

## ARTICLE 20

### Signs

#### Sec. 12-20-10. Purpose and objectives.

(a) General purposes.

(1) This Article shall be known as the "Sign Code."

(2) Signing is a vital part of a community and conveys important information to citizens and visitors. A comprehensive sign policy and code is necessary in order to manage signs used for business and government who advertise and convey information intended for specific subjects and the public. Effective signing requires consideration for who the intended viewers will be and, whether they are traveling by car or are pedestrians. Signing can be effective and very useful when done properly, and can positively affect economic and aesthetic values, and character, within Monte Vista. Orderly signing contributes to the protection and promotion of the health, safety and welfare of the traveling public and the citizens of Monte Vista. However signing can also be ineffective and create unwanted consequences for the public. Excessive signing, which could include too many signs or too large of signs, can create public nuisances and blight and have an undesirable effect on the intended subjects.

(3) Numerous studies have been completed on the positive and negative consequences of signing. The intent of this Article is to utilize regulations and information compiled into a comprehensive sign code that strives to create a productive and user-friendly system for signage within the City. Regulation of such factors as size, location, quantity, illumination and structural integrity of signs will encourage the communication of information and directions for citizens and visitors alike. Approved signage will provide for the effective identification of business establishments or other important locales such as parks, airports, schools, other facilities and amenities, and minimize distractions to motorists and pedestrians while promoting visual harmony and safety, while respect the unique character of Monte Vista.

(b) Objectives: This sign code seeks to achieve the above stated intent utilizing the following objectives.

(1) Enhance the overall economy through positive and profitable business and industry which will use this code to effectively communicate information to the public;

(2) Identify key attributes and facilities within the City and communicate important information and directions;

(3) Encourage sound sign practices and lessen the objectionable effects of excessive signing.

(3) Preserve property values by assuring the compatibility of signage with surrounding land uses and reducing non-conforming signage.

(4) Ensure that signs erected within the City are compatible with their surroundings and situated in safe locations which eliminate potential hazards.

(5) Establish procedures and regulations which control the location, size, type and number of signs permitted and which regulate and control all other matters pertaining to signs.

(6) Allow signs in the downtown business area which are intended to complement, enhance and promote the Urban Renewal Plan, as adopted by the Urban Renewal Authority.

(7) Provide for special regulations in areas, which, by nature or location, are unique to certain areas of the City.

(8) Provide for an equitable mechanism whereby those signs, which are nonconforming to these regulations, can be removed. (Ord. 789 §18-561, 2006)

#### **Sec. 12-20-20. Definitions.**

All words used in this Article, except where specifically defined herein, shall carry their customary meaning when not inconsistent with the context in which they are used. The following words as hereinafter set forth shall have the meanings as hereinafter defined:

*Abandoned sign* means a sign no longer in use or a sign providing obsolete or outdated copy and information.

*Advertising sign* means a sign that directs attention to a business, commodity, service or entertainment which is conducted, sold or offered.

*Animated sign* means any sign or part of a sign that changes physical position by any movement or rotation or signs that simulate movement by means of lighting.

*Area* means the total exposed surface devoted to a sign message, including ornamentation, embellishment and symbols, but excluding supporting structures.

*Awning sign* means a sign that is painted, stitched, sewn or stained onto the exterior of an awning. An *awning* is a shelter supported entirely from the exterior wall of a building and composed of non-rigid materials except for the supporting framework.

*Banners* means signs of varying sizes that are intended to temporarily display information and are not considered permanent signs. Banners are constructed from vinyl, canvas, cardboard, paper and other materials, and designed to be hung or temporarily supported.

*Billboard sign* means a sign supported by a pole or poles and the sign is at least 32 square feet in size.

*Building facade* means the frontage of a building that faces and is most nearly parallel to a public or private street. There can be only one (1) building facade for each street upon which a building faces.

*Bulletin board sign* means a sign that is accessory to a church, school or public or nonprofit institution announcing the name of the institution or organization and announcements of persons, events or activities occurring at the institution. The sign may also present a greeting or similar message. *Canopy* is an extension of a building intended to provide shelter or shading and is supported by structural framework or columns extending from the ground, or by a combination of structural framework and columns.

*Canopy sign* means a sign that is permanently affixed to a canopy.

*Changeable letter sign* means a sign whereon provisions are made for letters or characters to be placed in or upon the surface area, either manually or electronically, to provide a message or picture.

*Code Enforcement Officer* is a City employee designated by the City Manager who, among other duties, is charged with enforcement of the sign code.

*Decorative projecting sign* means a sign composed of wood, fiberglass, plastic, metal and/or similar materials compatible with and complementing the theme of downtown development and historic restoration and subject to approval by the City Manager.

*Direct lighting or illumination* means a light from a source projected onto the face of the sign.

*Directional sign* means any sign that only provides directions or information to pedestrian or vehicular traffic.

*Electrical sign* means any sign containing electrical wiring for purposes of operation or internal illumination.

*Erect* means construction and placement of a sign in accordance with an approved sign permit.

*Face* means the surface of a sign oriented for viewing by intended subjects. Signs can be designed to have multiple faces.

*Home occupation sign* means a decorative sign placed on the premises of a residence in a residential area designed to identify a home occupation but clearly secondary to the character of the residence.

*Identification sign* means a sign identifying the name of a business or residential neighborhood.

*Illegal sign* means a sign failing to conform to the provisions and requirements of this Article as further specified in Section 12-20-50 of this Article.

*Illuminated sign* means a sign lighted by or exposed to artificial lighting either by lights directed towards the sign or by internal illumination.

*Internal illumination* means a light from a source concealed or contained within the sign, and which becomes visible through a translucent surface on the face of the sign.

*Maintain* means to preserve or keep in repair such sign, including any illumination source, in a neat and orderly condition and in good working order at all times. Maintained signs prevent the development of any rust, corrosion, rotting or other deterioration in the physical appearance or safety of such sign.

*Monument sign* means a type of sign utilizing poles or similar supports and constructed from ground level utilizing wood, rock, stone, brick, masonry, stucco and similar building

materials. Monument Signs may advertise single or multiple tenants and have changeable faces, affixed or inlaid lettering. Monument Signs shall not exceed six (6) feet in height and 12 feet in length, and may be double- or multi-faced.

*Nameplate sign* means a sign giving the name and/or address of the occupant of a building or premises on which it is located and, where applicable, a professional status.

*Nonconforming sign* means a sign(s) that legally exists or existed on the date of the adoption of this sign code and now fails to conform to the requirements and provisions of this Article.

*Off-premises advertising sign* means a sign relating to a business or its products or services, which is not located on the same premises as the business.

*Owner* means the owner of a sign, the lessee of the sign, the fee holder of the property upon which the sign is located, the lease holder of such property or the individual, person or business who has purchased the sign.

*Pedestrian-oriented sign* means a sign located in such a manner as to be generally viewed or read by a person who is walking.

*Permanent sign* means a sign that is permanently affixed or attached to the ground or to a structure.

*Pole sign* means a sign supported by a pole or poles and which sign may be metal, plastic or similar material and may be illuminated.

*Portable sign* means a sign that is not permanently affixed or attached to the ground or to a structure or that is mounted upon, painted or otherwise erected upon a vehicle, van, truck, automobile, bus, railroad car or other vehicle in operating condition.

*Premises* means the central, actual, physical location where an activity is routinely conducted. The *premises* include the primary structure, parking facilities and private roadway if they are necessary to the principal activity.

*Prohibited sign* means a sign failing to conform to the provisions and requirements of this Article and as further specified in Section 12-20-60 of this Article.

*Projecting sign* means any sign supported by a building wall and projecting at least 12 inches or more horizontally beyond the surface of the building to which the sign is attached.

*Property/parcel* means a contiguous area of land that is legally platted and recorded.

*Public use* means a use that is owned and operated for the public by the City, County, School or Special Districts, and State and Federal agencies.

*Roofline* means the highest edge of the roof or parapet.

*Roof sign* means a sign, any part of which is located on or attached to a roof.

*Sign* means any object, device, display or structure or part thereof that is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization,

business, product, service, event or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, motion, illumination or projected images.

*Subdivision sign* is a sign that is at a defined entrance to a designated residential or commercial subdivision.

*Temporary sign* means a banner, pennant, poster or advertising display constructed of cloth, canvas, plastic sheet, cardboard, wallboard or other like materials, or a sign mounted on a trailer or other moveable device which is intended to be displayed for a limited period of time.

*Theater marquee sign* means a changeable letter sign that may protrude from the building structure that it advertises.

*Variance* means a special ruling or allowance by the Board of Adjustment which does not require compliance with a specific portion of this Article.

*Wall sign* is any sign painted on, incorporated in, or affixed to the building wall or any sign consisting of cut-out letters or devices affixed to the building wall with no background defined on the building wall, which extends no more than 12 inches from the wall surface upon which it is attached and whose display surface is parallel to the face of the building to which the sign is attached.

*Wind sign* means any sign in the nature of banners, flags, pennants or other objects of material, fastened in such a manner as to move upon being subjected to pressure by wind or breeze.

*Window sign* means any sign visible from the exterior of a building or structure that is painted, attached, glued or otherwise affixed to a window or depicted upon a card, paper or other material and placed, taped or displayed from a window for the specific purpose of identifying the proprietor or name of the business to the passerby, attracting attention or advertising and does not exceed 50% of the window area..

### **Sec. 12-20-30. Sign exemptions.**

The following types of signs are exempt from the permit requirements of this Article and may be placed in any zoning district subject to the provisions of this Article. Such signs shall otherwise be in conformance with all applicable requirements contained in this Article. All such signs (except government signs) shall be located outside a street right-of-way. Signs shall not interfere with traffic signs or the sight distance triangle at intersections. Evidence of the owner's permission to install a sign may be required. All other signs shall be allowed only with permits and upon proof of compliance with this Article:

(1) Signs that are not visible beyond the boundaries of the lot or parcel upon which they are located and/or from any public thoroughfare or right-of-way, except that such signs shall be subject to the safety regulations of the International Building Code and the National Electrical Code.

(2) Seasonal flags and pennants, streamers, wind socks and other decorative wind devices may be flown or hung in any residential, commercial or industrial zone district of the City, provided they do not obstruct pedestrian traffic, create additional advertising material, obstruct

neighboring signs or create visual clutter. Such items shall be no larger than 15 square feet in residential areas and 40 square feet in commercial areas, and must be in new condition.

(3) A-frame sidewalk signs are not to exceed 12 square feet in total area for all sign faces. A-frame sidewalk signs may not be placed so as to create a safety hazard or impede the flow of pedestrian traffic.

(4) Address signs shall not exceed two (2) square feet in area and only identify the address of a dwelling unit or business establishment.

(5) Architectural features that are integral, decorative or architectural features of buildings are not considered parts of a sign if such features do not contain letters, numerals, trademarks, moving parts or lights.

(6) Art features that are integral, decorative or architectural features of buildings are not considered parts of a sign if such works of art or features do not contain letters, trademarks, moving parts or lights.

(7) Banners in commercial zones are allowed with the following conditions:

a. Banners are displayed in conjunction with a grand opening celebration for a period not to exceed 30 days.

b. Banners are displayed in conjunction with a special sale for a period not to exceed 30 days.

c. Banners are only permitted two (2) times per calendar year per establishment.

d. Banners shall be securely attached and not create hazards to the public or adjoining property.

e. One (1) banner per street frontage per establishment is permitted.

(8) Building identification and historical markers which are non-illuminated signs constructed of metal or masonry which are permanently affixed to buildings or structures for the purpose of identifying the name of a building, date of erection or other historical information approved by City staff.

(9) Bulletin board signs not exceeding 15 square feet in gross surface area accessory to a church, school or public or nonprofit institution.

(10) Construction signs are allowed with the following conditions:

a. Residential construction signs shall not exceed eight (8) square feet.

b. Signs in conjunction with all other construction shall have a maximum area of 32 square feet.

c. Only one (1) construction sign oriented in each street front per premises shall be erected. Any two such signs located on the same premises shall be located at least 100 feet apart as measured by using a straight line.

- d. Construction signs shall not be illuminated.
- e. Construction signs shall only appear on the construction site.
- f. Construction signs shall be removed within seven (7) days after completion of the project.

(11) Courtesy signs shall be non-illuminated which identify as a courtesy to customers, items such as credit cards accepted, redemption stamps offered, menus or prices; limited to one (1) such sign for each use, 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.

(12) Decorations for holidays or displays are allowed when clearly incidental to and are customarily and commonly associated with any national, state, local or religious holiday or celebration. Such decorations or displays may be displayed for a total of 60 days in any one (1) year provided they do not obstruct pedestrian traffic, create additional advertising material, obstruct neighboring signs and create visual clutter.

(13) Directional on-premises directional and instructional signs not exceeding six (6) square feet in area.

(14) Door signs affixed to door glass that identify the name and/or address of an establishment.

(15) Temporary farm product signs are allowed provided that:

- a. One (1) on-premises sign is allowed and shall be located off the street right-of-way and a minimum of 10 feet away from any side lot line. Such sign shall have a maximum area of nine (9) square feet and be non-illuminated.

- b. A maximum of two (2) off-premises signs are allowed in the CH and I Zoning Districts and shall be located off the street right-of-way and a minimum of 10 feet away from any side lot line. Such signs shall have a maximum area of four (4) square feet apiece and be non-illuminated. See Section 12-20-110 for height requirements.

(16) Flags are allowed for nations, states and cities or professional, fraternal, religious or civic organizations, except when displayed in connection with commercial promotion. Flags shall be no larger than 15 square feet in residential districts and 40 square feet in commercial and industrial districts. All US and state flags must be flown in accordance with flag etiquette, which includes proper lighting.

(17) "For sale" signs on vehicles, RV's, trailers and similar items/equipment are allowed provided there are only two (2) signs per item and do not exceed two (2) square feet each.

(18) Garage, estate, yard sale or farm auction signs are allowed which advertise a private garage or yard sale on the property where the event will take place, provided that such signs are displayed no more than four (4) times per year and for a period not to exceed three (3) days.

(19) Hazard signs (temporary or permanent) erected by the City, public utility companies, oil and gas companies or construction companies to warn of danger or hazardous conditions, including signs indicating the presence of underground cables, gas lines and similar devices.

(20) Memorial signs, plaques or grave markers that are noncommercial in nature.

(21) Merchandise, pictures or models of products or services that are incorporated as an integral part of a window display.

(22) Political or candidate signs displayed on private property are allowed in accordance with an official election provided that:

a. The total area of all such signs on a lot does not exceed 16 square feet.

b. All such signs may be erected no sooner than 90 days in advance of the associated election.

c. The signs are removed within seven (7) days after the associated election.

(23) Public information signs which identify restrooms or public telephones or provide instructions as required by law or necessity are allowed, provided that the sign does not exceed two (2) square feet in area or as approved by City staff and is non-illuminated. This category shall be interpreted to include such signs as "no smoking," "rest rooms," "no solicitors," "self-service" and similar informational signs.

(24) Religious symbols located on a building or lot used for organized religious services.

(25) Regulatory signs erected on private property, such as "no trespassing" signs, which do not exceed two (2) square feet per sign face, or four (4) square feet in total surface area, and limited to four (4) such signs per use or per building, whichever is the greater.

(26) Sale, lease, rent or other temporary signs used to offer for sale, lease or rent the land or buildings upon which the sign is located is allowed, provided that:

a. One (1) sign per street frontage advertising real estate ("For Sale," "For Rent," "For Lease", "For Development") not greater than eight (8) square feet in area and five (5) feet in overall height in a residential district.

b. In nonresidential zone districts, the sign area shall not exceed 32 square feet and shall not exceed five (5) feet in overall height.

c. If the property so advertised lies on a corner lot or double frontage lot, then a second sign may be erected along the secondary frontage so long as the two (2) signs are at least 100 feet apart as measured by the shortest straight line.

d. All such temporary signs shall be removed within seven (7) days after the real estate closing or lease transaction.

e. All such temporary signs shall be non-illuminated.

(27) Scoreboards for athletic fields.



(28) Special event signs and banners for religious, charitable, civic, fraternal or similar nonprofit or not-for-profit organizations are allowed, provided that:

a. Signs shall be erected no sooner than 30 days prior to, and removed no later than seven (7) days after, the event.

b. Sign shall not exceed 32 square feet.

c. Sign shall be non-illuminated.

d. All such signs shall be located off the street right-of-way, unless otherwise granted permission for such location by the City or the Colorado Department of Transportation (CDOT). In no case may any such sign impede the view or travel of any motorists or pedestrians or be attached to any structure within the right-of-way (government signs, telephone poles, etc.)

(29) Strings of light bulbs used for display(s) are allowed, provided that:

a. They are decorative displays which only outline or highlight landscaping or architectural features of a building.

b. They shall not be assembled or arranged to convey messages, commercial advertisements, slogans and/or logos.

c. They shall not create a safety hazard with respect to placement, location of electrical cords or connection to power supply.

d. They shall be maintained and repaired so that no individual light bulb is inoperative. In the event the bulbs are not maintained or repaired, the string lights may be removed at the expense of the owner after giving notice to the owner pursuant to this Article.

(30) Text changes are allowed for text or copy changes on conforming or legal nonconforming signs specifically designed to permit changes of the text or copy provided that no structural changes are made to the sign and the name of the business to which the sign belongs is not changed.

(31) Time and temperature signs only displaying time and temperature are allowed, and shall not exceed 10 square feet.

(32) Traffic control signs for the control of traffic or other regulatory purposes, including signs for the control of parking on private property, and official messages erected by, or on the authority of a public officer approved by the Code Enforcement Officer or City staff.

(33) Vacancy signs used for lodging are allowed, provided that the area of the sign does not exceed two and one-half (2½) square feet per face.

(34) Vehicular signs displayed on trucks, buses, trailers or other vehicles which are being operated or stored in the normal course of a business, such as signs indicating the name of the owner or business which are located on moving vans, delivery trucks, rental trucks and trailers and the like are allowed, provided that the primary purpose of such vehicles is not for the display of signs, and they are parked or stored in manner that does not obstruct pedestrian

traffic, create additional advertising material, obstruct neighboring signs and create visual clutter.

(35) Vending machine signs that advertise directly upon the vending machine and limited to the product(s) vended.

(36) Window signs.

**Sec. 12-20-40. Sign permits.**

(a) Sign permits are required in order to ensure compliance with the regulations of this Article and must be obtained in order to erect, move, alter, reconstruct or repair any permanent or temporary sign, except signs that are exempt from permits in compliance with Section 12-20-30 above. In multiple tenant buildings, a master sign permit shall be required and will pertain to wall, freestanding and monument signs which designate individual business signs. All electrical signs must receive an electrical permit prior to receiving a sign permit.

(b) Application for a sign permit.

(1) Sign permit application requirements. Sign permit applications are provided by the City and shall be completed and signed by applicable parties and submitted along with the following required information:

a. Legible site plans that include the specific location of the sign and setbacks to adjacent property lines and buildings. The site plan shall also include the outline of building elevations showing all existing and proposed signs. Site plans for off-site signs shall show the location of any other existing off-site signs within 100 feet.

b. A detailed drawing indicating the sign elevation, dimensions, materials and colors of the proposed sign structure. For master sign permits, the drawing must detail each individual sign space complete with dimensions. A certification by a structural engineer may be required for freestanding or projecting signs.

c. A graphic drawing or photograph of the sign copy.

d. A description of the lighting to be used, if applicable.

e. Electrical permit for all illuminated signs.

f. If the sign is to be located off the premises, a written lease or permission from the property owner of the site on which the sign will be located.

g. Payment of appropriate sign permit fees as established by the current fee schedule.

(2) Staff review and approval. Review of the sign permit application and required information shall be completed within 10 working days following receipt of the complete submittal. Staff will not begin review until the application and required information is submitted in full. Staff shall review the sign permit in accordance with the established review criteria and has the authority to approve, approve with conditions or deny the sign permit. Upon staff's approval of the sign permit, the sign permit and any building or electrical permits required for the sign shall be issued to the applicant.

(3) Sign permit review criteria. The following review criteria will be used by the staff to evaluate all sign permit applications:

- a. The sign meets the requirements of this Article.
- b. The sign conforms to the requirements of the Building and Electrical Codes.
- c. The sign conforms to the size, height, material and location requirements for the zoning district in which it is located.
- d. The sign would not interfere with pedestrian or vehicular safety.
- e. The sign would not detract from the character of an architecturally significant or historic structure;
- f. The sign would not be located so as to have a negative impact on adjacent property.

(4) Appeal of sign permit denial or approval with conditions. When a variance is requested for a sign, said request for variance shall be heard and acted upon by the Board of Adjustment after action by the staff. Such request for variance shall not be heard until all other administrative procedures required for issuance of a sign permit have been completed. The Board of Adjustment is authorized to grant a variance from the provisions of this Article when it finds that unique situations require a deviation from such provisions and that the purpose and intent of this Article are not violated, and shall be further governed by the provisions applicable to the Board of Adjustment contained in this Chapter. (Ord. 789 §18-563, 2006)

#### **Sec. 12-20-50. Nonconforming signs.**

The purpose of this Section is to regulate the continued existence of legal signs established prior to the effective date of this Article, and that no longer conform to the requirements herein. All such signs are referred to as nonconforming signs and while such signs may continue, any potential changes will be regulated in order to reduce their nonconforming attributes, and allow owners to modify and change certain aspects of their signage that will result in a reduction in the nonconformity, and potentially bring the sign into conformity with this Article.

(a) Continued use. Nonconforming signs may continue to be used subject to regulations set forth in this Article. In all nonconforming sign cases, the burden of proof for establishing the existence of a legal nonconforming sign shall be solely upon the owner.

(b) Minor repairs or maintenance. Minor repair or maintenance of nonconforming signs that is required to keep structures or elements of the sign in a safe condition are permitted, provided that the minor repair or maintenance does not increase the extent of nonconformity. For purposes of this Section, "maintenance or minor repair" shall mean:

(1) Repairs that are necessary to maintain and to correct any damage or deterioration to the structural soundness or exterior or interior appearance of a sign without expanding or altering the sign.

(2) Changes to sign text and overall sign message that are consistent with this Article while not impacting other nonconforming elements such as height, allowable area,

illumination, etc.

(3) Repairs that are required to remedy unsafe conditions that cause a threat to public safety.

(4) A nonconforming sign may be changed or modified that results in a reduction of the elements of nonconformity pursuant to this Article while not requiring that all nonconformities be addressed in the proposed changes or modifications. All reduced nonconforming attributes shall be final.

(c) Damage or destruction. If a nonconforming sign is damaged or destroyed by 51% of its replacement cost, then such nonconforming sign shall not be re-established and may only be rebuilt in compliance with the requirements of this Article.

(d) Abandonment of sign or use. If a nonconforming sign is discontinued for a period greater than six (6) months, such discontinuance shall create a rebuttable presumption of abandonment unless the owner has documented his intent to not abandon the sign in writing to the City. A written notice from the owner shall be addressed to the City Manager and provide specific details and list any applicable hardships or circumstances associated with the intent. If a nonconforming sign is discontinued for a period of one (1) year, such discontinuance shall constitute abandonment. Any future use of the sign or sign structure shall conform to the terms of this Article.

(e) Change of tenancy or ownership. Changes of ownership, tenancy, or management of property with an existing nonconformity sign are permitted but shall continue to be subject to the provisions of this Article.

(f) Change in use. A nonconforming sign that is subject to a change in use of a building or property may be changed and continue as a nonconforming sign, provided that (i.) the new use creates no greater impacts on surrounding properties and is no more intensive than the use it replaces; (b) no structural alterations to building or property are required to accommodate such change; and (c) no structural alterations are required for the sign.

(g) Termination of sign use. A nonconforming sign shall immediately lose its legal nonconforming status, and therefore shall be brought into conformance with this Land Use Code or removed, when any of the following occur:

(1) The size or shape of the sign is changed.

(2) The sign structure is altered. Alteration does not include repairs and/or maintenance.

(3) The nonconforming sign is accessory to a nonconforming use that has lost its nonconforming status.

(4) A structure(s) on the property on which the sign is located is subject to an application for a building permit for reconstruction, remodeling, expansion, or other improvements, and the value of the proposed improvements totals \$50,000.00, or more.

(h) Illegal nonconforming signs. An illegal nonconforming sign exists when a sign fails to meet the provisions of this Article and the owner cannot provide proof of legal sign status, or the sign was erected, placed or modified without proper City approval and is in violation of provisions of this Article.

**Sec. 12-20-60. Prohibited signs.**

The following signs or use of signs are inconsistent with the purposes and standards in this Article and are prohibited in all zoning districts.

- (1) Revolving beacon, flashing, blinking, rotating, or moving signs.
- (2) Any sign that is erected in such a location as to cause visual obstruction or interference with motor vehicle traffic or traffic-control devices, including any sign that obstructs clear vision in any direction from any street intersection or driveway.
- (3) Any sign, other than traffic-control signs, erected, constructed or maintained within, over or upon the right-of-way of any road or highway, except in the case of a sign for which a permit has been issued within the requirements of this Article.
- (4) Off-premises advertising signs or any other sign not pertinent and clearly incidental to the permitted use on the property where located, except for temporary subdivision directional signs and signs permitted in the CH and I Districts in accordance with Section 12-20-120 of this Article.
- (5) Any sign which interferes with free passage from or obstructs any fire escape, downspout, window, door, stairway, ladder or opening intended as a means of ingress or egress or providing light or air.
- (6) Any sign located in such a way as to intentionally deny an adjoining property owner visual access to an existing sign.
- (7) Vehicle-mounted signs, including but not limited to signs painted on or attached to semi-trailers or cargo containers when exhibited on private property adjacent to public right-of-way for the purpose of advertising a business or service. Vehicle-mounted signs used in connection with a special event are exempted from the requirements of this Section during the duration of the special event only. Upon the conclusion of the special event, such signs must be dismantled. For the purposes of this Paragraph, the term *special event* shall mean a parade, circus, fair, carnival, festival, farmers' market or other similar event that is different in character from the customary or usual activities generally associated with the property upon which the special event is to occur.
- (8) Portable signs or signs not permanently affixed or attached to the ground or to any structure, except for A-Frame sidewalk signs exempted in Section 12-20-30.
- (9) Patterned signs that give the illusion of motion or changing of copy.
- (10) Inflatable freestanding signs or tethered balloons not used in conjunction with an approved special event.
- (11) Fabric signs, flags, pennants or banners when used for commercial advertising purposes except as permitted in Section 12-20-30 above.

(12) Electronic display or message signs except for governmental signs and those within the CH and I Districts.

(13) Abandoned or unused sign, including a sign located off-premises, which is a sign that advertises an activity, business, product or service no longer produced or conducted upon the premises upon which such sign is located.

(14) Any sign, device or sign structure which:

- a. Is structurally unsafe.
- b. Constitutes a hazard to safety or health by reason of inadequate maintenance or dilapidation.
- c. Is not kept in good repair.
- d. Is capable of causing electrical shocks to persons likely to come in contact with the sign.

(15) Any sign or sign structure which:

- a. In any other way obstructs the view of, may be confused with or purports to be an official traffic sign, signal or device or any other official sign;
- b. Creates in any other way an unsafe distraction for motor vehicle operators; or
- c. Obstructs the view of motor vehicle operators entering a public roadway from any parking area, service drive, private driveway, alley or other thoroughfare. (Ord. 789 §18-565, 2006)

**Sec. 12-20-70. Administration and enforcement.**

The following regulations apply to all signing and/or to the specific type of sign hereinafter indicated:

(1) Regulation and standards:

- a. Sign permits shall not be issued for new signing at business locations where nonconforming signing exists without a full review by the City, which compares the proposed new signage to the existing nonconforming signage.
- b. Only signs specifically identified in this Article shall be eligible to receive a sign permit.
- c. In all instances, any sign erected within the City must comply with the provisions of the International Building Code.
- d. When a mural includes identification of an establishment or specifies such information, it shall have its area included in calculations pursuant to Section 12-20-80 below.

e. The Code Enforcement Officer is tasked with enforcement of this Article and will contact sign owners, associated users or property owners when violations or issues arise.

(2) Enforcement:

a. Unused or abandoned signs are subject to removal. An unused or abandoned sign is a sign that meets any of the following criteria:

1. A sign that identifies an establishment, goods or services which are no longer in business or provided on the premises where the sign is located, except for historical signage as determined by City staff.

2. A sign that identifies a time, event or purpose which has passed or no longer applies.

3. An approved off-premises advertising sign that advertises an establishment, goods or services which no longer exist.

b. Removal of illegal signs:

1. Removal. All illegal, nonconforming or unused signs will be identified by City staff and reasonable attempts will be made to contact sign owners, associated users or property owners to arrange for such sign's removal within 14 calendar days of official notice. Any illegal, nonconforming or unused sign which is not removed from the premises by the sign owner, associated user or property owner within the time frames detailed in the official notice shall be subject to removal by order of the City in accordance with the provisions and procedures detailed in herein. Any such signs which are not removed from the premises by the sign owner, associated user or property owner within the time frames prescribed herein shall be considered a nuisance and shall be subject to the penalty as set forth by the City.

2. Removal by City. Upon failure of the sign owner, user or property owner to comply within the specified time frames as set forth in this Article and the official notice, the City Manager is hereby authorized to cause such illegal, nonconforming or unused sign to be removed, and any expense attendant thereto shall be charged to the owner, agent or person having the beneficial use of the building, structure or premises upon which the sign is located. If said removal or alteration expense remains unpaid for more than 30 days after said removal or alteration is performed and a bill for the same was mailed to the owner, agent or person having beneficial use of the building, structure or premises, by first-class mail, postage prepaid, with a certificate of mailing, said unpaid charge shall constitute a lien upon the real estate and may be certified by the City Clerk to the County Treasurer as a lien assessment, to be applied and collected by the County Treasurer as an addition to the ad valorem taxes upon said property.

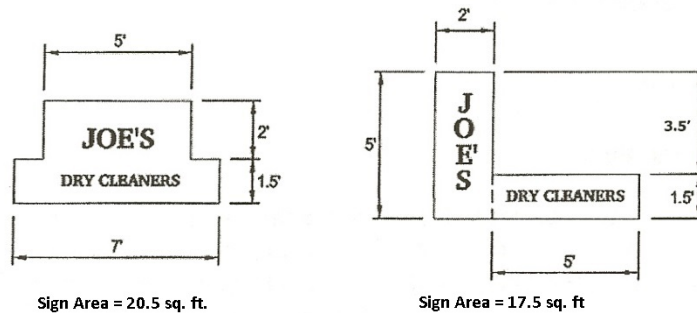
3. Storage of removed signs. Signs removed in compliance with this Subparagraph shall be stored by the City for 30 days, during which time they may be recovered by the owner only upon payment to the City for costs of removal and storage. If not recovered within the 30-day period, the sign and supporting structure shall be declared abandoned and the title shall vest with the City. If not paid, the applicable costs may be imposed as a tax lien against the property. (Ord. 789 §18-566, 2006; Ord. 811 §1, 2009)

c. Penalties: A violation of any of the provisions of this Article shall be punishable in accordance with the provisions of Section 1-4-20 of this Code. In addition, after a citation has been issued, each day a violation continues to occur shall constitute a separate violation for the above-described fine. Further, the Municipal Court may order the removal of signs which do not conform to the provisions of this Article.

**Sec. 12-20-80. Measurement of sign area and height.**

(a) Sign surface area. The area of a geometric shape enclosing any message, logo, symbol, name, photograph or display face shall be measured using standard mathematical formulas. Time and temperature devices shall not be included within the measurement of maximum sign area.

**SIGN AREA MEASUREMENT**



(b) Sign support. Supporting framework or bracing that are clearly incidental to the display itself shall not be included in the sign area calculation.

(c) Back-to-back (double-faced) signs. Back-to-back signs shall be regarded as a single sign only if mounted on a single structure and the distance between each sign face does not exceed two (2) feet at any point.

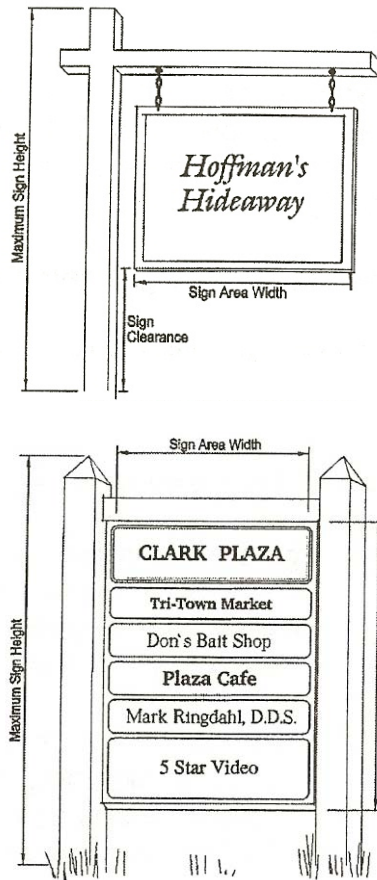
(d) Three-dimensional signs. Where a sign consists of one (1) or more three-dimensional objects (i.e.; balls, cubes, clusters of objects, sculpture) the sign area shall be measured as the maximum projection upon vertical and horizontal planes.

(e) Wall signs. If a sign is attached to a wall, only that portion of the wall onto which the sign face or letters are placed shall be calculated in the sign area.

(f) Sign height. The height of a sign shall be measured from the highest point of a sign to the ground surface beneath it. When berms are used in conjunction with signage, the height of the sign shall be measured from the highest point on the sign to the curb elevation of the fronting street.



**Sign Surface Area**  
**SIGN MEASUREMENT DETAILS**



**Sec. 12-20-90. Sign design.**

(a) Design compatibility.

(1) Signs shall make a positive contribution to the general appearance of the street and commercial area in which they are located. A well-designed sign can be a major asset to a building.

(2) Professional. Signs shall be made by a professional sign company or other qualified entity.

(3) Proportionate size and scale. The scale of signs shall be appropriate for the building on which they are placed and the area in which they are located. Building signs shall be harmonious in scale and proportion with the building facade and conform to Section 12-20-100 below.

(4) Sign location and placement. Location and placement of signs on the subject property is critical to ensure proper site distances and to maximize the intended effect of the sign. A clear vision clearance must be provided in accordance with Section 12-20-100 detailed below.

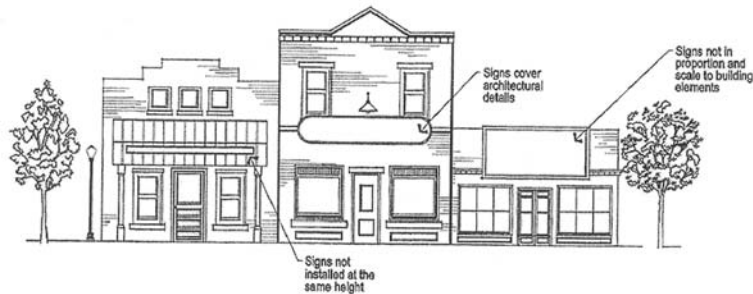
(5) Visibility. Signs shall not visually overpower nor obscure architectural features.

(6) Integrate signs with the building and landscaping. Carefully coordinate the sign with the architectural design, overall color scheme and landscaping. Signs shall be designed to complement or enhance the other signs for a building.

(7) Unified sign band. Whenever possible, signs located on buildings with the same block face shall be placed at the same height in order to create a unified sign band.



**THIS**



**NOT THIS**

(8) Pedestrian-oriented signs. Pedestrian-oriented signs are encouraged. It is desirable to include a pedestrian-oriented sign as one (1) of the permitted signs for a business. These signs are designed for and directed toward pedestrians so they can easily and comfortably read the sign as they stand adjacent to the business.

(9) Road right-of-way. No sign shall be erected within the road right-of-way or near the intersection of any road or driveway in such a manner as to obstruct free and clear vision of motorists or pedestrians or at any location where, by reason of the position, shape or color, it may interfere with, obstruct the view of or be confused with any authorized traffic sign, signal or device. Signs located at an intersection must be outside of the sight distance triangle.

(10) Landscaping. Freestanding signs shall be landscaped at their base in a way harmonious with the landscape concept for the whole site. Landscaping shall form an attractive, dense cluster at the base of the sign.

(11) Reduce sign impact. Because residential and commercial uses generally exist in close proximity, signs shall be designed and located so that they have little or no impact on adjacent residential neighborhoods. Small-scale signs are encouraged.

#### REDUCE SIGN IMPACT



#### (b) Color.

(1) Select colors carefully. Colors shall be selected to contribute to legibility and design integrity. Sign colors shall complement the colors used on the structures and the project as a whole. Colors or combinations of colors that are harsh and disrupt the visual harmony and order of the street are unacceptable.

(2) Use contrasting colors. Provide a substantial contrast between the color and material of the background and the letters or symbols to make the sign easier to read during both the day and night. Light letters on a dark background or dark letters on a light background are most legible.

(3) Avoid using too many colors. Colors or color combinations that interfere with legibility of the sign copy or that interfere with viewer identification of other signs shall be avoided.

(c) Materials. Signs shall be constructed of durable, high-quality architectural materials. The sign package must use materials, colors and designs that are compatible with the building facade. Sign materials must be of proven durability. Treated wood, painted metal, stone, brick and stucco are the preferred materials for signs.

(d) Legibility. Signs shall be adequately legible under the circumstances in which they are primarily seen. The legibility of signs is related to:

- (1) The speed at which they are viewed;
- (2) The context and surroundings in which they are seen; and
- (3) The design, colors and contrast of the sign copy and sign face.

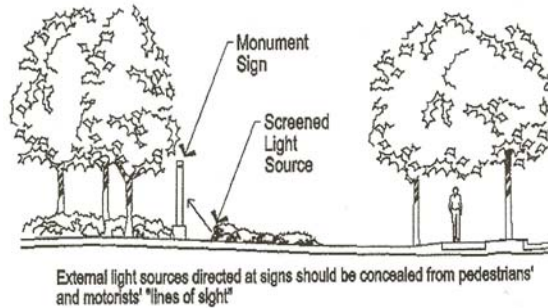
The design of the sign, including copy, lettering size and style and colors, shall logically relate to the average speed of the traffic which will see it. Signs shall legibly convey their messages without being distracting or unsafe to motorists reading them. Symbols and logos can be used in place of words whenever appropriate.

#### (e) Sign illumination.

- (1) Use illumination only if necessary and if permitted.

(2) Sign illumination shall complement, not overpower, the overall composition of the site.

(3) Use a direct light source. All lighted signs shall have their lighting directed in such a manner as to illuminate only the face of the sign. When external light sources are directed at the sign surface, the light source must be concealed from pedestrians' and motorists' "lines of sight."



(4) Signs must be illuminated in a way that does not cause glare onto the street and adjacent properties and light shall not spill beyond the sign itself. Signs shall be lit only to the minimum level for nighttime readability.

(5) All lighted signs shall meet all applicable electrical codes, and the electrical components used shall bear the label of an approval agency. Additionally, electrical permits shall be obtained for electric signs.

(6) Flashing, moving, blinking, chasing or other animation effects shall be prohibited on all signs except time and temperature signs.

(7) Neon tubing is an acceptable method of sign illumination only for window signs in commercial districts.

(8) The use of individually cut, backlit letter signs is encouraged.

(9) No commercial sign within 500 linear feet of a pre-existing residential structure may be illuminated between the hours of 11:00 p.m. and 6:00 a.m. A residence shall be deemed *pre-existing* for purposes of this Section if it has a valid building permit in effect for construction of said structure or if construction of said structure was complete on or prior to the effective date of the ordinance codified herein. (Ord. 789 §18-568, 2006)

#### **Sec. 12-20-100. Sign installation and maintenance.**

(a) Installation.

(1) Projecting signs shall be mounted so they generally align with others in the block.

(2) All signs and all components thereof, including sign structures and sign faces, shall be kept neatly painted, in a good state of repair and in compliance with all building and electrical codes. The City Manager or designee may inspect any sign governed by this Article and shall have the authority to order the painting, repair, alteration or removal of a sign which

constitutes a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation or obsolescence.

(b) Vision clearances. The vision clearance area shall be established for all sign installations and the area shall contain no plantings, walls, fences, structures or temporary or permanent obstructions between two and one-half (2-1/2) feet and eight (8) feet in height, except for approved direction signs. The height shall be measured from the top of the curb or existing grade. Vision clearance areas shall be provided with the following distance establishing the size of the vision clearance area:

(1) At street intersections in the RU, RE, RL, RM, RH, Mfg-H and MSW Districts, the minimum distance shall be 30 feet. At alley intersections in a residential district, the minimum distance shall be 10 feet.

(2) At street intersections in the CH and I Districts, the minimum distance shall be 15 feet. When the angle of intersection between streets is less than 30 degrees, the distance shall be 25 feet. At alley intersections, the minimum distance shall be 10 feet. (Ord. 789 §18-386, 2006)

(c) Maintenance.

(1) The owner of a sign and the owner of the premises on which such sign is located shall be jointly and severally liable to maintain such sign, including any illumination sources in a neat and orderly condition and in good working order at all times, and to prevent the development of any rust, corrosion, rotting or other deterioration in the physical appearance or safety of such sign. The sign must also be in compliance with all building and electrical codes.

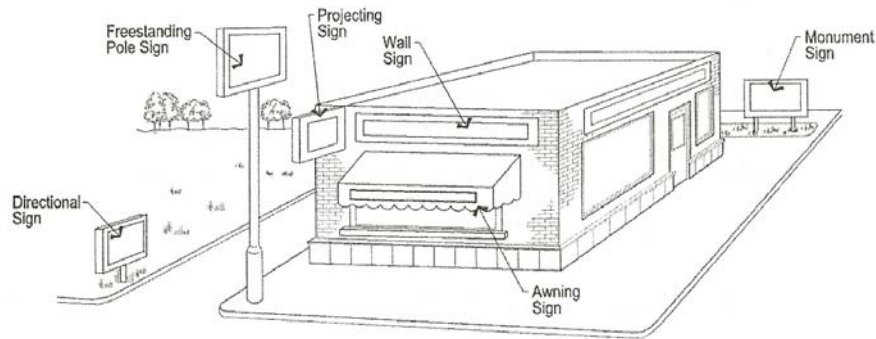
(2) The owner of any sign regulated by this Article shall be required to keep signs and supporting hardware, including temporary signs and time and temperature signs, structurally safe, clean, free of visible defects and functioning properly at all times. Repairs to signs shall be equal to or better in quality of materials and design than the original sign.

(3) The City Manager may inspect any sign governed by this Article and shall have the authority to order the painting, repair, alteration or removal of a sign which constitutes a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation or obsolescence. (Ord. 789 §18-569, 2006)

**Sec. 12-20-110. Standards for specific types of signs.**

(a) Sign types. Below is an illustration showing different types of signs governed by this Article. Not all signs governed by this Article are depicted in the illustration.

## SIGNS



(b) Awning signs. An awning sign is a sign which is painted, stitched, sewn or stained onto the exterior of an awning. An awning is a shelter supported entirely from the exterior wall of a building and composed of non-rigid materials except for the supporting framework.

(1) Location. Signs may be placed only on awnings that are located on first- and second-story building frontages, including those fronting a parking lot or pedestrian way. No awning sign shall project beyond, above or below the face of an awning.

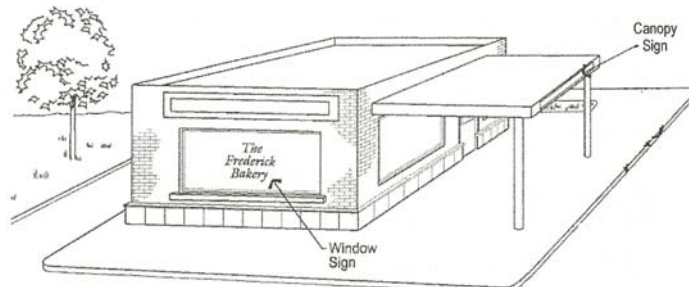
(2) Maximum area and height. Sign area shall comply with the requirements established by Section 12-20-120 below. Structural element of an awning shall be located a minimum of eight (8) feet above finished grade. Awnings on which awning signs are mounted may extend over a public right-of-way no more than seven (7) feet from the face of a supporting building and not within three (3) feet of the edge of curb. No awning, with or without signage, shall extend above the roof line of any building.

(3) Lighting. Awnings shall not be internally illuminated except as part of a creative sign. Lighting directed downwards that does not illuminate the awning is allowed.

(4) Required maintenance. Awnings shall be regularly cleaned and kept free of dust and visible defects.

(c) Canopy signs. A canopy sign is a sign that is permanently affixed to a canopy.

## WINDOW AND CANOPY SIGNS



(1) Maximum area and height. Sign area shall comply with the requirements established by Section 12-20-120 below. No canopy sign shall project above the top of the canopy upon which it is mounted. However, such sign may project horizontally from the face of a canopy the distance necessary to accommodate the letter thickness and required electrical equipment,

but not more than 12 inches (measured from the bottom of the sign). Under-canopy signs which are perpendicular to the face of the building shall be deemed to be projecting wall signs. Under-canopy signs which are parallel to the face of the building shall be a minimum of eight (8) feet above grade and shall be deemed to be flush wall signs.

(2) Required maintenance. Canopies shall be regularly cleaned and kept free of dust and visible defects.

(d) Pole signs. A pole sign is a sign which is supported by one (1) or more poles or braces extended from the ground, or which is erected from the ground, and is not considered a monument sign.

(1) Location. The sign shall be located only on a site frontage adjoining a public street. Pole signs in any zoning district shall be erected a minimum of eight (8) feet from any curblin and four (4) feet from any building. Pole signs in business and industrial districts shall be located a minimum of 25 feet from any property line adjacent to a residential zoning district line. A clear vision clearance must be provided in accordance with Section 12-20-100 detailed above.

(2) Maximum area and height. The sign shall comply with the height and area requirements established in Section 12-20-120 below.

(3) Sign mounting. The sign shall be mounted on one (1) or more posts or have a solid monument-type base. Posts shall not have a diameter greater than 12 inches.

(4) Pole signs should not be so large as to obscure the patterns of front facades and yards. Pole signs shall be no higher than a structure's highest roofline or the maximum allowed height established in Section 12-20-120 for the district in which the sign is located.

(5) Master sign permit. Pole signs with multiple tenant signs must complete a master sign permit in accordance with Section 12-20-40 above. The overall sign must have a uniform approach and allow for sign face changes when tenants change, and conform to all other criteria within this Article.

(e) Monument signs. A monument sign is a permanent sign where it is affixed to the ground, not to a building.

(1) Location. The sign may be located only along a site frontage adjoining a public street. A clear vision clearance must be provided in accordance with Section 12-20-100 detailed above.

(2) Maximum area and height. The sign shall comply with the height and area requirements established in Section 12-20-120 below.

(3) Design. The design of a monument sign shall be consistent with the overall scale of the building. The design and placement of the sign shall not obstruct traffic safety sight distance areas. Project monument signs shall contain only the name and address of the project which it identifies.

(4) Landscaping requirements. Landscaping shall be provided at the base of the supporting structure equal to twice the area of one (1) face of the sign. For example, 20

square feet of sign area equals 40 square feet of landscaped area. The Planning and Zoning Commission may reduce or waive this requirement if it is determined that the additional landscaping would not contribute significantly to the overall aesthetic character of the project.

(5) Master sign permit. Monument signs with multiple tenant signs must complete a master sign permit in accordance with Section 12-20-40 above. The overall sign must have a uniform approach and allow for sign face changes when tenants change, and conform to all other criteria within this Article.

(f) Off-premises advertising signs. Off-premises advertising signs, also known as off-site signs, are generally prohibited, except for those placed within the CH and I Districts. Off-premises signs shall not:

- (1) Interfere with pedestrian or vehicular safety.
- (2) Detract from the pedestrian quality of the surrounding area.
- (3) Add to an over-proliferation of signs on one (1) property or in an area.
- (4) Measure more than 24 square feet.
- (5) Measure more than 12 feet in height.
- (6) Number more than three (3) for any organization.

The owner of the sign shall be responsible for repair and maintenance of the sign.

(g) Projecting signs. A projecting sign is any sign supported by a building wall and projects at least 12 inches or more horizontally beyond the surface of the building to which the sign is attached.

(1) Location. Projecting signs should be mounted so that they generally align with others in the block. Projecting signs must be a minimum of three (3) feet from the back of curb.

(2) Maximum area and height. Projecting signs must have eight (8) feet of clearance from the highest surface immediately below the sign, and may not extend more than four (4) feet from the building wall except where the sign is an integral part of an approved canopy or awning. The size of projecting signs is limited to three (3) feet wide and six (6) square feet.

(3) Sign structure. Sign supports and brackets shall be compatible with the design and scale of the sign.

(4) Quantity. The number of projecting signs is limited to one (1) per business.

(h) Subdivision signs. Locate subdivision signs in a planter setting within a landscaped area at the primary entries to residential, commercial and industrial subdivisions to provide an overall project identity. A maximum of one (1) subdivision sign per entry is permitted.

(i) Wall signs.

(1) Location. The sign shall not be placed to obstruct any portion of a window, doorway or other architectural detail.



(2) Maximum area and height. The sign shall comply with the height and area requirements established in Section 12-20-120 below.

(3) Projection from wall. No sign part, including cut-out letters, may project from the surface upon which it is attached more than required for construction purposes, and in no case more than 12 inches.

(4) Master sign permit. Wall signs with multiple tenant signs must complete a master sign permit in accordance with Section 12-20-40 above. The overall sign must have a uniform approach and allow for sign face changes when tenants change, and conform to all other criteria within this Article.

(j) Window signs. A window sign is a sign that is painted on, applied or attached to a window or that can be read through the window from the public right-of-way, placed at or below the second-floor level.

(1) Maximum area. When a sign is displayed in a window and is visible beyond the boundaries of the lot upon which the sign is displayed, the total area of such sign shall not exceed 50% of the window area it is located within. Window signs exceeding 50% of the window area shall be considered wall signs and must be included in allowable area calculations.

(2) Temporary posters announcing or advertising events sponsored by noncommercial organizations shall be exempt from limitations for window signs.

**Sec. 12-20-120. Sign standards by zone district.**

(a) Residential signs. Signs in the RU, RE, RL, RM, RH, Mfg-H and MSW Districts, listed in Table 12-22 below, may include and shall be limited to:

**Table 12-22  
Residential Sign Standards**

<i>Allowable Types of Sign</i>	<i>Number of Signs</i>	<i>Maximum Allowable Area (sq. ft.)</i>	<i>Maximum Sign Height (feet)</i>	<i>Comments</i>
Monument, Pole or Wall Signs	1 per Dwelling Unit or Manufactured Home	2	4	
	1 per Multi-Family Dwelling Unit	16	6	
	1 per Public or Quasi-Public Use	20	8	
Subdivision Sign	2 per Subdivision entrance	32 (per sign)	8	
Bed and Breakfast	1 per street frontage	16	5	May be illuminated with name and address only.
Child Care Center	1	6	5	No illumination.
Home Occupation	1	6 (per face)	5	No illumination.

(b) Commercial Business signs. Signs in the CB District, listed in Table 12-23 below, may include and shall be limited to:

**Table 12-23  
CB District Sign Standards**

<i>Allowable Types of Sign</i>	<i>Number of Signs</i>	<i>Maximum Allowable Area (sq. ft.)</i>	<i>Maximum Sign Height (feet)</i>	<i>Comments</i>
Monument, Pole, Wall, Projecting, Awning, or Canopy Signs	Monument or Pole Signs: 1 per Lot or every 250 Lineal Feet of Lot Frontage	24 (per face)	25 feet maximum or to the roofline of principal building on site	No sign shall be built or placed on the sidewalk, curb or area between the sidewalk and curb, or create a hazardous situation.
	Wall Signs:	3 sq. ft. per Linear Foot of Building Façade Up to 150 sq. ft.	Shall not extend above the façade or roofline	
	Projecting Signs: 1 per Lot	6 (per face)	N/A	Projecting signs shall have a minimum clearance of 8'.
	Canopy or Awning sign: 1 per Canopy or Awning	10	N/A	Must be mounted on the Canopy or Awning and shall not extend above or below the Canopy or Awning.
Directional Signs	Exempt	6	5	Must display directions only (i.e. Enter, Exit, Parking Here).

(c) Commercial Highway and Industrial District signs. Signs in the CH and I Districts, listed in Table 12-23 below, may include and shall be limited to:

**Table 12-24  
CH and I District Sign Standards**

<i>Allowable Types of Sign</i>	<i>Number of Signs</i>	<i>Maximum Allowable Area (sq. ft.)</i>	<i>Maximum Sign Height (feet)</i>	<i>Comments</i>
Monument, Pole, Wall, Projecting, Awning, or Canopy Signs	Monument or Pole Signs: 1 per Lot or every 500 Lineal Feet of Lot Frontage	24 (per face)	25 feet maximum	No sign shall be built or placed on the sidewalk, curb or area between the sidewalk and curb, or create a hazardous situation.
	Wall Signs:	3 sq. ft. per Linear Foot of Building Facade Up to 200 sq. ft.	Shall not extend above the façade or roofline.	
	Projecting sign: 1 per Lot	6 (per face)	N/A	Projecting signs shall have a minimum clearance of 8'.
	Canopy or Awning sign: 1 per Canopy or Awning	10	N/A	Must be mounted on the Canopy or Awning and shall not extend above or below the Canopy or Awning.
Permanent Off-Premises Signs	1 per Lot	24 (per face)	12	Permitted along State Highways only and outside of the ROW.
Directional Signs	Exempt	6	5	Must display directions only (i.e. Enter, Exit, Parking Here).

(Ord. 789 §18-571, 2006)