



MEMORANDUM

To: Mayor Huseman and City Councilors

From: Jim Tolbert, Community Development Director
Stacy Wasinger, Planner III

Date: November 21, 2022

Subject: Ordinance 2432: An Ordinance replacing article VIII and amending article XI of the land development code relating to standards for signage

Title

Ordinance 2432: An Ordinance replacing article VIII and amending article XI of the land development code relating to standards for signage.

Summary and Background Information

The Land Development Code (LDC) (Ordinance #1798) was adopted by City Council in January 2009 and went into effect on March 1, 2009. This Land Development Code was a comprehensive update to the Commerce City Zoning Ordinance, which included a wide variety of topics dealing with development and land use, such as application types, zoning districts, use standards, subdivision procedures, design standards and signs. Thousands of items are included within the Land Development Code and overall, the updated code has been a tremendous help to staff and applicants when reviewing development proposals. While the LDC will receive another comprehensive update in the next 1.5 years, certain changes or amendments are currently necessary and helpful to guide future development.

This particular amendment falls within a specific topic: Revising the sign regulations to meet criteria established by recent Supreme Court decisions, including *Reed v. Town of Gilbert* (2015) and *City of Austin v. Reagan National Advertising of Austin* (2022). Also included in the update are limited ministerial changes and modernizations. Article VIII has also been extensively re-organized, and updated graphics included.

To provide the sign code regulations update, consultants Gerald E. Dahl, Murray Dahl Beery & Renaud LLP and Martin Landers, Plan Tools LLC, have been engaged. Please see attached draft sign code regulations document.

On October 4, 2022, the city's Planning Commission held a regular meeting on the updated sign code regulations with the consultants and recommended approval to City Council 5-0.

The language for the proposed amendments is within the council packet.

Staff Responsible (Department Head)

Jim Tolbert, Community Development

Staff Member Presenting

Consultants Gerald E. Dahl, Murray Dahl Beery & Renaud LLP and Martin Landers, Plan Tools LLC

Stacy Wasinger, City Planner

Financial Impact

N/A

Funding Source

N/A

Planning Commission Recommendation

On October 4, 2022, the Planning Commission held a public meeting, took testimony, and voted (5 to 0) to forward the proposed sign regulation and definition changes to City Council with a recommendation for approval.

Alternative:

One option would be for City Council to approve the request subject to conditions; a second option would be for City Council to deny the request.

Suggested Motion

I move that the City Council approve Ordinance 2432 amending sign regulations and definitions.

Attachment List

Ordinance 2432

Ordinance 2432 Exhibit A

Planning Commission Staff Report

Revised Land Development Code Article VIII and Article XI

Existing Article VIII

Planning Commission Minutes

Consultant/Staff Presentation