

ARTICLE XX

Sign Code

Sec. 16-361. Intent and purpose.

The purpose of this Article is as follows:

- (1) To protect the public from signs which are structurally unsafe;
- (2) To promote traffic safety and the free movement of traffic, and protect the public from the hazardous conditions which result from signs that obscure or distract the vision of motorists, bicyclists and pedestrians;
- (3) To facilitate easy, safe and pleasant communication between people and their surroundings;
- (4) To conserve the character and economic value of buildings and neighborhoods;
- (5) To provide a balance between legitimate identification and advertising needs and the visual discord which signs sometimes cause, and to provide a sense of balance or proportion between a sign and the building or property which it serves;
- (6) To encourage the erection of signs which are legible in their surroundings, compatible with the visual character of the surrounding area, appropriate to the activities identified; and
- (7) To ensure that adequate and effective advertising signage opportunities exist within a regulatory framework which protects the constitutionally guaranteed right of free speech. (Ord. 682, § 1, 2001)

Sec. 16-362. Definitions.

For the purposes of this Article, the following words and phrases shall have the meanings respectively ascribed to them by this Section:

Address signs means any sign designed to identify a particular parcel of land, provided such contains only the street address and name of the owner of the property or the name of the property and does not exceed two (2) square feet in area for residential land uses and five (5) square feet in area for nonresidential land uses.

Animated sign means a moving sign that utilizes motion, implied or actual, in a horizontal or vertical plane or both. The only animated type of signs that are permitted are "time and temperature" and "barber pole" signs.

Approved wall area means an exterior wall of a building with a public pedestrian entrance and facing a public street, alley or parking lot which provides parking for the subject building

Arcade sign means any sign projecting beneath and attached to the underside of any balcony, canopy, awning or other structural overhang or passageway.

Artistic mural or sculpture means a freestanding statue or sculpture, a graphic illustration or design, an architectural design or an architectural design or relief applied directly to or incorporated within a wall of a building, which does not advertise or promote a particular business, service or product. A company, firm, association, society, etc., logo is not considered within the scope of this definition and is not considered a sign.

Awning means a temporary hood, cover or shelter which may be fixed or retractable, and which projects from the exterior wall of a building over a window, walk, door or similar building feature. An awning is often constructed of fabric, metal or glass and is not supported by the ground.

Billboard means any sign in excess of fifty (50) square feet in size utilized to advertise a product or service that is not produced or conducted on the same property as the sign.

Building front means the exterior walls of a building facing a public street or streets or other public right-of-way other than alleys, or one (1) exterior wall containing the primary entrance to the building if not directly facing upon a public street.

Building identification signs means signs which identify by name or number individual buildings within institutional or residential building group complexes which are limited to signs attached to the building, not more than two (2) signs per building, and not more than four (4) square feet each. These signs may be illuminated or nonilluminated.

Bulletin board means a sign which announces meeting times or special events of public interest such as a church service, civic meeting or similar event.

Canopy means a roof-like structure serving the purpose of protecting vehicles and/or pedestrians and which may be freestanding or attached to a building, is provided with supports, and is open on three (3) sides if attached and on all sides if freestanding.

Under canopy signs means signs affixed underneath a canopy or awning advertising the business or products sold within the building. Such signs are not to exceed two (2) square feet.

Changeable copy sign means a sign, either illuminated or nonilluminated, which is designed so that the message or any part of the message may be periodically changed, either mechanically or electronically. However, such change in message occurs no sooner than every fifteen (15) seconds. Any sign wherein the message changes sooner than fifteen (15) seconds shall be considered a flashing sign.

Commemorative plaques means any memorial or commemorative plaque or tablet that contains the primary name of a building, the date of erection and use of the building, when the sign is built into the building, mounted flat against the wall of the building, or is designed to designate any particular location of historical significance as determined by the Town.

Construction signs means a temporary sign not exceeding thirty-two (32) square feet announcing subdivision, development, construction or other improvement of a property by a

builder, contractor or other person furnishing services, materials or labor to said premises. For the purposes of this Code, a *construction sign* shall not be considered to be a "real estate sign" as defined herein and shall contain only project name; developer, architect, builder, and/or consultants; lending institution and opening date.

Courtesy signs means nonilluminated or indirectly illuminated signs which identify, as a courtesy to customers, items such as "credit cards accepted" and "redemption stamps offered," and which are not to exceed four (4) square feet per face or eight (8) square feet in total area. Such signs may be attached to the building as projecting or wall signs, suspended from a canopy or included as an integral part of a freestanding sign.

Development means a single lot, parcel or tract of land or portions or combinations of lots, parcels or tracts of land which are held in single or common ownership and which exist as a distinct functional entity. Multi-use buildings and multiple building complexes which are held in singular or common ownership, either by individual, corporation, partnership or other legally recognized entity, shall be considered a *development* for the purpose of signage.

Erect means to build, construct, attach, hang, place, suspend, affix, relocate or reconstruct any sign or sign-supporting structure.

Flags means the flag, pennant or insignia of any nation, organization of nations, state, county, town, any religious, civic, or fraternal organization or any educational institution.

Flashing sign means a sign that is illuminated with intermittent lighting, animated lighting or with varying intensities of light at intervals of fifteen (15) seconds or less, including a moving light or lights.

Freestanding sign means a sign that is permanent and self-supporting, being nondependent upon support from a building or other structure, including signs placed upon fences or nonsupporting walls.

Garage sale sign means a sign advertising the existence of a garage sale for the sale of personal property and advertising the date, time and location of the garage sale, with such signs having a maximum area of six (6) square feet, a maximum height of three (3) feet and a minimum setback of ten (10) feet, posted for the period of three (3) days prior and three (3) days following the date of the garage sale. Such signs shall not block or interfere with traffic visibility.

Gasoline price sign means for gasoline or service stations, two (2) signs listing only the prices and types of gasoline available are permitted with each sign, not to exceed ten (10) square feet in area or six (6) feet in height.

Holiday decorations means temporary decorations or displays when such are clearly incidental to and are customarily and commonly associated with any national, local or religious holiday or celebration.

Illuminated sign means a sign that is illuminated with constant intensities of light of a nonvarying nature. There are three (3) types of illuminated lights as follows:

a. *Direct illumination* means lighting by means of an unshielded light source which is effectively visible as a part of the sign. Neon lighting is considered direct lighting.

b. *Indirect illumination* means lighting which illuminates the front of a sign or the entire building façade upon which the sign is displayed, the source of the light being shielded from public view and from surrounding properties. *Indirect illumination* does not include lighting which is primarily used for purposes other than sign illumination, such as parking lot light.

c. *Internal illumination* means lighting by means of a light source which is within a sign having a translucent background and which silhouettes opaque letters or designs, or lighting within or behind letters or designs which are themselves made of translucent or opaque material.

Informational and directional signs means a freestanding or wall-type sign, not located within public street right-of-way, which gives necessary direction or nonadvertising information to motor vehicle operators or pedestrians, such as entrance, exit, parking limitations or location of onsite buildings or facilities. Such sign will be related to the permitted use on the lot on which the sign is located, provided that each sign does not exceed two (2) square feet in total area and is nonilluminated, internally illuminated or indirectly illuminated. This category shall be interpreted to include such signs as "No Smoking," "Restroom," "No Solicitors," "Self Service," "Vacancy," "Entrance," "Exit" and similar informational signs located at least five (5) feet from the property line.

a. *Informational directional sign, off-premises* is a single- or double-faced sign designed to give direction to a church, school, philanthropic organization or similar use of a nonretail or business nature. Such signs may contain only the name of the organization, direction and number of blocks. Such signs shall be metal, no more than two (2) square feet and mounted on minimum two-inch square steel pole. The bottom of the sign shall be a minimum of seven (7) feet above grade. Such signs may be located in the right-of-way.

Interior or window signs means signs within any structure or attached to the inside of any window of a structure.

Kiosk/plaza signs means freestanding signs not more than twelve (12) feet in height, owned or leased by the Town and located in public rights-of-way or on private property with the property owner's written permission, for the purpose of directing the public to development projects, business and/or public facilities as approved by the Town Manager.

Lot means a tract, building site, parcel or portion of land separated from other parcels or portions by description, as on a subdivision plat of record or survey map or by metes and bounds, for the purpose of sale, lease or use.

Nonconforming sign means a sign which does not conform with the regulations set forth in this Article, but which did meet the requirements of the regulations existing at the date of its erection.

Painted sign means a sign that is painted directly onto the exterior surface of a building, wall or structure.

Political sign means a noncommercial sign, which is exempt from permit requirements, erected or placed so as to advertise, announce, declare or state a political message, whether relating to a political campaign or election or any other issue of public concern which is protected by the First Amendment's right of free speech. Such a sign is subject to all applicable provisions of this code.

Portable sign means any sign which is supported by one (1) or more uprights or braces upon the ground and which is of portable design.

Projecting sign means a sign which is affixed to any building, wall or structure and which extends beyond the building wall more than fifteen (15) inches.

Public information sign means a sign giving only information about public places owned and operated by federal, state or local government.

Public sign means an official sign that is required by law or ordinance or is necessary for public information. Any sign erected by any governmental agency including, but not limited to, federal, state, county and town governments, school and recreation districts, but not including private water and sanitary sewer districts, is a *public sign*.

Real estate signs means temporary, nonilluminated real estate signs indicating the availability for sale, rent or lease of a specific lot, building or portion of a building upon which such signs are erected or displayed, which do not exceed six (6) square feet in total area and four (4) feet in height for residential properties or twenty (20) square feet in total area and six (6) feet in height for nonresidential properties and which are located on properties to be sold, limited to one (1) such sign per street frontage. Such signs shall not remain in place more than seven (7) days following sale or rental of the subject property.

Revolving sign means a sign utilizing an axis point to pivot the sign surface. *Revolving signs* are specifically prohibited.

Roof sign means a sign erected, constructed and maintained above the eaves and attached to the roof of a building. *Roof signs* are specifically prohibited.

Semipublic sign means a sign giving information as to church location, educational institutions or service club locations.

Shopping center identification signs means a freestanding or wall sign which identifies all or some of the tenants in a multi-tenant building.

Sight distance triangle means that area formed by drawing a straight line back from intersecting property lines twenty-five (25) feet from said intersection and connecting same with a separate line, creating a triangle.

Sign means any object or device or part thereof situated outdoors or indoors, viewed from outdoors by the general public, which object or device or the effect produced thereby is used to advertise, announce, identify, declare, demonstrate, display, instruct, direct or attract attention by means including, but not limited to, words, letters, figures, designs, fixtures, colors, motion, illumination, sound or projecting images.

Sign permit means a building permit issued for the erection, construction, enlargement, alteration, repair, relocation, improvement, removal, conversion or demolition of any sign issued pursuant to the building code of the Town or this sign code.

Sign structure means any supports, uprights, braces or framework of a sign which does not include any portion of the sign message.

Special event signs means signs in conjunction with and in conformance with the Colorado Revised Statutes regarding special events such as philanthropic campaign, church, circus, carnival or community celebrations, provided that such signs are removed within ten (10) days of the termination of the event of which they are a part.

Street frontage means for the purpose of signage, frontage upon a street is obtained by ownership, easement or leasehold only if used for vehicular access to the property, or if not used for vehicular access, only if such street frontage is at least fifty (50) feet in width. Where the regulations allow "one sign per street frontage," the intent is that the sign allowed is placed upon or facing the street, unless specifically otherwise permitted.

Surface area of sign means the total area enclosed by the shortest eight (8) straight lines that can be drawn around the entire sign, including any architectural embellishment or background material or color forming an integral part of the display and used to differentiate the sign from its surroundings. Sign support structures which do not bear advertising material shall be excluded in computation of sign area. Signs without backing (i.e. freestanding, projecting, A-frame or pedestal signs) are allowed the maximum square footage for each side for double-faced signs; however, signs having more than two (2) sides or faces shall not exceed the total face area allowed for a double-faced sign.

Temporary sign means any sign, banner, pennant, valance or other outdoor advertising sign constructed of light fabric, cardboard, wallboard, plywood, sheet metal, paper or other light materials, with or without a frame, intended or designed to be displayed for a limited period of time.

Traffic directional signs means private *traffic directional signs* guiding or directing vehicular or pedestrian traffic onto or off of a lot or within a lot, when such do not exceed three (3) square feet per sign per face in area and eight (8) feet in height, do not contain any advertising or trade name identification and are nonilluminated, internally or indirectly illuminated. Private traffic control signals shall conform to the standards of the Colorado Manual of Uniform Traffic Control Devices and exceed three (3) square feet per face in area but shall not exceed seven (7) square feet per face. Such signs shall not exceed four (4) feet in height and shall be set back at least five (5) feet from the property line.

Unlawful sign means any sign or outdoor advertising device erected in the absence of a permit required by this Article, or in violation of any of the limitations, prohibitions or requirements of this Article.

Unsafe sign means any sign or advertising structure found unsafe or insecure or creating a hazard or menace to the public safety, health and welfare.

Wall sign means a sign constructed of durable materials or painted and which is permanently affixed to an exterior surface of any building, wall or structure and which does not extend more than fifteen (15) inches beyond the building wall, except that signage placed upon marquees, canopies or awnings shall be considered as *wall signs*.

Warning signs means temporary or permanent signs erected by public utility companies or construction companies to warn of danger or hazardous conditions, including signs indicating the presence of underground cables, gas lines and similar devices. (Ord. 682, §1, 2001; Ord. 2005-730 §1)

Sec. 16-363. Permit requirements.

No sign or modification to an existing sign shall be erected, placed or displayed outdoors within the Town limits until a permit for such sign has been issued by the Town, unless such sign is exempt from a permit in accordance with this Article. Permit fees shall be in accordance with the fee schedule adopted by the Town at the time of the permit request. (Ord. 682, § 1, 2001)

Sec. 16-364. General provisions.

(a) Nonconforming signs: The lawful use of a sign existing at the effective date of the ordinance from which this Article is derived may be continued, although such use does not conform to the provisions of this Article, subject to the following provisions:

(1) Rebuilding, enlargement, relocation, extension, replacement or reconstruction of a nonconforming sign is prohibited unless such sign is brought into conformance with this Article.

(2) In the event the use of a nonconforming sign is discontinued for a period of sixty (60) consecutive days, the nonconforming sign shall thereafter conform to the provisions of the zoning district in which it is located or be removed. For the purpose of this Section, the term "discontinued" shall apply to uses which customarily operate on a continuous basis versus a seasonal basis. Seasonal uses shall be subject to a twelve-month period of nonuse prior to requiring full compliance with these regulations.

(3) A nonconforming sign that is destroyed or damaged more than fifty (50) percent of its net worth due to natural causes may not be reconstructed except in accordance with the provisions of this Article; however, any sign destroyed or damaged to any extent by vandalism or other unnatural cause may be rebuilt to its original state within two (2) months or be reconstructed in conformance with this Article.

(4) Normal maintenance such as painting and message replacement within sixty (60) days of prior use which does not require modification of the sign structure, supports or members shall be allowed.

In order to provide an incentive for removal of nonconforming signs, permit fees and Town use tax may be waived where a nonconforming sign is removed and replaced by a sign conforming with these regulations. Authorization for the waiver of use tax is to be approved by the Town Administrator or designee.

(b) Discontinued business, etc.: Whenever a use of land and/or building using an identification sign is discontinued, except for seasonal uses, the sign shall be removed or obscured by the person owning the property within thirty (30) days after the discontinuance of such use. Any such sign which is nonconforming to these regulations and which is not used to advertise an active business within sixty (60) days of discontinuance shall be removed or otherwise brought into compliance.

(c) Removal or reconstruction of dangerous signs. All signs which are prohibited in this Article relating to obstruction to view at street intersections, all illuminated signs that are erected in such a location that a traffic signal light is in a direct line between the sign and oncoming traffic, all signs that employ a lighting or control mechanism which causes radio, radar or television interference, any sign so erected, constructed or maintained as to obstruct or be attached to any fire escape, window, door or opening used as a means of egress or ingress or for firefighting purposes or so placed as to interfere with any opening required for light or ventilation, and any other signs that are unsafe or dilapidated shall conform to the provisions of this Article either by removal or reconstruction, whichever applies, within sixty (60) days after the owner of such sign is notified for the violation.

(d) Location of certain signs. All signs, except public signs, semipublic signs and public information signs, allowed by this Article shall be located on the lot for which they advertise. Unless otherwise allowed by this Article, there shall be no sign advertising on the public right-of-way.

(e) Attachment to public structures. Attachment of any sign to utility poles or other poles or structures within public rights-of-way is prohibited, except as approved by the Board of Trustees.

(f) Conformance to building code. The design of all sign structure members and foundation shall conform to the requirements of the building code relative to allowable stresses, materials and engineering standards. Loads, both vertical and horizontal, shall not produce stresses exceeding those specified in the building code, and material construction shall be of the quality and grade required by the building code. All signs and structures shall be of the quality and grade required by this Article and/or by the building code. All signs and structures shall be designed and constructed to meet the Town-adopted code for same.

(g) Exterior signs only. No more than a total of three (3) signs per use is allowed.

(h) Sign setback requirements:

(1) From adjacent properties — ten (10) feet where adjacent to residential-zoned properties; no setback where adjacent to nonresidential-zoned properties. Where a sign exists on an adjacent property and that sign is within twenty (20) feet of the proposed location of a new sign on the adjacent property, an offset, either vertical or horizontal, shall be required, such that the existing sign is not visually blocked by the new sign.

(2) From a public right-of-way — one (1) foot setback up to six (6) feet in vertical height; one (1) foot for every foot of height greater than six (6) feet.

(i) Landscaping requirement: for new development or redevelopment, all freestanding signs shall be placed within a landscaped planter base. (Ord. 682, § 1, 2001)

Sec. 16-365. Signs not subject to permit.

The following signs, which shall be nonilluminated unless specifically stated to the contrary, are permitted in all zoning districts and require no permit for erection:

- (1) Public signs, as defined in Section 16-362.
- (2) Interior or window signs, as defined in Section 16-362.
- (3) Commemorative plaques, as defined in Section 16-362.
- (4) Address signs, as defined in Section 16-362.
- (5) Special event signs, as defined in Section 16-362.
- (6) Real estate signs, as defined in Section 16-362.
- (7) Building identification signs, as defined in Section 16-362.
- (8) Information and directional signs:

a. Traffic directional signs: Private traffic directional signs guiding or directing vehicular or pedestrian traffic onto or off of a lot or within a lot, when such do not exceed three (3) square feet per sign face in area and eight (8) feet in height, do not contain any advertising or trade name or color identification and are nonilluminated. Private traffic control signals shall conform to the standards of the Colorado Manual of Uniform Traffic Control Devices and exceed three (3) square feet per face in area but shall not exceed seven (7) square feet per face. Such signs shall not exceed four (4) feet in height and shall be set back at least five (5) feet from the property line and shall not be located in the sight distance triangle. (An example might be a "no parking" sign.)

b. Signs commonly associated with and limited to information and directions related to the permitted use on the lot on which the sign is located, provided that each such sign does not exceed two (2) square feet in total area and is nonilluminated, internally illuminated or indirectly illuminated. Such signs shall contain no advertising color schemes or logos of the proposed business. This category shall be interpreted to include such signs as "No Smoking," "Restroom," "No Solicitors," "Self Service," "Vacancy," "Entrance," "Exit" and similar informational signs located at least five (5) feet from the property line and not in the sight distance triangle.

c. Off-premises informational directional signs. A single- or double-faced sign designed to give direction to a church, school, philanthropic organization or similar use of a nonretail or business nature. Such sign may contain only the name of the organization, direction and number of blocks. Such sign shall be metal, no more than two (2) square feet, and shall be mounted on a minimum two-inch square steel pole. The bottom of the sign shall be a minimum of seven (7) feet above grade. Such signs may be located in the right-of-way but not within the sight distance triangle and shall be subject to a revocable permit authorizing the use of the right-of-way for same.

(9) Courtesy signs: Nonilluminated or indirectly illuminated signs which identify, as a courtesy to customers, items such as "credit cards accepted" and "redemption stamps offered," are not to exceed four (4) square feet per face or eight (8) square feet in total area. Such signs may be attached to the building as wall signs, suspended from a canopy or included as an integral part of a freestanding sign.

(10) Flags: The flag, pennant or insignia of any nation, organization of nations, state, county, Town, any religious, civic or fraternal organization or any educational institution not to exceed twenty (20) square feet.

(11) Holiday decorations, as defined in Section 16-362.

(12) Warning signs, as defined in Section 16-362.

(13) Kiosk/plaza sign. (Ord. 682 §1, 2001; Ord. 2005-730 §1)

Sec. 16-366. Signs requiring a permit.

A permit is required for the following signs:

(1) Animated. Size of sign is based upon the sign type (i.e., freestanding, wall or projecting).

(2) Arcade.

a. Nonresidential uses.

b. Maximum height cannot exceed bottom of eave, balcony, canopy, awning or other structural overhang or passageway to which it is attached.

c. Minimum height, seven (7) feet above grade.

d. Maximum one (1) per building entrance for nonresidential uses.

e. Maximum area, four (4) square feet for nonresidential uses.

f. Must be placed on an approved wall area.

(3) Awning sign.

a. Permitted on the bottom eighteen (18) inches of 1st floor awnings.

b. Allowed at 0.5 square feet per linear foot of awning.

c. Maximum of twelve-inch letter height.

d. Maximum of one (1) per awning.

e. Must be located on an approved wall area.

- f. May be illuminated.
- (4) Bulletin boards.
- a. Nonresidential, nonagricultural and multiple-family uses only.
 - b. Maximum area, thirty-two (32) square feet.
 - c. Maximum height, eight (8) feet.
 - d. Maximum one (1) per street frontage.
 - e. Must be set back a minimum of ten (10) feet from any private property line and from a public right-of-way; one (1) foot setback for signs up to six (6) feet in vertical height; one (1) foot for every foot of height greater than six (6) feet.
- (5) Freestanding residential districts:
- a. Permitted in residential zones only.
 - b. Maximum sign area is one hundred (100) square feet.
 - c. Maximum of one (1) per street frontage, said street being on the boundary of the development.
 - d. Maximum height all residential districts, six (6) feet.
 - e. Maximum height in all multiple family use districts, twelve (12) feet.
 - f. Must be set back from any private property line and from a public right-of-way one (1) foot setback for signs up to six (6) feet in vertical height; one (1) foot for every foot of height greater than six (6) feet.
 - g. May be illuminated.
- (6) Residential development entryway signs:
- a. One (1) for each major entryway;
 - b. Not to exceed twenty (20) square feet in area or six (6) feet in height;
 - c. Freestanding-type signs must be set back onto the property a minimum of ten (10) feet, unless incorporated into a traffic island entrance, then twenty-five (25) feet back from the face of the street curb and three (3) feet from the edge of the traffic island;
 - d. Fence or wall-incorporated-type signs may be placed parallel with and at the property line following the same height and sight distance requirements as for a wall or fence.
 - e. Subject to a revocable permit in favor of the Town if situated in the right-of-way.

(7) Freestanding nonresidential districts:

a. Maximum height: Twenty-five (25) feet.

b. Maximum number of signs per development: one (1) per street frontage, not to exceed two (2) per development, except as may be permitted by a master sign plan approved by the Board of Trustees.

c. All such signs shall be set back from the property line a distance equal to the height of the sign, except a sign six (6) feet in height shall be set back from the property line a distance of one (1) foot.

d. Maximum sign area: based upon the following table.

MAXIMUM SIGN AREA (Square Feet — s.f.)		
Floor area of Building	Single Use Development	Multiple Use Development
0-1,500 s.f.	35 s.f.	60 s.f.
1,500-5,000 s.f.	35 s.f. plus 1 s.f. per each additional 50 s.f. of floor area over 1,501.	60 s.f. plus 1 s.f. per each additional 40 s.f. of floor area over 1,501.
5,000-50,000 s.f.	100 s.f. plus 1 s.f. per each additional 1,000 s.f. of floor area over 50,001 up to a maximum size of 300 s.f.	300 s.f. plus 1 s.f. per each additional 1,000 s.f. of floor area over 50,001 up to a maximum size of 400 s.f.

(8) Illuminated signs:

a. Within one hundred (100) feet of residential use or district, internal lighting only.

b. Over one hundred (100) feet from a residential district, any type of lighting source is allowed, except search or flashing lights, or directed so that the light shall not adversely affect surrounding premises or safe vision on public or private roadways, including highways.

(9) Portable:

a. A-frame or pedestal style only;

b. Maximum area: Six (6) square feet;

c. One (1) per street frontage;

d. Must be set back a minimum of ten (10) feet from the street right-of-way line if over forty-two (42) inches or two (2) feet if forty-two (42) inches high or less;

e. Must be anchored to the ground or weighted sufficiently to prevent movement by force of wind.

f. May not interfere or block pedestrian or vehicular traffic.

(10) Projecting:

- a. Maximum height: top of wall or parapet; not to be roof-mounted;
- b. Maximum projection: Shall be in accordance with building codes, requirements for "Construction in Public Right-of-Way."
- c. Maximum size: Two (2) square foot for each one (1) foot of height of the building wall to which the sign is to be attached;
- d. Projecting and wall sign not permissible on same wall;
- e. Maximum number: One (1) per street frontage.

(11) Public information: As defined with the approval of the Town Administrator or designee.

(12) Temporary subdivision signs:

a. Temporary model home signs:

- 1. One (1) per model home;
- 2. Not to exceed twelve (12) square feet each and not over six (6) feet in height if a freestanding type; and
- 3. Must be set back from property lines a minimum of ten (10) feet or a distance equal to height, whichever is greater.

b. Temporary residential subdivision signs.

1. Temporary signs are prohibited upon public rights-of-way. Temporary signs found by an enforcement officer to be located within Town rights-of-way shall be removed by such enforcement officer with no requirement of notice.

2. Construction signs shall not exceed thirty-two (32) square feet and twelve (12) feet in height. One (1) per street frontage is allowed between the time a building permit is issued and the time a certificate of occupancy is obtained.

3. Political and real estate signs may be located on property only by permission of the landowner.

c. Temporary commercial/industrial signs.

1. Banners are permitted for any nonresidentially zoned or used property to advertise special events or sales subject to the following provisions:

- a) May be placed upon a building wall or roof or a fence but shall not be attached to landscaping, freestanding posts or utility poles;

b) The total size allowed for any single banner or total combination of multiple banners shall be determined using the same criteria that applies to wall signs. If the banner is to be affixed to a fence, size shall be the same as if it was attached to the nearest adjacent building wall having street frontage;

c) Any banner that becomes discolored, ragged, shredded, detached, etc., shall be removed or repaired.

2. Pennants, streamers and similar devices, and balloons or other inflatable devices, shall be permitted upon nonresidentially zoned or used properties only, subject to the following provisions:

a) Any one (1) or a concurrent or successive combination of pennants, streamers or balloons or other inflatable devices shall be permitted to advertise special events or sales not more than five (5) times per year for up to thirty (30) days or seven (7) times per year for up to fifteen (15) days each time;

b) Such devices shall be securely anchored or attached as to prevent dislocation, entanglement or encroachment onto adjacent properties or public streets, or undue hazard to motorists or pedestrians;

c) Roof mounting may be permitted by the Town Administrator or designee.

d) It is not the intent of these regulations to prohibit or unreasonably regulate or to require permits for the legitimate display of traditional winter holiday season decorations; provided, however, that such display occurs between November 15 (year-end) and January 15 (new-year), and provided that such decorations or display is installed and maintained in a safe manner.

(13) Under canopy signs.

a. Minimum clearance from the sidewalk is eight (8) feet.

b. One (1) sign per frontage.

c. Not counted against other allowed signage.

(14) Wall or painted:

a. Maximum area to be no larger than two (2) square feet for every linear foot of the side of the building having a public entrance and facing a public street, alley or parking lot to which it is affixed. Signs affixed to attached or detached canopies and marquees or awnings shall be considered wall signs and shall be calculated based upon the length of the wall to which they are attached or adjacent.

b. Each ground floor tenant or use shall have the right of wall signage upon any wall which fronts upon a public street, or if not fronting upon a public street, upon any wall which fronts upon a major interior drive having direct access to a public street. For uses that have a rear

entry or delivery door, one (1) nonilluminated wall sign per use, not to exceed ten (10) square feet, is permitted.

c. For buildings with flat roofs, wall signs shall not extend above the top of parapet or mansard, shall not extend more than three (3) feet above the deck line.

d. May not extend more than fifteen (15) inches beyond the surface of the wall and may not extend beyond the side of the wall.

e. Commercial, industrial, multiple-family, public and semipublic uses only.

f. Cannot be used on the same wall as a projecting sign.

g. Must be placed on an approved wall area. (Ord. 682, § 1, 2001)

Sec. 16-367. Master sign plan.

(a) The Planning and Zoning Commission may approve a master sign plan for planned unit developments of any size and for any existing or proposed business center or office complex of at least two (2) acres or more in size which are under unified control either by ownership, legal association or leasehold.

(b) The intent and purpose is to encourage well planned and designed signage within a large multiple building or multiple use complex which expresses unification and integration by elements of architectural style, size, color, placement and lighting, while at the same time allowing for reasonable individual business identification. An additional purpose is to encourage the elimination of existing nonconforming signs. The Planning and Zoning Commission may grant a bonus for well designed plans up to a one hundred percent (100%) increase in the number of signs and/or fifty percent (50%) increase in the maximum square footage, and/or may permit signs in locations other than normally permitted, based upon a finding that the proposed master sign plan substantially meets the intent and purpose of this Subsection relating to unification and integration of signage.

(c) Once approved at a public hearing by the Planning and Zoning Commission, all master sign plans shall be recorded with the Weld or Larimer County recorder's office and shall constitute a covenant and must be complied with by all owners, proprietors, lessees or assigns, whether current or future. No substantial variation from the plan shall be permitted without the Planning and Zoning Commission's approval. Approval procedures under this provision shall be subject to those requirements for a conditional use, as set forth in this Zoning Ordinance. (Ord. 682, § 1, 2001)

Sec. 16-368. Prohibited signs.

The following signs are prohibited:

(1) Any sign which would violate sight distance triangle requirements.

(2) Any nonpublic sign on the right-of-way or on a property other than that which it advertises.

(3) Any sign which, even though in general conformance with the standards and requirements of this sign code, is a dangerous sign due to interference with a traffic control device by being in direct line between the control device and oncoming traffic or otherwise in visual competition with a traffic control device or resembling a traffic control device.

(4) Any sign that is erected in such a location as to interfere with motor vehicle traffic.

(5) Any sign employing a lighting or control mechanism which causes radio, radar, television, or telecommunication interference.

(6) Any sign so erected, constructed or maintained as to obstruct or be attached to any fire escape, window, door or opening used as a means of egress or ingress or for firefighting purposes, or any sign so placed as to interfere with any opening required for light or ventilation.

(7) Flashing, blinking or other moving signs and searchlights/klieg lights.

(8) Animated signs, including revolving, whirling, twirling or any other sign which uses motion, either implied or actual, except that barber poles (not exceeding five (5) feet in length which are not roof-mounted), windmills and time and temperature signs are permitted.

(9) Structurally unsafe signs as determined by the chief building official, based upon criteria established in the adopted Town codes regulating same.

(10) Roof signs.

(11) Wheeled advertising devices, except for currently licensed, operative vehicles which are primarily used by their owners for service, delivery or general transportation on a regular basis.

(12) Any merchandise displayed outside of a building in such a way as to attract attention when viewed by the general public by placement upon a pole, a fence, a platform, roof or other similar device or structure shall be considered as a sign and shall be prohibited unless otherwise approved by the Planning and Zoning Commission. This shall not, however, be construed to prohibit merchandise customarily stored outside of buildings and placed upon shelves or tables, such as automobiles, campers, boats, plant materials, produce or lumber.

(13) Any sign regulated by the State of Colorado Department of Transportation rules and regulations pertaining to outdoor advertising not approved by the CDOT. (Ord. 682, § 1, 2001)

Sec. 16-369. Supersession.

If the terms and provisions of this Article conflict with other Town Municipal Code requirements, the most stringent shall apply. (Ord. 682, § 1, 2001)

Sec. 16-370. Enforcement and penalties.

(a) A person who violates the requirements of this Section shall be punished by a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment of not more than one (1) year, or by both such fine and imprisonment.

(b) Specific authority is granted to the enforcement officer to remove, or have removed, the following signs:

(1) Signs which are prohibited as stated in this Article;

(2) Unlawful temporary or portable signs as defined in this Article. (Ord. 682, § 1, 2001; Ord. 2005-730 §1)

Secs. 16-371—16-390. Reserved.