

- (c) For requests of substantial improvement/damage to existing structures in floodplain or SFHA, there is no increase in footprint from the existing structure.
- (d) No new additional habitable structures are placed within the floodplain or SFHA.
- (e) For requests of substantial improvement/damage to existing structures in the floodplain or SFHA, the footprint of the replacement structure is not located in the floodway, and if relocated is relocated as far out of the floodplain or SFHA as the lot configuration allows.

c. Standards for Floodplain Variances

The TRC shall interpret these regulations in a way that strongly discourages filling within the flood fringe. The TRC shall consider all technical and scientific evaluations, the Provisions for Flood Damage Prevention specified in Section 4-3.5, and the following relevant factors:

- i. The danger to life and property due to flooding or erosion damage;
- ii. The danger that materials may be swept onto other lands to the injury of others;
- iii. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
- iv. The safety of access to the property in times of flood for ordinary and emergency vehicles;
- v. The compatibility of the proposed use with existing and anticipated development;
- vi. The importance of the services provided by the proposed facility to the community;
- vii. The relationship of the proposed use to the Comprehensive Plan and floodplain management program for that area;
- viii. The availability of alternative locations for the proposed use that is not subject to flooding or erosion damage;
- ix. The necessity to the facility of a waterfront location, where applicable.
- x. The impacts of such requests on other properties; and
- xi. In the case of substantial improvements/damage, and repairs to existing structures, the continued reasonable economic use of the property.

5-4.4. Planned Sign Program⁴²⁵

A. INTENT

A planned sign program is intended to allow some flexibility and deviation from the County's Sign Code in the location, design, number, size, and materials of individual signs permitted for freestanding signage for residential and nonresidential uses, as part of a cohesive sign package. Applicants may include, but are not limited to Metropolitan Districts, Master Developers, Business Improvement Districts, Neighborhood Associations, and/or Homeowners Associations. Except as set forth below, it is not the intent of these provisions

⁴²⁵ STAFF: Edited for consistency with Section 4-1.5.N, but we strongly urge you not to repeat this content in both sections.

to alter the total permitted sign area for any residential or nonresidential use or to allow for any Billboard sign.

B. PURPOSE

1. To allow one or more contiguous lots or parcels under single or multiple ownership that contains at least 25 acres in land to create a branding or community identity program;
2. To reallocate permitted freestanding sign area between or among permitted freestanding signs;
3. To reallocate permitted freestanding sign area to increase maximum fascia sign area facing the same public or private street as the freestanding sign, provided that the maximum fascia sign area on that building façade otherwise provided by this LDC may not be increased by more than 50 percent, and provided that the reallocation may not increase the maximum size of any Top of Façade Sign.⁴²⁶
4. To allow for deviations from sign height, size, and setback requirements in this Section 4-1.5 (Signs).

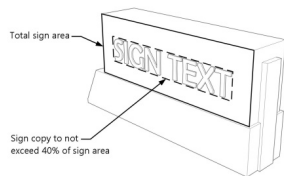
C. APPROVAL CRITERIA

In addition to any other criteria to be considered by the Public Works and Development Department and the Planning Commission related to the approval of an application for a Planned Sign Program, the following criteria shall be considered:

1. The application shall be made on behalf of an entire defined development area; individual businesses within a development may not apply for a Planned Sign Program.
2. The Planned Sign Program may include standard templates for individual business signs as part of a coordinated sign plan.
3. All signage shall be designed to be clean and to minimize visual clutter, with a minimal number of colors on the face of the sign;
4. The proposed Planned Sign Program shall assure that the color scheme, lettering style and materials used in signs within the sign program are consistent with and coordinated within the business/office/industrial park, commercial shopping center, or residential community;
5. The proposed signage shall present a cohesive and unified identity for the Planned Sign Program area;
6. The proposed sign program shall not negatively impact the safety of motorists and pedestrians and shall be developed in a manner compatible with the surrounding environment;
7. The proposed sign program shall be compatible with surrounding land uses and the neighborhood and will not create a substantial adverse impact on adjacent properties or infrastructure;
8. The total signage as presented shall be architecturally integrated;
9. The total signage area of all signs shall not exceed the sum of the maximum sign areas that would otherwise be permitted on the property;⁴²⁷
10. The height of individual freestanding signs within a Planned Sign Program for areas greater than 250 acres shall not exceed 55 feet for mixed use/non-residential uses or 25 feet for residential uses;

⁴²⁶ Added Fall 2023.

⁴²⁷ New in Spring 2023.



11. The height of individual freestanding signs within a Planned Sign Program for areas between 25 and 250 acres shall not exceed 35 feet for mixed use/non-residential uses or 12 feet for residential uses;

12. The sign copy for a sign shall not exceed 40 percent of each individual sign area shown on the plan set;

13. Monument-style signs shall be designed with architecturally compatible bases and shall avoid a top-heavy appearance;

14. An applicant who desires to include a sign program into a PUD shall do so either concurrent with the zoning amendment development review process or by a PUD modification

development review process as provided for in this Code.

15. Landscaping shall be included with the Planned Sign Program and shall be designed to minimize negative visual impact of the base of monument and ground signs;
16. Signs and associated lighting, shall be designed to minimize negative visual impacts to the adjacent properties;
17. Signage may be allowed in the right-of-way, on a case-by-case basis, subject to review and approval of the County Engineering Services Division;
18. Signage shall not include signs with any sign that rotates or changes position;
19. Changeable message signs may not include Electronic Message Centers and may only be located at entrances to a residential subdivision or a parcel or group of contiguous parcels containing a primary civic or institutional use;⁴²⁸
20. No change in Electronic Message Center standards otherwise applicable to the parcel is permitted;⁴²⁹
21. Signage shall not include any pole sign;
22. Signage shall not include any Billboard signs;⁴³⁰
23. Sign materials may be flexible, such as canvas or;
24. Alternative sign setbacks may be requested;
25. Signs approved as part of the Planned Sign Program and located adjacent to State Highways may be subject to additional requirements of the State of Colorado Department of Transportation (CDOT); and
26. The Planning Commission may impose appropriate and reasonable conditions on the approval of any Planned Sign Program, including, but not limited to, conditions which alter sign configurations, reduce sign area, relocate signs, or require other design modifications based upon the application's conformance with the criteria outlined in this section 5-4.4.C .

D. APPLICATION AND SUBMITTAL REQUIREMENTS

Application and Submittal Requirements for a Planned Sign Program are found in the Development Application Manual, Section 2-10. Applications for Planned Sign Programs shall follow the application process outlined in Section 5-2.1.B.

⁴²⁸ Added Fall 2023.

⁴²⁹ Added Fall 2023.

⁴³⁰ New in Spring 2023.

E. APPROVAL REQUIRED⁴³¹

1. Applicants shall obtain approval of a Planned Sign Program from the Zoning Administrator prior to any signs being erected in or upon any structure or property.
2. All signs erected or maintained within the structure or property shall conform at all times to the approved planned sign program.
3. The Zoning Administrator shall consider applications for a Planned Sign Program based on criteria stated in this Section 5-4.4 and after review and recommendation by the Public Works and Development Department.
4. The Zoning Administrator shall make a decision to approve, approve with conditions, or deny the application within 60 days after submittal of a complete application.⁴³²

F. INDIVIDUAL SIGN PERMITS

Individual sign permits, along with all applicable fees, are required for signs contained within an approved Planned Sign Program. The sign permit is separate and distinct from any additional permit required by the Building Division, Planning Division or other agency within the County.

G. AMENDMENT TO AN EXISTING PLANNED SIGN PROGRAM

1. **Administrative Amendment**
The Planning Division Manager may administratively approve revisions to a Planned Sign Program, provided the proposed amendment does not alter the approved sign area, the height of any individual sign, or the setbacks.
2. **Full Amendment**
Modifications that fall outside of an Administrative Amendment shall follow the same provisions for approval of a Planned Sign Program.
3. **Approval if Compliant**
Provided that the proposed amendment complies with the applicable provisions of this Land Development Code, the proposed amendment will be approved.

H. REVOCATION OF A SIGN PERMIT

1. Any signs found not to be in conformance with the Planned Sign Program shall be subject to revocation of the sign permit.
2. No refund of any fees will be made if the permit is revoked under the provisions of this Section.

5-5 EXCEPTIONS PROCEDURES

5-5.1. Special Exception Use

A. INTENT

To provide for uses within the unincorporated areas of Arapahoe County which require special review by the Board of Adjustment in order to determine their compatibility with surrounding principal permitted uses. Such uses commonly have the potential for various adverse impacts such as traffic congestion, noise, visual and aesthetic impacts which could

⁴³¹ Revised from requirement for Board Approval in Fall 2023. Administrative approval allows for faster processing and avoids potential claims of impermissible prior restraints

⁴³² Added Fall 2023.