

4.2 SIGN REGULATION

A. Sign Regulation.

This regulation governs exterior signs. The proliferation and disrepair of signs can deter the effectiveness of signs, cause dangerous conflicts with traffic control signs and signals, and contribute to visual pollution to the detriment of the general public.

B. Prohibited Signs.

1. Prohibited signs are signs which:

- a. Contain statement(s), word(s), or picture(s) describing or depicting sexual activities or specified anatomical areas;
- b. Contain, or are an imitation of, an official traffic sign or signal or contain the words: "STOP," "GO SLOW," "CAUTION," "DANGER," "WARNING," or similar words;
- c. Are of a size, location, movement, content, coloring or manner of illumination which may be confused with, or construed as, a traffic control device or which hide from view any traffic or street sign or signal;
- d. Contain or consist of portable signs, tent signs, or strings of light bulbs not permanently mounted on a rigid background;
- e. Are erected after adoption of this Code and do not comply with the provisions of this regulation; or
- f. Flash, move, blink, change color, chase or have other animation effects, except the following: i) time and temperature signs; and ii) revolving signs which do not exceed the rate of seven (7) revolutions per minute. Such rotating signs shall be engineered to maintain rotations at a rate not to exceed seven (7) revolutions per minute under a wind load of thirty (30) pounds per square foot. Revolving beacon lights are not permitted.

C. Exemptions.

1. The following signs are exempt from all the provisions of this Code, except as otherwise required by construction or safety regulations, or the following requirements:
 - a. **Public Signs.** Signs of a non-commercial nature, erected by, or on the order of, a public officer in the performance of his duty, such as, but not limited to, safety signs, danger signs, trespassing signs, traffic signs, memorial plaques, signs of historical interest, informational signs and the like.
 - b. **Institutional.** Permanent signs which set forth only the name of a public, charitable, educational or religious institution, located entirely upon the premises of that institution, and which do not exceed an area of twenty-four (24) square feet per street frontage. If mounted on a building, these signs shall be flat wall signs and shall not project above the roofline; if ground mounted, the top shall be no more than six (6) feet above ground level.
 - c. **Integral.** Names of buildings, dates of erection, monumental citations, commemorative tablets and the like when carved into stone, concrete or similar material or made of metal or other permanent-type construction and made an integral part of the structure.
 - d. **Private Traffic Direction.** Signs directing traffic movement into a premise or within a premise, not exceeding three (3) square feet in area for each sign. Illumination of these signs shall be permitted in accordance with the section on illumination. Horizontal directional signs on, and flush with, paved areas are exempt from these standards.
 - e. **A Nameplate.** Not exceeding two (2) square feet in area, containing only the name of the resident, title and/or name of home occupation. A nameplate may be located anywhere on the property.

- f. **Temporary Decorations or Displays.** Clearly incidental and customary and commonly associated with national or local holiday celebrations.
- g. **Rear Entrance Signs.** When associated with pedestrian walk-through buildings. These signs shall not exceed sixteen (16) square feet in area and shall be flush mounted, identifying only the name of the establishment and containing directional information.
- h. **Temporary Signs not advertising a Product or Service.** Offered for sale and not in excess of six (6) square feet may be erected as participation in a public parade, event, or celebration for a period not to exceed ten (10) days.
- i. **Menu Signs at drive-in Restaurants.** Which are not readable from the nearest public right-of-way; and signs not readable visible beyond the boundaries of the lot or parcel upon which they are located or from any public right-of-way.
- j. **Private Warning or Instructional Signs.** Such as "NO SOLICITING," "NO TRESPASSING," "BEWARE OF DOG," or other similar types of signs not exceeding one and one-half (1 ½) square feet per sign.
- k. **Non-Profit Organization Fund-Raising Campaign Signs (temporary).** Temporary signs not in excess of thirty-two (32) square feet advertising non-profit organization fundraising campaigns may be erected for campaign purposes in non-residential zone districts only. The number of campaign signs per parcel is limited to one (1). Such signs may not be placed in the public right-of-way and are required to be removed within seven (7) days after the fund drive has ended. A campaign sign may not be in place more than ninety (90) consecutive days in any twelve (12)-month period.
- l. **Transit Shelter Signs.** Signs on or incorporated within City-approved transit shelters erected and constructed in accordance with City specifications for the comfort and convenience of the users of public transit.

D. Temporary Signs.

- 1. A non-illuminated sign, advertising the sale or development of land containing an area of not less than five (5) lots, or one (1) acre. The sign shall not exceed thirty-two (32) square feet in area, and not more than one (1) sign shall be placed per parcel. Signs shall not be erected for more than one (1) year on any parcel unless the Director approves an application for continuance. The Director may issue approval to continue the sign for an additional year.
- 2. A non-illuminated sign, not to exceed six (6) square feet in area, pertaining to the sale or lease of the premises on which it is located. This sign shall not be erected for more than one (1) year for any parcel. The sign shall be removed within twenty-four (24) hours after the transfer of title or the signing of a lease. During the period of time between the execution of a contract for sale or lease and the finalizing of the same, a "sold," "sold by," or similar sign shall be permitted as long as the maximum size of six (6) square feet is not exceeded.
- 3. An on-site, non-illuminated sign, advertising the development or improvement of a property by a builder, contractor, or other person furnishing service, materials, or labor to the premises during the period of construction. The size of the sign shall not be in excess of thirty-two (32) square feet in area. Such sign shall be removed within twenty-four (24) hours after a certificate of occupancy is issued.
- 4. A sign, not exceeding sixteen (16) square feet in area, advertising the sale of produce grown on the premises. Only one (1) sign per street frontage shall be permitted.
- 5. Corporation flags, limited to one (1) flag per parcel, when flown in conjunction with the United States or State of Colorado flags.

6. Wind-driven signs are subject to the following:
 - a. A special events permit shall be required prior to any use of wind-driven signs.
 - b. Wind-driven signs, excluding banners, may be displayed for not more than fourteen (14) days in any calendar quarter. The days shall be consecutive.
 - c. Banners may be displayed for a consecutive thirty (30) day period in any calendar quarter.
 - d. All banners must be secured directly to the building at all contact points.
 - e. All wind-driven signs must be professionally made, must be in good repair and appearance, and must also be so located and installed so as not to pose a safety hazard for motorists or pedestrians. Such signs shall not be attached to any object located in the public right-of-way.
7. In addition to other available penalties, failure to comply with the terms of a permit issued under this section shall result in the loss of a permit for the following quarter.
8. Signage for temporary uses requiring a temporary use permit shall conform to the requirements for a temporary use permit.

E. Non-Conforming Signs.

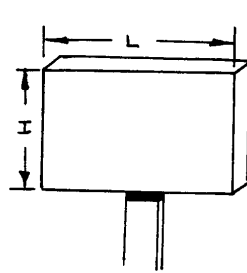
1. All signage on site shall be brought into conformance with this Code prior to approval of any new sign permit on the property.
2. Any non-conforming sign that has been damaged in excess of fifty percent (50%) of its replacement cost by fire, wind or other cause except vandalism shall not be restored without conformance with the provisions of this regulation.

F. General Requirements.

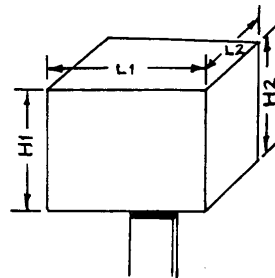
1. The following requirements shall apply to all signs in all zones unless otherwise indicated.
 - a. Permits shall be required for all new signs. The alteration of sign faces by painting or overlay shall be considered as construction of a new sign and require a permit.
 - b. Touching up or repainting existing letters, symbols, *etc.*, shall be considered maintenance and repair and shall not require a permit.
 - c. Only a licensed sign contractor shall obtain permits for signs.
 - d. All signs shall be located on the premises to which they refer unless permitted as off-premise signs under this regulation. All signs shall be permanent in nature except for those signs allowed herein.
 - e. All exterior signs shall be engineered to withstand a minimum wind load of thirty (30) pounds per square foot.
 - f. Signs which identify businesses, goods, or services no longer provided on the premises shall be removed by the owner of the premises within ninety (90) days after the business ceases, or when the goods or services are no longer available.
 - g. No sign shall be placed on any curb, sidewalk, post, pole, hydrant, bridge, tree or other surface located on public property including the posting of handbills except as may otherwise expressly be authorized by this regulation.
2. The following shall apply to the measurement of signs:
 - a. The total surface area of one sign face of freestanding signs and projecting wall signs shall be counted as part of the maximum total surface area allowance.
 - b. The total surface area of all sign faces of roof signs shall be counted as part of the maximum total surface area allowance.
 - c. For measurement of different shapes of signs, see Exhibit 4.2.
 - d. The area of flush wall signs with backing or a background that is part of the overall sign display or when backed by a surface which is architecturally a part of the building shall be measured by determining the sum of the area of each square,

rectangle, triangle, portion of a circle or any combination thereof which creates the smallest single continuous perimeter enclosing the extreme limits of each word, written representation (including any series of letters), logo or figure including all frames, face plates, non-structural trim or other component parts not otherwise used for support.

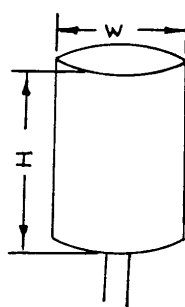
Exhibit 4.2 Measurement of Signs



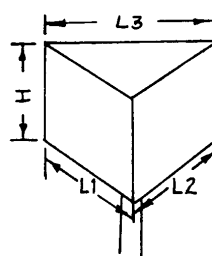
Doubleface "Blade" Sign
Measure square footage of one side only (HxL)



"Box" Sign
Measure square footage of two adjoining faces
(H1 x L1)+(H2 x L2)



Circular Sign
Measure square footage of cross section at center and double 2(HxW)



Triangular Sign
Measure total square footage of all 3 sides and divide by two. ((HxL1)+(HxL2)+(HxL3))/2 :

3. No illumination of a sign is permitted unless the following criteria are met:
 - a. The light from any illuminated sign shall be so shaded, shielded and directed that the light intensity or brightness shall not be objectionable to surrounding areas.
 - b. Neither the direct or reflected light from a light source shall create a traffic hazard to operators of motor vehicles on public thoroughfares or approaches to public thoroughfares.
 - c. No exposed reflective-type bulb or incandescent lamp, which exceeds forty (40) watts, shall be used on the exterior surface of a sign to expose the face of the bulb, light or lamp to any public street or adjacent property.
 - d. Electrical service provided to illuminated signs may require an electrical permit from the Building Department.
4. **Identification and Marking.** Each sign requiring a permit shall bear an identification plate stating the following information:
 - a. Date the sign was erected; and
 - b. Name of person, firm or entity responsible for its construction and erection.
5. **Corridor Overlays.** Shall be in conformance with corridor overlays, PD overlays, and RO District requirements.

G. Sign Standards by Zone.

1. Only signs as described below and within this Section shall be permitted in any zone.
 - a. **Residential Zones-Types Allowed:**
 - (1) A bulletin sign, not to exceed twenty four (24) square feet per street frontage may be erected upon the premises of a church or other medical, public or charitable institution for the purpose of displaying the name of the institution and its activities or services.
 - (2) One (1) identification sign shall be allowed for each apartment building or complex not to exceed thirty-two (32) square feet per street frontage and, if lighted, shall utilize indirect illumination only, and contain only the building or complex name and name of the agent.
 - (3) Signs advertising any subdivision or other project being developed in the City shall be governed by the following:
 - (A) Signs in the model home area and on the subdivision site shall not exceed a total aggregate of two hundred (200) square feet.
 - (B) Permanent on-site subdivision signs shall be allowed at the entrances to the subdivision, provided that each sign does not exceed thirty-two (32) square feet.
 - b. **Location.** Permitted signs may be anywhere on the property. If freestanding, the top shall not be over eight (8) feet above the ground. If building mounted, the sign shall be flush mounted and shall not be mounted on a roof of the building or project above the roofline.
 - c. **Illumination.** Indirect or internal illumination only shall be utilized for letter faces and/or logos.
 - d. **Residential Office Zone.**
 - (1) **General.** The residential office zone provides a transition from residential to commercial development and consequently requires more restrictive sign regulations to maintain compatibility.
 - (2) **Types Allowed.** Flush wall signs and monument signs may be established. One (1) real estate sign advertising the property for sale or lease shall not exceed ten (10) square feet.
 - (3) **Location and Size.** Signs shall be located at least ten (10) feet behind the front property line. Total sign area, excluding real estate signs advertising the property for sale or lease, shall not exceed twenty-five (25) square feet.
 - (4) **Illumination.** Illumination complying with Section 7.2.F shall be limited to authorized business hours. (*external illumination only*)
 - (5) **Sign Area.** The area of flush wall signs and monument signs shall be calculated as per Exhibit 4.2.
 - e. **Business, Commercial, Industrial Zones.**
 - (1) **General.** This section of the Code shall apply to all zones designated in Chapter 3 as business, commercial, industrial or any variety of these types.
 - (2) **Types Allowed.**
 - (A) Signs in the business, commercial, and industrial zones may include flush wall signs, freestanding signs, projecting signs and roof signs. All signs allowed in residential zones are also allowed in business, commercial or industrial zones. Real estate signs in these zones may be a maximum of sixteen (16) square feet.
 - (B) A temporary street banner across a public right-of-way which announces an event sponsored by a local, state, or federal governmental unit(s), charitable

organizations, or other non-profit organizations may be allowed, if the sponsoring entity obtains a permit from the Director which shall specify the time and limits of the banner, size in square footage, and exact location. Street banners shall be installed, removed, and maintained by the City. A street banner authorized by this section shall refer only to the event in question and shall not contain advertising for any private product or service offered for sale except a logo or logos of the sponsoring entity if the total area of the logo(s) does not exceed five (5) percent of the banner area.

(3) **Location and Size.** Permitted signs may be anywhere on the premises except as specifically restricted in this section (see specific sign type and pertinent zoning regulation). The total amount of signage to be allowed on any property shall not exceed the sign allowance as calculated in 4.3.F. No single sign may be larger than three hundred (300) square feet. No projecting sign may exceed the allowances in 4.3.F.

(4) **Illumination.** Unless specifically prohibited, all of the following signs may be illuminated within the limits allowed under Section 7.2.F.

(5) **Flush Wall Signs and Roof Signs.**

(A) The sign allowance shall be calculated on the basis of the area of the one (1) building facade that is most nearly parallel to the street that it faces. Each building facade, which faces a dedicated public street, shall have its own separate and distinct sign allowance. The total sign allowance, or any percentage thereof, of one frontage may be transferred to a building facade that has no frontage on a dedicated public street.

(B) Two (2) square feet of sign area shall be allowed for each linear foot of building facade for flush wall signs and roof signs. The measurement of a roof sign shall be based on the square footage of each sign face. Flush wall signs may extend up to twelve (12) inches from the face of the building if the base of the sign is at least eight (8) feet above ground level. (Show window signs in a window display of merchandise when incorporated with such display will not be considered part of the total sign allowance.)

(C) On any building which allows flush wall signs, roof signs, or projecting signs, a maximum of two (2) of these types may be used. If a flush wall sign and roof sign are used, the sign allowance of two (2) square feet per linear foot of building may be divided between the two (2) types of signs. If either a flush wall sign or roof sign and a projecting sign are used, the allowance for the projecting sign shall be subtracted from the flush wall sign or roof sign allowance.

(D) Roof signs shall be manufactured such that no guy wires, braces, or secondary supports shall be visible. Maximum height for roof signs shall be forty (40) feet above grade.

(6) **Projecting Signs.**

(A) Signs may project up to seventy-two (72) inches from the face of the building if located eight (8) feet or more above grade. They shall not project beyond the back of curb, nor within two (2) feet of the edge of the roadway if there is no curb. Total area per sign face shall not exceed one-half (1/2) square foot per linear foot of building facade. If the projecting sign is the only sign mounted on the building, the minimum sign allowance shall be twelve (12) square feet.

- (B) On places of public entertainment such as theaters, arenas, meeting halls, *etc.*, where changeable copy signs are used which project over public property, the projection may be one-half (1/2) foot for each linear foot of building frontage provided that it is no closer than four (4) feet to the curb face (see definition).
- (7) **Free-Standing Signs.** Free-standing signs shall comply with the following requirements.
- (A) No more than one (1) freestanding sign shall be permitted for any parcel for each street frontage. The sign allowance per frontage can only be used on that frontage and shall not be transferred to any other frontage.
- (B) Maximum sign allowance shall be calculated by the linear front foot of property on a public street right-of-way in conformance with the following:
- i. Two Traffic Lanes: Maximum area of sign per face per front foot of property, three quarters (0.75) square foot; maximum height, twenty-five (25) feet.
 - ii. Four or more traffic lanes: Maximum area of sign per face per front foot of property, one and one half (1-1/2) square feet; maximum height, forty (40) feet.
- (C) Signs may be installed at street right-of-way line. The sign face may project up to seventy-two (72) inches into the right-of-way, if located fourteen (14) feet or more above grade, but shall not project closer than twenty-four (24) inches to the back of the curb. If the existing street right-of-way width is less than that required in this Code, the distance shall be measured from the line of such right-of-way as required by this Code rather than from the existing right-of-way line. Ute and Pitkin Avenues shall be calculated using four lanes.
- (D) On a corner lot, a free-standing sign shall not be placed within fifteen (15) feet of the intersection of the two-street frontage property lines unless free air space is maintained between a point thirty-six (36) inches above street elevation and a point ninety-six (96) inches above street elevation. A single pipe support with no sign structure or copy shall not be considered a violation of the free air space requirement.
- (E) When electrical service is provided to freestanding signs, all such electrical service shall be underground.
- (F) Signs over twenty-five (25) feet in height shall require a building permit in addition to a sign permit.
- (8) **Off-Premise (Outdoor Advertising Sign).** Off-Premise signs erected on ground or wall locations (and roof locations done within the regulations and limitations of roof signs) shall only be permitted in the C-2 (General Commercial) and I-1 and I-2 (Industrial) zones, subject to the following conditions:
- (A) **Height Limitations.** No off-premise sign shall be erected higher than forty (40) feet above the level of the street or road upon which the sign faces, or above the adjoining ground level if such ground level is above the street or road level. No off-premise sign shall have a surface or face exceeding three hundred (300) square feet in area or containing less than fifteen (15) square feet in area.
- (B) **Distance.** For each square foot of surface or facing of the sign, two feet of space from adjacent off-premise signs shall be maintained. Such distances

shall be determined by using the largest sign as criterion. For example, no sign can be erected closer than six hundred (600) feet to an existing three hundred (300) square foot sign. A MAXIMUM OF ONE OFF-PREMISE SIGN SHALL BE ALLOWED PER PARCEL OF LAND.

(C) Service clubs may be allowed one common off-premise sign, in any zone, adjacent to each major highway, to a maximum of five (5) signs. These signs do not have to comply with (A) and (B) above but must receive site plan approval by the Planning Commission as to size, height, placement and impacts on traffic and adjacent properties.

(9) **Planned Developments and Conditional Uses.** No sign shall be allowed on properties in a planned development zone or on a conditional use site unless the sign has been approved as part of the development plan. Variance of the maximum total surface area of signs shall not be permitted, but the maximum sign allowance for the entire development or use may be aggregated and the total allowance redistributed.

H. **Removal and Disposition of Signs.**

1. **Maintenance and Repair:**

- a. No person shall allow on any premises owned or controlled by him, any sign that is in a dangerous or defective condition.
- b. The Director shall require the owner of the sign and/or the owner of the premises upon which it is located to remove or repair any such sign. In cases of immediate danger to the public due to the defective nature of a sign, the Director may have the sign removed and assess the costs of the removal against the property. Such assessment shall constitute a first and prior lien on the property, equivalent to ad valorem taxes and shall be collected in the same manner as the real estate taxes on the property.
- c. All signs shall be safe and maintained in good appearance as well as safety including the replacement of defective parts, painting, repainting, cleaning and other acts required for proper maintenance. Failure to properly maintain a sign shall be a violation of this Code.

2. **Abandoned Signs.** Except as otherwise provided in this regulation, a sign which is located on property which is unoccupied for a period of three consecutive months or more, or a sign which pertains to a time, event or purpose which no longer applies, shall be deemed abandoned.

- a. Permanent signs applicable to a business temporarily suspended because of a change of ownership or management of the business shall not be considered abandoned unless the property remains unoccupied for a period of six (6) months or more.
- b. An abandoned sign is prohibited; the owner of the sign or the owner of the premises shall remove the sign and supporting structure. An abandoned sign which is not removed in a timely manner may be removed by the Director under the provisions of this Section.