
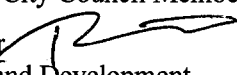


**PLANNING AND DEVELOPMENT DEPARTMENT
MEMORANDUM 13-12**

DATE: May 13, 2013
TO: Honorable Mayor Joyce Downing and City Council Members 
FROM: David H. Willett, Acting City Manager 
Brook Svoboda, Director of Planning and Development
SUBJECT: CB-1801 & CR-49 An Ordinance Adopting a New Chapter to the Municipal Code
Entitled Sign Code & an Resolution Repealing and Re-acting certain Resolutions
consistent with the adoption of the new Sign Code

INTRODUCTION

Attached to this memo is an Ordinance and Resolution that, if adopted, would repeal the City's existing Sign Code and enact an updated, amended code for the regulation of signage in the City.

Staff recently circulated a draft of a rewrite of Article 11-35 Commercial and Outdoor Advertising Devices, commonly known as the Sign Code. The draft represents the culmination of a multi-month process to examine the deficiencies of the current code and prescribe a new code that reflects the current needs of the City of Northglenn. Additionally, staff conducted two study session meetings with the Council, on March 4th and April 1st, to solicit feedback on the process and changes proposed. The Planning Commission reviewed the draft ordinance and Sign Code on May 7th. Their recommendation is attached to this memo (Attachment 1).

Staff has provided an updated copy of the draft Sign Code, to Council, reflecting the changes discussed at the April 1st Council Study Session, in advance of the final formatted version prepared by the City Attorney that is part of CB-1801.

BACKGROUND

As outlined in previous communication, proposed changes to the ordinance are largely structural and do not focus solely on technical merits and performance standards of different types of signs. Summarized revisions include the following:

- An updated article outline,
- The inclusion of tables and graphics,
- The organization of signs into two types of land uses: residential and non-residential
- Reorganization and enhancement of administrative provisions
- Removal of content oriented regulations
- Small adjustments to technical performance standards regulating signs

The following is a summary of changes made to the ordinance in response to Council discussion at the April 1st meeting:

- Staff organized revisions to Temporary Signage based on Council input. The following categories of Temporary Signs were added to the draft ordinance:
 - **Non Residential, Temporary Signs**
 - Other Temporary Signs (otherwise prohibited)

- Temporary Signs allowed without a permit (weekend sale signs)
- **Residential, Temporary Signs**
 - Limited Duration (Garage Sale & Open House etc..)

Details for each classification of Temporary Signage are listed in the sections below

- Staff added a section for “other temporary signs” in non-residential uses that allows for additional temporary signage (from the allowed regular temporary signage) for a limited duration of time. The following is included in this category:
 - Limited-duration
 - Grand opening event sign

This section allows for signs that are otherwise prohibited including, but not limited to, animated, mechanically agitated, pennants, wind blades, portable, and wind-powered signs. It also permits limited duration signs to be placed 6’ from the edge of the roadway.

- “Signs allowed without a permit” was added to temporary signs for non-residential uses. This section is intended to address the section that will be repealed from Chapter 11-19-3 (d) Special Sales and Promotions in Commercial Zones that addresses special weekend sale signs.
 - Additionally, election signs in this section were revised to limit the number of these signs to five (5).
- Staff added a section for “Limited duration signs” in residential uses that allows for additional temporary signage that is also permissible in the public right-of-way. This section is to address garage sale and open house type signs.
- Non-conforming signs were revised to allow any sign that does not conform to the new sign ordinance to continue.
- The size of Development signs were increased from 32 SF to 96 SF.

STAFF REFERENCE

Brook Svoboda, Director of Planning and Development	bsvoboda@northglenn.org	303.450.8937
Travis Reynolds, Senior Planner	treynolds@northglenn.org	303.450.8836
Becky Smith, City Planner	bsmith@northglenn.org	303.450.8741

ATTACHMENTS

ATTACHMENT 1 Planning Commission Recommendation

ATTACHMENT 1

**RESOLUTION 2013-07
NORTHGLENN PLANNING COMMISSION**

**A RESOLUTION PROVIDING A FAVORABLE RECOMMENDATION TO THE
CITY COUNCIL FOR APPROVAL OF CB 1801 – NORTHGLENN SIGN CODE**

WHEREAS, Northglenn Ordinance 11-37-2 requires that the Northglenn Planning Commission review and make recommendation to Council any application for rezoning; and

WHEREAS, the Northglenn Planning Commission therefore desires to make its recommendations to the City Council as required by law.

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF NORTHGLENN, COLORADO, THAT:

Section 1. The City of Northglenn Planning Commission hereby provides a favorable recommendation to the City Council for approval of CB 1801.

Section 2. The City of Northglenn Planning Commission hereby recommends the following additional conditions:

1. Amend Section 4, “Sign Districts” and split it into two separate sections, “Non-Residential”(Section 4) and “Residential” (Section 5).
2. Refine the Election Season definition to include specific language that highlights the day that voting takes place to provide for clear measurement of the season.
3. Establish a secondary list of Exceptions to Prohibited Signs that are allowed under the newly established Limited Duration and Grand Opening Event sign sections.
4. Better define “Wind Blade” and consider allowing them under regular temporary signage.
5. Update various typographical and formatting errors throughout the document.

DATED this _____ day of _____, 2013

Sonia Di Carlo
Planning Commission Chair

ATTEST:

Travis Reynolds
Secretary

SPONSORED BY: MAYOR DOWNING

COUNCILMAN'S BILL

ORDINANCE NO.

No. CB-1801
Series of 2013

Series of 2013

A BILL FOR AN ORDINANCE AMENDING THE NORTHGLENN MUNICIPAL CODE BY THE ADDITION OF A NEW CHAPTER 21 ENTITLED THE CITY OF NORTHGLENN SIGN CODE, AND REPEALING INCONSISTENT PROVISIONS OF THE NORTHGLENN MUNICIPAL CODE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NORTHGLENN, COLORADO, THAT:

Section 1. The Northglenn Municipal Code is amended by the addition thereto of a new Chapter 21, the City of Northglenn Sign Code, to read as follows:

CHAPTER 21

CITY OF NORTHGLENN SIGN CODE

ARTICLE 1

SIGNS AND OUTDOOR COMMERCIAL ADVERTISING DEVICES

Section 21-1-1. Purpose and Intent.

(a) Purpose. It is not the purpose or intent of this sign code to regulate the message displayed on any sign; nor is it the purpose or intent of this sign code to regulate any building design or display not defined as a sign, or any sign which cannot be viewed from outside a building. The content of the message or speech displayed on the sign shall not be reviewed or considered in determining whether to approve or deny a sign permit. The purpose of this code is to:

- (1) Regulate the number, location, size, type, illumination and other physical characteristics of signs within the City in order to promote the public health, safety and welfare;
- (2) Protect the public from signs which are structurally unsafe;
- (3) Promote traffic safety and the free movement of traffic and protect the public from the hazardous conditions which result from signs which obscure or distract the vision of motorists, bicyclists, and pedestrians;
- (4) Maintain, enhance and improve the aesthetic environment of the City by preventing visual clutter that is harmful to the appearance of the community;

(5) Improve the visual appearance of the City while providing for effective means of communication, consistent with constitutional guarantees and the City's goals of public safety and aesthetics; and

(6) Provide for fair and consistent enforcement of the sign regulations set for herein under the zoning and police power authority of the City.

(b) Intent. The intent is that a sign may be erected, mounted, displayed or maintained in the City if it is in conformance with the provisions of this ordinance. The effect of this ordinance, as more specifically set forth herein, is to:

(1) Allow a wide variety of sign types in non-residential use areas, and a more limited variety in residential use areas, subject to the standards set forth in this sign ordinance;

(2) Allow certain small, unobtrusive signs incidental to the principle use of a site in all zones when in compliance with the requirements of this sign ordinance;

(3) Prohibit signs whose location, size, type, illumination or other physical characteristics negatively affect the environment and where the communication can be accomplished by means having a lesser impact on the environment and the public health, safety and welfare;

(4) Provide for the enforcement of the provisions of this sign code; and

(5) Provide for the ability to request a variance, pursuant to Section 21-1-3(c) of this article.

Section 21-1-2. General Provisions.

(a) General. No sign shall be erected or continued unless it is in full compliance with this Sign Code, with the regulations for the zone in which it is located, and with all applicable laws of the City of Northglenn and the State of Colorado. The general provisions of this Section shall apply to all signs.

(1) Unlawful Acts. Unless specifically permitted by another Section of this Sign Code, it shall be unlawful for any person, firm or corporation to erect, maintain, or remodel any sign without first obtaining a permit from the Department of Planning and Development.

(2) Applicability of Building Codes. All signs shall meet the applicable design, construction, and related standards specified in the Building Codes as amended, updated or adopted here after. All electrical work shall be performed by an electrician licensed by the State of Colorado. No electrical work shall be performed without first having obtained a valid electrical permit issued by the City of Northglenn.

(3) Enforcement. The Director of Planning and Development is hereby authorized and directed to enforce all provisions of this Code. Enforcement and penalties shall be in

accordance with those provisions set forth in Article 21-1-2. In addition to any remedies set forth in Section 21-1-2(d)(1), specific authority is granted to the enforcement officer to remove, or have removed, the following signs after posting of a notice at least twenty-hour (24) hours prior to removal upon the premises where such sign(s) is located. Enforcement is also authorized as follows:

A. Violations of this sign ordinance may result in enforcement under Chapter 19 of the Northglenn Municipal Code.

B. Removal and Disposal of Signs. Authorized City staff may remove any sign erected or installed in violation of this Article under the following circumstances:

i. A sign may be removed without notice when it is determined by the Public Works Director or the Director of Planning and Development to present an immediate threat to the safety of the public;

ii. A sign may be removed without notice when it is illegally placed within the public rights-of-way, attached to a utility pole or City traffic sign, upon public sidewalks or roadway, or on any public building or structure when such facilities are located on public property or within public easements;

iii. When a sign is determined to be abandoned by the City, provided that the City must first provide fourteen (14) days' notice to the underlying property owner or business owner that the sign is deemed abandoned;

iv. The cost of removal shall be borne by the owner or lessee of the sign.

v. Disposal of signs. When a sign has been removed by the City, the City shall take the following actions:

a. The City shall hold a sign for at least seven (7) days. After seven days the City may dispose of the sign without prior notice to the sign owner. Sign owners wishing to reacquire possession of removed signs prior to their disposal shall make a formal request to the Planning and Development Department to arrange pick-up.

b. For signs with fair market value exceeding one hundred dollars (\$100) as determined by the City, the City shall provide notice by mail to the following:

I. Sign Owner. If mailing address can be determined by the City after reasonable efforts in investigation. "Reasonable efforts" shall include investigation efforts that take no longer than one-half hour of staff time.

II. Underlying. Property Owner. If the address of the sign owner cannot be reasonably ascertained, the City shall mail the notice to the

underlying real property owner, as identified in the records of the county assessor's office.

III. If the underlying property owner is the City or the identity of the sign owner cannot be ascertained as required by this subsection, no mailed notice shall be required prior to disposal of the sign.

(b) Maintenance of Signs. Every sign shall be maintained in good structural condition as defined by the adopted version of the International Building Code (IBC). Landscaping surrounding the sign or that is considered part of the sign with the application approval shall also be maintained through regular mowing, watering, weeding, replacement, and pruning. The Director of Planning and Development or his authorized representative shall inspect and have the authority to order the repainting, alteration, removal, or general upgrading of the condition of any sign or its surrounding landscaping which constitutes a hazard or violates the stated purposes of this Code through dilapidation or inadequate maintenance.

(c) Sign Permit Fees. Valuation of signs shall be determined by use of the Colorado State Tax Commission Manual in effect at the time of application for any permit required by the provisions of this Article. All applications for sign permits shall be accompanied by payment of the fees provided by Section 11-45-8 of the Municipal Code of the City of Northglenn. In the case of any application for alteration or improvement of an existing sign, the fees provided by Section 11-45-8 of this Municipal Code shall apply to any increase in valuation of such sign.

(d) Non-Conforming Signs.

(1) Any sign granted approval by the City and issued prior to the adoption of this Code and not conforming to the regulations established herein shall be considered legal non-conforming and subject to the provisions of this subsection.

(2) Any existing sign which has previously been granted a variance shall be considered conforming for the purposes of this Code.

(3) Continuation of non-conforming signs: -- subject to the termination provisions below, a non-conforming sign may be continued and shall be maintained in good condition, but shall not be:

A. Changed to another non-conforming sign;

B. Structurally altered;

C. Altered or repaired so as to increase the degree of non-conformity of the sign;

D. Re-established after discontinuance for ninety (90) consecutive days of the use to which the sign pertained;

E. Continued in use after a change of the business or activity to which the sign pertains; and

F. Re-established after damage or destruction if the estimated cost of reconstruction exceeds fifty percent (50%) of its assessed valuation as shown in the original sign permit.

G. If this provision would require the complete removal or replacement of such a sign, the sign shall be terminated according to the following provisions:

i. Any existing individual sign which violates the area, height, or setback limitations of this Code shall be considered to be a legal non-conforming sign and need not be removed or altered. However, at the time such sign is to be replaced or renovated, that sign shall be made to conform to all provisions of this Code.

ii. By abandonment of a sign for a continuous period of ninety (90) days;

iii. Any violation of the provisions of this Chapter 21 of the Municipal Code shall immediately terminate the right to maintain a non-conforming sign.

(e) Exemptions. The following signs shall not require a permit. These exemptions, however, shall not be construed as relieving the owner of the sign from the responsibility of its erection and maintenance, and its compliance with the provisions of this Code or any other law or ordinance regulating the same.

(1) Any public purpose/safety sign and any other notice or warning required by a valid and applicable federal, state or local law, regulation or resolution.

(2) Works of art that do not include a commercial message.

(3) Religious and other holiday lights and decorations containing no commercial message, and displayed sixty (60) days prior to and fifteen (15) days after the event.

(4) Flags of nations, or an organization of nations, states, and cities, if the intent is to display the flag and not to utilize the flag to direct or attract attention to a person, institution, business, product, event, location or otherwise by any means.

(5) Flags and pennants shall not exceed the proportions which have been established by Presidential declaration, to wit: three feet by five feet (3' x 5') when hung from a building, five by seven feet (5' x 7') when hung from freestanding flag pole. Flags or pennants larger than specified are not permitted.

A. Flags shall have a minimum clearance of eight feet (8') when they project over public sidewalks and fifteen feet (15') when projecting over roads.

B. Flags, pennants and insignia shall be maintained in a clean and undamaged condition at all times.

C. The display of national flags, pennants and insignia shall be governed by the standard rules of international protocol.

D. No more than three (3) flags shall be displayed per parcel of record and shall be mounted on a single flag pole, or three (3) separate flag poles installed either on the building or adjacent to the building/use to which they are appurtenant.

E. No flag shall be displayed on a pole greater than twenty (20') feet in height unless otherwise required by law.

(6) Building markers

(7) Building Directory signs are permitted in addition to wall signs otherwise permitted by these regulations. Building Directory signs may be permitted up to a maximum of fifteen (15) square feet for the purpose of identifying tenants of a building.

(f) Prohibited Signs. The following signs shall not be erected or maintained:

- (1) Animated signs;¹
- (2) Signs which are mechanically agitated or designed to move or make any motion;
- (3) Signs which exhibit changing light effects or the movement of copy;
- (4) Signs which exhibit changing color effects, except barber poles or other nostalgic signs approved by the Department of Planning and Development;
- (5) Signs which by their light or focus cause a nuisance by unduly disturbing the uses of surrounding property or by causing a traffic hazard;
- (6) Signs using any sound or noise-making or transmitting device with such sound device used separately for advertising purposes beyond the confines of a building;
- (7) Signs which block any window, doorway, or any other opening required for proper ventilation, light, or exit facilities;
- (8) Signs or posters on or extending into any public right-of-way, except as authorized by resolution of City Council;
- (9) Balloons in excess of two (2) feet in diameter or any balloons in groups greater than twelve (12) feet¹;
- (10) Pennants or wind blades¹;

¹ These signs may be allowed under 21-1-4(A)(2)(d) "Limited Duration Signs"

- (11) Portable signs¹;
- (12) Wind-powered devices or any advertising device constructed to be agitated by the mother wind¹;
- (13) Roof signs;
- (14) Search lights;
- (15) Strings of light bulbs, other than traditional holiday decorations¹;
- (16) Signs with optical illusion of movement by means of a design which presents a pattern capable of reversible perspective, giving the illusion of motion or changing copy;
- (17) Advertising on bus benches or on bus shelters except as may be specifically approved by City Council.
- (18) It shall be unlawful to park, place or store a vehicle or trailer for more than ninety-six (96) hours, on which there is a motor vehicle sign, on private or public property for the purposes of conveying a message, a business or products or for the purpose of directing people to a business or business activity unless a permit for permanent or temporary signage has been approved pursuant to Section 21-1-4 of this Sign Code. Public transit vehicles are exempt from this subsection.
 - A. The motor vehicle sign shall be considered in violation if the following circumstances exist:
 - i. The motor vehicle sign is attached to a vehicle or trailer that is unregistered or not operable;
 - ii. The motor vehicle sign is larger in any dimension than or extends beyond any surface of the vehicle or trailer to which it is attached;
 - iii. The motor vehicle sign is attached to a vehicle or trailer parked or stored in a public right-of-way or an area not designed, designated, or commonly used for parking;
 - iv. The motor vehicle sign is attached to a vehicle or trailer that is regularly parked or stored in a “front yard” or “side yard”, as such terms are defined in Section 11-5-2 of the Zoning Ordinance, that abuts a street, when there are other areas of the property designed or available for the parking or storage of the vehicle or trailer that are not visible from the street or do not abut streets, or parked or stored within fifty (50) feet of a street when there are other areas of the

¹ These signs may be allowed under 21-1-4(A)(2)(d) “Limited Duration Signs”

property designed, designated, or available for the parking or storage of the vehicle or trailer that are more distant from the street or not visible from the street.

B. The motor vehicle sign shall be considered in compliance if evidence can be shown of the following:

i. The regulations in this subsection (18) above shall not apply to signs displayed on 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, and rental vehicles, provided that the primary purpose of such vehicles is not the display of signs, and provided further that they are stored or parked in areas and in such a fashion as is appropriate to their use as vehicles;

ii. The activities that are being actively undertaken during such periods of parking involve loading or unloading of goods for customers, providing services to customers, conducting business, or engaging in work breaks;

iii. The activities require the presence of the vehicle for the purposes of transporting equipment, people, supplies and/or goods necessary for the carrying out of such activities, and

iv. The activities above are not, other than incidentally, related to advertising, indentifying, displaying, directing or attracting attention to an object, person, institution, organization, business, product, service, event or location.

C. When vehicles are parked or stored in such a way to exceed the duration of ninety-six (96) hours the vehicle mounted sign shall constitute a permanent sign for a building or premises. The sign displayed on the vehicle shall be counted as part of the detached sign area permitted the premises.

Section 21-1-3. Administration / Applications.

(a) Sign Permit Required. No sign shall be erected, altered, reconstructed, maintained or moved in the City without first securing a permit from the City. The content of the message or speech displayed on the sign shall not be reviewed or considered in determining whether to approve or deny a sign permit. Application for a permit shall be obtained from the Building Department. The application shall contain the following information:

- (1) Names and addresses of the applicant, owners of the sign;
- (2) The address at which any signs are to be erected;
- (3) Type of sign (e.g. wall sign, monument sign, etc);
- (4) Cost of the sign;

- (5) An illustration of the sign, showing the sign's dimensions;
- (6) For detached signs, provide a site plan showing sign location and other significant structures onsite, sidewalks and bike paths and the set-back from the street right-of-ways;
- (7) For wall signs, show a complete building façade, sign size and dimensions of signable area; and
- (8) Applicant signature on the application indicating that the sign(s) comply with all requirements of the Sign Code.

(b) Process. The Director or the Director's designee shall approve or deny the sign permit within seven (7) days of receipt of the complete application. If the permit is denied, the issuing authority will contact the applicant within three (3) days to explain the reason for denying the permit. If the applicant and the issuing authority cannot agree on a sign that can be approved, the issuing authority shall prepare a written notice of denial within ten (10) days of its decision, describing the applicant's appeal rights and forward it to the applicant. Any denial of the Director or their designee may be appealed by the applicant submitting formal application to the Board of Adjustment under the process outlined in 11-42-5 of the City of Northglenn Zoning Ordinance.

(c) Variance. Any person may apply for a variance from the requirements of this chapter. The sign variance shall be processed in the manner as a sign variance described in Section 21-1-3(c)(1)-(5) below. The Board of Adjustment may grant variances relating to the size, height, location, illumination, number, and type of signs, and other exceptions to the standards set forth in this Chapter 21. Such variances shall be granted on the basis of the criteria set forth below provided that such a variance does not violate the stated purposes of the Sign Code. In making any favorable decision on a variance application, the Board of Adjustment must adopt findings of fact and conclusions based on those findings that meet the following criteria:

- (1) The variance does not conflict with the purpose and intent of the sign regulations;
- (2) The variance shall not constitute a grant of special privilege inconsistent with the limitation upon signage of other properties that have had to conform to the provisions of this chapter;
- (3) There are exceptional or extraordinary circumstances or conditions applicable to the property involved, or to the intended use of the property, that are not contemplated or provided for by this chapter;
- (4) The granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the subject property is situated; and

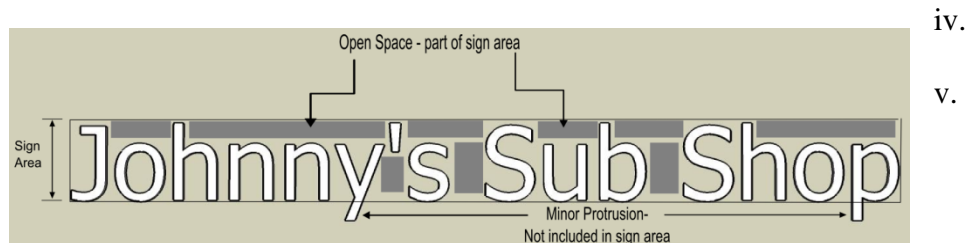
(5) Conditions may be imposed upon the application as deemed necessary to ensure compatibility with this chapter. No variance may be granted that would increase the number of signs allowed by this title or that would allow a type of sign that is prohibited by this title.

(d) Measurements and Computations. The following regulations shall control the computation and measurement of sign area, sign height, building facade and street frontage and setbacks.

(1) Determining Sign Area and Dimensions

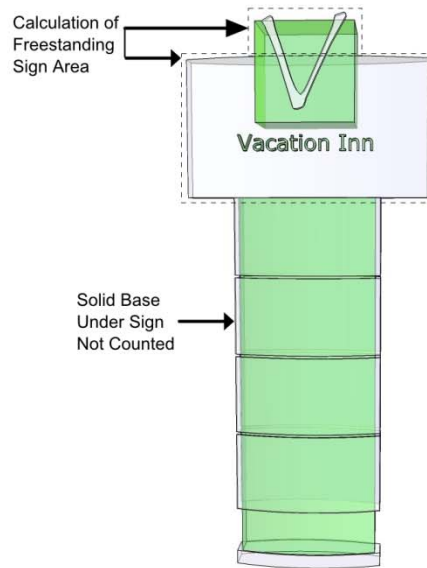
A. Wall Signs

- i. A wall sign which is framed, outlined, painted or otherwise prepared and intended to provide a background for a sign display, the area and dimensions shall include the entire portion within such background or frame.
- ii. A wall sign comprised of individual letters, figures or elements on a wall of the building or structure.
- iii. The area and dimensions of the sign shall encompass a regular geometric shape (rectangle, circle, trapezoid, triangle, etc.), or a combination of regular geometric shapes, which form, or approximate, the perimeter of all elements in the display, the frame, and any applied background that is not part of the architecture of the building;

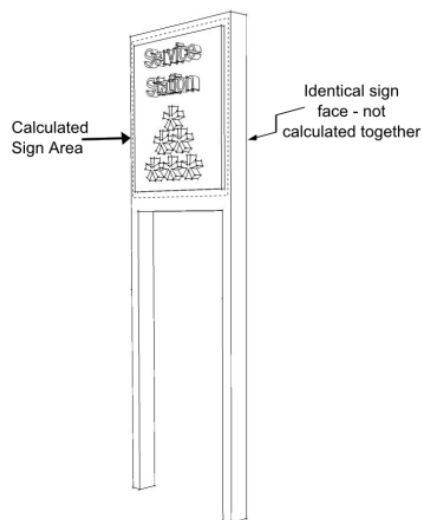
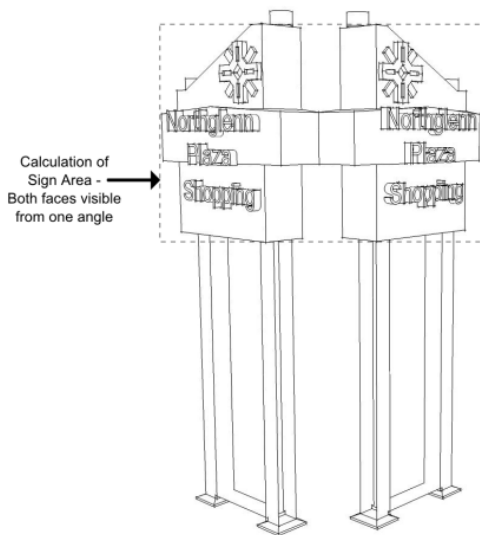


B. Freestanding sign - the sign area shall include the frame, if any, but shall not include:

- i. A pole or other structural support unless such pole or structural support is internally illuminated or otherwise designed to constitute a display device, or a part of a display device.
- ii. Architectural features that are part of a freestanding structure, and not an integral part of the sign, and which may consist of landscaping, building or structural forms complementing the site in general as determined by the Planning and Development Director, shall not be included in the total area of a sign.



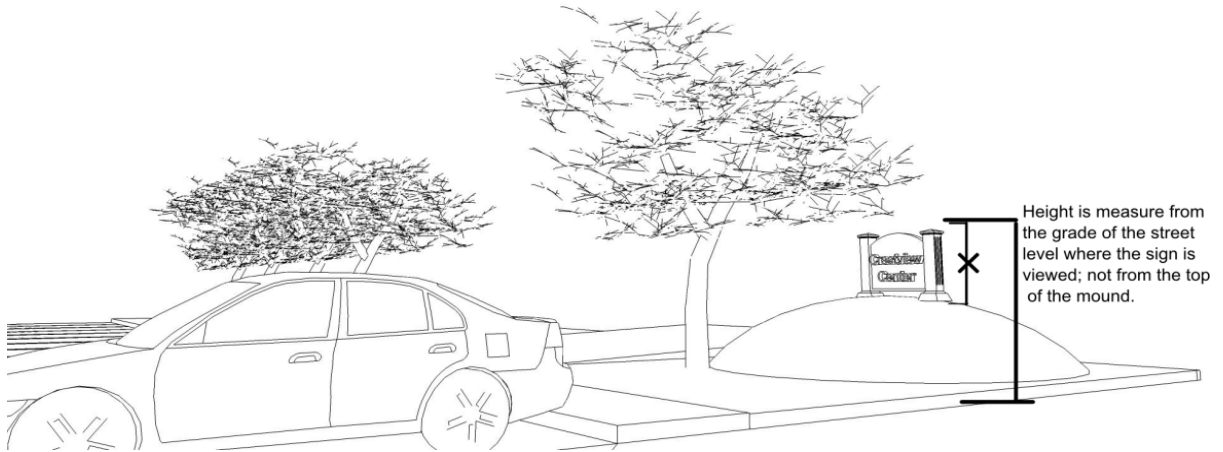
C. Multi-faced signs are measured as a total of all sign faces. However, when two identical sign faces are placed back to back so that both faces cannot be viewed from any point at the same time and are part of the same sign structure, the sign area shall be computed as the measurement of one of the two faces. When the sign has more than two display surfaces, the area of the sign shall be the total area of largest display surfaces that are visible from any single direction.



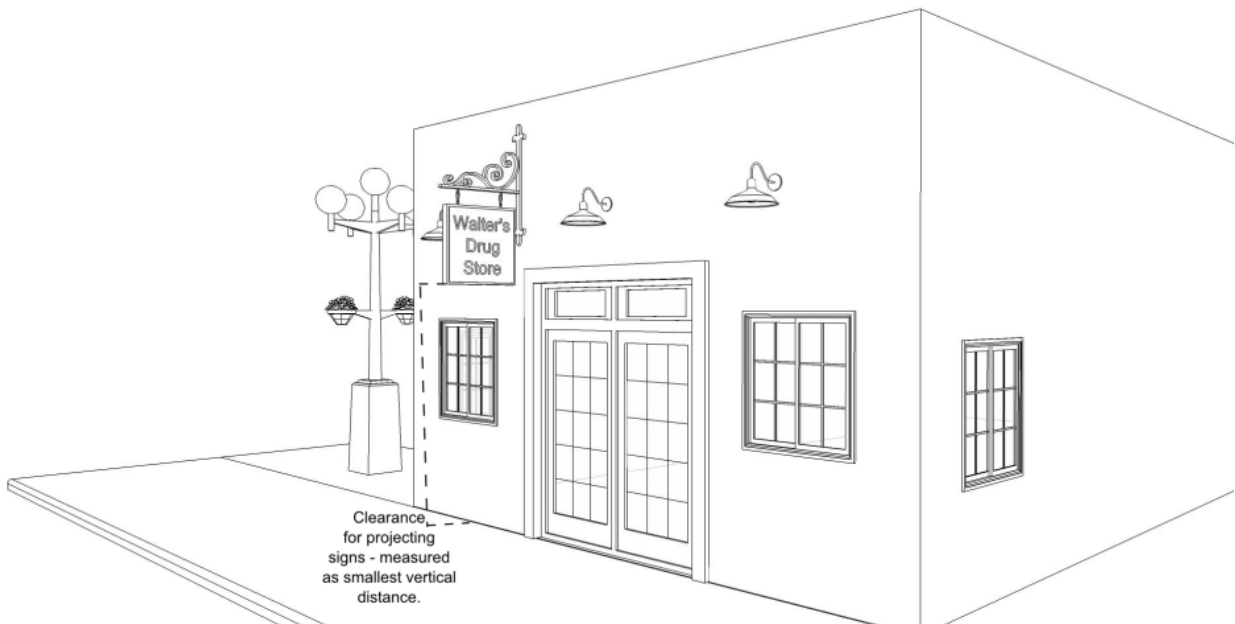
D. In the event of a dispute in determining the area or dimensions of any sign, a negative decision of the Planning and Development Director may be appealed, by the applicant's submitting a formal application to the Board of Adjustments in accordance with Section 21-1-3(c) above.

(2) Determining Sign Height

A. The height of a freestanding sign shall be measured from the base of the sign or supportive structure at its point of attachment to the ground, to the highest point of the sign. A freestanding sign on an elevated base of any kind, including a graded earth mound, shall be measured from the grade of the nearest pavement or top of any pavement curb.



B. Clearance for freestanding and projecting signs shall be measured as the smallest vertical distance between finished grade and the lowest point of the sign including any framework or other embellishments.



(3) Illumination

- A. Lighting for signs shall not create a hazardous glare for pedestrians or vehicles either in a public street or on any private premises.
- B. The light source, whether direct, indirect, or internal, shall be shielded from view. This requirement is not intended to preclude the use of diffused exposed neon or Electronic Message Centers.
- C. Illumination for directly or indirectly illuminated signs shall utilize focused light fixtures that do not allow light or glare to shine above the horizontal plane of the top of the sign or onto any public right-of-way or adjoining property.
- D. Each internally illuminated sign (including EMC's) shall be designed so that illumination does not exceed five hundred (500) NITS.
- E. Each directly or indirectly lit sign shall be designed so that illumination does not exceed one hundred (100) luxes (10 footcandles) measured at a distance of ten (10) feet from the sign.

(4) Determining Building Facades

- A. The building facade shall include the building walls that face a public street, face a parking lot which serves the use or contains the primary public entrance to the uses therein.
- B. Primary and Secondary Facade: The facade of any building unit shall include the elevation(s) facing a public street, facing a primary parking area for the building or tenants, or containing the public entrance(s) to the building or building units.
- C. The primary facade shall be considered the portion of any facade containing the primary public entrance(s) to the building or building units.
- D. The secondary facade shall include those facades containing secondary public entrances to the building or building units, and all building walls facing a public street or primary parking area that are not designated as the primary building facade by subsection "A" above.

(5) Measuring Building Facade

- A. The area of any primary or secondary building facade shall be defined as the square footage of all wall areas parallel, or nearly parallel, to a street frontage, excluding any such wall area determined by the Planning and Development Director as clearly unrelated to the facade criteria.

B. Buildings with two or more facades - the square footage of the wall and allowable sign area shall be calculated separately for each such building facade.

C. The building facade for a building unit shall be measured by the square footage of the building facade.



(6) Setbacks. Signs shall conform to the setback regulations set forth in Section 21-1-4 for the use in which the signs are located except as otherwise specified by Section (7) below.

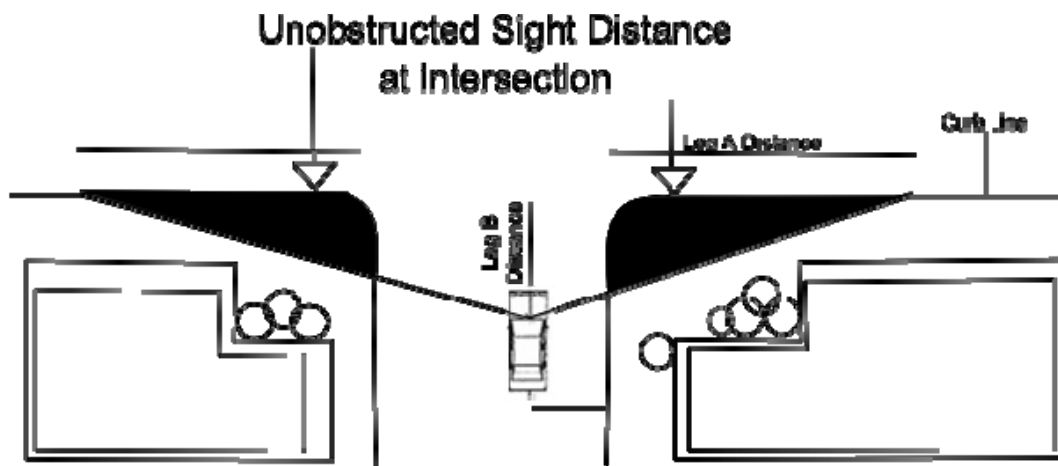
(7) Vision Triangles and Obstructions

A. A Vision Triangle - free of sign obstructions is required where a driveway intersects a public right-of-way or where property abuts the intersection of two public rights-of-way. Unobstructed sight distance shall be provided at all times within the Vision Triangle area of the property adjacent to the intersection in order to ensure that safe and adequate sight distance is provided for the public use of the right of way. The following Table depicts the required Vision Triangle based on the surrounding circumstances of the property upon which the sign will be erected.

Table 4-1 depicts the required linear flow line distance for each leg of a vision triangle in correspondence with the listed street classification system.

Table 4-1

Leg B Distance	Leg A Distance				
		Driveway	Local	Collector	Arterial
	Driveway	15' / 15'	15' / 15'	15' / 35'	15' / 50'
	Local	15' / 15'	15' / 15'	15' / 35'	15' / 50'
	Collector	35' / 15'	35' / 15'	35' / 35'	35' / 50'
	Arterial	50' / 15'	50' / 15'	50' / 35'	50' / 50'



Section 21-1-4. Sign Districts.

(a) Non-Residential. Signs on all parcels used for nonresidential purposes (e.g., office, business, retail, commercial, industrial), shall comply with the standards set forth in this Section.

(1) Permanent Signs - Performance Standards. Permanent signs include wall (facade), window, awning, canopy, marquee, changeable copy, and detached freestanding signs. All Permanent signs shall comply with the area, dimension and height requirements set forth in this section:

A. Wall Signs

i. The basic allowance for wall signs shall be limited to a designated square footage determined by the building facade square footage in accordance with the definition for building facade, based upon Table 4-2.

- ii. Single-tenant buildings shall be allowed building signage on the primary building facade up to the square footage of signage permitted in Table 4-2. Single tenant buildings situated on a corner of two public streets will be allowed additional sign area on the facade facing the additional street frontage which shall be equal to 100% of the primary sign area allowed.
- iii. Multiple-tenant buildings shall be allowed building signage on the main building elevation for each tenant space up to the square footage allowed by Table 4-2. Tenant spaces located at building corners situated on a corner of two public streets shall be permitted additional sign area on the facade facing the additional street frontage which shall be equal to one hundred percent (100%) of the primary sign area allowed.
- iv. The minimum sign area for each tenant shall not be less than twenty-five (25) square feet.
- v. The maximum sign area for each tenant shall not exceed four hundred fifty (450) square feet.
- vi. Each tenant may have multiple wall signs as long as the total wall sign area does not exceed the allowances established for wall signs.
- vii. The linear dimension of the wall sign or signs shall not be greater than either eighty percent (80%) of the length of the tenant space or the length of the building facade.
- viii. The area of any wall sign may be increased by twenty five percent (25%) for every two-hundred (200) feet of setback, or fraction thereof, up to a maximum increase of one hundred percent (100%).
- ix. Building signage can be internally, directly or indirectly illuminated.
- x. The area of all building sign area shall be based upon the following Table 4-2:

Table 4-2

Wall Sign Allowance		
Building or Tenant Unit Facade(ft ²)	Allowed Sign are (ft ²)	Maiximum/Minimum Sign Area (ft ²)
0-250	25 SF	Min 25 ft. ²
251-1000	25 Sf plus 1 SF per each additional 10 SF over 251 SF	Max. 100 ft. ²
1001-2500	100 SF plus 1 SF per each additional 12 SF over 1001 SF	Max. 225 ft. ²
2501-5000	225 SF plus 1 SF per each additional 14.5 SF over 2501	Max. 400 ft. ²
5001+	400 SF plus 1 SF per each additional 20 SF with a maximum of 450 SF	Max. 450 ft. ²

B. Marquee, Awning, Canopy Signs, and Changeable Copy

- i. Any portion of the marquee, canopy, awning, or changeable copy sign that is used for commercial advertisement shall be counted towards the wall sign allowance for that business.
- ii. No portion of the signage shall be allowed to extend above or below the marquee, canopy, or awning. Changeable copy signs shall be consistent in color, size, material, and letter size with all tenants.
- iii. One marquee, canopy, awning, or changeable copy sign shall be allowed per business or tenant for each public street frontage faced by the business or tenant.
- iv. Marquee, canopy, awning, and changeable copy signs within multi-tenant/multi-building complexes shall be consistent in color, size, material and letter size with all tenants.

C. Window Signs

- i. The combination of all window signs, temporary and/or permanent, shall not exceed twenty five percent (25%) of the total window area. Window signs such as open/closed, store hours, address, and other similar information that is smaller than two (2) square feet shall be exempt from the total area limitations.
- ii. Permanent window signage shall not exceed ten percent (10%) of the total window area.
- iii. Temporary window signage shall not exceed twenty five percent (25%) of the total window area and may be used without a permit.

D. Projecting signs. Projecting signs shall have a maximum area of twelve (12) square feet; the bottom of the sign shall be a minimum of eight (8) feet above the sidewalk; the sign shall not project more than four (4) feet from the wall of the building on which the sign is placed; and adjacent projecting signs shall not be closer than twenty (20) feet to one another.

E. Freestanding signs.

- i. Individual detached signs are permitted for those businesses in non-residential zones which do not share a building, a common wall, or common parking area with another business. If two or more businesses sharing a building, a common wall, or a joint parking area, individual detached signs shall not be permitted, and joint identification signs shall be used;
- ii. Signs for the following building sizes shall be permitted to the following sizes (refer to Table 4-3):

- a. Buildings 0-10,000 Square Feet - not to exceed thirty-six (36) square feet per face;
- b. Buildings 10,001+ Square Feet – not to exceed sixty (60) square feet per face

Table 4-3

Freestanding Signs					
Building Square Footage	Max. Sq.Ft.per Face	Max. Height	Setback	Low Profile Max. Sq. Ft. per Face	Low Profile Max. Height
0-10,000 Square Feet	36	25'	10'	45	8'
10,001+ Square Feet	60	30'	10'	62.5	

- iii. Only one (1) sign is permitted for each street frontage, with a maximum of two (2) signs per site;
- iv. No two detached signs shall be closer together than ten (10) feet. In the event that two signs are located on one site, they each must be separated by a minimum of fifty (50) feet from one another.
- v. All signs shall be set back a minimum of ten (10) feet from a right-of-way;
- vi. For double-faced signs, each sign face can have a maximum square footage allowed;
- vii. The maximum sign area shall not exceed sixty (60) square feet;
- viii. Such signs may be internally or indirectly illuminated;
- ix. Detached signs of a low-profile, planter-type design which are not more than eight feet in height and are designed to complement the design of the building on the premises may, with the approval of the Department of Planning and Development, exceed the maximum allowable square footage by up to 25%, and may be placed closer than ten (10) feet to the right-of-way.

F. Joint Identification Signs.

- i. Joint identification signs shall be used for those businesses in non-residential zones that have two or more businesses sharing a building, a common wall, or a joint parking area, individual detached signs shall not be permitted in these cases;
- ii. A maximum of twenty five percent (25%) of the joint identification sign shall be used for the shopping center anchor sign panel; a minimum of ten (10) square feet shall be used for all other business sign panels;
- iii. Joint identification detached signs are subject to the following restrictions (refer to Table 4-4);
- iv. Signs for the following building square footages shall be permitted to be the following sizes:
 - a. Buildings 0-10,000 Square Feet – not to exceed fifty (50) square feet per face;
 - b. Buildings 10,001- 20,000 Square Feet – not to exceed one hundred (100) square feet per face;
 - c. Buildings 20,001-40,000 Square Feet – not to exceed one-hundred and fifty (150) square feet per face;
 - d. Buildings 40,001-80,000 Square Feet – not to exceed two hundred (200) square feet per face;
 - e. 80,001-160,000 Square Feet– not to exceed two hundred fifty (250) square feet per face;
 - f. 160,001+ Square Feet – not to exceed three hundred (300) square feet per face.

Table 4-4

Freestanding – Joint Identification Signs					
Site Size	Max. Sq.Ft.per Face	Max. Height	Setback	Low Profile Max. Sq. Ft. per Face	Low Profile Max. Height
0 - 10,000 Square Feet	50	25'	10'	62.5	8'
10,001 – 20,000 Square Feet	100			125	
20,001-40,000 Square Feet	150			187.5	
40,001- 80,000 Square Feet	200			250	
80,001 – 160,000 Square Feet	250	30'		312.5	
160,001+ Square Feet	300	40'		375	

v. Only one (1) sign is permitted for each street frontage, with a maximum of (2) two signs per site. If two signs are used, the total square footage permitted based on building square footage shall be allowed for both signs;

vi. The signs shall not exceed twenty-five (25) feet in height for buildings 0-80,000 square feet; thirty (30) feet in height for buildings 80,001-160,000 square feet; and forty (40) feet in height for buildings larger than 160,001 square feet;

vii. All signs shall be set back a minimum of ten (10) feet from any right-of-way;

viii. Such signs may be internally or indirectly illuminated;

ix. Joint Identification Signs of a low-profile, monument design which are not more than eight (8) feet in height and are designed to complement the design of the building on the premises may, with the approval of the Department of Planning and Development, exceed the maximum allowable square footage by up to 25%, and may be placed closer than ten (10) feet to the right-of-way,

G. Electronic Message Center. Electronic Message Centers may be incorporated into Freestanding signs and are subject to the following restrictions:

- i. Message Hold Time. Each message displayed shall remain static for a minimum of eight (8) seconds. All such signs shall have a default mode to prevent the display from malfunctioning in a flashing or intermittent flash on.
- ii. Transition Method. Each electronic sign shall be limited to static messages only and shall not have movement, or the appearance of optical illusion of movement of any part of the sign structure design, or pictorial segment of the sign. This shall include the movement or appearance of movement of any illumination or the flashing, scintillating or varying of light intensity. The transition duration shall be instantaneous.
- iii. Brightness/Luminance
 - a. Each electronic sign shall be equipped with dimming technology that automatically varies the brightness of the electronic sign according to ambient light conditions.
 - b. The intensity of the light source shall not produce glare, the effect of which constitutes a traffic hazard or is otherwise detrimental to the public health, safety or welfare. Lighting from the message module shall not exceed five hundred (500) NIT (candelas per square meter) between dusk and dawn as measured by the equivalent 'Percentage of Maximum Brightness-Nighttime' setting on the applicant's sign controlling software. Applications for sign permits containing an electronic display shall include the manufacturer's specifications and NIT rating. City officials shall have the right to view the technical specifications of the sign to determine compliance.
- iv. Sequential Messaging: Consecutive messaging from a single advertiser, regardless of content, is strictly prohibited. A minimum of one (unrelated advertiser) message hold time period is required between single advertiser messaging.

H. Other Permanent Signs

- i. Instructional or "way-finding" signs shall be permitted in addition to all other signs when they are of such size and location that satisfy the intended instructional purpose and based on their size, location and intended purpose will not constitute additional advertising. Instructional signs shall be permitted without limitation as to number or size and may include the name of the business and logos.
- ii. Vehicle Signs – In accordance with Section 21-1-2(f)(18), when vehicles are parked or stored in such a way to exceed the duration of ninety-six (96) hours the vehicle mounted sign shall constitute a permanent sign for a building or premises,

the sign displayed on the vehicle shall be counted as part of the detached sign area permitted the premises.

iii. Off-Premises Advertising Signs are signs advertising or directing attention to a business, commodity, service or activity conducted, sold or offered elsewhere than on the same lot upon which such sign is located and are subject to the following restrictions:

- a. They shall be permitted in C-5 Commercial, I-1 and I-2 Industrial Zones located adjacent to Interstate Highway 25;
- b. They shall not exceed sixty (60) feet in height or six hundred seventy-two (672) square feet in area;
- c. They shall be placed at least two thousand (2,000) feet apart;
- d. They shall be set back a minimum of twenty-five (25) feet from the front property line;
- e. On corner lots, they shall not be placed within a three hundred (300) foot vision triangle;
- f. They may be indirectly or internally illuminated;
- g. They may be placed at ground level except when the sign would be closer than one thousand (1,000) feet to an intersection, in which case the bottom of the sign shall be elevated at least eight (8) feet above the ground;
- h. No more than two (2) poles or other structural members shall be used to support the sign;
- i. They shall have no more than two (2) sides, and no more than one (1) sign or message shall be placed on each side of the structure; and
- j. A digital billboard may be incorporated into an off-premise advertising sign subject to the following restriction:
 - I. Message hold time – each message displayed shall remain static for a minimum of ten (10) seconds. All such signs shall have a default mode to prevent the display from malfunctioning in a flashing or intermittent fashion.
 - II. Transition method – each electronic sign shall be limited to static messages only and shall not have movement, or the appearance or optical illusion of movement, of any part of the sign structure, design,

or pictorial segment of the sign. This shall include the movement or appearance of movement of any illumination or the flashing, scintillating or varying of light intensity. The transition duration shall be instantaneous.

III. Brightness / Luminance –

(A) Each electronic sign shall be equipped with dimming technology that automatically varies the brightness of the electronic sign according to the ambient light conditions.

(B) The intensity of the light source shall not produce glare, the effect of which constitutes a traffic hazard or is otherwise detrimental to the public health, safety or welfare. Lighting from the message module shall not exceed five hundred (500) NIT (Candelas per square meter) between dusk and dawn as measured by the equivalent “percentage of maximum brightness-nighttime” setting on the applicant’s sign controlling software. Applications for sign permits containing an electronic display shall include the manufacturer’s specifications and NIT rating. City officials shall have the right to view the technical specifications of the sign to determine compliance.

(2) Temporary signs – Performance Standards. Temporary signs shall include all signs used only temporarily that are not permanently mounted.

A. Regular Temporary Signs

- i. Temporary signage is subject to the regulations as depicted in Table 4-5 below;
- ii. There shall be no more than one (1) temporary detached sign and one (1) temporary wall or banner type sign, attached to the building;
- iii. Temporary wall or banner signs shall not exceed the size limits as depicted in Table 4-5 below;
- iv. Placement of such signs shall be allowed for fifteen (15) consecutive days, eight (8) times in a calendar year, for a maximum of up to sixty (60) consecutive days used in one time block;
- v. Detached temporary signage shall be set back a minimum of ten (10) feet from the right-of-way;

B. Community Event Signs are temporary signs used for announcing community events and activities. Use of these signs is limited to public, charitable, or religious

organizations for notification of public events or other occurrences of public interest. Community Event Signs are subject to the following restrictions:

- i. Signs are to be placed at the designated Community Event Sign locations as determined by the Director of Planning and Development;
- ii. Signs are to be placed no more than thirty (30) days prior to the event and must be removed within two (2) days after the event;
- iii. No more than one (1) sign at each of the seven (7) sites may be placed to advertise any one (1) event;
- iv. Community Event signs shall be limited to thirty-two (32) square feet;
- v. No sign shall be erected over eight (8) feet in height.

C. Development Signs are signs pertaining to the development, redevelopment, transaction, or construction on a parcel of real estate and are subject to the following restrictions:

- i. They shall be displayed only on the property to which they pertain and shall be set back ten (10) feet from the right-of-way;
- ii. They shall not exceed ninety-six (96) square feet per face or eight (8) feet in height;
- iii. They shall be limited to wall or detached type placement;
- iv. There shall be only one sign for each street frontage of the property;
- v. They shall not be illuminated; and
- vi. They may be displayed for the duration of the construction project or completion of transaction but they shall be removed upon completion of the project.

Table 4-5

Regular Temporary Signs							
Temporary Sign Type	Maximum Size	Maximum Height	Number of signs allowed	Duration	Limit per year	Front Setback	Side Setback
Freestanding Signs	18 SF	6' - measured from grade of land	1	Allowed for 15 consecutive days, up to 60 consecutive days in a time block	8 times per year	10'	10'
Wall Signs	32 SF	N/A	1	Allowed for 15 consecutive days, up to 60 consecutive days in a time block	8 times per year	N/A	N/A
Community Event Signs	32 SF	8'	N/A - Signs to be placed at designated sites	10 days prior to event	No Limit	N/A	N/A
Development Signs	96 SF	8'	1 /Frontage	Duration of the Project	Duration of the Project	10'	10'

D. Other Temporary Signs

i. Limited-duration signs are portable and temporary in nature. They are allowed for one (1) period of thirty (30) days during the calendar year in addition to the temporary signs depicted in Table 4-5. Limited duration signs are subject to the provisions outlined below and in Table 4-6.

ii. The number of temporary signs, which includes limited-duration signs, is collectively limited to two (2) signs per non-residential unit in the City. The maximum area per sign and height for limited-duration signs is provided in Table 4-6.

iii. Any signs erected by the City, a licensee of the City or the State in accordance with the *Uniform Manual on Traffic Control Devices*, as the same may be amended from time to time, are permissible on all public rights-of-way.

iv. Limited-duration signs allow for signs not otherwise permitted under this Article. The signs allowed for limited duration include:

- a. Animated signs;
- b. Signs which are mechanically agitated or designed to move or make any motion;

- c. Pennants or wind blades;
- d. Portable signs;
- e. Wind-powered devices or any advertising device constructed to be agitated by the mother wind;
- f. Strings of light bulbs, other than traditional holiday decorations;
- g. Limited-duration signs must meet all of the following requirements:
- h. Limited-duration signs, as set forth herein, are temporary signs and shall be allowed without a sign permit to the extent provided by Table 4-6.
 - I. Limited-duration signs shall be located consistent with the Table 1 “Vision Triangle”;
 - II. Limited-duration signs shall be located at least six (6) feet from the edge of the roadway;
 - III. Limited-duration signs shall be located no less than ten (10) feet from any other limited-duration sign;
 - IV. Limited-duration signs shall not be placed in medians, roadways, shoulders or bike paths/lanes;
 - V. Limited-duration signs shall not block pedestrian walkways;
 - VI. Limited-duration signs shall not be attached to public utility poles, traffic and other directional signs, vehicles, utility boxes, fences, other structures or trees;
 - VII. Limited-duration signs shall be structurally sound, durable, weather resistant, and fastened or anchored sufficiently;
 - VIII. Limited-duration signs shall not exceed eighteen (18) square feet in surface area;
 - IX. Limited-duration signs shall not exceed ten (10) feet in height;
 - X. Limited-duration signs shall not have anything attached to such signs, including, but not limited to, balloons, streamers, pennants, lighting or moving parts.

XI. Violations Regarding Limited Duration Signs. The City may remove and dispose of any limited-duration sign that is in violation of the above provisions, or that the City deems to be unsafe, unstable, or a danger to the public, without notice.

v. Grand opening event sign is an event when a new business officially opens or when there is a change in ownership or management. Additional signage is permitted for thirty (30) days after the business is open to signify the event as follows.

I. There shall be a maximum of two (2) signs permitted during a grand opening event, with the exception of additional balloons allowed below.

II. Signs shall be limited to the type, size, and location requirements of the regulations prescribed in Table 4-6 below, limited duration signs.

III. Balloons in excess of two (2) feet in diameter or any balloons in groups greater than twelve (12) are permitted.

Table 4-6

Other Temporary Signs								
Temporary Sign Type	Maximum Size	Maximum Height	Number of signs allowed	Sign Types	Duration	Limit per year	Front Setback	Side Setback
Limited-Duration	18 SF	10' - measured from grade of land	2	Animated, mechanically agitated, pennants, wind blades, portable, wind-powered	Allowed for 30 consecutive days 1 time in a calendar year	Once per year	6' from edge of roadway	6' from edge of roadway
Grand Opening Event Sign	32 SF	10' - measured from grade of land	2	Animated, mechanically agitated, pennants, wind blades, portable, wind-powered, balloons	Allowed for 30 days after the business is opened	One time only	5'	5'

E. Temporary signs allowed without a permit.

i. Election Season Signs are signs allowed during election season, as defined in this Article; no more than five (5) temporary signs are permitted on a non-residential parcel. Such signs shall not exceed three (3) square feet per face in addition to the height, and setback restrictions set forth in Table 4-7. Such signs shall be in addition to the temporary sign permitted pursuant to Section 21-1-4(a)(1).

- ii. Weekend Sale Signs are temporary signs allowed without a permit from noon on Friday until noon the next following Monday. A maximum of two (2) signs are allowed. They shall not exceed three (3) square feet per face. If freestanding they shall not exceed four (4) feet in height.

Table 4-7

Temporary Signs Allowed Without A Permit							
Limited Duration Sign Type	Maximum Size	Maximum Height	Number of signs allowed	Duration	Limit per year	Front Setback	Side Setback
Weekend Sale Sign	6 SF	6' - measured from grade of land	2	Noon on Friday until noon the next following Monday	NA	10'	10'
Other Temporary "Election Season" Signs	3 SF	8'	5	60 days prior to the event and 5 days after	Election Seasons	10'	10'

(b) Residential: Signs on all parcels used for residential purposes shall comply with the standards set forth in this Section.

(1) Permanent Signs - Performance Standards

A. Single-Family Identification Signs are signs identifying the address for the premise and which are subject to the following provisions.

- i. The signs shall not exceed two (2) square feet per sign face;
- ii. The signs shall be limited to wall, window or detached type placement;
- iii. There shall be a maximum of one (1) sign per street frontage; and
- iv. Each sign may be indirectly illuminated.

B. Multi-Family Identification Signs are signs identifying multi-family and apartment complexes. They are subject to the following restrictions:

- i. They shall be limited to eighteen (18) square feet per face for double-faced signs or thirty-six (36) square feet for single-faced signs;
- ii. They shall be no more than six (6) feet in height;
- iii. They shall be of the detached type placement;
- iv. They shall be limited to one (1) sign per access point abutting the complex;
- v. They may be indirectly illuminated;

vi. They shall be set back at least ten (10) feet from any public right-of-way unless otherwise approved by the Department of Planning and Development;

vii. Signs shall never be placed inside the vision triangle set forth in Section 21-1-3(c)(6).

C. Home Occupation signs are subject to the following restrictions:

i. They shall be limited to one (1) sign per street frontage;

ii. They shall be limited to wall or window placement;

iii. They shall be no larger than two (2) square feet per face.

(2) Temporary Signs - Performance Standards. Temporary signs on residential parcels.

A. Temporary signs of six (6) square feet in area or less are permitted on single-family residential, duplex and townhome parcels pursuant to Table 4-8;

B. Single Family Residential, Duplexes and Townhomes shall be allowed either one temporary detached sign or one wall or window sign for up to ninety (90) days or the duration of the event;

C. Multi-family apartments or condominiums shall be allowed one temporary wall or window sign per tenant for up to ninety (90) days or the duration of the event;

D. Multi-family apartments or condominiums shall be allowed one temporary detached sign per street frontage for up to ninety (90) days or the duration of the event;

E. Temporary signs of less than one (1) square foot in area are permitted on residential uses without limitations;

F. Limited-duration signs in residential areas shall be allowed in the public rights-of-way, in conformance with the provisions and standards of this Section.

i. Any signs erected by the City, a licensee of the City or the State in accordance with the *Uniform Manual on Traffic Control Devices*, as the same may be amended from time to time, are permissible on all public rights-of-way.

ii. Limited-duration signs that meet all of the following requirements:

a. Limited-duration signs, as set forth herein, are temporary signs and shall be allowed without a sign permit to the extent provided by Table 4-8;

- b. Limited-duration signs shall be located at least fifty (50) feet from all intersections;
- c. Limited-duration signs shall be located at least six (6) feet from the edge of the roadway;
- d. Limited-duration signs shall be located no less than ten (10) feet from any other limited-duration sign;
- e. Limited-duration signs shall not be placed in medians, roadways, shoulders or bike paths/lanes;
- f. Limited-duration signs shall not block pedestrian walkways;
- g. Limited-duration signs shall not be attached to public utility poles, traffic and other directional signs, vehicles, utility boxes, fences, other structures or trees;
- h. Limited-duration signs shall be structurally sound, durable, weather resistant, and fastened or anchored sufficiently;
- i. Limited-duration signs shall not exceed six (6) square feet in surface area;
- j. Limited-duration signs shall not exceed four (4) feet in height;
- k. Limited-duration signs shall not have anything attached to such signs, including, but not limited to, balloons, streamers, pennants, lighting or moving parts;
- l. When limited-duration signs may be posted. Limited-duration signs may only be posted from 12:00 p.m. on Thursdays through 7:00 p.m. on Sundays;
- m. Violations for limited duration signs. The City may remove and dispose of any limited-duration sign that is in violation of the above provisions, or that the City deems to be unsafe, unstable, or a danger to the public, without notice.

(3) Election Season Signs are signs allowed during election season, as defined in this Article, temporary signs are allowed on a residential parcel in a number equal to the number of ballot issues and ballot candidates. Such signs shall not exceed three (3) square feet per face in addition to the height, and setback restrictions set forth in Table 4-8. Such signs shall be in addition to the temporary sign permitted pursuant to 21-1-4-(b)(2).

Table 4-8

Temporary Signs						
Temporary Sign Type	Maximum Size	Maximum Height	Number of signs allowed	Duration	Front Setback	Side Setback
Temporary Wall or Detached Signage for Single-family residential, Duplex or Townhomes	6 SF	8'	1	90 days or the duration of the event	10'	5'
Temporary Window Signage for Multi-family apartments and condominiums	6 SF	8'	1 per unit	90 days or the duration of the event	NA	NA
Temporary Detached Signage for Multi-family apartments and condominiums	6 SF	8'	1 per street frontage	90 days or the duration of the event	10'	5'
Other Temporary "Election Season" Signs	3 SF	4'	See 21-1-4(b)(3)	60 days prior to the election and 5 days after	10'	5'
Limited-duration Sign	6 SF	4'	NA	Noon on Thursday through 7 p.m. on Sunday	6' from edge of roadway	6' from edge of roadway

Section 21-1-5. Comprehensive Sign Plans (CSP).

(a) The Planning Commission may permit the utilization of CSP's for properties that meet any of the following criteria:

- (1) Two (2) or more contiguous parcels, which are held in unified control and which comprise two or more acres;
- (2) Commercial centers having a single tenant with fifty thousand (50,000) or more square feet;
- (3) Developments with six (6) or more nonresidential occupants;
- (4) Planned unit developments;
- (5) Apartment complexes; or
- (6) Any development whose signage requires, by City Council action, coordination with its surrounding area.

(b) CSP's are subject to the following requirements:

- (1) The CSP shall be reviewed in terms of its impact on surrounding land uses and its compatibility with the purposes of this Sign Code and with other Ordinances;

(2) Submittal requirements: Applicants must submit a detailed sign plan with attached written stipulations to the Planning Commission for review and approval. Such stipulations shall consider all appropriate concerns including, but not limited to, the following items:

- A. Location;
- B. Size;
- C. Height;
- D. Color;
- E. Lighting;
- F. Orientation; and
- G. Construction materials.

(3) Signage which is proposed as part of a CSP may deviate from the standards and requirements of this Article, including but not limited to the following and subject to compliance with the CSP standards set forth in this Section:

- A. Types and numbers of signs allowed;
- B. Maximum sign area;
- C. Maximum height of signs;
- D. Placement of signs;
- E. Typefaces and fonts; and
- F. Materials and illumination standards.

(4) Signage proposed in a CSP may not exceed one hundred twenty-five percent (125%) of any performance standard, as defined for the appropriate sign type, in this Article.

(5) All parties affected by provisions of the comprehensive sign plans must be signatory to such plans; provided, however, that if the multiple building complex or any part thereof, is governed by a management agreement, the duly-constituted representative of the management association or firm shall be signatory to such plans. It is unnecessary for owners or lessees to sign if said representative has signed on their behalf.

(c) Once authorized by the Planning Commission, a comprehensive sign plan may be modified through the following procedure:

(1) The Director of Planning and Development is authorized to determine whether a modification of or a release from a provision of the sign plan would constitute a substantial variation from the guidelines originally approved by the Planning Commission.

(2) If the determination is that the modification or release is not substantial, the Director is authorized to grant such a change, and a written summary of such determination shall be placed in the file for the comprehensive sign plan.

(3) If the Director determines that the requested change is substantial, the proposed change and all relevant material shall be submitted to the Planning Commission.

(4) The Commission shall allow the proposed change only if the following criteria are met:

A. The proposed change will not adversely affect the development and preservation of the entire sign plan;

B. The change will not adversely affect surrounding land uses;

C. The change will not conflict with the purposes of the Northglenn Sign Code; and

D. The change is not granted solely to confer a special benefit upon any party.

(5) Nothing in these provisions shall be construed to deny the Planning Commission power to require any modification of or release from any provision of the CSP so that the plan conforms to other City ordinances.

Section 21-1-6. Definitions.

(a) Unless otherwise specifically provided, or unless otherwise clearly required by the context, the words and phrases defined in this Section shall have the meanings indicated when used in this Chapter.

(1) *Abandoned sign* – any sign and/or its supporting sign structure which remains without a message or whose display surface remains blank for a period of ninety (90) days or more, or any sign which pertains to a time, event or purpose which no longer applies, shall be deemed to have been abandoned. Signs applicable to a business temporarily suspended because of a change in ownership or management of such business shall not be deemed abandoned unless the property remains vacant for a period of ninety (90) days or more. Any sign remaining after demolition of a principal structure shall be deemed to be abandoned.

(2) *Abandonment* – see abandoned sign.

(3) *Animated sign* – any sign or part of a sign which changes physical position by any movement, or which gives the illusion of such change of physical position.

- (4) *Architectural feature* – any construction attendant to, but not an integral part of, the sign, which may consist of landscape, building or structural forms on the site in general; also, graphic stripes and other architectural painting techniques applied to a structure, when the stripes or other painting techniques are applied to a building, provided that such treatment does not include lettering, logos or pictures.
- (5) *Area of sign* - see sign area.
- (6) *Attractive devices* – any device intended to attract attention including, but not limited to fixed aerial displays, balloons, pennants, strings of flags, streamers, devices affected by the movement of the air, devices utilizing light or sound, or inflatable or inflated devices.
- (7) *Awning* – a roof-like cover, often of fabric, plastic, metal or glass designed and intended for protection from the weather or as a decorative embellishment, and which projects from a wall or roof of a structure primarily over a window, walk, or the like.
- (8) *Awning sign* – a building sign or graphic printed on or in some fashion attached directly to the awning material.
- (9) *Banner* – any sign of lightweight fabric or similar material that is mounted to a pole or structure.
- (10) *Balloon sign* – a sign consisting of a bag made of lightweight material supported by helium, hot, or pressurized air which is greater than twenty-four (24) inches in diameter.
- (11) *Board of Adjustment* – The City’s board assigned to the judgment or granting of variances. The board’s duties are defined by Article 42 of Chapter 11 of the City’s municipal code.
- (12) *Building directory sign* – A sign established to communicate to tenants their location within a building.
- (13) *Building facade* – the horizontal linear dimension of that side of a building which is adjacent to a dedicated street and architecturally finished to match the principal building facade, or which has a public entrance to the building and abuts a street, parking area, or other circulation area open to the general public. In shopping centers, any outside architecturally finished wall of a first-floor use shall be considered building facade.
- (14) *Building markers* - any sign cut into a masonry surface or made of bronze or other permanent material and which relates to its construction.
- (15) *Building sign* – any sign attached or supported by any Building.
- (16) *Canopy* – a roof-like cover, often of fabric, plastic, metal, or glass on a support,

which provides shelter.

(17) *Canopy sign* – any sign, which is a part of or attached to an awning or canopy; or any other entrance, window, or outdoor service area. A canopy sign is not a marquee and is different from service area canopy signs.

(18) *Changeable copy sign* – a sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged, by physical means, without altering the face or the surface of the sign.

(19) *City traffic sign* – are signs erected by the City at the side of or above roads to provide information to road users.

(20) *Commercial* – means predominantly related to economic interests or commerce.

(21) *Commercial message* – any sign wording, logo, or other representation directly or indirectly, which, advertises or directs attention to a business, product, service or other commercial activity.

(22) *Community event sign* - a temporary sign used to announce community events and activities.

(23) *Comprehensive Sign Plan (CSP)* – provides a means for the flexible application of sign regulations for developments that require multiple signs due to multiple tenants or lots; CSP are used to provide incentive for latitude in the design and display of multiple signs.

(24) *Development sign* - a temporary sign announcing real estate, subdivision, development, construction or other improvement, sale or lease of a property by a building, contractor, or other person furnishing services, materials or labor to said premises.

(25) *Duration* – the time during which something exists or lasts.

(26) *Display area* – means the area or display surface used for the graphic message.

(27) *Election season* - means sixty (60) days prior to and five (5) days after any City regular or special election, any county or special district election or any state or federal primary or general election.

(28) *Electronic Message Center* - a sign capable of displaying words, symbols, figures, or images that can be periodically changed by manual, electronic, remote or automatic means.

(29) *Eminent domain* – the right of a government or its agent to expropriate private property for public use, with payment of compensation.

(30) *Entrance or exit sign* – means a sign located at the driveway entrance or exit and intended to provide for safe ingress and egress.

(31) *Erect* – the activity of constructing, building, raising, assembling, placing, affixing, attaching, creating, painting, drawing or any other way of bringing into being or establishing.

(32) *Event* – an activity or social occasion.

(33) *Exemptions* – signs or advertising devices not subject to the requirements of the acquisition of a sign permit, but still subject to maintenance and construction procedures herein.

(34) *Flag* – any fabric or similar lightweight material attached at one end of the material, usually to a staff or pole, so as to allow movement of the material by atmospheric changes and which contains distinctive colors, patterns, symbols, emblems, insignia, or other symbolic devices.

(35) *Flashing sign* – a directly or indirectly illuminated sign which exhibits changing light or color effect by any means, so as to provide intermittent illumination which includes the illusion of intermittent flashing light by means of animation. Also any mode of lighting which resembles zooming, twinkling, or sparkling.

(36) *Flow line* - The transition between the gutter and the face of the curb within a public road right-of-way. Where no curb exists, the flow line will be considered the edge of the pavement or roadway of the outside traveled lane.

(37) *Freestanding sign* – any sign which has supporting framework that is placed on, or anchored in, the ground and which is independent from any building or other structure.

(38) *Grade* – the average elevation of the ground at the base of the sign after construction. Earth mounding criteria for landscaping and screening is part of the final grade for sign height computation.

(39) *Grand Opening Event Sign* – Extra temporary signage allowed for the official opening of a new business or a transition in ownership or management.

(40) *Good structural condition* – A qualification of the structural integrity of an existing sign. For this ordinance, these definitions defer to the definition provided by the adopted International Building Code at the time of interpretation.

(41) *Height of sign* – the height of the sign shall be computed as the vertical distance measured from the base of the sign at grade to the top of the highest attached component of the sign.

(42) *Holiday decorations* - displays, including lighting, which are a nonpermanent installation celebrating national, state, and local holidays or holiday seasons.

(43) *Home occupation sign* – a sign that indicates an occupation or profession which is conducted within a dwelling or on the premises thereof.

(44) *Identification sign* – a sign which establishes the identity of an occupant by listing name or professional title, which establishes the identity of a building or building complex by name or symbol only, or which indicates street address and name. The term “identification sign” shall not include signs identifying commercial or industrial uses or a commodity or service offered on the premises.

(45) *Illuminated sign* – any sign which contains an element designed to emanate artificial light internally or externally.

(46) *Illumination* –

- i. Direct: lighting by means of an unshielded light source which is effectively visible as a part of the sign. Neon lighting is considered direct lighting.
- ii. Indirect: lighting which illuminates the front of a sign or the entire building facade 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.
- iii. Internal: 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.

(47) *Incidental Sign* – a sign without a commercial message, usually informational, that has a purpose secondary to the use of the lot on which it is located, such as “no parking”, “entrance”, “loading only”, “telephone”, and other similar directives.

(48) *Instructional sign* – see Wayfinding

(49) *Interior sign* – a sign which is located within the interior of any building, or within an enclosed lobby or court of any building, and a sign for and located within the inner or outer body, court or entrance of any building.

(50) *Joint identification sign* – a sign which serves as a common or collective identification for the following:

- i. Two or more businesses or industrial uses located within the same building or which share a common wall; or

ii. Two or more businesses or industrial buildings located within a jointly used area, which buildings are in close proximity to one another.

iii. Such signs may contain a general identification for shopping centers, industrial parks, office centers and similar developments, and may in some cases contain a directory to individual uses as an integral but clearly secondary part of the sign.

(51) *Legally established nonconforming sign* – A sign which was erected in accordance with a variance granted prior to the adoption of this ordinance and which does not comply with this ordinance shall be deemed to be a legal nonconforming sign.

(52) *Limited-duration sign* means a sign that is portable and temporary in nature, not otherwise regulated as a temporary sign pursuant to this Chapter, and designed to be used in permitted public rights-of-way for a limited period of time.

(53) *Lot* – see parcel

(54) *Low-profile monument sign* – any freestanding sign with its sign face mounted on the ground or mounted on a base at least as wide as the sign and which has a total height not exceeding eight (8) feet.

(55) *Maintenance* – the replacing, repairing, or repainting of a portion of a sign or sign structure, and watering, weeding, mowing, trimming and similar activities on any landscaped area in which the sign is located.

(56) *Marquee* – a rigid, roof-like structure attached to a wall or walls of a building or structure and supported entirely by the building or structure.

(57) *Marquee sign* – any sign attached to, in any manner, or made part of a marquee.

(58) *Monument sign* – any sign that is anchored to the ground with a monolithic base and is independent of any other structure.

(59) *Motor vehicle sign* - a sign measuring more than two (2) square feet in size that is mounted, placed, written or painted on a vehicle or trailer, whether motor driven or not.

(60) *Multi-faced sign* – any sign with more than one display area visible from any point at the same time.

(61) *Multi-family identification sign* - see identification signs.

(62) *Multiple tenant site* – any site which has more than one (1) tenant.

(63) *Non-residential use* – any principle use other than dwelling, such as office buildings, shopping centers, industrial, institutional, or hotel.

(64) *Non-conforming sign* – any sign, the area, dimensions or location of which were lawful at the time the sign was erected, but which fails to conform to the current standards and regulations of this Ordinance due to adoption, revision or amendment.

(65) *Off-premise advertising sign* – this use category includes: signs advertising an establishment, merchandise, service, or entertainment, which is not sold, produced, manufactured, or furnished at the property on which the sign is located. These signs are commonly referred to as billboards.

(66) *On-premise sign* – identify or advertise an establishment, person, activity, goods, products or services located on the premises where the sign is installed.

(67) *Outdoor commercial advertising device* – see sign.

(68) *Parcel* – means the area of land necessary for a use to be in compliance with the City of Northglenn Zoning Ordinance. The term lot or tract may also be referring to a parcel.

(69) *Pennant* – any lightweight plastic, fabric, or other material whether or not containing a message of any kind, suspended from a rope, wire, string or pole, usually in series, designed to move in the wind. See also Wind Blade.

(70) *Permanent sign* – any sign with a structure that is permanently placed or affixed to a structure or in the ground.

(71) *Portable sign* - a sign that is not permanently attached to the ground or other permanent structure, or a sign designed to be transported on wheels, skids, a bench, runners, brackets, or has a frame to which wheels, skids, runners, brackets, or similar mechanical devices can be attached to or support the sign. A portable sign includes inflatable devices and mobile signs such as parked trailers or vehicles, which include signs which are visible from the public right-of-way unless such vehicle is used in the normal day-to-day operations of the business. A portable sign also includes a sign displaying a commercial message held by, attached to, or affixed on an individual who is exhibiting such sign for the predominant purpose of conveying the commercial message on such sign. A portable sign shall not include a sign displaying a noncommercial message held by, attached to, or affixed on an individual.

(72) *Primary façade* - shall be considered the portion of any facade containing the primary public entrance(s) to the building or building units.

(73) *Prohibited sign* - any sign not permitted by these standards and regulations.

(74) *Projecting sign* – any sign affixed to a structure or wall in such a manner so that its leading edge extends more than eighteen (18) inches beyond the surface of such structure

or wall. Signs affixed to the structure that extend less than eighteen (18) inches beyond the surface are considered to be wall signs.

(75) *Public right-of-way* – Means a sidewalk, curb, street, alley, bike path or other similar public improvement located in a public right-of-way normally used for the travel of pedestrians, motor vehicles, bicycles or like vehicles.

(76) *Public transit vehicle* – any vehicle used for public transportation.

(77) *Residential uses* – pertaining to an area that is primarily for family residences. A building used or suitable to be used as a dwelling, including ones that are being built or adapted to be used as a dwelling.

(78) *Right-of-Way* – any public street, way, place, alley, sidewalk, trail, path, easement, park, square, median, parkway, boulevard or plaza that is dedicated to public use.

(79) *Roof sign* – any sign painted, erected, or constructed wholly on and over the roof of a structure, supported by the roof structure, or extending vertically above the highest portion of the roof.

(80) *Rotating sign* – a sign or portion of a sign which turns about an axis.

(81) *Safety sign* - A traffic warning sign is a type of traffic sign that indicates a hazard ahead on the road that may not be readily apparent.

(82) *Search light* – any light with one (1) or more beams directed into the atmosphere or directed at one (1) or more points not on the same lot as the light source; also, any light with one (1) or more beams that rotate, flash, or move.

(83) *Secondary facade* – shall include facades containing secondary public entrances to the building or building units, and all walls facing a public street or primary parking area not designated as the primary facade.

(84) *Sequential messaging* - a selection technique in which messages are recorded in a preset order and played back individually upon each activation of the device.

(85) *Setback of sign* – the required minimum distance between placement of a sign and the public Right-of-Way.

(86) *Sight distance* - the length of roadway ahead visible to the driver.

(87) *Sign* – an object or device or any part thereof situated outdoors or indoors which is used to advertise, identify, display, direct, or attract attention to an object, place, person, institution, organization, business, product, service, event, or location by any means, including words, letters, figures, designs, logos, fixtures, colors, motion, illumination, or projected images. If, for any reason, it cannot be readily determined whether or not an

object is a sign, the Director of Planning and Development shall make such determination. Also known as an Outdoor Commercial Advertising Device.

(88) *Sign area* – shall mean the entire sign face, including the advertising surface of any framing, trim, or molding, but not including the supporting structure. The sign area shall be measured using a regular geometric shape (rectangle, circle, trapezoid, triangle, etc.) or a combination of regular geometric shapes.

(89) *Sign structure* – any supports, uprights, braces, or framework of the sign, excluding the sign face.

(90) *Single family identification signs* - see identification signs.

(91) *Site* – a lot or combination of contiguous lots which are intended, designated, and/or approved to function as an integrated unit.

(92) *Street frontage* – the area of a property or site that includes building facades facing a public street, a primary parking area, or containing public entrances to the building or units.

(93) *Suspended sign* – a sign suspended from the underside of a horizontal plane surface and is supported by such surface.

(94) *Temporary display structure* – any structure used only for display of retail sales items and does not require a building permit.

(95) *Temporary Sign* – any sign used only temporarily and is not permanently mounted.

(96) *Tract* – see parcel.

(97) *Variance* - a variance is the relaxation of the terms of the Sign Code in relation to height, area, size, or placement of a sign where specific physical conditions, unique to the site, create an unreasonable hardship for the applicant.

(98) *Vehicle Sign* - see motor vehicle sign.

(99) *Vision Triangle* – The Vision Triangle is a triangle measured from the point of intersection of the flow lines, abutting the two points of access, a certain distance along each based on travel speeds of the adjacent roadway.

(100) *Wall* – any structure which defines the exterior boundaries or courts of a building or structure and which has a slope of sixty (60) degrees or greater with the horizontal plane.

(101) *Wall Sign* – any sign attached parallel to, but within eighteen (18) inches of a wall, painted on the wall surface of, or erected and confined within the limits of an outside wall

of any structure, which is supported by such wall or structure, and which displays only one (1) sign surface.

(102) *Wayfinding sign* - encompasses all of the ways in which people and animals orient themselves in physical space and navigate from place to place.

(103) *Weekend Sale Sign* – small temporary signs allowed without a permit for a constrained period of time.

(104) *Wind Blades* - a sign typically made from a piece of cloth, varying in size, shape, color, and design, usually attached at one edge to a staff or cord, and used as a means of conveying a message

(105) *Window Sign* – Any sign, picture, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale, or service, that is placed inside a window or upon the windowpane or glass and is visible from the exterior of the window.

(106) *Work of Art* – An aesthetic physical item or artistic creation that does not convey a commercial message.

Section 2. Article 35 of Chapter 11 of the Northglenn Municipal Code is hereby repealed in its entirety.

Section 3. Section 11-5-2 of the Northglenn Municipal Code is hereby amended by the deletion of subsections (b)(11), (b)(23), (b)(144) through (b)(154), inclusive, and sub-subsection (b)(192)(C).

Section 4. Section 11-19-3 of the Northglenn Municipal Code is hereby amended by the deletion of sub-subsection 11-19-3(d)(6).

Section 5. Section 11-42-14 of the Northglenn Municipal Code is hereby amended by the deletion of subsection (d).

Section 6. Section 11-31-3 of the Northglenn Municipal Code is hereby amended by the deletion of sub-subsection (e)(4).

Section 7. Section 11-6-9 of the Northglenn Municipal Code is amended to read as follows:

Section 11-6-9. Sign Regulations. Sign regulations are as set forth in ~~Article 35~~ Chapter 21 of the Northglenn Municipal Code.

Section 8. Section 11-32-2(a)(4) of the Northglenn Municipal Code is amended to read as follows:

(4) Signs, subject to the provisions of ~~Article 35 of this Chapter~~ Chapter 21 of the Northglenn Municipal Code.

INTRODUCED, READ AND ORDERED POSTED this ____ day of _____, 2013.

JOYCE DOWNING
Mayor

ATTEST:

JOHANNA SMALL, CMC
City Clerk

PASSED ON SECOND AND FINAL READING this ____ day of _____, 2013.

JOYCE DOWNING
Mayor

ATTEST:

JOHANNA SMALL, CMC
City Clerk

APPROVED AS TO FORM:

COREY Y. HOFFMANN
City Attorney