



**TOWN OF DILLON
PLANNING AND ZONING COMMISSION
REGULAR MEETING
Wednesday, July 2, 2014
5:30 p.m.
Dillon Town Hall
275 Lake Dillon Dr.**

AGENDA

1. Call to Order
2. Approval of the minutes of the June 4th, 2014 regular meeting.
3. Public Comments: Open comment period for planning and zoning topics not on tonight's agenda.
4. Consideration of Resolution PZ 06-14, Series of 2014; A RESOLUTION BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON, COLORADO, RECOMMENDING THE AMENDING OF CHAPTER 16, "ZONING," ARTICLE I, "GENERAL PROVISIONS," SECTION 16-1-50 "DEFINITIONS," ARTICLE III, "ZONING DISTRICTS," SECTION 16-3-160, "COMMERCIAL (C) ZONE" AND SECTION 16-3-170, "MIXED USE (MU) ZONE," AND MODIFYING THE MATRIX TABLE AT THE END OF ARTICLE III TO ADD DEFINITIONS RELATING TO RETAIL MARIJUANA STORES AND TO MODIFY THE PERMITTED USES IN THE ZONING DISTRICTS TO INCLUDE RETAIL MARIJUANA STORES; AND, SETTING FORTH DETAILS IN RELATION THERETO.
5. Dillon Municipal Code interpretation per Sec. 16-3-10(b): 'Freestanding Signs' (Sec. 16-11-260) and 'Subdivision Entrance Signs' (Sec. 16-11-280) as they pertain to 'Sign Zone A' (Sec. 16-11-450). The Commission shall make a determination such that the Code may be clarified if warranted.
6. Elections: Chair and Vice Chair; Committee Liaisons
7. Discussion Item: Banner Sizes
8. Other Business
9. Adjournment

RECORD OF PROCEEDINGS

Draft

TOWN OF DILLON PLANNING AND ZONING COMMISSION

**REGULAR MEETING
WEDNESDAY, June 4, 2014
5:30 p.m.
Town Hall**

CALL TO ORDER

The regular meeting of the Planning and Zoning Commission of the Town of Dillon, Colorado, held on Wednesday, June 4, 2014, at Dillon Town Hall. Commissioner Brad Bailey called the meeting to order at 5:35 pm. Commissioners present were: Nathan Nosari, Jerry Peterson and Yvonne Bryant. Chairman Jeff Shibley was absent. Staff members present were Ned West, Town Planner; Dan Burroughs, Town Engineer / Community Development Coordinator; Scott O'Brien, Public Works Director; Carri McDonnell, Interim Town Manager / Finance Director and Mark Shapiro, Town Attorney.

APPROVAL OF THE MINUTES OF MAY 7, 2014

Commissioner Peterson moved to approve the meeting minutes from May 7, 2014. Commissioner Bryant seconded the motion, which then passed unanimously upon roll call vote. Chairman Bailey abstained since he was absent during the May 7th meeting.

PUBLIC COMMENTS

No Public Comments

DISCUSSION ITEM:

Continuation of Retail Marijuana Discussion. Presented by Ned West, Town Planner:

We have moved the majority of the regulations to Chapter 6 which deals with business licenses and business regulations. There will be a separate Resolution for the Planning and Zoning Commission in July [July 2nd] for the land use sections. Section 6-8-60 Retail Marijuana Uses deals with the zoning districts for Retail Marijuana Stores; none of the other Retail Marijuana Establishments will be permitted in the Town. Also, Medical Marijuana Dispensaries will not be permitted.

Setbacks:

- 300 ft from churches, parks or land zoned as parks and open space (POS), residential zoning district regardless of jurisdiction which could include Summit County or Silverthorne,
- Cannot be in a building in a mixed use zoning district that has residential use in it
- Cannot be in a building that contains a pediatrician's office or any building that has rooms for boarding
 - Commissioner Jerry Peterson asked, "How about any medical office?"
 - Ned West: The draft does not contain that language, and the regulations being proposed are based on surrounding jurisdiction regulations. The pediatrician office language was found in Frisco's ordinance pertaining to Retail Marijuana, and has been discussed with and approved by the Town Council.
 - Commissioner Peterson feels that only limiting to pediatrician offices is "way too narrow".
 - Mark Shapiro recommended that a list of recommendations by the P&Z be generated such that they may make recommendations that may be different than the draft ordinance, so the Town Council can consider them.
- 1,000 ft. setbacks from child care, preschools, schools, a college campus whether it is a primary campus or not. This has already been vetted with Council. This was discussed with them after we learned of the

RECORD OF PROCEEDINGS

situation with the Federal Government closing numerous Retail and Medical Marijuana establishments around the state, most notably in Boulder, if they are within 1,000 feet of a school, including college campuses – as was the case for the CU campus, rehabilitation center, or property owned by a housing authority. The Town is including language that will include a 1000 setback from any sort of child care center or facility.

- We will also add the federally subsidized housing component [property owned by a housing authority].
 - Mark Shapiro expressed that we are trying to avoid having problems with permitting a business to go in, and then have the Feds shut them down.
 - The discussion of Section 8 housing came up as to whether that is included or not in the Federally Subsidized Housing topic. Mark felt that it likely is not.

Retail Marijuana Store Site requirements:

- The proposed regulations have numerous steps that must be gone through when applying for a license. The Town has attempted to come up with as much reasonable criteria to abide by as we possibly could. This includes all of the criteria that must be satisfied under a condition use permit process, even though the Retail Marijuana Stores will not be a Conditional Use, but Permitted Use.

Sec. 6-8-70: Residential Growing:

- The right to grow marijuana is provided by Amendment 64. No person under 21 may possess or grow marijuana. State law says each person 21 years of age and older can grow 6 plants, only 3 of which may be mature, flowering plants at any one time.
- We have further restricted that to a maximum of 12 plants with 6 maximum being mature flowering plants at any given time regardless of the number of persons in the residence over the age of 21. This is a similar stance taken by many communities.
- New information has come up as to how creative some people have gotten with growing marijuana and we now question if the 12 plant maximum is appropriate. One plant can apparently produce as much as 6 plants with some methods now being used.
- Part of how to deal with this was already devised by instilling the square footage requirement of 150 SF for a single family residence, and 100 SF for a multi-family residence for the personal growing operations in a lockable space.
 - Mark Shapiro feels that perhaps the number of plants should further be restricted to better address the issue of the highly productive growing methods. The concern here is the odor that the flowering plants give off.
 - Commissioner Yvonne Bryant talked about an issue in California with super plants with one plant capable of getting really big by utilizing extreme amounts of fertilizer.
 - Mark Shapiro stated that the Constitution allows for any person over 21 to grow up to six plants. The innovation of some people is creating all kinds of issues: building code issues, fertilizer in the water (much of it is poisonous), and situations that are very dangerous for firemen, children, and others living in the home: high intensity lamps, extension cords, fertilizers, and the odor can be overwhelming. The odor is typically where the first complaints come in. All municipalities are struggling with this, and are now using the role of government for the protection of health, safety, and welfare of its citizens to utilize police powers limiting personal marijuana growing in the residential areas by means of zoning regulations that restrain the number of plants and the area that you can grow it in. Many municipalities are limiting the number of plants to a six plant maximum. This is a difficult area because of the constitutional rights, but the complaints of neighbors because of the overwhelming smell of the plants is leading the municipalities to

RECORD OF PROCEEDINGS

further limit the number of plants. Fire Depts. and Building Depts. worry. Mark is leaning in the direction of limiting it to six plants.

- Commissioner Bryant, “So rather than 12 plants, the suggestion is to take it down to 6 plants maximum?”
- Mark Shapiro, “We have not discussed it, but that is my personal opinion, especially given what we are seeing can be done with 12 plants in a 100 SF space.” This has not yet been discussed with the Council. What the Council has bought in on is 12 plants.
- Mark Shapiro thought that he had seen statistics that stated that six plants could produce 8 pounds of marijuana. He is uncertain if any one person could consume such a quantity of marijuana, so it seems like it would be enough.
- Commissioner Bailey, “Won’t these regulations be addressed in the future as more municipalities deal with these issues?”
- Mark Shapiro, There will be constant amendments.
- Commissioner Peterson, “What about the fertilizer – how can the sewer plant handle it? Down in Texas they have toxic fish because of Prozac being flushed down the toilet. It is going to fall on the tax payers to keep the Blue River on Gold Medal Status; the EPA is going to be coming down on the towns. Is there any way to control what is coming out of these growing operations?”
- Mark Shapiro said he had not seen anything on it, yet.
- Ned West: Amendment 64 has allowed for personal marijuana growing for a year and a half now, and Medical Marijuana growing has been going on for quite a while longer than that.
- Commissioner Bryant attempted to determine a reasonable growing area based on assumptions of plant sizes being about 4 SF each along with walk areas. Based on this, 50 SF could be a reasonable growing area.
- Ned West pointed out that the area permitted for the growing would also include the trimming, processing, and drying of the marijuana. Also, state law allows for the front door to be the lockable space for marijuana growing if someone under 21 does not live in the home; otherwise, it needs to be in a separate, confined lockable space that prevents the entry of those under 21 years of age.
- Mark Shapiro feels it would be better to focus on the number of plants, rather than the square footage.
- Commissioner Bailey thinks keeping the current SF is fine.

Sec. 6-8-80 Processing Marijuana for Extractions of Cannabinoids:

Another land use pertaining regulation is the extraction of cannabinoids from the marijuana plant. Any sort of extraction in the Town of Dillon shall be prohibited. Previously more specific language would not have covered as broad of a spectrum. So not only is flammable gas extraction, but all other means of extraction shall be prohibited. Again there is no real structure for enforcement of this regulation; it simply provides for an enforcement mechanism in response to a situation.

- Commissioner Bailey asked, “Is the Town trying to make our regulations similar to the surrounding towns.”
- Mark Shapiro responded that much of the towns are building off of one and other. We have tried to pull from numerous mountain towns and some Front Range communities to pull together the best regulations to fit our town.
- Ned West stated that Dillon is different in that trying to use the more typical 500 ft setbacks would not work in Dillon, and through a great deal of work with the Town Council, and during the Town public forum held on Retail Marijuana Regulations, the 300 ft setback was

RECORD OF PROCEEDINGS

determined. Essentially this leaves just the City Market – Dillon Ridge Marketplace and a few of the surrounding business buildings.

OTHER BUSINESS:

1. Alpine Lake Village and the Design Guidelines Theme:

Commissioner Nat Nosari stated that he had worked on the “homework assignment” to work on the “Alpine Lake Village” theme for the design guidelines.

Dan Burroughs said, We need some basic design concepts and images that can be used for providing developers so that they can meet the goals of the theme; otherwise we need to move away from such stringent guidelines and a theme name.

Commissioner Nosari Googled Alpine Lake Village and looked at some of the European style architecture that all had pitched roofs. He was concerned that if this was insisted on, it would make it so you could not have roof top bars and roof top outdoor living spaces.

Dan Burroughs said that if we can’t define it, then we need to just get rid of the term, and let the design guidelines speak for themselves.

Commissioner Brad Bailey said that this was visited about a year ago during the discussion of Mountain Maritime Architecture and how intangible that was, which led to coming up with the Alpine Lake Village phrase. He knows we want good architecture, and we don’t want Victorian. We could come up with wish lists, and combine that with Town Council wish lists of what we want to see, but I don’t know if we can really define it. As we know, we take plans from a developer and move from there. We are an advisory board. We can suggest what we want to see along the lines of good planning and good architecture.

Dan Burroughs said that he believes that is right, that the term Alpine Lake Village should be abandoned, that you state that you want to see good planning and architecture, and you let the design guidelines speak for themselves.

Commissioner Bailey: In Europe they had traditional, pitched roofs for a purpose and due to limitations; since modern construction materials and methods now allow for the construction of flat roofs, you see more of them. I don’t know how to define it [Alpine Lake Village architectural style]; we have talked about this for years.

Commissioner Yvonne Bryant: Part of the issue is that now we are working with Carrie McCool [McCool Development Solutions] to help define our vision for the Town Core. We have not sat down with the public to figure out what is desired under this current effort with Carrie. We can advise based on the general direction, but ultimately we need to have a consensus from the community. I feel that needs to be part of Carrie’s making certain recommendations.

Dan Burroughs: There will be a lot of public meetings to go through many topics to create an outline of the next steps. Carrie McCool is trying to pull together four core groups: Organization, Promotion, Economic Development, and Design. It will be nice to see what the community thinks.

Commissioner Bryant: The Alpine Lake concept is important to Dillon on the economic side because that is what makes Dillon unique in Colorado.

Commissioner Jerry Peterson: Felt that some places, like Switzerland, have gone over the top, which if applied here could make projects cost prohibitive. This is not something that we want to do here, but should try to find some middle ground. You don’t want to have galvanized siding, so come up with the middle ground.

RECORD OF PROCEEDINGS

Dan Burroughs agrees. For instance Vail has very much done this. He has contractors that provide bids to him that are 3 times more expensive in Vail. You don't want to create standards that are too cumbersome.

Commissioner Peterson: Agreed that Vail has done so much over the top in the past five years, significantly raising the price of the land and projects.

Commissioner Bailey: "Yes, but they did that because they knew they could sell them, and they have sold them. It took a couple of years because of the economy, but they have sold them. Vail can get those kinds of numbers. I guess that we can trust that a developer that comes in here will have done his homework, and know that we don't want row houses, and we can't have 1500 foot condos that won't sell. That is where you have to trust the private sector to come up with that. Even though some of us are pretty good architects here, I cannot presume to know what this town wants to look like. All I know is I want to see good architecture and good design; I can recognize that. I can tell you what we don't want, we don't want bad design."

Dan Burroughs: That is why the design guidelines should speak for themselves without a label [Alpine Lake Village] on it.

Commissioner Bailey: "I think I agree."

Commissioner Peterson: You want to avoid the cookie-cutter where everything looks the same. We have seen towns like that; it's pretty boring; after 20 years it's almost a slum.

Commissioner Bryant: Having worked in other communities she could research a "Western Themed Subdivision", for instance, if she knew that is what they wanted. From that as the architect she could incorporate design elements to meet that community's desires for western style architecture. She thinks there is a valid and important concept in what the community wants to look like. Without a theme, you could be getting something from anywhere. The theme does not have to be really specific, so long as it guides the developer / architect in their thought process.

Commissioner Nosari: Feels we should retain the Alpine Lake Village theme and let them design their projects as they interpret the meaning of the phrase.

Dan Burroughs: OK, but it is hard to know what to tell someone that comes in. What do we say when they ask what that means? I have no clue; good luck with the P&Z? That is what we are trying to avoid. It comes back to: you want good architecture, and the definition of good architecture is always going to change. Still think you don't label it, give them the design guidelines, tell them to go look around town at good architecture, and then work from there.

Commissioner Bryant: "But it is not that hard for them to justify their thought process if you give them a direction to work with."

Commissioner Peterson: Suggested that most everyone has a phone with which they can take a picture; "if you see something that strikes your fancy, snap a picture and send it to Ned. Let's start a photo book."

Dan Burroughs: That's a good idea.

Ned west: I am happy to receive those emails and I will compile them. That is one of the things we left out of our last iteration of the design guidelines for the financial incentives program for the façade improvements grant program. We left out the numerous photos that were part of the prior draft of the design guidelines. If in the future we want to include pictures that really mean something to the Commission, we can certainly do that.

RECORD OF PROCEEDINGS

Commissioner Bailey: “I tend to agree with Dan; I am not really sure the label helps us. I have other thoughts for the language like: we’d like to see natural materials, we don’t want pink stucco.”

Commissioner Nosari: Why don’t we say that Dillon is an Alpine Lake Environment and architecture should follow lake or alpine environments?

Dan Burroughs: I think that is it. You should just say that the architecture should be compatible with an alpine lake environment and then let them define what that means.

The Commissioners were all happy with that solution.

2. Resignation of Commissioner Yvonne Bryant:

Commissioner Bailey: “The Commission would like to recognize Yvonne Bryant for her selfless and diligent performance for 4 ½ years. Thank you for pretty much being my left hand man. Good luck to you and your husband.”

Commissioner Yvonne Bryant: Thank you.

Adjournment There being no further business, the meeting adjourned at 6:16 p.m.

Respectfully submitted,

Ned West
Town Planner

**TOWN COUNCIL ACTION ITEM
STAFF SUMMARY
July 2nd, 2014 PLANNING AND ZONING COMMISSION MEETING**

DATE: June 23, 2014

AGENDA ITEM NUMBER: 4

ACTION TO BE CONSIDERED: Consideration of Resolution PZ 06-14, Series of 2014; **A RESOLUTION BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON, COLORADO, RECOMMENDING THE AMENDING OF CHAPTER 16, “ZONING,” ARTICLE I, “GENERAL PROVISIONS,” SECTION 16-1-50 “DEFINITIONS,” ARTICLE III, “ZONING DISTRICTS,” SECTION 16-3-160, “COMMERCIAL (C) ZONE” AND SECTION 16-3-170, “MIXED USE (MU) ZONE,” AND MODIFYING THE MATRIX TABLE AT THE END OF ARTICLE III TO ADD DEFINITIONS RELATING TO RETAIL MARIJUANA STORES AND TO MODIFY THE PERMITTED USES IN THE ZONING DISTRICTS TO INCLUDE RETAIL MARIJUANA STORES; AND, SETTING FORTH DETAILS IN RELATION THERETO.**

SUMMARY:

The purpose of this resolution is to provide for Retail Marijuana Stores to be located as a Permitted Use in two Zoning Districts in the Town of Dillon: Sec. 16-3-160 “Commercial (C)” and Sec. 16-3-170 “Mixed Use (MU)”. The resolution adds a definition of “Retail Marijuana Stores” in Sec. 16-1-50, adds Retail Marijuana Stores under the “Permitted Uses” sections of the appropriate zoning districts, and amends the matrix table “Zoning Districts Use Schedule Recap” at the end of Article III “Zoning Districts” to reflect the permitted use of Retail Marijuana Stores in those districts. No other type of Retail Marijuana Establishment shall be permitted in the Town of Dillon. In addition, a Medical Marijuana Center, an Optional Premises Cultivation Operation, and a Medical Marijuana-Infused Products Manufacturing Facility shall remain unlawful for a person to operate per Section 6-7-40 of the Dillon Municipal Code.

Except for these Chapter 16 references, the remaining regulations being developed for the Retail Marijuana Stores will be in Chapter 6 of the Dillon Municipal Code – “Business Licenses and Regulations”. These regulations will be considered by the Town Council at the same time that this Resolution will be considered by them, such that their concurrent adoption will cover both land use, Chapter 16, and business regulations, Chapter 6. Changes made to Chapter 6 of the Dillon Municipal Code are not reviewed by the Planning and Zoning Commission; only changes to Chapter 16, “Zoning” are reviewed by the Commission

STAFF RECOMMENDATION:

Staff recommends approval of Resolution PZ 06-14, Series of 2014.

ACTION REQUESTED: Motion, Second, Roll Call Vote.

Resolutions require the affirmative vote of a majority of the members present.

STAFF MEMBER RESPONSIBLE: Ned West, Town Planner

RESOLUTION NO. PZ 06-14
Series of 2014

A RESOLUTION BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON, COLORADO, RECOMMENDING THE AMENDING OF CHAPTER 16, “ZONING,” ARTICLE I, “GENERAL PROVISIONS,” SECTION 16-1-50 “DEFINITIONS,” ARTICLE III, “ZONING DISTRICTS,” SECTION 16-3-160, “COMMERCIAL (C) ZONE” AND SECTION 16-3-170, “MIXED USE (MU) ZONE,” AND MODIFYING THE MATRIX TABLE AT THE END OF ARTICLE III TO ADD DEFINITIONS RELATING TO RETAIL MARIJUANA STORES AND TO MODIFY THE PERMITTED USES IN THE ZONING DISTRICTS TO INCLUDE RETAIL MARIJUANA STORES; AND, SETTING FORTH DETAILS IN RELATION THERETO.

WHEREAS, the Planning and Zoning Commission of the Town of Dillon desires to recommend amending Chapter 16 “Zoning,” Article I, “General Provisions,” Section 16-1-50 “Definitions,” Article III, “Zoning Districts,” Section 16-3-160, “Commercial (C) Zone,” and Sec. 16-3-170 “Mixed Use (MU) Zone,” and modifying the matrix table at the end of Article III, of the Dillon Municipal Code of the Town of Dillon, Colorado, for the purposes of permitting Retail Marijuana Stores in the Commercial (C) and Mixed Use (MU) zoning Districts; and

WHEREAS, following the required notice, a public hearing was held on July 2, 2014, before the Planning and Zoning Commission of the Town of Dillon on the amendment of Chapter 16 “Zoning,” Article I, “General Provisions,” Section 16-1-50 “Definitions,” Article III, “Zoning Districts,” Section 16-3-160, “Commercial (C) Zone,” and Section 16-3-170, “Mixed Use (MU) Zone,” and modifying the matrix table at the end of Article III, of the Dillon Municipal Code of the Town of Dillon, Colorado; and

WHEREAS, following the public hearing the Planning and Zoning Commission of the Town of Dillon has determined that it is in the best interest of the Town to make a recommendation to the Town Council of the Town of Dillon as set forth herein below.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON, COLORADO, AS FOLLOWS:

Section 1. That the Planning and Zoning Commission of the Town of Dillon hereby makes a recommendation to the Town Council of the Town of Dillon to amend the Dillon Municipal Code of the Town of Dillon, Colorado as set forth herein below.

Section 2. That Chapter 16, “Zoning,” Article I, “General Provisions,” Section 16-1-50, “Definitions,” of the Dillon Municipal Code of the Town of Dillon, Colorado be amended to add a new definition to read as follows:

Retail Marijuana Stores has the same meaning as in the Colorado Retail Marijuana Code.

Section 3. That Chapter 16, “Zoning,” Article III, “Zoning Districts,” Section 16-3-160, “Commercial (C) Zone,” subsection (2) “Permitted uses,” of the Dillon Municipal Code of the Town of Dillon, Colorado be amended to add a new sub-part j. to read as follows:

j. Retail Marijuana Stores in Accordance with Chapter 6 of the Dillon Municipal Code.

Section 4. That Chapter 16, “Zoning,” Article III, “Zoning Districts,” Section 16-3-170, “Mixed Use (MU) Zone,” subsection (2) “Permitted uses,” of the Dillon Municipal Code of the Town of Dillon, Colorado be amended to add a new sub-part j. to read as follows:

j. Retail Marijuana Stores in Accordance with Chapter 6 of the Dillon Municipal Code.

Section 5. That the matrix table “Zoning Districts Use Schedule Recap” at the end of the Article III of Chapter 16, “Zoning,” of the Dillon Municipal Code of the Town of Dillon, Colorado be amended to read as follows:

<i>Zoning Districts Use Schedule Recap</i>										
<i>Uses</i>	<i>RE</i>	<i>RL</i>	<i>RM</i>	<i>RH</i>	<i>CA</i>	<i>C</i>	<i>MU</i>	<i>POS</i>	<i>FP</i>	<i>UR</i>
Accessory Uses	A	A	A	A	A	A	A	A	A	C
Auto Services	X	X	X	X	X	A	X	X	X	X
Child Care	X	C	C	C	A	C	A	C ²	X	X
Cemeteries	X	X	X	X	X	X	X	C	X	C
Churches	C	C	C	C	X	C	C	X	X	X
Clinics	X	X	X	X	A	A	A	X	X	X
Dwelling, Single-Family	A	A	X	X	X	X	A	X	X	C ⁴
Dwelling, Two-Family	X	X	A	A	X	X	A	C ³	X	X
Dwelling, Multi-Family	X	X	A	A	C ¹	C	A	X	X	X
Drive-in Facilities	X	X	X	X	X	C	C	X	X	X
Entertainment	X	X	X	X	S	S	S	C ²	X	X
Group Homes	X	X	C	C	X	X	C	X	X	X
Hotel, Motel	X	X	C	C	A	A	A	C ²	X	X
Marina	X	X	X	X	X	X	X	A	X	X
Offices	X	X	X	X	A	A	A	X	X	X
Personal Services	X	X	X	C	A	A	A	X	X	X
Public Use	C	C	C	C	C	C	C	C	X	C
Restaurants	X	X	X	C	A	A	A	C ²	X	X
Retail Marijuana Stores	X	X	X	X	X	A ⁵	A ⁵	X	X	X
Retail Stores	X	X	X	X	A	A	A	C ²	X	X
Wholesale Trade Class 1	X	X	X	X	C	C	C	X	X	X
Wholesale Trade Class 2	X	X	X	X	X	C	X	X	X	X

A Is use allowed after appropriate review.

C Is use which may be allowed as a conditional use.

X Is not allowed in district.

¹ Must be located above the ground floor.

² Must be part of site-planned marina development.

³ For employees of marina only.

⁴ On lots five acres or larger in size.

⁵ Shall conform to the regulations set forth in Chapter 6 of the Dillon Municipal Code.

**APPROVED AND ADOPTED THIS 2nd DAY OF JULY, 2014 BY THE
PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON,
COLORADO.**

**PLANNING AND ZONING COMMISSION,
TOWN OF DILLON**

By: _____
Brad Bailey, Chairperson

ATTEST:

By: _____
Debbie Wilkerson, Secretary to the Commission



Memorandum

Draft Retail Marijuana Code Language:

Chapter 6, Article VIII. Retail Marijuana

Sec. 6-8-10. Findings:

- A. On November 6, 2012 the voters of the State of Colorado approved Amendment 64. Amendment 64 added Section 16 of Article XVIII to the Colorado Constitution.
- B. Section 16(5)(f) of Article XVIII of the Colorado Constitution authorizes a municipality to enact an ordinance or regulation, not in conflict with Section 16 of Article XVIII of the Colorado Constitution, governing the time, place, manner, and number of marijuana establishments within the boundaries of the municipality.
- C. The Colorado Retail Marijuana Code (Article 43.4 of Title 12, C.R.S.) establishes a new procedure that allows for the dual licensing by the State Licensing Authority and the Local Licensing Authority of the retail cultivation, manufacture, distribution, and sale of Retail Marijuana and Retail Marijuana Products.
- D. Specifically, the Colorado Retail Marijuana Code authorizes municipalities to:
 1. enact regulations governing the time, place, manner, and number of Retail Marijuana Establishments within the boundaries of the municipality, which may include a local licensing requirement (Section 12-43.4-104(3), C.R.S.); and
 2. impose separate local licensing requirements as a part of the municipality's restrictions on time, place, manner, and number of marijuana businesses within the municipality (Section 12-43.4-301(2), C.R.S.); and
 3. enact ordinances or resolutions concerning matters authorized to local governments (Section 12-43.4-304(2), C.R.S.); and
 4. adopt and enforce regulations for Retail Marijuana Establishments that are at least as restrictive as the Colorado Retail Marijuana Code and the State Administrative Regulations (Section 12-43.4-309(1), C.R.S.); and
 5. adopt and impose operating fees on Retail Marijuana Establishments located within its jurisdiction in an amount determined by the municipality (Section 12-43.4-501(3), C.R.S.).

Sec. 6-8-20. No Town Liability:

By operating a business pursuant to a license issued by the Local Licensing Authority a Licensee releases the Town, its officers, elected officials, employees, attorneys, and agents from any liability for injuries, damages, or liabilities of any kind that result from any arrest or prosecution of the licensee, or the licensee's owners, operators, employees, clients, or customers, for a violation of any state or federal law, rule or regulation related to retail marijuana, or from the forced closure of the

TOWN OF DILLON

275 Lake Dillon Drive
Post Office Box 8
Dillon, CO 80435



Memorandum

Licensed Premises because, the Colorado Retail Marijuana Code, any applicable administrative regulation, and/or this Chapter, are found to be invalid under any superior law.

Sec. 6-8-30. Definitions

Cannabinoids means any of the chemical compounds that are the active principals of marijuana.

Church has the same meaning as in Sec. 16-1-50 of the Dillon Municipal Code.

College Campus means the area, grounds, and buildings around a university, college, or school.

Colorado Department of Revenue Marijuana Enforcement Division Permanent Rules Related to the Colorado Retail Marijuana Code means the State of Colorado adopted rules, specifically 1 CCR 212-2, series R 100 through Series R 1400, Retail Marijuana Rules, under statutory authority found at subsection 14-43.4-202(2)(b), C.R.S..

Colorado Retail Marijuana Code means Article 43.4 of Title 12 C.R.S., as amended from time to time.

Concentrates means Cannabinoids that have been extracted from the cannabis plant and are commonly referred to as cannabis oil, budder, dab, wax or shatter.

Enclosed and Locked Space means the area within the residential structure where marijuana is cultivated pursuant to Sections 14 and 16 of Article XVIII of the Colorado Constitution, and that is secured at all points of ingress and egress with a locking mechanism such as a key or combination lock designed to limit access.

Good Moral Character shall have the same meaning as in the Colorado Department of Revenue Marijuana Enforcement Division Permanent Rules Related to the Colorado Retail Marijuana Code.

Halfway House means a group care facility for adults or juveniles who have been placed on probation or parole under applicable law.

Housing Authority for the purposes of this Article shall mean a federally subsidized residential housing agency that owns and manages residential housing projects for lease to tenants as Public Housing.

Licensee means any Person licensed pursuant to the Colorado Retail Marijuana Code and the Dillon Municipal Code.

Licensed Premises means the premises specified in an application for a license pursuant to Retail Marijuana that are owned or in the possession of the Licensee and within which the Licensee is authorized to operate a Retail Marijuana Store in accordance with the Colorado Retail Marijuana Code.

Local Licensing Authority means the Town Council of the Town of Dillon authorized to act pursuant to these regulations and the Colorado Retail Marijuana Code.

TOWN OF DILLON

275 Lake Dillon Drive
Post Office Box 8
Dillon, CO 80435



Memorandum

Marijuana has the same meaning as in Section 16(2)(f) of Article XVIII of the Colorado Constitution.

Marijuana Accessories has the same meaning as in Section 16(2)(g) of Article XVIII of the Colorado Constitution.

Marijuana Cultivation Facilities has the same meaning as in Section 16 of Article XVIII of the Colorado Constitution or as may be more fully defined in the Colorado Retail Marijuana Code.

Marijuana Infused Products means any retail marijuana product that is meant to be consumed.

Marijuana Products Manufacturing Facilities has the same meaning as in Section 16 of Article XVIII of the Colorado Constitution or as may be more fully defined in the Colorado Retail Marijuana Code.

Marijuana Testing Facilities has the same meaning as in Section 16 of Article XVIII of the Colorado Constitution or as may be more fully defined in the Colorado Retail Marijuana Code.

Medical Marijuana has the same meaning as in Sec. 6-7-10 of the Dillon Municipal Code.

Medical Marijuana Centers has the same meaning as in Sec. 6-7-10 of the Dillon Municipal Code.

Multi-Family Residential Use has the same meaning as in Sec. 16-1-50 of the Dillon Municipal Code.

Person means a natural person, partnership, association, company, or organization, or a manager, agent, owner, director, servant, officer, or employee thereof; except that "Person" does not include any governmental organization.

Public Housing Project for the purposes of this Article shall mean residential housing projects that are owned and managed by a Housing Authority which is offered for rent at a rate below market value through a federal subsidy program.

Residence means the general term implying place of human habitation and embracing both single-family and multi-family residential uses.

Residential Use has the same meaning as in Sec. 16-1-50 of the Dillon Municipal Code.

Retail Marijuana has the same meaning as in the Colorado Retail Marijuana Code.

Retail Marijuana Establishments has the same meaning as in the Colorado Retail Marijuana Code.

Retail Marijuana Products has the same meaning as in the Colorado Retail Marijuana Code.

Retail Marijuana Stores has the same meaning as in the Colorado Retail Marijuana Code.

TOWN OF DILLON

275 Lake Dillon Drive
Post Office Box 8
Dillon, CO 80435



Memorandum

Retail Marijuana Store License means a license issued by the State Licensing Authority and the Local Licensing Authority for the operation of a Retail Marijuana Store in accordance with the Colorado Retail Marijuana Code.

School means a public or private pre-kindergarten, kindergarten, elementary, middle, junior high, high school, or college.

Single-family Residential Use has the same meaning as in Sec. 16-1-50 of the Dillon Municipal Code.

State Administrative Regulations means the administrative rules and regulations for Retail Marijuana Establishments issued by the State Licensing Authority and/or Colorado Department of Revenue, Marijuana Enforcement Division, pursuant to Section 16(5)(a) of Article XVIII of the Colorado Constitution and Section 12-43.4-202(2)(b), C.R.S., as amended from time to time.

State Licensing Authority has the same meaning as in the Colorado Retail Marijuana Code.

THC means Tetrahydrocannabinol.

THCA means Tetrahydrocannabinolic acid.

Sec. 6-8-40. Other Laws Remain Applicable:

Before issuing a license the Local Licensing Authority shall obtain written confirmation from the licensee that the licensee understands and agrees to the following:

- A. Neither this Chapter, nor the act of obtaining a license from the Local Licensing Authority, protects Licensees, or the owners, operators, employees, customers, and clients of a Licensed Premises, from criminal prosecution pursuant to any superior law that prohibits the cultivation, sale, use, or possession of controlled substances, including, but not limited to, Medical Marijuana and Retail Marijuana.
- B. As of the date of the adoption of this Chapter the cultivation, sale, possession, distribution, and use of marijuana remains a violation of federal law, and this Chapter affords licensees, and licensee's owners, operators, employees, customers, and clients, with no protection from criminal prosecution under such law. Licensees, and their owners, operators, employees, customers, and clients assume any and all risk and liability arising or resulting from the operation of the licensed premises under federal law.
- C. The Town has no liability to a licensee or any other person for injuries, damages, or liabilities of any kind, under any legal theory, arising from the forced closure of the Licensed Premises if the Colorado Retail Marijuana Code, the applicable administrative regulations, and/or this Chapter are found to be invalid or illegal under any superior law.
- D. To the greatest extent permitted by law, any action taken under the provisions of this Chapter by any public officer or officers, elected or appointed officials, employees, attorneys, and agents of the Town of Dillon, is not a personal liability of such person or of the Town.

TOWN OF DILLON

275 Lake Dillon Drive
Post Office Box 8
Dillon, CO 80435



Memorandum

Sec. 6-8-50. Rules and Regulations Amendments:

The Local Licensing Authority may from time to time adopt, amend, alter, and repeal administrative rules and regulations as may be necessary for the proper administration of this Chapter.

Sec. 6-8-60. Permitted Retail Marijuana Uses:

Retail Marijuana Stores may be allowed as a Permitted Use within the Mixed Use (MU) and Commercial (C) zoning districts if the Town finds that such a business meets all the criteria for the granting of a Retail Marijuana Store License and it conforms to the standards in this section. No other type of Marijuana Establishment shall be permitted in the Town of Dillon; Marijuana Cultivation Facilities, Marijuana Products Manufacturing Facilities, and Marijuana Testing Facilities are not permitted in the Town of Dillon. Medical Marijuana Centers are also not permitted in the Town of Dillon.

- A. All Retail Marijuana Establishments shall conform to the Colorado Retail Marijuana Code, Article 43.4 of Title 12, C.R.S., latest amendment thereof, and the Colorado Department of Revenue Marijuana Enforcement Division Permanent Rules Related to the Colorado Retail Marijuana Code, latest edition thereof.
- B. No Retail Marijuana Store shall be located closer than three hundred (300) feet from the following uses:
 1. A Church;
 2. Land zoned as Parks and Open Space (POS);
 3. A residential zoning district, regardless of jurisdiction; or,
 4. A Residential Use, unless the residential use is within the Mixed Use (MU) or Commercial (C) zoning districts and is not in the same building as a Retail Marijuana Store. Under no circumstances shall a Retail Marijuana Store be located in the same building as a residential use.
 5. Other same building exclusions: No Retail Marijuana Store shall be in the same building as a pediatrician's office or a building having rooms for boarding.
- C. No Retail Marijuana Store shall be located within one thousand (1,000) feet of:
 1. A School
 2. A child care facility or child care center,
 3. A College Campus, whether a primary campus or not

TOWN OF DILLON

275 Lake Dillon Drive
Post Office Box 8
Dillon, CO 80435



Memorandum

4. A correctional institution, rehabilitation center, or Halfway House
5. A Public Housing Project

D. Measurement of Setbacks:

For the purposes of this Section, the distance between a Retail Marijuana Store and any of the restricted uses stipulated shall be measured as follows: without regard to intervening structures, objects or Town limits, from the closest property line of the structure in which the Retail Marijuana Store is located to the nearest property line of the other use.

E. Hours of Operation: 8:00 a.m. to 10:00 p.m., 7 days a week.

F. Retail Marijuana Store Site Requirements. The following criteria shall be met when evaluating an application for a Retail Marijuana Store site:

1. The proposed business is identified as a permitted use in the Dillon Municipal Code, and is consistent with the intent and purpose of the Comprehensive Plan and applicable zoning district.
2. The parcel is suitable for the proposed use considering such factors as size, shape, location, topography, soils, slope stability, drainage, and natural features.
3. The proposed use will not have significant adverse impacts on the air or water quality of the community.
4. The proposed use will not substantially limit, impair or preclude the use of surrounding properties for the uses permitted in the applicable zoning district.
5. Adequate public utilities and services are available or will be made available to the site prior to the establishment of the use.
6. The proposed use will not produce any noise or vibration issues that have significant adverse impacts on the community and the neighboring property owners and tenants in a multi-tenant building.
7. The proposed use will not produce any smells, odors or noxious fumes that have significant adverse impacts on the community and the neighboring property owners and tenants in a multi-tenant building. The proposed use shall meet all applicable code requirements for ventilation and fire protection. The Retail Marijuana Store shall have a separate ventilation, heating, and air conditioning system from that of any adjoining use space. The smell or odor of marijuana shall not be capable of being detected by a person with a normal sense of smell from any adjoining lot, adjoining tenant space, parcel, tract of land, or public right-of-way. The odor filtering method and equipment

TOWN OF DILLON

275 Lake Dillon Drive
Post Office Box 8
Dillon, CO 80435



Memorandum

shall be approved by the Summit County Building Department, and shall meet the highest industry standard for odor control.

8. The proposed use will not produce any storage, loading or delivery activities related to the storage, loading or delivery of products for the proposed use that have significant adverse impacts on the community and the neighboring property owners and tenants in a multi-tenant building.
9. Any Retail Marijuana Store proposed in a building not owned by the marijuana licensee, shall provide written approval of such operations from the property owner. Said written approval shall provide the specific location of the permitted space, the square footage of the permitted space, the terms of the approval, detail any conditions of said approval, provide complete contact information for the property owner and applicant, and shall be signed by the property owner and notarized.
10. The Retail Marijuana Store shall employ security measures, money and product storage, and video surveillance, including video record retention times, in accordance with State Law. The systems in place shall be reviewed by the Dillon Police Department, and all transaction records and video surveillance records shall be provided to the Dillon Police Department upon request.
11. Neither the word "Marijuana", nor any image representing any part of a marijuana plant or a device used for consuming marijuana shall be used in a business name or logo, shall be displayed on, or be visible from, the exterior of the business.
12. There shall be no display of Marijuana, Retail Marijuana Products, or Marijuana Accessories visible from the exterior of the business.
13. No Retail Marijuana Store shall employ the use of automated dispensing machines for Marijuana, Marijuana Infused Products, or any other products sold by the business.

Sec. 6-8-70. Residential Growing and Processing of Marijuana:

- A. This section shall include the provisions permissible under State law applicable to Medical Marijuana, except that no Medical Marijuana license holder shall possess more marijuana plants than provided for in this section.
- B. No person over the age of 21 shall possess more than six (6) growing plants of marijuana. No person over the age of 21 shall possess more than three (3) mature, flowering marijuana plants. Regardless of the number of persons over the age of 21 living in a residence, there shall be no more than a total of twelve (12) marijuana plants, of which no more than six (6) may be mature, flowering plants.
- C. Operations in a Single-family Residential Use are limited to 150 square feet, and 100 square feet in a Multi-family Residential Use. Said space shall conform to the adopted building and fire codes.

TOWN OF DILLON

275 Lake Dillon Drive
Post Office Box 8
Dillon, CO 80435



Memorandum

- D. Marijuana shall not be grown or processed in the common area of a Multi-Family Residential Use.
- E. Marijuana shall be kept, cultivated, and processed in an Enclosed and Locked Space that residents under the age of 21 cannot access in accordance with State Law. The plants must be grown and processed in a fully enclosed space that cannot be seen openly.
- F. The growing and processing operations shall be done entirely within a locked location shielded from view from the exterior of the structure. The open growing or processing of marijuana on such publicly viewable places as, but not limited to, decks, balconies, and patios is not permitted.
- G. If the operations are within a Residence not owned by the grower / processor, then written approval of such operations shall be obtained from the property owner. A landlord or home owners association has the right to prohibit marijuana entirely.
- H. Residential grown marijuana, or marijuana products from home grown plants, may not be sold, and the product must be kept on the residential premises, except as allowed by the State possession limit.
- I. The growing, cultivation, and processing of marijuana shall not be perceptible from the exterior of a Residential Use structure where plants are grown, including, but not limited to:
 - 1. Common visual observation;
 - 2. Light pollution, glare, or brightness that disturbs the repose of another;
 - 3. Undue vehicular or foot traffic, including unusually heavy parking in front of the Residential Use structure;
 - 4. Noise from an exhaust fan shall not be in excess of the maximum permissible noise level described in the Dillon Municipal Code;
 - 5. The smell or odor of marijuana shall not be capable of being detected by a person with a normal sense of smell from any adjoining lot, Residential Use unit, parcel, or tract of land not owned by the owner of the Residential Use structure, or from an adjoining public right-of-way.

Sec. 6-8-80. Processing Marijuana for the Extraction of THC or other Cannabinoids:

Processing Marijuana for the extraction of THC, THCA, Concentrates or other Cannabinoids by any means for personal use or retail distribution within the Town of Dillon is prohibited.

Sec. 6-8-90. Licensing:

- A. License Required.
 - 1. Except as otherwise provided in this article and Section 16 of Article XVIII of the Colorado Constitution it shall be unlawful for any person to test, cultivate, produce, manufacture,

TOWN OF DILLON

275 Lake Dillon Drive
Post Office Box 8
Dillon, CO 80435



Memorandum

sell, or otherwise distribute for remuneration any Marijuana or Retail Marijuana Products in the Town of Dillon without first obtaining a license to operate a Retail Marijuana Store pursuant the Colorado Retail Marijuana Code and this article. Notwithstanding, this section shall not apply to personal use by an individual twenty-one years of age or older acting in conformance with Subsection 3 of Section 16 of Article XVIII of the Colorado Constitution.

2. Any requirements set forth in this article shall be in addition to, and not in lieu of, any other requirements imposed by any State or local law.
 3. The only type of Retail Marijuana Established permitted and licensable in the Town of Dillon is a Retail Marijuana Store, as more fully described in in this article. All other types of Retail Marijuana Establishment are expressly prohibited.
- B. Local Licensing Authority.
1. For the purpose of regulating and controlling the licensing pertaining to the sale of marijuana in the Town of Dillon, there is hereby appointed the Town's current Local Licensing Authority. The Local Licensing Authority shall be as designated by the Town Council of the Town of Dillon and is referred to herein as the "Authority".
 2. The Authority shall have such powers and duties as are set forth in this article, in the Colorado Retail Marijuana Code, and Subsection 5(e) of Section 16 of Article XVIII of the Colorado Constitution.
 3. The Authority shall examine at any time those records of each licensee which the Authority determines are necessary to verify license requirements provided the contents of such records shall remain confidential and not a part of the public records.
 4. The Authority may adopt, amend, alter, and repeal administrative rules and regulations as may be necessary for the proper administration of this article.
- C. General Licensing Procedures.
1. A Person seeking to obtain a license from the Local Licensing Authority shall file an application with the Town Clerk. The Town Clerk is responsible for providing application forms to prospective applicants, and for generally supervising the application process up to the point that a completed application is submitted to the Local Licensing Authority.
 2. For the purpose of regulating the sale of retail marijuana, the Authority in its discretion, upon application in the prescribed form, may issue and grant to the applicant only a Retail Marijuana Store License, subject to the provisions and restrictions provided in this article, Section 16 of Article XVIII of the Colorado Constitution and the Colorado Retail Marijuana Code.
 3. The Authority shall issue a license, with or without conditions, in its sole discretion, under this article when, after thorough consideration of the application, and from review of such other information as required by this article or the Colorado Retail Marijuana Code,

TOWN OF DILLON

275 Lake Dillon Drive
Post Office Box 8
Dillon, CO 80435



Memorandum

the Authority determines that the applicant complies with all of the requirements of this article and the Colorado Retail Marijuana Code, including the following:

- a) The application, including any required attachments and submissions, is complete and signed by the applicant; and
 - b) A signed statement of acceptance to the terms presented in Sec. 6-8-40 of this article; and
 - c) The applicant has paid the application fee and any other fees required by this article; and
 - d) The application does not contain a material falsehood or misrepresentation; and
 - e) The location of the Retail Marijuana Store is proposed to be located on a premise permitted by the applicable land use code and the landlord, if applicable; and
 - f) The criminal history of the applicant, and the applicant's owners, officers, and managers, does not disqualify the applicant from holding a license; and
 - g) The applicant meets or otherwise will meet all the requirements of this article, including a demonstration of good moral character; and
 - h) The applicant is capable of meeting any conditions placed on the license by the Authority; and
 - i) The notice requirements for public hearing in Section 6-8-90 (D) have been met.
4. Upon approval or denial of a license application, with or without conditions, the Authority shall promptly forward its decision whether to issue or deny a license to the State Licensing Authority.
 5. Prior to the issuance of a license, the Authority shall make a finding and determination as to the good moral character of the applicant in accordance with the standards and procedures set forth in the Colorado Retail Marijuana Code. In so doing, the Authority may incorporate any findings as to good moral character previously made by the State Licensing Authority. The Authority shall not be required to perform a criminal background check if: (i) the State Licensing Authority has performed a criminal background check on the applicant to the satisfaction of the Authority; or (ii) the Authority issues a license conditioned on the review of the criminal background check.
 6. Upon receipt of the application for a Retail Marijuana Store License, the Authority may circulate the application to the Town Planner and/or Community Development Coordinator, the Finance Director, the Police Department, the local fire protection district, or any other department or agency the Authority deems necessary in order to determine whether the proposed facility is or will be in compliance with any and all laws, rules, and regulations administered by these respective departments and agencies.

TOWN OF DILLON

275 Lake Dillon Drive
Post Office Box 8
Dillon, CO 80435



Memorandum

7. After approval of an application and prior to the issuance of a license, the premises proposed to be licensed may be inspected by the Town, the building official and the fire protection district to determine compliance with the Town's regulations and building and technical codes. No license shall be issued if the proposed licensed premise does not comply with such codes as identified by the Town, the Summit County Building Inspection Department Chief Building Official (Building Official) and fire protection district in writing. Throughout the term of the license the Town, the Building Official and fire protection district may inspect the licensed premise to determine continuing compliance with the Town's regulations and building and technical codes. Said inspections may be unannounced inspections.
8. The Authority shall deny any application for a license that is not in compliance with this article, the Colorado Retail Marijuana Code or any other applicable State or local law or regulation.
9. A license issued by the Local Licensing Authority does not eliminate the need for the licensee to obtain other required Town licenses and permits related to the operation of the licensed premises, including, but not limited to:
 - a) A Development Permit
 - b) A Town Sales Tax License
 - c) A Town Business License
 - d) All Building Permits

D. Public Hearing.

Upon receipt of an application for a Retail Marijuana Store License or for the transfer of ownership or location, except an application for renewal of a previously-issued license within the Town of Dillon, the Authority shall schedule a public hearing upon receiving the complete application. Said hearing shall not be scheduled any earlier than 30 days from the date the complete application is received. The Authority shall post, publish and mail public notice of the public hearing not less than ten (10) days prior to the hearing. The Authority shall give public notice by the posting in a conspicuous place on the proposed Retail Marijuana Store premises for which application has been made, by publication in a newspaper of general circulation in Summit County, Colorado. Individual notices of the hearing shall be given by first class mail to all property owners within 300 feet of the boundaries of the real property upon which the Retail Marijuana Store is proposed to be located.

E. Application.

1. On October 1, 2014, the Authority may begin to receive and process applications for licensing under this article and the Colorado Retail Marijuana Code.

TOWN OF DILLON

275 Lake Dillon Drive
Post Office Box 8
Dillon, CO 80435



Memorandum

2. Applications for a Town of Dillon Retail Marijuana Store license shall be made to the Authority upon forms created and provided by the Authority. The application must include the following:
 - a) Proof of ownership or legal possession of the proposed licensed premises for the term of the proposed license in the applicant's name.
 - b) Consent from the landowner if the proposed premises will be leased.
 - c) Name and address of the owner or owners of the proposed Retail Marijuana Store.
 - d) If the owner is a corporation, partnership, limited liability company, or other business entity, the names, social security numbers, and addresses of any officer or director of the entity and of any person holding one (1) percent or more of the issued and outstanding capital stock or other ownership interest of the entity.
 - e) A completed set of the applicant fingerprints of each person specified in Sec. 6-80-90(E)(2)(c)(d)(g).
 - f) The applicant(s) must provide a State of Colorado and Town of Dillon sales tax number, if applicable, to the Town of Dillon at the time of license application.
 - g) Name and address of any manager or managers of the proposed Retail Marijuana Store.
 - h) An operating plan for the proposed Retail Marijuana Store including the following information on pages no larger than 11" x 17":
 - i. A description of the products and services to be provided.
 - ii. A floor plan showing all interior dimensions of the licensed premises and the layout of the Retail Marijuana Store, including all limited access areas, areas of ingress and egress, and all security cameras. The floor plan shall also show the principal uses of the floor area depicted therein.
 - iii. A security plan indicating how the applicant intends to comply with the requirements of this article and the Colorado Retail Marijuana Code.
 - iv. An area map, drawn to scale, indicating, within a radius of one-quarter mile from the boundaries of the property upon which the Retail Marijuana Store is located, the proximity of the property to any school or to any residential zone district.
 - i) A statement of whether or not any person holding any ownership interest has:

TOWN OF DILLON

275 Lake Dillon Drive
Post Office Box 8
Dillon, CO 80435



Memorandum

- i. Been denied an application for a Medical or Retail Marijuana Establishment license by the State in this or any other jurisdiction or had such a license suspended or revoked; and
 - ii. Been convicted of a felony or has completed any portion of a sentence due to a felony charge within the preceding five (5) years.
 - j) Proof the premise is located on an appropriately zoned lot.
 - k) All application, licensing, operational, background, and other fees due and payable to operate a Retail Marijuana Store as determined by the Authority.
 - l) Any additional document(s) or information reasonably requested by the Authority.
- F. Fees.
- 1. Licensing fees, operating fees, renewal fees, and all other fees necessary for the administration, regulation, and implementation of this article shall be set by the Town Council by ordinance.
 - 2. The amount of fees charged pursuant to this section shall be reviewed from time to time and, if necessary, adjusted to reflect the direct and indirect costs incurred by the Town in connection with the administration and enforcement of this article, including costs of unannounced compliance checks.
 - 3. The fees shall be those presented in the Schedule of Fees found in Chapter 19 of the Dillon Municipal Code.
- G. Persons Prohibited as Licensees and Managers.
No license provided by this article shall be issued to or held by:
- 1. Any person under 21 years of age.
 - 2. Any person who, in the immediately preceding twelve (12) months had a Medical Marijuana Facility license or Retail Marijuana Establishment license revoked or suspended by the State or by the Local Licensing Authority in this or any other jurisdiction
 - 3. Any person who has been convicted of a felony that is deemed a crime of drugs or violence or has completed any portion of a felony sentence within the preceding five (5) years.
 - 4. Any person not of Good Moral Character as defined by the Colorado Retail Marijuana Code.

H. Renewals.

TOWN OF DILLON

275 Lake Dillon Drive
Post Office Box 8
Dillon, CO 80435



Memorandum

1. Any local license issued pursuant to this article shall be valid for a period of one (1) year from the date of issuance. A Licensee shall renew their license annually. Any renewal of the license shall be governed by the standards and procedures set forth in this article and the Colorado Retail Marijuana Code, subject to any additional restrictions on renewal for licenses in certain locations as promulgated by the Authority.
 2. Failure of the Licensee to renew and keep its state license current and valid or to make timely payment of the local licensing fee shall be grounds for revocation of any license issued pursuant to this article.
 3. All renewals are subject to a renewal fee in the amount established by the Authority.
- I. Transfers of Ownership and Changes of Location.
1. Transfer of Ownership
 - a) The transfer of any interest in a Retail Marijuana Store must be reported to the Authority prior to the change in ownership by submitting an application on forms approved by the Authority within a minimum of 7 days prior to the transfer.
 - b) Transfer of ownership of any license issued pursuant to this article shall be governed by the standards and procedures set forth in the Colorado Retail Marijuana Code, and the regulations in this article.
 2. Change of Location
 - a) The change of location of a Retail Marijuana Store must be reported to the Authority prior to the change by submitting an application on forms approved by the Authority.
 - b) Change of location of any license issued pursuant to this article shall be governed by the standards and procedures set forth the Colorado Retail Marijuana Code, and the regulations of this Article.
- J. Disciplinary Actions; Sanctions; Penalties.
1. Procedures for suspension or revocation of licenses issued pursuant to this article and other fines, sanctions and penalties shall be as provided in the Colorado Retail Marijuana Code. In addition, a violation of any of the provisions of this article shall be grounds for potential suspension or revocation of a Retail Marijuana Store license, subject to notice and public hearing.
 2. In deciding whether a license should be suspended or revoked in accordance with this section, and in deciding what conditions to impose in the event of a suspension, if any, the Authority shall consider:
 - a) The nature and seriousness of the violation;

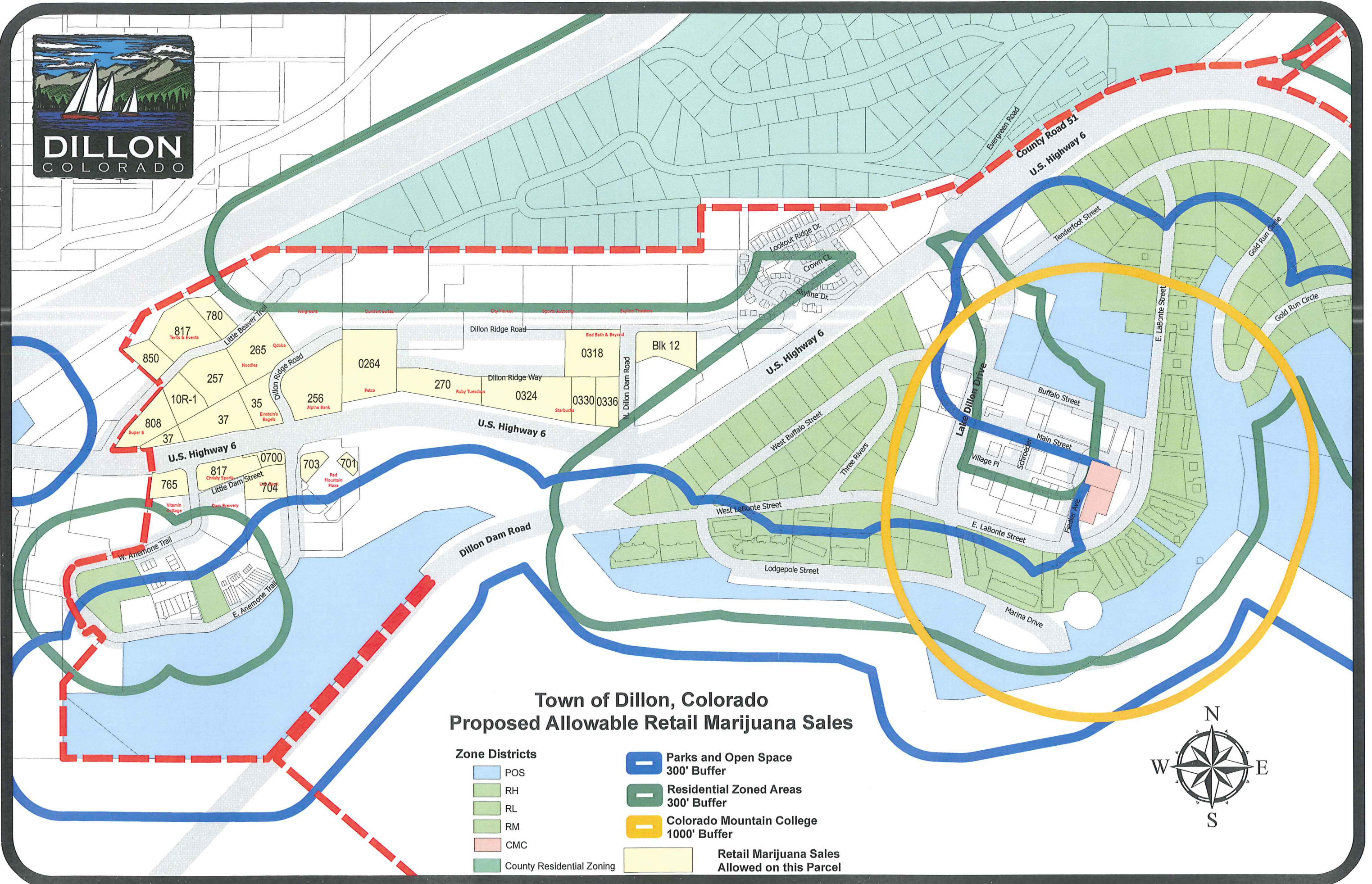
TOWN OF DILLON

275 Lake Dillon Drive
Post Office Box 8
Dillon, CO 80435



Memorandum

- b) Corrective action, if any, taken by the licensee;
 - c) Prior violation(s), if any, at the licensed premises by the licensee and the effectiveness of prior corrective action, if any;
 - d) The likelihood of recurrence;
 - e) All circumstances surrounding the violation;
 - f) Whether the violation was willful;
 - g) The length of time the license has been held by the licensee;
 - h) The number of violations by the licensee within the applicable twelve (12) month period;
 - i) Previous sanctions, if any, imposed against the licensee; and
 - j) Any other factor making the situation with respect to the licensee or the licensed premises unique or the violation of greater concern.
3. The remedies provided in this section are in addition to any other remedy provided by applicable law.



Town of Dillon, Colorado Proposed Allowable Retail Marijuana Sales

- | | |
|---------------------------|--|
| Zone Districts | Parks and Open Space
300' Buffer |
| POS | Residential Zoned Areas
300' Buffer |
| RH | Colorado Mountain College
1000' Buffer |
| RL | Retail Marijuana Sales
Allowed on this Parcel |
| RM | |
| CMC | |
| County Residential Zoning | |



PLANNING & ZONING COMMISSION ACTION ITEM

July 2nd, 2014 PLANNING AND ZONING COMMISSION MEETING

DATE: June 26, 2014

AGENDA ITEM NUMBER: 5

ACTION TO BE CONSIDERED:

Interpreting Dillon Municipal Code Language: Staff requests that the Planning and Zoning Commission interpret sections of the Dillon Municipal Code as they pertain to Freestanding Signs, Subdivision Entrance Signs, and Sign Zone A. This interpretation is requested in accordance with Section 16-3-10:

Sec. 16-3-10. General provisions.

(a) In order to carry out the provisions of this Chapter, the Town is hereby divided into zoning districts as described in Division 2 below. In each district, any use not expressly permitted shall be deemed excluded.

(b) Where the wording of this Chapter is not sufficiently precise to determine whether or not a particular use is permitted within a specific district, such interpretation shall be made by the Planning and Zoning Commission. Upon determination by the Planning and Zoning Commission, and if warranted, said use shall be added to the list of permitted uses for that district. Said determination may be appealed to the Town Council within fourteen (14) days of the Planning and Zoning Commission's decision. (Ord. 19-96 §3.01)

Staff has received an inquiry about Subdivision Entrance Signage, and the question of the permitted height, sign area, and number of permitted signs has come to light. To assist the Commission with interpreting the topic, the following sections of the Dillon Municipal Code are provided:

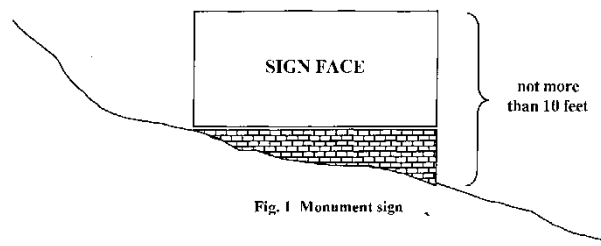
PERTINENT CODE LANGUAGE:

Sec. 16-11-20. Definitions.

Class 1 sign application means an application for permanent signs, signs listed in Division 4 and any sign not specifically listed under the Class 2 sign application definition.

Freestanding sign means a sign that is supported by one (1) or more columns, upright poles or braces extended from the ground or from an object on the ground, or that is erected on the ground where no part of the sign is attached to any part of a building, structure or other sign; the term includes pole sign, pedestal sign, monument sign, public information sign and ground sign.

Monument sign means a freestanding sign of not more than ten (10) feet in height that includes an architecturally designed base or column which is constructed of stone, brick, timbers or other similar material and is designed to be architecturally compatible with the design of the project. See Figure 1.



Subdivision entrance sign means a sign used to identify the name and entryway to a subdivision.

Sec. 16-11-70. Class 1 sign permits.

(a) Application form. An application for a Class 1 sign permit, including a master sign permit, shall be made in writing on forms furnished by the Town. The application shall contain the following information, and the application and all exhibits shall become the property of the Town:

(1) Master sign plan.

a. Two (2) drawings showing the location and allowed sizes of all signs proposed for the project, including the building identification sign, directory sign and individual business signs.

b. A plot plan of the site indicating the location of any freestanding sign including business area directory signs.

c. An architectural elevation and photo depicting the proposed locations of all signs.

d. Any information related to the requirement that all signs within the project are consistent, including allowed sign sizes, colors, letter styles, materials or sign shapes.

e. Any other maps, drawings or materials needed to adequately describe the master sign proposal, including the total amount of allowable sign area for the structure and the location, materials and maximum area for each sign that an individual business will be allowed to display.

(2) Individual signs.

a. Two (2) drawings showing details of construction and foundation of the proposed sign if a freestanding sign.

b. A scaled drawing showing the size, shape, design, colors, materials, lighting and letter styles of the proposed sign.

c. A plot plan of the site indicating the sign location of any freestanding sign including business area directory signs.

d. An architectural elevation or a photo depicting the proposed location of the sign on a building for each wall sign

e. Any other maps, drawings or materials needed to adequately describe the sign proposal.

(b) Preapplication conference. An applicant for a sign permit or master sign plan shall attend a preapplication conference with a member of the Town's staff prior to the actual submission of the application to discuss the proposal and the relevant requirements of this Article.

(c) Permit fee. At the time of submission of an application for a sign permit or master sign plan, the applicant shall pay a fee in accordance with Chapter 19 of this Code. The fee is nonrefundable. Any variance requests must be accompanied by a nonrefundable fee in accordance with Chapter 19.

(d) Sign permit review procedures. Applications for sign permits and master sign plans shall be processed in accordance with the following procedures:

(1) Submission requirements. The applicant shall submit the application, all required application materials and the fee at least fourteen (14) days prior to the Planning and Zoning Commission meeting. Within a reasonable period of time after the application has been filed, the Town Manager shall determine whether the application is complete and all required materials have been submitted. If the application is complete, it shall be so noted and scheduled for Planning and Zoning Commission review. If the application is not complete, it shall be so noted, the applicant advised of the deficiencies and the application shall not be scheduled for review until all required materials have been received by the Town.

(2) Planning and Zoning Commission meetings. Not more than forty-five (45) days from the date a complete application has been filed, the Planning and Zoning Commission shall hold a meeting and review the proposed master sign plan or individual sign application. If time and a quorum warrant, the Commission shall have the right to hold additional meetings (between regularly scheduled Commission meetings) to review individual sign applications.

(3) Decisions. The Planning and Zoning Commission shall have fourteen (14) days after the conclusion of its review to make a decision, at which time the Commission may:

- a. Approve the application with or without conditions.
- b. Deny the application based on the policies and criteria established within this Article.
- c. Continue or table the application for up to forty-five (45) days if additional information or study is necessary to make a decision.

No decision of the Planning and Zoning Commission shall be in conflict with the provisions of this Code unless a variance has been reviewed and approved in accordance with the provisions of this Article. (Ord. 14-13 §1)

Sec. 16-11-90. Permit duration; individual signs.

Signs for which approval has been granted by the Planning and Zoning Commission shall be erected within ninety (90) days of the approval, with the exception that freestanding signs shall be erected within one hundred eighty (180) days of the approval of the sign. Failure to complete placement of a sign within such period shall cause the approval to expire and require the sign owner to obtain Commission approval before such sign can be erected. (Ord. 14-13 §1)

Sec. 16-11-260. Freestanding signs.

- (a) There shall be no more than one (1) freestanding sign for each lot.
- (b) A landscaped area planted with a mixture of vegetation equal to two (2) square feet for each one (1) square foot of each side of a freestanding sign shall be maintained by the permit holder. Such area shall be kept in a neat and clean condition, free of trash, weeds and rubbish.
- (c) Permitted Freestanding Sign Heights:
 1. Sign Zone A Freestanding Signs shall have a maximum height of six (6) feet, except as follows:

- i. Directory Way Finding Signs as allowed pursuant to Section 16-11-335 of this Article may exceed six (6) feet in height, with a maximum height of eighteen (18) feet.
- ii. Freestanding Signs located within twenty (20) feet of the Lake Dillon Drive Right-of-Way may exceed six (6) feet in height with a maximum permitted height of fifteen (15) feet.

2. Sign Zone B Freestanding Signs shall have a maximum height of eighteen (18) feet.

(d) No freestanding sign shall extend over or into a public right-of-way or public property, and all freestanding signs shall be placed at least five (5) feet to the interior of any property lines, except that directory way-finding signs as allowed pursuant to Section 16-11-335 of this Article may extend over or into a public right-of-way or public property and may be within five (5) feet of the property line.

(e) The allowed square footage of a freestanding sign may be increased by up to ten percent (10%) by the Planning and Zoning Commission in those instances where the freestanding sign, including all structural elements, is twelve (12) feet in height or less, and fifteen percent (15%) when the sign is designed as a monument sign. (*Monument sign* means a freestanding sign of not more than ten [10] feet in height that includes an architecturally designed base or column which is constructed of stone, brick, timbers or other similar material, and is designed to be architecturally compatible with the design of the project. See Figure 1 in Section 16-11-20 of this Article.)

(f) The square footage of the architectural elements of a monument sign shall not be counted against the allowed sign area in those instances where the architectural elements do not exceed the allowed square footage of the sign itself. (Ord. 14-13 §1)

Sec. 16-11-280. Subdivision entrance signs.

(a) Subdivision entrance signs shall not be greater than twenty (20) square feet in size, and there shall be no more than one (1) per subdivision entry.

(b) One (1) subdivision entrance sign not exceeding twenty (20) square feet in size shall be permitted for each primary entrance to a subdivision containing ten (10) or more lots.

(c) No portion of a subdivision entrance sign shall extend more than twelve (12) feet above grade.

(d) For each subdivision entrance sign, there shall be a landscaped and maintained area at the base of each sign at least two (2) square feet in area for each square foot of each side of the sign and supporting structure, with a minimum landscaped area of twenty-four (24) feet. Such area shall be kept in a neat and clean condition and shall be kept free of rubbish, weeds and trash. (Ord. 14-13 §1)

Division 6 Design Standards and Maximum Sign Areas

Sec. 16-11-450. Sign Zone A.

(a) Sign design and materials.

(1) It is encouraged that permanent signs, with the exception of window signs, be constructed predominantly of natural materials, including rough cedar, redwood, pine, stone, brass or other types of natural materials. Internally lit signs are prohibited within this sign district.

(2) List of acceptable materials:

- a. Rough cedar.
- b. Redwood.

- c. Pine.
- d. Stone.
- e. Brass.

f. Materials that simulate natural materials and create a 3-D effect, as approved by the Planning and Zoning Commission.

(b) Lighting requirements.

(1) Within the Sign Zone A area, no permanent building identification sign or business sign may be internally illuminated.

(2) Shielded lighting. Light bulbs or lighting tubes used for illuminating a sign shall not be visible from the vehicular travel lanes of adjacent public rights-of-way. The use of adequate shielding, designed so that light from sign-illuminating devices does not shine directly into the eyes of passing motorists without first being reflected off the sign or its background, is required whenever exterior sign lighting is used.

(3) Subdued lighting. The intensity of sign lighting shall not exceed that necessary to illuminate and make legible a sign from the adjacent travel way or closest municipal street, and the illumination of a sign shall not be noticeably brighter than other lighting in the vicinity.

(4) Direction of lighting. Exterior sources of lighting for signs and other uses on the property should be directed downward and shall not be directed toward nearby residential properties.

(c) Allowed signage. Within the Town Center, all buildings shall be allowed the signage set out in Subsections (d) through (g) below.

(d) Single-tenant buildings. Each single-tenant building shall be allowed a total of fifty (50) square feet of signage to be used in one (1) or two (2) building identification signs, and one (1) additional sign which does not exceed eighteen (18) square feet in size.

(e) Multi-tenant buildings. Each building containing more than one (1) business or tenant shall be allowed a total of fifty (50) square feet of signage to be used in one (1) or two (2) building identification signs or building directories, and two (2) signs per tenant which do not exceed eighteen (18) square feet each.

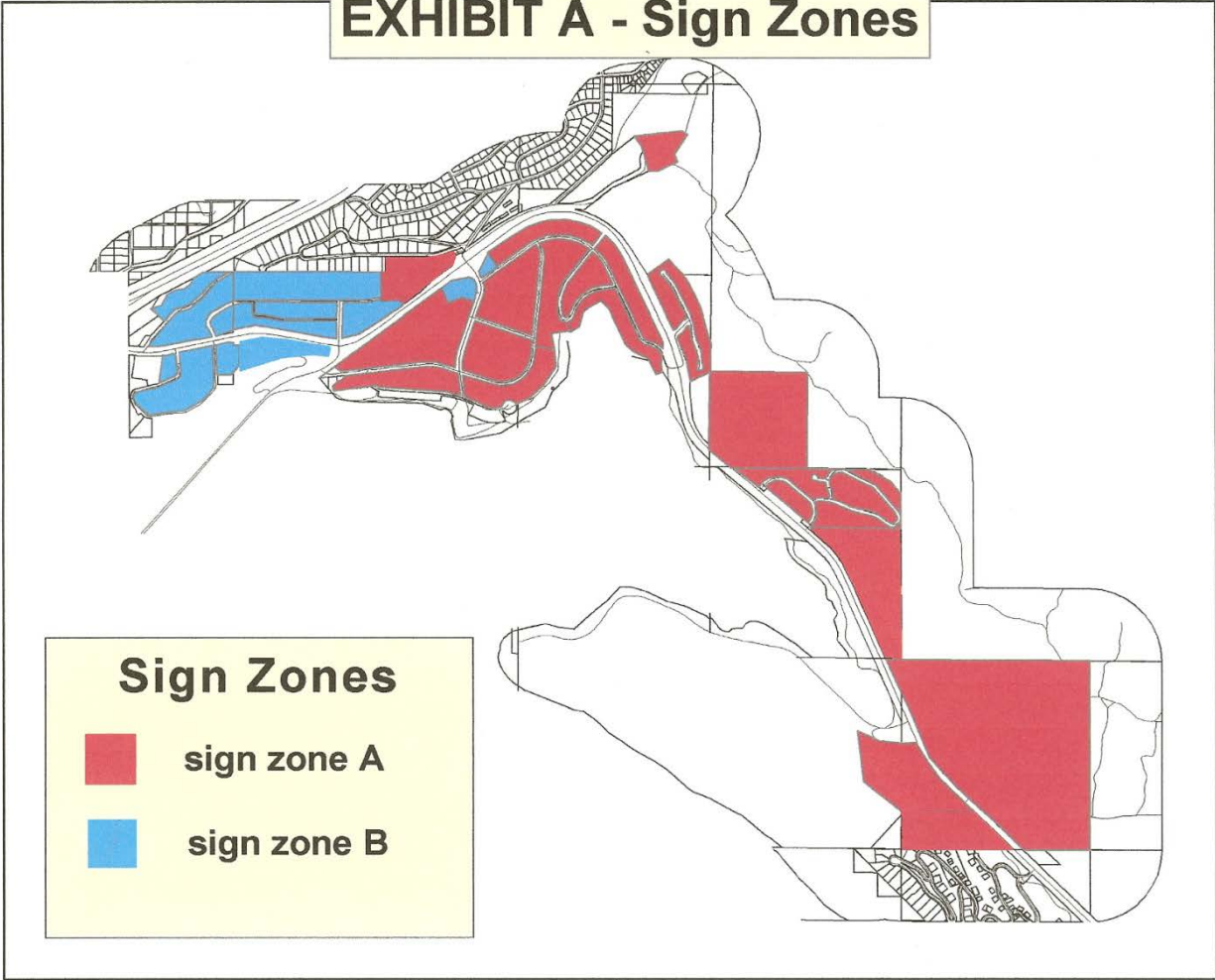
(f) Multiple buildings. Where a project contains multiple buildings, the first building shall be allowed a total of fifty (50) square feet of building identification signage, and all subsequent buildings shall be allowed eighteen (18) square feet which may only be used to identify the second or subsequent building and may not be added to the signage allowed for the primary project sign or first building within the project.

(g) Hotel and condominium (residential complex) signs.

(1) Only one (1) building identification sign shall be permitted for each hotel, condominium or multi-family project. Such identification sign shall not exceed thirty-six (36) square feet in size.

(2) Individual building identification signs shall be permitted for each building within a hotel, condominium or other multi-family complex, provided that only one (1) sign not exceeding four (4) square feet in size shall be allowed for each building. (Ord. 14-13 §1)

EXHIBIT A - Sign Zones



Sec. 16-11-470. Maximum sign area matrix.

The following limits apply to Sign Zone A and Sign Zone B, as indicated:

<i>Sign Zone A</i>	<i>Allowed Sign Area</i>
Single-tenant building	50 sq. ft. to be used in one or two signs for building identification; additional sign not to exceed 18 sq. ft.
Multi-tenant building: two signs per tenanat	18 sq. ft.
Multi-tenant building with multiple buildings	First building is allowed a total of 50 sq. ft. to be used in one or two signs for building identification; all subsequent buildings allowed 18 sq. ft.
Residential complex signs	36 sq. ft.; one per project
<i>Sign Zone B</i>	<i>Allowed Sign Area</i>
Single-tenant building	75 sq. ft. to be used in one or two signs for building identification; additional sign not to exceed 30 sq. ft.
Multi-tenant building:	
less than 2,500 sq. ft.	30 sq. ft.
2,500 to 4,999 sq. ft.	40 sq. ft.
5,000 to 9,999 sq. ft.	45 sq. ft.
10,000 to 14,999 sq. ft.	50 sq. ft.
15,000 to 19,999 sq. ft.	60 sq.ft.
20,000 to 24,999 sq. ft.	70 sq. ft.
25,000 to 29,999 sq. ft.	80 sq. ft.
greater than 30,000 sq. ft.	90 sq. ft.
Residential complex signs	75 sq. ft. total; up to two per project

<i>All Areas</i>	<i>Allowed Sign Area</i>
Business area directory sign	100 sq. ft.
Tenants within the BAD sign	50 sq. ft.
Subdivision entry signs	20 sq. ft.; one per subdivision
Wall signs above the 2nd floor	12 sq. ft.
Civic event banners	4 feet x 40 feet
Grand opening banners	40 sq. ft.
Temporary directional signs	6 sq. ft.
Real estate development signs	32 sq. ft.; one per development
Real estate for sale signs	6 sq. ft.; 16 sq. ft. for parcels greater than 2 acres
Real estate for rent signs	6 sq. ft.; one per property or residential unit
Garage sale signs	4 sq. ft.
Sandwich board signs	30" wide by 36" high
Temporary signs and banners	24 sq. ft.
Temporary feather banners	36 sq. ft.
Temporary banners on temporary structures	24 sq. ft.
Temporary sign in lieu of a permanent sign	24 sq. ft.
Temporary sign in lieu of a monument sign panel	Match size of approved sign panel
New business signs	24 sq. ft.
Window sign	May cover a maximum of 50% of the surface area of the window.
Kiosks	20 sq. ft.; 6 feet in height
Neon/nonflashing illuminated window signs	Up to 6 sq. ft. per sign. Each neon sign may cover the entire window surface area.
Individual business signs located on directory way-finding signs	8 sq. ft.

(Ord. 14-13 §1)

PLANNING & ZONING COMMISSION DISCUSSION ITEM

July 2nd, 2014 PLANNING AND ZONING COMMISSION MEETING

DATE: June 26, 2014

AGENDA ITEM NUMBER: 7

DISCUSSION ITEM: Temporary Banners

SUMMARY:

Since the November 5th, 2013 adoption of Ordinance No. 14-13, Series of 2013 by the Town Council which repealed and replaced the “Sign Regulations” (Article XI of Chapter 16), staff has received push back from members of the business community on the new temporary banner regulations. The Planning and Zoning Commission passed Resolution No. PZ 09-13, Series of 2013 on October 2, 2013, which recommended the repeal and replacement of the sign regulations to Town Council.

Staff worked with the Planning and Zoning Commission for over a year discussing the sign regulations, most specifically those regulations pertaining to temporary signs and window signs. Although every P&Z meeting is open to the public and agendas are publicly posted and noticed, very little, if any, public feedback was received.

During the spring of this year, town staff created a brochure highlighting temporary banners and some of the new regulations. Staff then began a campaign to personally engage business owners to discuss the regulations. Ned West, Town Planner, and Katie Menaugh, Dillon Police Department Community Services Officer (CSO), walked from business to business to discuss the topic. During this endeavor, numerous business owners complained that what they have always done is no longer allowed. Some of the prior activity never was allowed by The Dillon Municipal Code, such as freestanding banners and the off premises display of banners.

One rather contentious issue is the new banners size. The new regulations reduced the banner size from 40 SF down to 24 SF. The concession by the Commission for this was to increase the time of display from 2 weeks to 3 weeks per quarter. Many business owners have complained that they spent a lot of money for a banner that they have used for years, the banner remains in good, serviceable condition, and they would like to continue to use it to advertise annual sales / events. Now to be told that the banner is not allowed and they must go through the time and cost of creating a new banner is very upsetting to the business owners, and they feel it creates an undue hardship for them.

Another common complaint is that tenants in a multi-tenant building are told that their banner must be displayed immediately attached to their tenant space, and not on another more visible and marketable portion of the building.

Although the Town does once again have a CSO, the task of tracking temporary banner permits, allotted display times, display locations, and sizes is a difficult and tedious task. The question now at hand is if the Commission might consider taking another look at temporary signage?

Sign Application

townofdillon.com

- >> Town Government
- >> Departments
 - >> Planning Department
 - >> Planning Applications

Permit Application Process

- Applicant should schedule a pre-application conference with Town staff.
- Fees are due at the time of the submittal of the application.
- Complete application should include: sign dimensions, colors, materials, installation location with both architectural and map views .

Class II Sign Permits, typically Temporary Signs

- Application must include display time period.
- Town Code provides for a 10 day review period; however, Class II sign applications are typically reviewed in a shorter time frame.

Fee Schedule*

Class II Sign Permit – Temporary Signs

- ◆ Temporary Banner \$20
- ◆ Grand Opening \$20
- ◆ Directional Sign \$40
- ◆ Tennant Sign w/in MSP \$80
- ◆ Menu Display Boxes \$21
- ◆ Temporary Sandwich Board \$21
- ◆ Feather Banner \$20

* Fees are subject to change.

Signs on Temporary Structures

- Permit Required!
- Maximum 24 square feet.
- Display period coincides with temporary structure permit issued separately.



For effective sign display and to conform to the Dillon Municipal Code, all signs must be professionally printed, securely mounted and maintained in good condition.

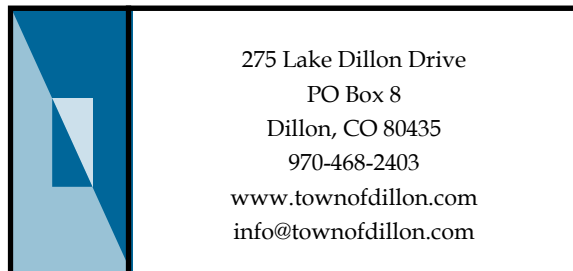
For More Information Contact:

970-468-2403

Please refer to the Dillon Municipal Code, Chapter 16, Article XI, Sign Regulations for complete information:

townofdillon.com

- >> Town Government
- >> Municipal Code



Town of Dillon



Updated Sign Regulations

2014

TEMPORARY SIGNS

Sign Permit Information

www.townofdillon.com

info@townofdillon.com

970-468-2403

Temporary Banners

- Permit Required!
- Maximum 24 square feet.
- 21 day maximum display period per calendar quarter:

Q1	Q2	Q3	Q4
Jan Feb Mar	Apr May Jun	Jul Aug Sep	Oct Nov Dec

- Required 7 day time frame between display periods.
- Permitted to be displayed on the building only. **No free standing signs.**
- Shall not be displayed above the 2nd floor.

NEW! Feather Banners

- Permit Required!
- Maximum 36 square feet.; Max. of 18 ft High.
- 1 feather banner per business in multi-tenant buildings, 2 allowed per business occupying an entire building.
- 21 day display period per quarter with Holiday exceptions.
- Weighted base requirement.



Temporary Feather Banner Holiday Exceptions

- 3 additional display periods (w/ permit):
 - Memorial Day (5/23–6/2/2014)
 - 4th of July (6/27–7/7/2014)
 - Labor Day (8/29–9/9/2014)
- May be combined with quarterly display periods, but the maximum combined display period shall not exceed 28 days.

Sandwich Board Signs

- Permit Required!
- 1 sandwich board sign per business.
- 30" wide x 36" high maximum size.
- Must be displayed immediately in front of the business and must be located on the property of the business.
- May **NOT** be displayed on Town-owned land, sidewalks, streets, or rights of way.
- No electrical or illuminated Sandwich Board signs are permitted.
- Permit is valid for the entire calendar year, expiring on December 31st of each year.



Civic Event Banners

- Permit Required!
- Advertising a community activity to which the general community is invited.
- Maximum 4 feet by 40 feet.
- Weekly Civic Event Banners may be displayed for 24 hours prior to the event and removed within 2 hours after the event.
- Other Civic Event Banners may be displayed for 2 weeks prior to the event and removed within 24 hours of the conclusion of the event.

Grand Opening Signs

- Permit Required!
- Maximum 40 square feet.
- 60 day maximum display period.
- Permitted to be displayed in windows or on the building only. No free standing signs.

Window Signs

- NEW!** No Permit Required!
- 50% maximum coverage.
- Must be mounted *inside* the window.
- May not be installed on windows above the 2nd floor.
- Not allowed in residential unit windows.
- Shall not be regulated by a master sign plan.
- Must advertise for products sold within the unit of the window sign.
- NEON** signs must be less than 6 square feet, but may fill the entirety of smaller windows.



Window means any single window pane or a series of adjacent window panes separated by a mullion of twelve (12) inches or less. Adjacent window panes set at different angles shall constitute separate windows regardless of the width of their mullion separation.

New Business Signs

- Permit Required!
- Maximum 24 square feet.
- May be displayed for the duration of a project and then for 30 days after the Certificate of Occupancy
- Applicants with a new business, tenant finish, or remodel may apply for 1 each of the following types of banners:
 - "Opening Soon" or "Coming Soon"
 - "Now Open"
 - "Now Hiring"
 - "Under New Management"