revenue projected was high enough I would change to Concept A
- Please provide notice of next meeting. Do not use confusing name "First Street", use "1st Street"
- This is a great plan Like the mixed-use idea of more business in town
- We need more sidewalks and bike paths
- No more roundabouts
- NO truck traffic along 4th Street (big rigs, etc.)
- High Vis, Low Vis Areas shouldn't be segregated as they are but the entire area should be one visibility to invite ALL biz types.
- After talking more I switched from preferring Concept B to Concept A - if it can be truly Innovative & Cutting edge, art, mixed use, business support, etc.
- Thumbs up on more roundabouts on 1st Street to slow traffic down and make it easier to turn left
- More roundabouts UGH!
- :(- sad face
- I second this
- XERISCAPE !!!
- Selling the natives & locals out to the highest corporate bidders.
- Shameful

Public Workshop #2 | SEPTEMBER 14, 2022 | EXHIBITS



MODIFIED TRENDS MAP - CONCEPT B

1ST STREET CORRIDOR PLAN | BERTHOUD, CO

INSTRUCTIONS: To share comments about this map, please write your feedback in the ***COMMENTS*** area below. You may also share comments using the post-it notes and/or the note pad next to this map.

- Town Gateway
- Green Edge / Park / Open Space
- Roadway with Vehicle Modal Priority
- Potential roundabout
- Roadway with Pedestrian and Bike Modal Priority
- Pedestrian-focused Road crossing
- Proposed Local Commercial Street
- Existing Local Commercial Street
- Railroad
- Railroad crossing
- Innovation District (Lower Visibility)
- Innovation District (Higher Visibility)
- Urban Residential

Higher Visibility Areas are defined as areas that are within 300 feet of the centerline of 1st Street, Bunyan Ave, Water Ave, CR10, CR10E, and CR12.

Low Visibility Areas cover all other areas within the corridor study area and preserve the ability for small businesses to enter the market and compete at lower cost.

Higher and Lower Visibility Areas will have differing design standards.

BLOCK & FRONTAGE TYPES

1ST STREET, NORTH OF BUNYAN AVENUE

Rural character wider setbacks, campus feel, detached walks, xeric streetscape

1ST STREET, SOUTH OF BUNYAN AVENUE

Transition to downtown, more urban character, building used to define strong urban edge, narrow building setbacks, detached walks, street trees, more manicured landscape

Primarily buildings will front on public streets. Some building may side on to 1st Street. No buildings backing to public streets. In cases where lots abut more than 1 public street, buildings will front on the street with the highest classification or greatest public visibility.

0 500 1,000 2,000 Feet

DESCRIPTION

Concept B provides for a balanced development trend that still characterizes the 1st Street Corridor as an Innovation District, with industrial and mixed use emphasized as a significant development trend, along with an increased secondary focus on urban residential uses to advance the housing component for the corridor.

LAND USE

Focused Urban Residential District
MIXED USE/RESIDENTIAL EMPHASIS

A significant portion of the Study Area characterized by a mixed use/industrial corridor, including technical business/production, R&D, startups, makerspaces, and other commercial/light industrial with live/work housing.

Concept B devotes more area to urban residential uses, particularly along the east side of 1st Street and the area between Water Avenue and Bunyan Avenue. These urban residential uses would include townhomes and multi-family buildings and generally encourage a variety of housing and density options planned in the Urban Residential District, with the exception of single family homes. Non residential uses are encouraged to support the neighborhood. Affordable housing will be encouraged where possible.

PLEASE SHARE YOUR COMMENTS BELOW

Prefer residential on east side of 1st Street to provide more housing within walking distance of Downtown and balance innovation and residential together, not separate - more contemporary approach

Building up our small town with charcterless tract homes & cheap chain restaurants/box stores is shameful! You've ruined Berthoud with these over-crowded, ugly tract neighborhoods. No more chains!

Where is the small town feel? We are the Garden Spot of Colorado - not an urban monstrosity

WHY URBAN? Do people want urban? No, I don't think so!

Where is the water coming from?

There is no Real vision to this plan. This needs a vision

What is Berthoud supposed to be!

Sound barriers on both W & E sides of 1st by residential

THIS

Are they going to remove the Berhoud Bedroom Community Signs?

See comment on Concept A about visibility

STOP THE UGLY GREED!

MODIFIED TRENDS: GENERAL OVERVIEW

1ST STREET CORRIDOR PLAN | BERTHOUD, CO

DESCRIPTION

The 1st Street Corridor provides, "optimal opportunities for mixed use development and creation of new sub-districts..."
(Pg. 3-7 of 2021 Comprehensive Plan)

Assumes Town annexation of unincorporated properties over time to guide future land use. Annexation requires a willing property owner and a willing Town.

As summarized on the right, the First Street Corridor is comprised of two Character Districts: the Innovation District and the Urban Residential District.

GUIDING PRINCIPLE

The 1st Street Corridor is intended to evolve into a modern innovation hub designed as a green and connected campus that provides for a range of employment and business uses catering to creatives, artisans, makers, startups, and other innovators. Residential uses can be blended into these areas to support the business community.

I moved to Berthoud because there was a small downtown. I would like to see this town grow in a way that keeps the small town feel & community.

This plan for 1st Street corridor lacks an overall vision. Who is Berthoud? What kind of town does it want to be? How should it feel when we are there?

There is not character in this plan, no sense of anything but things we've seen before.

Start with the emotion of how it should feel, what do we want to do here, experience?

There is too much urban influence. This is not an urban place. No one wants that. Most people here are blue collar workers.

I believe this town has its roots in farming. It will not stay that way, but the overall vision could be that. People love it.

Berthoud could be a destination for farm products, goods, experience. It's popular now & will always be that.

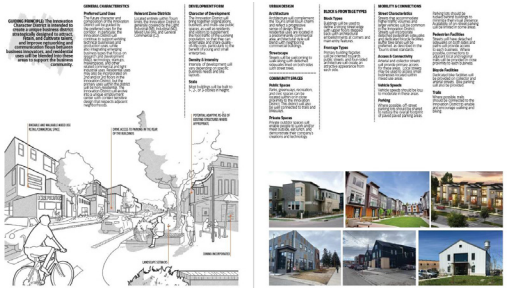
Mountain Ave needs help too. That plan, whatever it is, needs to integrate & be part of whatever this becomes.

Innovation District | CHARACTER DISTRICT

Guiding Principle: The Innovation Character District is intended to create a unique business district strategically designed to attract, retain, and cultivate talent, and improve networking and communication flows between business innovators, and residential uses will be blended into these areas to support the business community.

Preferred Land Use: The future character and composition of the Innovation District will be guided by the preferred uses for the corridor. In particular, the Innovation District will continue to support existing technical businesses and production uses, while also integrating emerging business types that focus on research and development (R&D), technology, startups, makerspaces, and other related commercial and light industrial uses. Residential uses may also be incorporated on 2nd and/or 3rd floors in the Innovation District, but the primary uses within the district will be non-residential. The Innovation District will evolve into a unique employment center with context sensitive design that respects adjacent neighborhoods.

Scale: Most buildings will be built to 1, 2, or 3-stories in height.

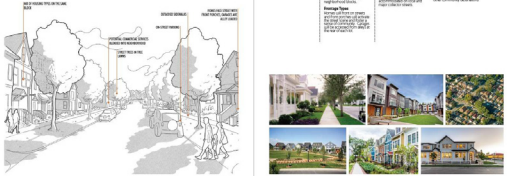


Urban Residential | CHARACTER DISTRICT

Guiding Principle: The Urban Residential Character District will focus on human-scale design and incorporate "New Urbanism" planning and design principles such as: walkable blocks and streets, housing and shopping in close proximity, and accessible public spaces. A variety of housing types, at varying price points, will be blended together on the same block, and commercial uses can be blended into these areas to support the neighborhood.

Preferred Land Use: The dominant land use will be a mix of residential housing types, with nonresidential uses to support the neighborhoods. Housing types will include single-family detached homes, single-family attached homes, townhomes, and multi-family options. Affordable housing will also be incorporated in these neighborhoods.

Scale: Most housing types will be built at 1 to 2-stories in height. Townhomes and apartments can be up to 3 stories in certain areas.



Public Workshop #2 | SEPTEMBER 14, 2022 | EXHIBITS

MODIFIED TRENDS: CONCEPTS A & B SHARED ATTRIBUTES

1ST STREET CORRIDOR PLAN | BERTHOUD, CO

ARCHITECTURE

HIGHER VISIBILITY AREAS are defined as areas that are within 300 feet of the centerline of 1st Street, Bunyan Ave, Water Ave, CR10, CR10E, and CR12.

LOW VISIBILITY AREAS cover all other areas within the corridor study area and preserve the ability for small businesses to enter the market and compete at lower cost.

Higher and Lower Visibility Areas will have differing design standards.

HIGHER/LOWER VISIBILITY AREAS – Higher visibility and Lower Visibility areas will be designated within the approved corridor plan and determine the standards and requirements of the built environment.

HIGHER VISIBILITY ARCHITECTURE – Preserves areas of the corridor to meet a higher standard of design details and material selection. Allows for better quality design product along visible corridors where built environment most affects pedestrian and vehicular traffic.

LOWER VISIBILITY ARCHITECTURE – Preserves areas of existing affordable uses and promotes the development of future affordability within the corridor. Architecture in this area will have less stringent requirements for design and materials.

INSTRUCTIONS: To share comments about this exhibit, please use the post-it notes and/or the note pad.

None of these say "The Garden Spot" or pay homage to this once beautiful farming town. The "Preston Market" screams pot shop and tattoos. Where is any sense of rural/farming architecture? Horrible & does not fit Berthoud or honor it's history.

None of these fit into the character that Berthoud is... brick w/ classic lines and modern use. Go back to drawing board.

Hideously ugly! Looks like an old Motel 6

Does anyone on this committee care to honor the heritage of Berthoud? Or is it more important to service the almighty dollar & make this town ugly, full of chains & beige box homes? Does no one have the foresight to make this town charming! Leave the chains in Loveland and Longmont. Demand the builders bring beauty/character to these horrible developments. We want Berthoud small, special, unique. This is not generational, there is a younger populace that want to honor Berthoud. Removing the population cap was a horrible decision. Sad, sad, sad.

Back to the drawing table on this project

Where is the water coming from?

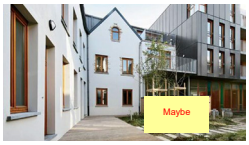
Does it exist?

RESIDENTIAL

HIGHER VISIBILITY: ARCHITECTURE & FORM

The built environment within the high visibility 1st Street corridor should provide opportunities for craftsmanship, ornament, proportions, and decoration that are consistent with the historic industrial or agricultural vernacular of the area.

Architecture should follow the approved Berthoud Architectural Design Guidelines for the Urban Residential Character District (see excerpts below).



LOWER VISIBILITY: ARCHITECTURE & FORM

Architecture should provide opportunities for craftsmanship, ornament, proportions, and decoration that are consistent with the historic industrial or agricultural vernacular of the area.

Architecture should follow the approved Berthoud Architectural Design Guidelines for the Urban Residential Character District, however, will be granted leniency with requirements affecting the ability to preserve affordability in the corridor area (see excerpts below).

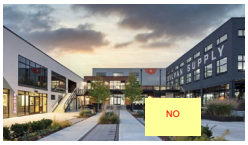
Excerpts from Berthoud Architectural Design Guidelines
Urban Residential Character District

NON-RESIDENTIAL

HIGHER VISIBILITY: ARCHITECTURE & FORM

The built environment within the high visibility 1st street corridor should provide opportunities for craftsmanship, ornament, proportions, and decoration that are consistent with the historic industrial vernacular of the corridor area.

Architecture should follow the approved Berthoud Architectural Design Guidelines for the Urban Industrial/Innovation Character District (see excerpts below).



LOWER VISIBILITY: ARCHITECTURE & FORM

The built environment within the low visibility nonresidential areas should provide economic and creative opportunities for ornament and decoration.

Architecture should follow the approved Berthoud Architectural Design Guidelines for the Urban Industrial/Innovation Character District, however, may be granted leniency with requirements affecting the ability to preserve existing and future affordability within the corridor (see excerpts below).

Excerpts from Berthoud Architectural Design Guidelines
Urban Industrial/Innovation Character District

MIXED USE

HIGHER VISIBILITY: ARCHITECTURE & FORM

Architecture should provide opportunities for craftsmanship, ornament, proportions, and decoration that are consistent with the historic industrial or agricultural vernacular of the area.

Mixed use building types in the High Visibility areas of the 1st Street Corridor should follow the approved Berthoud Architectural Design Guidelines for the Urban Downtown Character District (see excerpts below).

LOWER VISIBILITY: ARCHITECTURE & FORM

The built environment within the low visibility mixed use corridor areas should provide economic and creative opportunities for ornament and decoration.

Architecture should follow the approved Berthoud Architectural Design Guidelines for the Urban Downtown Character District, however, may be granted leniency with requirements affecting the ability to preserve existing and future affordability within the corridor (see excerpts below).

Excerpts from Berthoud Architectural Design Guidelines
Urban Downtown Character District

MODIFIED TRENDS: TRANSPORTATION ELEMENTS

1ST STREET CORRIDOR PLAN | BERTHOUD, CO

INSTRUCTIONS: To share comments about this map, please write your feedback in the ***COMMENTS*** area below. You may also share comments using the post-it notes and/or the note pad next to this map.

TRANSPORTATION ELEMENTS

- Existing At-Grade Railroad Crossing
- Potential Trail Railroad Crossing
- Potential Trail Underpass
- Existing US 287 Partial Interchange
- Potential for Enhanced Pedestrian Experience
- Potential for Improved Connectivity
- Potential Green Connection to Lake/Reservoir
- Potential Regional Trail
- Potential Transit Route

KEY EAST/WEST CONNECTORS

Bunyan Ave, Water Ave (CR10), CR10E, CR 12

Key east/west thoroughfares connecting neighborhoods, community destinations, and the Innovation District.

These streets should include one vehicular travel lane in each direction and prioritize the movement of bicyclists and pedestrians by providing enhanced multimodal facilities.

Special consideration should be given to the railroad crossings and the intersections of 1st Street.

TRUCK ROUTES

Public feedback indicates the need to maintain and/or enhance truck and freight access to/from industrial properties.

A preferred truck route and truck specific improvements (e.g., wider turning lanes) may be recommended as part of this study.

PARKING

Private Parking

Private parking should be tucked behind and/or between buildings to minimize the visual presence from public streets. Residential parking spaces should be accessed from alleyways.

On-Street Public Parking

1st Street: None

Collectors: Minimal, only in support of adjacent commercial and mixed use land uses, such as the Innovation District

Local Streets: Where possible, unmetered parallel parking should be provided on both sides of local streets. The existing and informal pull-in parking area should be formalized as parallel parking, for consistency.

Semi-Truck Parking

Community comment – identify opportunities/ locations for semi-truck parking within the Innovation District

0 500 1,000 2,000 Feet

PLEASE SHARE YOUR COMMENTS BELOW

Bicyclists shouldn't have bike lanes on 1st Street, but use the trail. As a bicyclist, put us on the trail to transit N&S, not on a main road which 1st Street is.

I live in the Peakview subdivision with my backyard against 1st St and it is rare the 30 MPH zone is followed and plenty of times where I would estimate some vehicles (all types) traveling at rates of 45-60 MPH based on noise generated and sight of vision. This occurs in both directions and not just vehicles exiting from the traffic circle heading north. In fact, I have witnessed large commercial trucks flying by my house towards the traffic circle at rates of at least 45-50 MPH and waiting for the day when a loud crash occurs at the circle area. While I can understand development will lead to higher volumes of traffic, it would be helpful to plan for speed control along 1st Street should that be more circles, speed cameras, speed bumps, etc.

CR 10E & 1st Street Intersection is dangerous. Probably one or more accidents per month. Maybe needs a traffic light.

Develop truck routes & parking. Bring businesses and safety

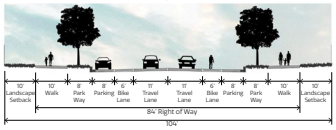
Public Workshop #2 | SEPTEMBER 14, 2022 | EXHIBITS

MODIFIED TRENDS: STREET CONCEPTS

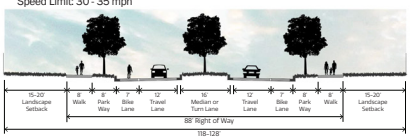
1ST STREET CORRIDOR PLAN | BERTHOUD, CO

INSTRUCTIONS: To share comments about this map, please write your feedback in the ***COMMENTS*** area below. You may also share comments using the post-it notes and/or the note pad next to this map.

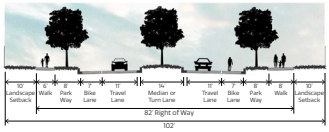
A Key Pedestrian Routes [Example: Bunyan Avenue]



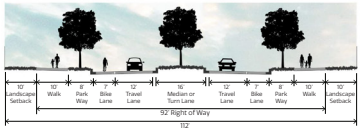
B 1st Street, North of Bunyan Avenue
Speed Limit: 30 - 35 mph



C 1st Street, South of Bunyan Avenue
Speed Limit: 25 - 30 mph



D Two Lane Arterial w/ Pedestrian Focus [Example: CO10]
Speed Limit: 30 - 35 mph



PLEASE SHARE YOUR COMMENTS BELOW

- I am very concerned about the on-ramp from 1st to 287 headed north. It is Not Safe in snow, Ice, or heavy rain.

Add street light at intersection of CR 10E and 1st.

Semi trucks have trouble turning at CR 10E

No median south of Bunyan - would constrict turning vehicles!

- No cement median - particularly on 1st Street. There are 2 homes just NW of roundabout at 1st Street & Mountain. Need access to turn either way.

I'm not okay with this. The road in B is not wide enough. I don't want a sidewalk in my yard. I chose to live in the country - not in the city!

We do not want you coming onto our properties with roadway easements! Quit taking our land, quit ruining our beautiful landscape with tract home & chains!

A center median is a horrible idea. Section A makes the most sense

Make 2nd Street from Water Street down to Mountain as main corridor to divert truck traffic and other traffic from residential areas

- No bike lanes on 1st Street.
- Bicyclists can us the trail by the railroad
- Make travel lanes wide w/ left & right turn lanes as required.
- As a bicyclist myself, put us off the main road, but all us to go N & S on a trail

1st STREET CORRIDOR PLAN
TOWN OF BERTHOUD, COLORADO

VISUAL PREFERENCE RESULTS

Commercial

Industrial (High Visibility)

Industrial (Low Visibility)

Mixed use

Residential

Live-Work

Local Street Intersections

Arterial Intersections

Bike Lanes

Pedestrian Crossings

Arterial Streetscapes

Local Streetscapes

Linear Parks

Green Infrastructure

Gathering Spaces & Amenities

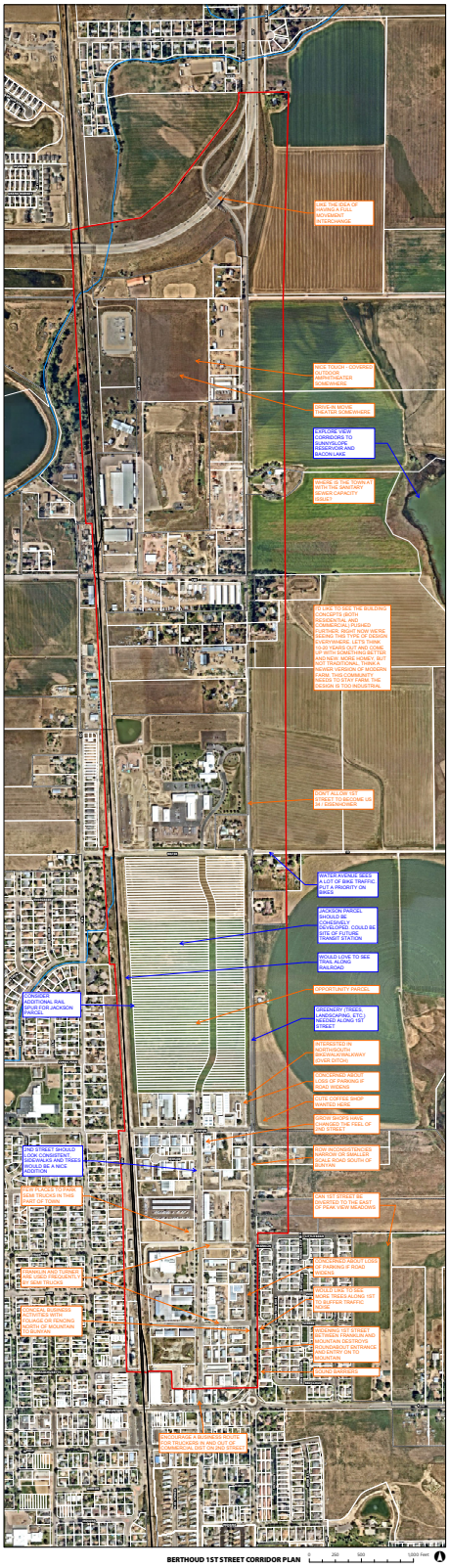
Signage & Murals

Off-Street Parking

Public Workshop #2 | SEPTEMBER 14, 2022 | EXHIBITS

1st STREET CORRIDOR PLAN

TOWN OF BERTHOUD, COLORADO



Public Workshop #3 | DECEMBER 6, 2022 | EXHIBITS

JACKSON PARCEL

CONCEPTUAL SITE PLAN

1ST STREET CORRIDOR PLAN | BERTHOUD, CO

KEY CONCEPTS:
This land is zoned industrial and proposed uses will include industrial innovation uses. Increased architectural standards are required for parcels with higher visibility, i.e., adjacent to 1st Street, Water Avenue, and Bunyan Avenue. Lesser architectural standards will be required for parcels with lower visibility.

- Green edge and streetscape are important around perimeter of parcel
- Increased level of walkability and bikeability
- Green space serves dual purpose (detention and gathering space)
- 1 to 2 story buildings adjacent to 1st Street, Water Avenue, and Bunyan Avenue
- Up to 3 story buildings in internal parcels
- Architectural character will be similar to the precedent images
- Parking areas are tucked behind and between buildings

PRECEDENT IMAGES: LOW VISIBILITY INDUSTRIAL

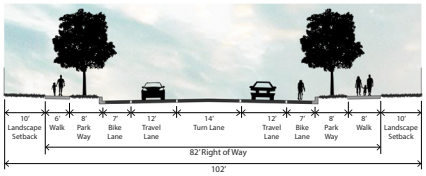
PRECEDENT IMAGES: HIGH VISIBILITY INDUSTRIAL

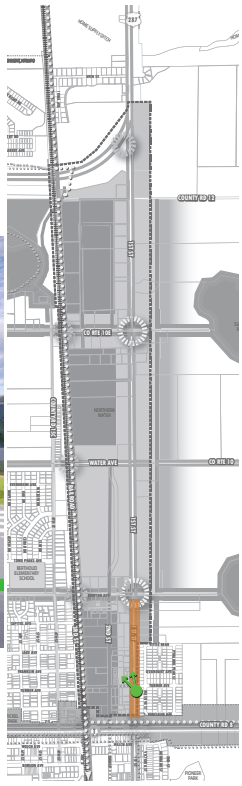
CORRIDOR PERSPECTIVE RENDERING

VIEW OF 1ST STREET LOOKING NORTH NEAR TURNER AVENUE [BETWEEN MOUNTAIN AVENUE AND BUNYAN AVENUE]

1ST STREET CORRIDOR PLAN | BERTHOUD, CO

KEY CONCEPTS:
- Street, sidewalk, and right of way widths are reduced to limit impacts to existing adjacent developments
- Left turn lane accommodates existing driveways (no raised median)
- Buffered bike lanes on both sides of the street
- Detached sidewalks and street trees on both sides of the street
- Street trees in tree lawns on both sides of the street
- Water saving landscape concepts are encouraged, where appropriate
- Increased architectural standards required when development occurs along higher visibility parcels adjacent to 1st Street





PRECEDENT IMAGES

Public Workshop #3 | DECEMBER 6, 2022 | EXHIBITS

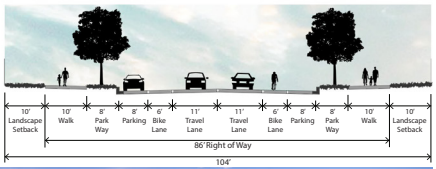
CORRIDOR PERSPECTIVE RENDERING

VIEW OF BUNYAN AVENUE LOOKING WEST AWAY FROM 1ST STREET [PEDESTRIAN VIEW]

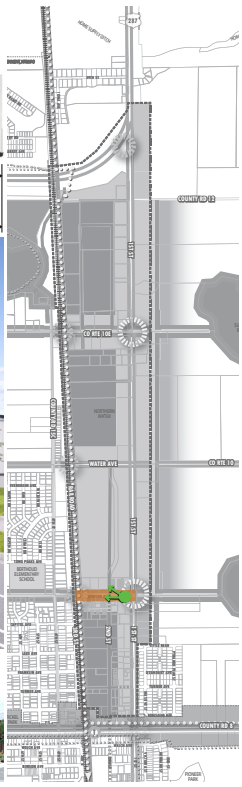
1ST STREET CORRIDOR PLAN | BERTHOUD, CO

KEY CONCEPTS:

- Buffered bike lanes on both sides of the street
- Parallel parking on both sides of the street
- Detached sidewalks on both sides of the street
- Street trees in tree lawns on both sides of the street
- Water saving landscape concepts are encouraged, where appropriate
- Increased architectural standards required when development occurs along higher visibility parcels adjacent to Bunyan Avenue



PRECEDENT IMAGES



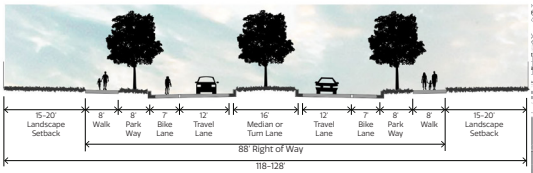
CORRIDOR PERSPECTIVE RENDERING

VIEW OF 1ST STREET LOOKING SOUTH NEAR WATER AVENUE [BETWEEN BUNYAN AVENUE AND WATER AVENUE]

1ST STREET CORRIDOR PLAN | BERTHOUD, CO

KEY CONCEPTS:

- Raised median with landscaping
- Buffered bike lanes on both sides of the street
- Detached sidewalks on both sides of the street
- Street trees in tree lawns on both sides of the street
- 50% of tree plantings will be flowering trees to reinforce garden spot; trees with showy fall color will also be encouraged
- Water saving landscape concepts are encouraged, where appropriate
- Increased architectural standards required when development occurs along higher visibility parcels adjacent to 1st Street



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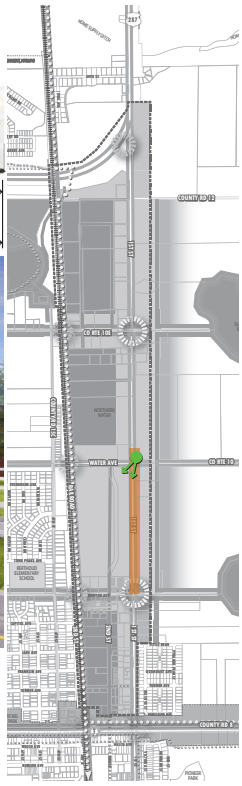


Public Workshop #3 | DECEMBER 6, 2022 | EXHIBITS

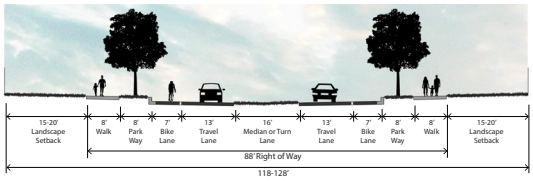
CORRIDOR PERSPECTIVE RENDERING

VIEW OF 1ST STREET LOOKING SOUTH NEAR WATER AVENUE [BETWEEN BUNYAN AVENUE AND WATER AVENUE]

1ST STREET CORRIDOR PLAN | BERTHOUD, CO

KEY CONCEPTS:

- Sparsely landscaped depressed median is more rural in character, as compared to raised median
- Buffered bike lanes on both sides of the street
- Detached sidewalks on both sides of the street
- Street trees in tree lawns on both sides of the street
- Water saving landscape concepts are encouraged, where appropriate
- Increased architectural standards when development occurs along the higher visibility parcels adjacent 1st Street and Bunyan Avenue
- Portions of tree lawn can be landscaped with water saving plants instead of bluegrass to build on garden spot image



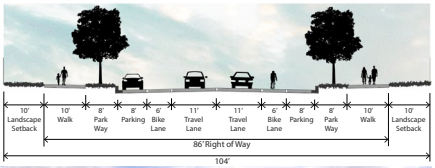
CORRIDOR PERSPECTIVE RENDERING

VIEW OF BUNYAN AVENUE (EXTENDED) LOOKING EAST TOWARDS BACON LAKE [BIRDSEYE VIEW]

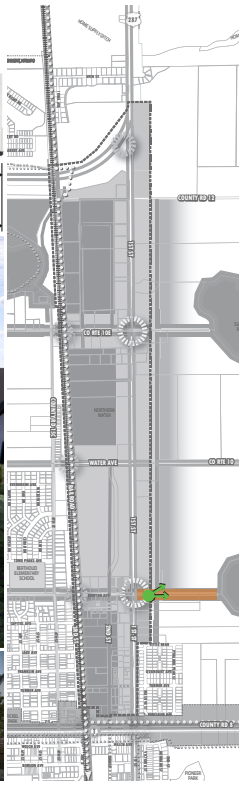
1ST STREET CORRIDOR PLAN | BERTHOUD, CO

KEY CONCEPTS:

- Strong visual and physical connection to Bacon Lake
- Buffered bike lanes on both sides of the street
- Parallel parking on both sides of the street
- Detached sidewalks on both sides of the street
- Street trees in tree lawns on both sides of the street
- Water saving landscape concepts are encouraged, where appropriate
- Increased architectural standards required when development occurs along higher visibility parcels adjacent to Bunyan Avenue and the park
- Linear park in the midground is bordered by higher visibility innovation uses on the west and urban residential on the east



PRECEDENT IMAGES



Public Workshop #3 | DECEMBER 6, 2022 | EXHIBITS

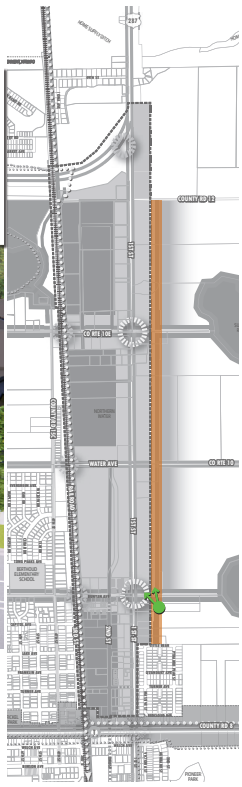
CORRIDOR PERSPECTIVE RENDERING

VIEW OF CONCEPTUAL LINEAR PARK LOOKING NORTH FROM BUNYAN AVENUE [BIRDSEYE VIEW]

1ST STREET CORRIDOR PLAN | BERTHOUD, CO

KEY CONCEPTS:

- Linear park and trail extend from Peakview Meadows to CR12
- 120-foot wide park serves recreational and stormwater needs
- Uses in linear park will vary along its length
- Urban residential uses on east side front onto the park with parking behind
- Water saving landscape concepts are encouraged, where appropriate
- Increased architectural standards when development occurs along the higher visibility parcels adjacent Bunyan Avenue and the park
- Linear park will be bordered by higher visibility innovation uses on the west and urban residential on the east



PRECEDENT IMAGES

CORRIDOR PERSPECTIVE RENDERING

VIEW OF CONCEPTUAL ROUNDABOUT LOOKING SOUTH AT 1ST STREET/WATER AVENUE [BIRDSEYE VIEW]

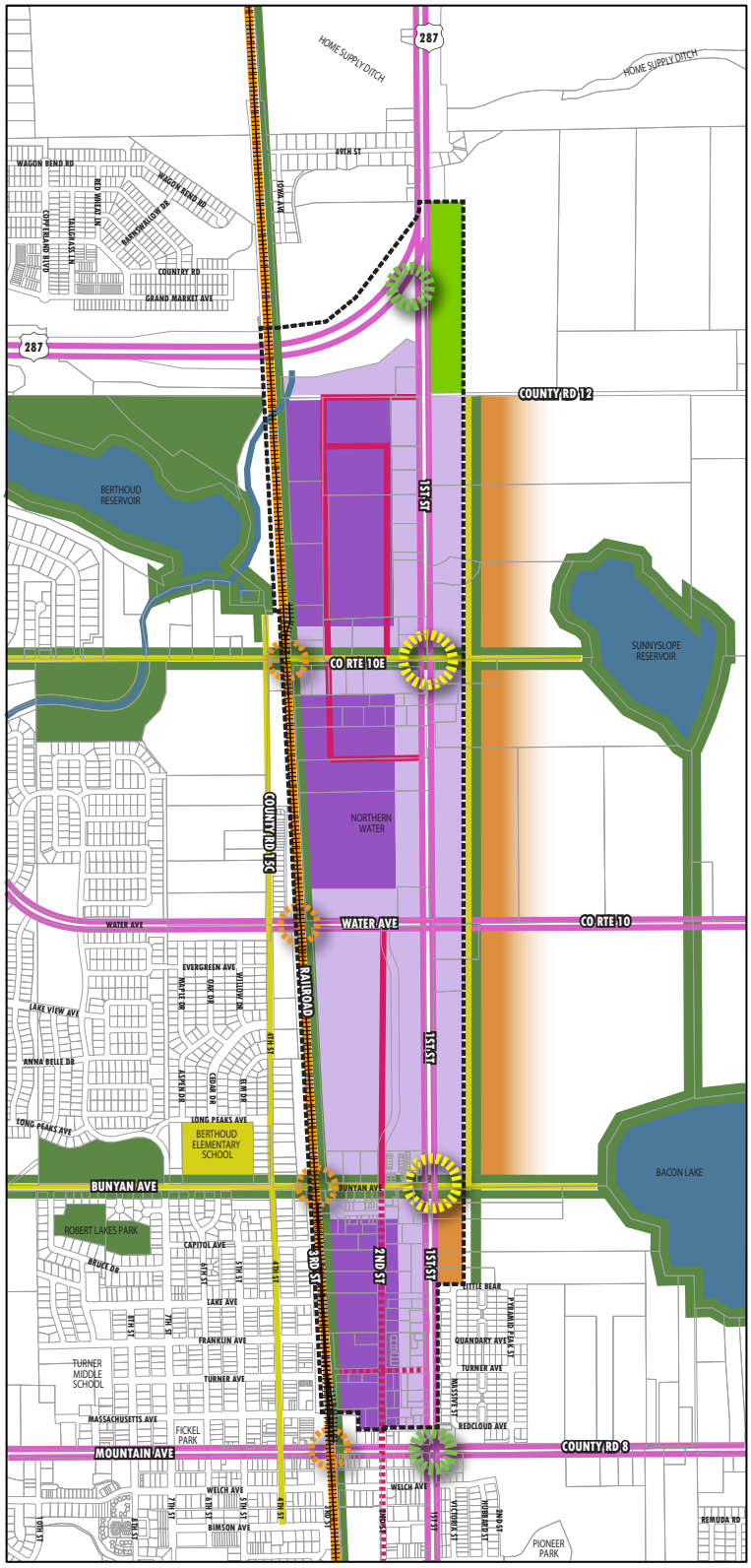
1ST STREET CORRIDOR PLAN | BERTHOUD, CO

KEY CONCEPTS:

- Roundabouts could be used at intersections with higher vehicular priority
- At the roundabout, bikes have the option to merge on to sidewalks or share travel lanes with cars
- Center island could reinforce town's garden spot image
- Water saving landscape concepts are encouraged, where appropriate
- Roundabout will be sized appropriately for truck traffic
- Roundabouts require more space than traditional intersections and would have a greater impact on adjacent properties

PRECEDENT IMAGES

Modified Trends Map Concept A



MODIFIED TREND - CONCEPT A

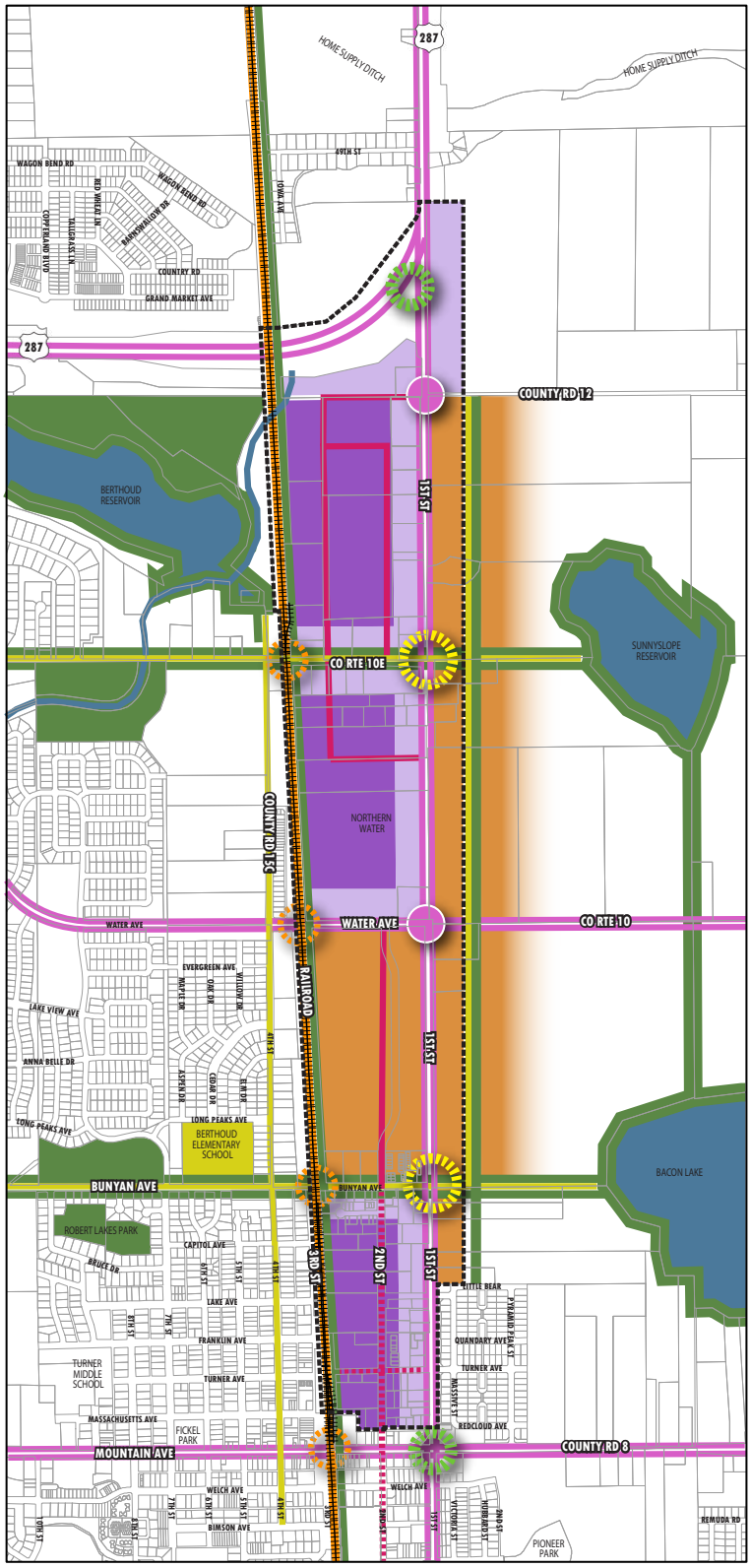
1st STREET CORRIDOR PLAN | BERTHOUD, CO

Legend

- Town Gateway
- Green Edge / Park / Open Space
- Roadway with Vehicle Modal Priority
- Roadway with Pedestrian and Bike Modal Priority
- Pedestrian-focused Road crossing
- Proposed Local Commercial Street
- Existing Local Commercial Street
- Railroad
- Railroad crossing
- Innovation District (Low Visibility)
- Innovation District (High Visibility)
- Urban Residential
- Agriculture

0 500 1,000 2,000 Feet

Modified Trends Map Concept B



MODIFIED TREND - CONCEPT B

1st STREET CORRIDOR PLAN | BERTHOUD, CO

Legend

- Town Gateway
- Green Edge / Park / Open Space
- Roadway with Vehicle Modal Priority
- Potential roundabout
- Roadway with Pedestrian and Bike Modal Priority
- Pedestrian-focused Road crossing
- Proposed Local Commercial Street
- Existing Local Commercial Street
- Railroad
- Railroad crossing
- Innovation District (Low Visibility)
- Innovation District (High Visibility)
- Urban Residential

0 500 1,000 2,000 Feet

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Acknowledgements

Berthoud Town Board

William Karspeck, Mayor
Mike Grace, Mayor Pro Tem
Karl Ayers
Jeff Butler
Tim Hardy
Sean Murphy
May Soricelli

Berthoud Planning Commission

Jan Dowker, Chair
Karen Anderson, Vice Chair
Chris Kurtz, Secretary
Jon van Benthem
Melissa Feldbush
Abigail Smith
Brett Wing

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Curt Freese, Community Development Director (former)
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Paul Furnas, Town Forester and Open Space Supervisor
Ken Matthews, Director of Water Utilities

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Egret & Ox Planning
Felsburg Holt & Ullevig

PLAN 1ST STREET CORRIDOR

BERTHOUD