

Exhibit A
Green Hills Urban Design Overlay
2002UD-001-001

Amendment 1 - Add language in “Section A: Definitions” as follows. Add the following in alphabetical order:

“CHANGEABLE COPY: copy designed to change on a daily basis such as, but not limited to, a sign indicating gas prices.

COPY: the graphic content of a sign surface in either permanent or removable letters, images, symbols, figures or message format.

DOUBLE SIDED SIGN: a single sign structure with sign copy on two parallel sides.

MULTI-TENANT SIGN: a sign or sign structure that identifies or advertises more than one entity (tenant, building name or development name).

PRINCIPAL BUILDING SIGN: A sign typically indicating the name of a building or development as opposed to a business or tenant.

DISPLAY SURFACE AREA: The area of a sign that is used for display purposes including Copy and background area. In relation to signs that do not have a background, Display Surface Area shall be computed on the basis of the smallest rectangle, triangle or circle large enough to frame the display.

SIGN TYPES

A. BUILDING SIGNS:

1. Awning Sign: a sign comprised of the application of words, lettering and/or logos to an awning face.
2. Projecting Sign: a sign attached to a wall that projects outward from the wall more than twelve inches; or a sign suspended from any structure that constitutes a covering or shelter such as a canopy, portico or marquee. Usually, though not always, the face of a projecting sign will be perpendicular to or form a wide angle with the surface to which it is attached.
3. Wall Mounted: a sign attached to a wall that does not project more than twelve inches.
4. Window Sign: any sign attached to or directly applied on a window or glass door that is intended to be viewed from the exterior of the building.

B. GROUND SIGNS

1. Hanging Sign: a ground sign with one vertical post, and one or two arms from which a sign hangs.
2. Monument Sign: A low-profile ground sign with a consistent base. If the sign background area does not extend to the ground, the monument sign shall have a base that is at least as wide and as deep as the sign. Openings in the base element shall not exceed 40% of the base facade area.

- C. SINGLE-TENANT SIGN: a sign or sign structure that identifies or advertises only one entity (tenant, building name or development name)”

Amendment 2 - Add "Section B: Modifications" after "Section A: Definitions", as follows, and renumbering subsequent Sections of the Regulatory Standards:

"SECTION B: MODIFICATIONS. The Planning Commission may grant modifications from the strict application of the provisions of this Urban Design Overlay based upon findings of fact related to the standards in this section.

1. **APPLICABILITY:** Any standard within the UDO, unless otherwise noted herein, may be modified insofar as the intent of the Urban Design Overlay is being met; the modification results in better urban design for the neighborhood as a whole; and the modification does not impede or burden existing or future development of adjacent properties. Any standards that shall not be modified are explicitly noted.

Variances and Special Exceptions for standards that are not regulated by the Green Hills UDO shall follow the procedures of Chapter 17.40 Articles VII and VIII of the Zoning Code. Additionally, Variances and Special Exceptions to the UDO standards on height at the street and overall height shall follow the procedures of Chapter 17.40 Articles VII and VIII OF the Zoning Code.

2. **APPLICATIONS:** A written application for a modification shall be filed with the commission by the landowner or agent. The application shall state why the modification is being requested, what function the modification would accomplish, and what specific and unique circumstances exist that would authorize consideration by the Planning Commission under the review standards of this section. The application shall also indicate how the modification ensures compliance with the intent of the UDO and results in better urban design. Within three business days from the date the application for a major modification is filed, Planning Staff shall notify the district councilmember in writing as to the substance of the request.
3. **REVIEW STANDARDS:** Modifications may be permitted because of the exceptional narrowness, shallowness or shape of a specific piece of property; exceptional topographic condition; or other extraordinary and exceptional condition of a property. The condition shall be unique to the subject property and generally not prevalent to other properties in the area, and shall not have been created by the previous actions of any person having an interest in the property after the effective date of this ordinance.

Modifications may be approved by Planning Commission or Planning Staff as follows:

- a) Minor modifications – deviations of twenty percent or less on numerical standards– may be approved by Planning Staff.
- b) The applicant may elect to appeal any determination made by Planning Staff to the Planning Commission within seven business days.
- c) Major modifications – deviations of more than twenty percent on numerical standards and modifications of non-numerical standards – will be heard by the Planning Commission."

Amendment 3 - Delete “Section F.1 Provisions that apply with Incentives” (formerly section E.1.) in its entirety and replace it with the following:

“SECTION F.1: GENERAL PROVISIONS: The following signage standards shall apply to any new sign or change in signage that requires a sign permit, including the replacement of a sign panel(s) in accordance with The Metropolitan Zoning Code, Chapter 17.40, Article XI.”

Amendment 4 - Add “F.1.b) Sign compliance procedures” after “F.1.a) Applicability of base district standards,” (formerly Section E.1.a.) as follows:

“b) Sign compliance procedures:

New Signs: New signs shall comply with all Sign Standards of the Green Hills Urban Design Overlay.

Single-tenant Sign Changes: Existing single-tenant signs shall be brought into compliance with the UDO standards when a change to the sign requires a sign per further mit.

Nonconforming Multi-tenant Sign Changes: To prevent the demolition and rebuild of existing nonconforming multi-tenant signs, the Sign Display Surface Area may only be changed or replaced that do not result in a total aggregate change that exceeds fifty percent of the total Display Surface Area of the entire multi-tenant sign. Once the fifty percent threshold has been reached, no further changes shall be permitted until the entire sign complies with all provisions of the UDO Sign Standards. Display Surface Area that has not been changed shall be permitted to remain until such time as the sign is brought into compliance. At no time shall changes be permitted to signs that will increase the degree of non-conformity with the Green Hills UDO Sign Standards.

For calculation purposes, any Copy or Display Surface Area change shall be counted toward the fifty percent threshold, including multiple changes to the same area. The total aggregate change is the sum of all changes to the sign after the adoption of Ordinance (INSERT ORDINANCE NUMBER HERE).

For the purpose of compliance procedures only, the total Display Surface Area shall be the sum of all Display Surface Area from both sides of the sign

Notwithstanding the above, a non-conforming sign damaged by any involuntary means may be reconstructed to its pre-damage condition without increasing or reducing the existing total aggregate changes implicated in this section .

Amendment 5 – Delete “Section E.1.b) Signs not permitted” in its entirety and replace it with the following:

“F.1.c) Signs not permitted: In addition to signs prohibited in the base zoning district, pole-mounted signs, Electronic Display Signs, and new billboards shall not be permitted. Electronic Display Signs include, any sign or portion thereof that displays electronic static images, static graphics or static pictures, with or without textual information. Additionally, any sign that has visible moving parts; flashing or oscillating lighting, whether regular or intermittent; visible mechanical movement of any description, or other apparent visible movement achieved by any means are prohibited in the UDO area.”

Amendment 6 – Delete “Section E.1.c) Maximum aggregate building signage,” in its entirety and replace it with the following:

“F.1.d) Temporary Signs: Temporary signs shall be permitted in the Green Hills UDO area in accordance with the standards of the Metro Zoning Code 17.32.060, except as altered by this section. All temporary signs shall be attached to buildings and secured adequately at all corners. No temporary ground signs shall be permitted, including the attachment of temporary signs to existing permanent ground signs. Temporary signs shall be permitted to indicate a sale or special. Such messages may be displayed for a period of not more than fourteen days.”

Amendment 7 – Delete “Section E.1.d) Limitations on lighting,” in its entirety and replace it with the following:

“F.1.e) Limitation on lighting: Lighted signs shall be either spot-lit, externally lit, or back lit with a diffused light source. Back-lighting shall illuminate only the letters, characters, or graphics on the sign, but not its background. The sign background shall be opaque. Lighting for signage shall be constant rather than intermittent. Changes in signage lighting shall correspond only with opening and closing times for businesses and/or with daybreak and nightfall transitions.

Awnings shall not be lit from underneath or backlit.”

Amendment 9 - Renumber “Section E.1.e) Placement of signs” to “Section F.1.f) Placement of signs.”

Amendment 10 – Add “Section F.1.g) Landmark Signs” after “F.1.f) Placement of signs” (formerly E.1.e) as follows:

“g) Landmark Signs: Signs that contribute notably to the community’s unique character because of their cultural or community significance. Nonconforming on-premises signs may be considered conforming to this ordinance, if determined to be a Landmark Sign subject to the conditions set forth below:

- (1) Any person who chooses to pursue the landmark designation for a nonconforming sign shall make application to the Planning Commission. The Commission shall not be empowered to approve an increase in the degree of nonconformity of a sign when approving it for a historic or landmark designation.
- (2) It is the duty of the applicant to establish for the Commission the community and/or cultural significance of the sign in question.”

Amendment 11 – Add “Section F.1.h) Maximum Aggregate Signage” after “Section F.1.g) Landmark Signs” as follows:

“F.1.h) Maximum Aggregate Signage

(1) Single Tenant Buildings:

- a. The maximum combined amount of Sign Copy area of all permanent on-premise building signage shall not exceed fifteen percent of the area of the ground floor building façade(s) along the building’s street frontage(s) or 105 square feet, which ever is greater. Occupants may divide the permitted signage among all facades, but no additional signage is given for facades without street frontage.

(2) Multi Tenant Buildings:

- b. Each multi-tenant building may display no more than two on-premises Principal Building Signs with a combined Sign Copy area of not more than thirty-two square feet.
- c. In addition to the Principal Building Signage, each occupant of a multi-tenant building may display on-premises building signs on any exterior-viewed portion of the complex that is part of the occupant's unit. The total Sign Copy area shall not exceed fifteen percent of the facade area for the public entry side of the occupants unit. Occupants may divide the permitted signage among the applicable facades, but no signage bonus is given for additional public entries or facades.
- d. Where the owner of a multi-tenant building so chooses, a common signage plan in accordance with the standards for a single occupancy building may be submitted.

(3) Ground signs

- e. A maximum of one ground sign shall be permitted per street frontage. Properties with greater than 400 feet of frontage on one street shall be permitted two ground signs on the applicable frontage. Signs located along the same frontage shall be spaced a minimum of 400 feet apart.

(4) Facade area shall be calculated by multiplying the façade length by the height of the building or tenant space to a maximum height of sixteen feet.”

Amendment 12 – Edit the “Table of Sign Standards” as follows

Edit the “Minimum Setback” for “Ground Sign-Monument” as follows:

delete

“None Required”

add

“2 ft. from side property line. 15 ft. from any public right-of-way if the sign is within 15 feet of a driveway connecting to a street.”

Edit the “Maximum Display Surface Area” for “Awning Sign-Front” and “Building Sign-Wall Mounted” as follows

delete

“facing the public street, which ever is less.”

add

“on which the sign is placed, which ever is less.”

Add the new sign type “Ground Sign – Hanging” to the table as follows:

“Minimum setbacks: 2 ft. from side property line. 15 ft. from any public right-of-way if the sign is within 15 feet of a driveway connecting to a street.

Maximum Height: 6 feet for the entire sign structure

Maximum Display Surface of individual signs: 10 square feet”

Edit the “Maximum Height” for Building Sign-Projecting,” “Awning sign-Front,” and “Awning Sign-Side” as follows:

delete

“14 ft.”

add

“16 ft.”

Edit the Table of Sign Standards footnotes

delete

^a A minimum ground clearance of 10 feet shall be provided for any portion of a pole sign that is within 15 feet of the street line.

^c Greater than 15 ft. above ground level