

SPONSORED BY: MAYOR DOWNING

COUNCILMAN'S RESOLUTION

NO. CB-1885
Series of 2017

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

A PUBLIC HEARING WILL BE HELD ON CB-1885, SERIES OF 2017, ENTITLED "A BILL FOR AN ORDINANCE REPEALING AND REENACTING CHAPTER 21 OF THE NORTHGLENN MUNICIPAL CODE – THE NORTHGLENN SIGN CODE" ON MAY 22, 2017 AT 7:00 P.M., CITY HALL COUNCIL CHAMBERS, 11701 COMMUNITY CENTER DRIVE, NORTHGLENN.

DATED this 8th day of May, 2017.


JOYCE DOWNING
Mayor

ATTEST:


JOHANNA SMALL, CMC
City Clerk

AFFIDAVIT OF POSTING:

I, Johanna Small, certify that CB-1885 was posted at the authorized posting places in the City of Northglenn this 12th day of May, 2017.


City Clerk's Office

**PLANNING AND DEVELOPMENT DEPARTMENT
MEMORANDUM 17-30**

DATE: May 22, 2017

TO: Honorable Mayor Joyce Downing and City Council Members

FROM: James A. Hayes, AICP, City Manager *JH*
Brook Svoboda, Director of Planning and Development *BS*
Ashley Kaade, AICP, Senior Planner *AK*

SUBJECT: CB-1885 Sign Code Amendments – Second Reading

Purpose

To approve CB-1885, a bill for an ordinance repealing and reenacting Chapter 21 of the Northglenn Municipal Code – the Northglenn Sign Code.

Background

Based on feedback from the business community, staff initiated a Sign Code update to review performance standards, clarify City processes and re-organize the Code to be more user-friendly. Per recommendation from the City Attorney, the Sign Code has been updated due to the Supreme Court decision on Reed vs. the Town of Gilbert, Ariz. (Reed vs. Gilbert) in which portions of the Town's Sign Code were deemed unconstitutional largely due to content-based regulations.

Based on the Supreme Court case opinions, subsequent related lawsuits, guidance suggested by the Colorado Municipal League and a thorough review of Northglenn's Sign Code by the City Attorney, post Reed vs. Gilbert guidance included strengthening the Sign Code's purpose statement; adding a substitution clause which allows noncommercial copy to replace the message on any exempt or permitted sign; and revising regulations and definitions based on content and instead focus on regulating time, place and manner.

Changes influenced by Reed vs. Gilbert

- Strengthened purpose statement
- Included a substitution clause
- Reviewed and removed/revised content-based regulations
 - Streamlined permissible sign types
 - Removed limited duration signs, and in turn increased flexibility in temporary sign performance standards
- Reviewed and removed/revised content-based definitions

Changes to make the Code more user-friendly

- Reformatted to match other Municipal Code chapters (converted Sections to Articles)
- Added new Articles separating out enforcement, measurements and computations, and temporary and permanent signage for both residential and non-residential uses
- Added more tables and removed duplicative text
- Removed variances, and in turn increased flexibility in the Comprehensive Sign Plans (CSP) option
- Simplified formula for wall sign allowance and added provisions for multi-story buildings
- Changed setback requirements from 10' from right-of-way to 10' from edge of curb
- Allowed additional sign types such as wind blades
- Streamlined definitions

Staff presented proposed Sign Code updates to City Council at its April 17 Study Session. Based on direction from Council, staff updated Table 5 in Section 21-7-1 Temporary Non-residential Signs to clarify performance standards for Election Season Signs.

Council also requested information on signage regulations for marijuana-related businesses. Medical and retail marijuana establishments are subject to regulations in both Chapters 18 (Licensing) and 21 (Sign Code) of the Northglenn Municipal Code, as well as applicable state laws. Below are excerpts from Chapter 18 of the Northglenn Municipal Code for reference.

ARTICLE 14. MEDICAL MARIJUANA.

Section 18-14-21. *Signage and advertising. All signage and advertising for a medical marijuana center or a medical marijuana-infused products manufacturing operation shall comply with all applicable provisions of this Article and other applicable provisions of the Northglenn Municipal Code, including Article 35 of Chapter 11 of the Northglenn Municipal Code. In addition, no signage or advertising shall use the word "marijuana" or "cannabis" or any other word, phrase or symbol commonly understood to refer to marijuana unless such word, phrase or symbol is immediately preceded by the word "medical" in type and font that is at least as readily discernible as all other words, phrases or symbols. Such signage and advertising must clearly indicate that the products and services are offered only for medical marijuana patients and primary caregivers.*

ARTICLE 16. RETAIL MARIJUANA ESTABLISHMENTS.

Section 18-16-23. *Signage and advertising. All signage and advertising for a retail marijuana establishment shall comply with all applicable state laws as well as the provisions of this Article and other applicable provisions of the Northglenn Municipal Code, including Chapter 21 of the Northglenn Municipal Code.*

Staff presented the Sign Code update to the Planning Commission April 18 and conducted a Lunch and Learn with the business community April 26. Staff provided an overview of the proposed amendments, a timeline of the project and scheduled adoption, and performance standards in the new Code. No substantial questions or feedback were received.

Budget Implications

N/A

Schedule/Time Implications

N/A

City Council Options

City Council can approve, deny or table CB-1885.

Staff Recommendation

Staff recommends approval of CB -1885, a bill for an ordinance repealing and reenacting Chapter 21 of the Northglenn Municipal Code – the Northglenn Sign Code.

Staff Reference

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Ashley Kaade, AICP, Senior Planner	akaade@northglenn.org	303.450.8836

Attachments

- Attachment 1 City Council April 17 Study Session Staff Presentation
- Attachment 2 Current Sign Code (Chapter 21 of the Northglenn Municipal Code)



Sign Code Update

Presented to:
The Northglenn City Council:
April 17, 2017

GOALS

Provide a sign ordinance that balances the need for adequate sign communication while protecting against potential community impacts.

Organization

To create a user-friendly document, the update re-organizes sections of the ordinance.

Performance Standards

Based on community feedback, sign industry standards and Supreme Court case, the revisions re-examine the size, location, and duration of signs.

Clarification

To reduce confusion and contradictions, revisions clarify regulations and processes.

REED VS. GILBERT

The Supreme Court found the Town of Gilbert, Arizona's Sign Code to be unconstitutional.

The Supreme Court held:

1. The Sign Code was a content-based regulation of speech
2. As a content-based regulation of speech, the code was subject to "strict scrutiny review", regardless of the government's justifications for enacting it
3. The Sign Code did not survive "strict scrutiny" because, even if preserving aesthetic appeal and traffic safety were compelling governmental interests, the Code's distinctions were not narrowly tailored to achieve those interests

REED VS. GILBERT

Based on the Supreme Court case opinions, subsequent related lawsuits, guidance suggested by the Colorado Municipal league and a thorough review of Northglenn's Sign Code by the City Attorney, post Reed vs. Gilbert guidance included:

1. Strengthening the Sign Code's purpose statement
2. Adding a substitution clause
 - Allows noncommercial copy to replace the message on any exempt or permitted sign
3. Revising regulations and definitions based on content
 - Focus on regulating time, place and manner

REED VS. GILBERT

Changes influenced by Reed vs. Gilbert

- Strengthened purpose statement
 - Emphasized how the Code promotes public health, safety and welfare of community
- Included a substitution clause
- Reviewed and removed/revised content-based regulations
 - Streamlined permissible sign types
 - Removed limited duration signs, and in turn increased flexibility in temporary sign performance standards
- Reviewed and removed/revised content-based definitions

OTHER CHANGES

Changes to make the Sign Code more user-friendly

- Reformatted to match other Municipal Code chapters
- Added new Articles
- Added more tables and removed duplicative text
- Removed the variance option, and in turn increased flexibility in the Comprehensive Sign Plans (CSP) option
- Changed setback requirements from 10' from ROW to edge of curb
- Allowed additional sign types such as wind blades
- Simplified formula for wall sign allowance and added provisions for multi-story buildings
- Streamlined definitions

OTHER CHANGES

Temporary Non-residential Signs				
Sign Type	Max. Area Per Sign Face (Sq. Ft.)	Max. Sign Height	Number permitted	Permit Required
Wall Banner	36	N/A	2	Yes
Pole Banner/Wind blade	36	15'	4	Yes
Freestanding Banner	36	8'	2	Yes
Portable/A-frame/ Sandwich Board	8	8'	2	Yes
Sign Spinner	12	6'	2	Yes
Signs on Projects While Under Construction	96	10'	*1	Yes
Election Season Signs	3	8'	3	No
	18		2	
Weekend Signs	6	8'	No Limit	No

**1 sign for each subcontractor, real estate affiliate, or development partner associated with the project*

NEXT STEPS & STAFF RECOMMENDATION

Next Steps

Council adoption

- First Reading – May 8
- Second Reading and Public Hearing – May 22

Planning Commission update – April 18

Lunch & Learn – April 26

Staff Recommendation

Staff recommends Council move forward with the repeal and reenact adoption process of the updated Sign Code

QUESTIONS?

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 forth 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.

[Source: Ord. 1653, 2013]

Section 21-1-2. General Provisions; Enforcement; Penalty.

(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.

(b) 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.

(c) 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 hereafter. 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.

(d) Administrative Enforcement. The Director of Planning and Development is hereby authorized and directed to enforce all provisions of this Code. In addition to the penalty provisions set forth in subsection (e) of this Section 21-1-2, specific authority is granted to the enforcement officer to remove, or have removed, the following signs after posting of a notice at least twenty-four (24) hours prior to removal upon the premises where such sign(s) is located. Enforcement is also authorized administratively as follows:

(1) Violations of this Sign Ordinance may result in enforcement under Chapter 19 of the Northglenn Municipal Code.

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

A. 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;

B. 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;

C. 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;

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

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

i. The City shall hold a sign for at least seven (7) days. After seven (7) 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.

ii. For signs with fair market value exceeding one hundred dollars (\$100.00) as determined by the City, the City shall provide notice by mail to the following:

a. 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.

b. 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.

c. 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.

(e) Any violation of this Chapter 21 may also be punishable as provided in Section 1-1-10 of this Northglenn Municipal Code.

(f) 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.

(g) 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.

(h) 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 regarding a non-conforming sign shall immediately terminate the right to maintain said non-conforming sign.

(i) 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 feet by seven feet (5' x 7') when hung from a 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 feet (20') 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.

(8) Residential signs except as outlined in Section 21-1-5(a)(1)(B).

(j) 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 feet (2') in diameter or any balloons in groups greater than twelve feet (12')¹;

(10) Pennants or wind blades¹;

(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;

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

(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 Sections 21-1-4(a)(1) and 21-1-4(a)(2) 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 feet (50') of a street when there are other areas of the 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 on the premises.

[Source: Ord. 1653, 2013]

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 Section 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 same manner as a sign variance described in Section 21-1-3(c), subsections (1) through (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 Chapter or that would allow a type of sign that is prohibited by this Chapter.

(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.

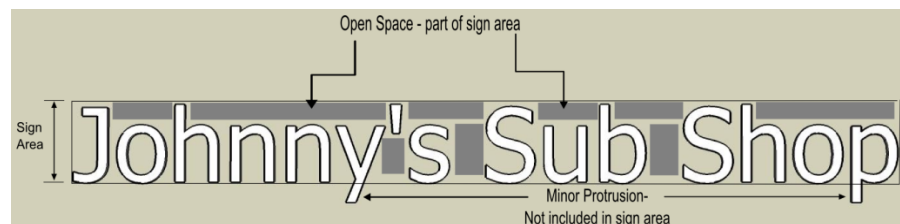
i. A wall sign which is framed, outlined, painted or otherwise prepared and intended to provide a background for a sign display, the area and dimensions shall include the entire portion within such background or frame.

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;

iv. When separate elements are organized to form a single sign, but are separated by open space, the sign area and dimensions shall be calculated by determining the geometric form, or combination of forms, which comprises all of the display area, including the space between different elements;

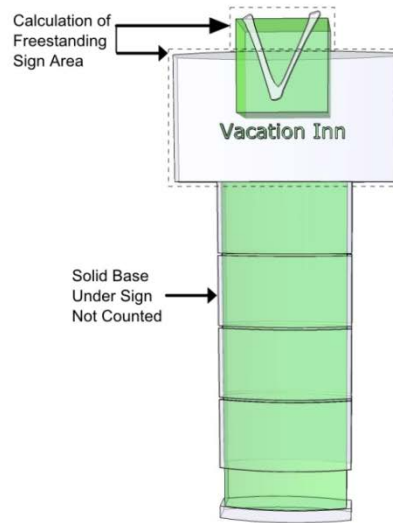
v. Minor appendages to a particular regular shape, as determined by the Planning and Development Director, shall not be included in the total area of a sign.



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

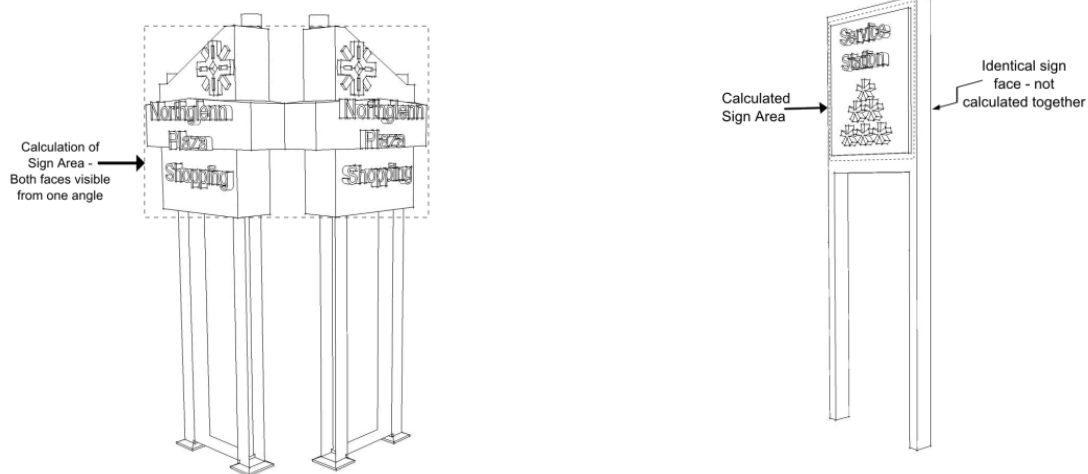
i. A pole or other structural support unless such pole or structural support is internally illuminated or otherwise designed to constitute a display device, or a part of a display device.

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.



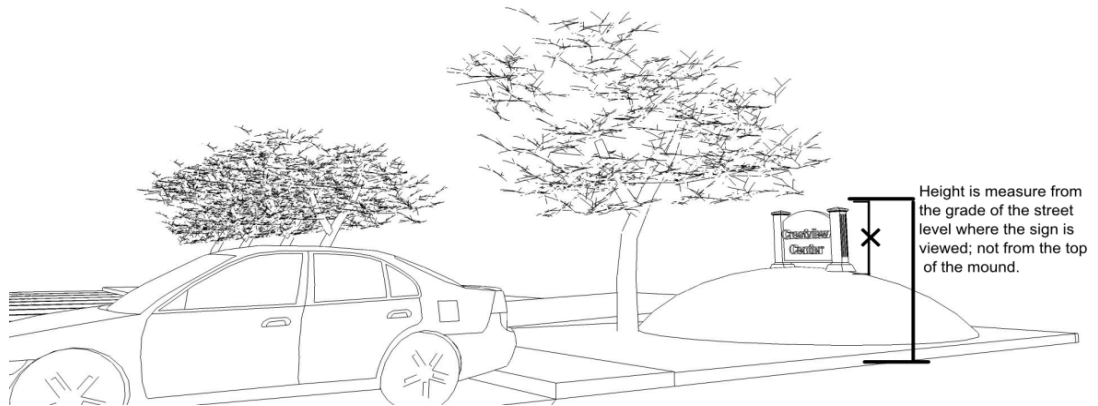
C. Multi-faced signs are measured as a total of all sign faces. However, when two identical sign faces are placed back to back so that both faces cannot be viewed from any point at the same time and are part of the same sign structure, the sign area shall be computed as the measurement of one of the 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 applicants submitting a formal application to the Board of Adjustment in accordance with Section 21-1-3(c) above.

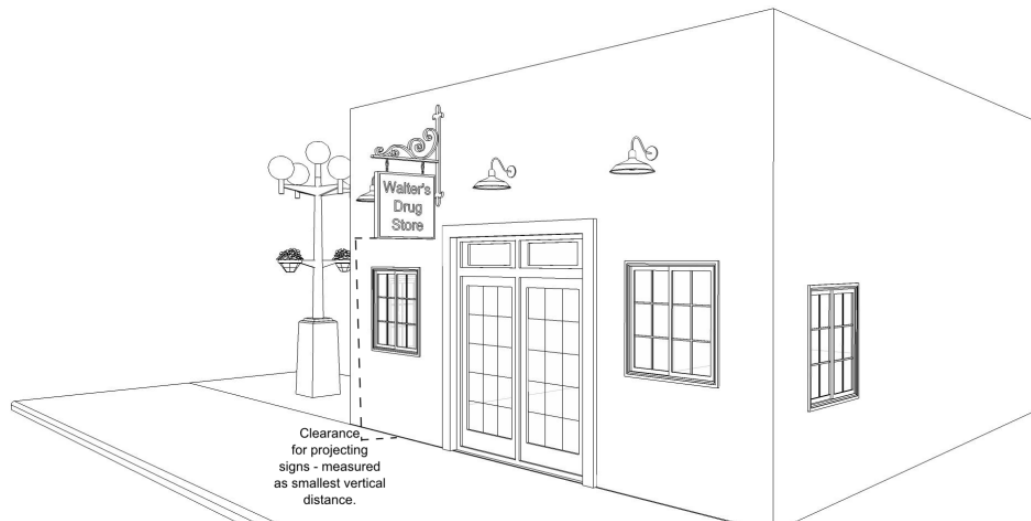


(2) Determining Sign Height.

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 (EMC's).

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 feet (10') 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 subsection (7) below.

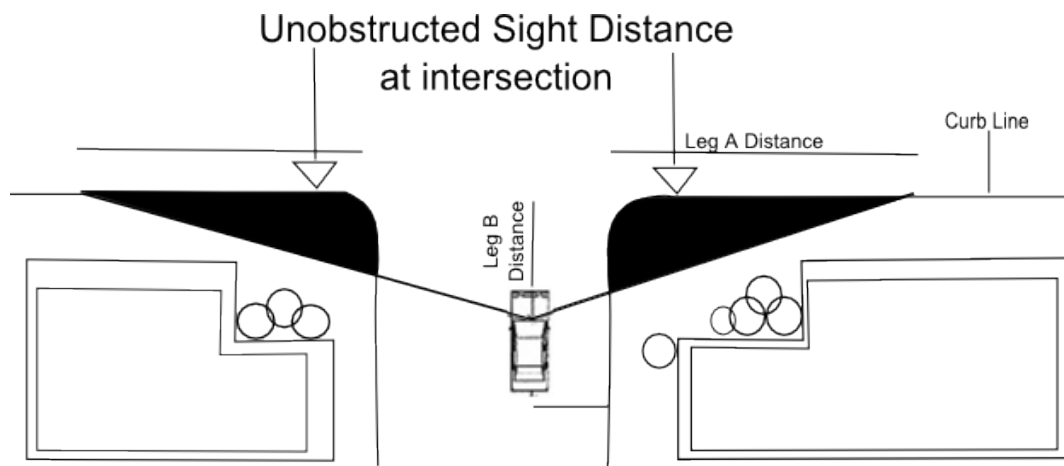
(7) Vision Triangles and Obstructions.

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 A Distance			
Leg B 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'



[Source: Ord. 1653, 2013]

Section 21-1-4. Non-Residential Signs.

(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 one hundred percent (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 maximum sign area for each tenant shall not exceed four hundred fifty (450) square feet.

v. Each tenant may have multiple wall signs as long as the total wall sign area does not exceed the allowances established for wall signs.

vi. 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.

vii. 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%).

viii. Building signage can be internally, directly or indirectly illuminated.

ix. 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 area (ft ²)	Maximum/Minimum Sign Area (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 share 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'	75	

iii. Only one (1) sign is permitted for each street frontage, with a maximum of two (2) signs per site;

iv. No two (2) detached signs shall be closer together than ten (10) feet. In the event that two (2) 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 (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 twenty-five percent (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 (2) or more businesses sharing a

building, a common wall, or a joint parking area, or 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 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. Buildings 80,001-160,000 square feet – not to exceed two hundred fifty (250) square feet per face;

f. Buildings 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 two (2) signs per site. If two (2) 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 twenty-five percent (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 (1) (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(j)(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 and the sign displayed on the vehicle shall be counted as part of the detached sign area permitted the premises.

iii. Off-premise advertising signs, also commonly known as billboards, 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 those specifically defined areas of C-5 Commercial, I-1 and I-2 Industrial Zones located adjacent to Interstate Highway 25, as set forth in Appendix A/Section 21-1-8, attached to this Chapter 21;

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. An electronic message center may be incorporated into an off-premise advertising sign subject to the following restrictions:

I. Message hold time – each message displayed shall remain static for a minimum of five (5) 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 twelve (12) feet in height;

iii. They shall be limited to wall or detached type placement;

iv. There shall be only one (1) 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	30 days prior to event	No Limit	N/A	N/A
Development Signs	96 SF	12'	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 as defined in Section 21-1-7(a)(52). 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, as set forth herein, are temporary signs and shall be allowed without a sign permit to the extent provided by Table 4-6, subject to the following restrictions:

I. Located consistent with the Table 4-1 “Vision Triangle”;

II. Located at least six (6) feet from the edge of the roadway;

III. Located no less than ten (10) feet from any other limited-duration sign;

IV. Placement in medians, roadways, shoulders or bike paths/lanes is prohibited;

V. Blocking pedestrian walkways is prohibited;

VI. Attachment to public utility poles, traffic and other directional signs, utility boxes, fences, other structures or trees is prohibited;

VII. Such signs shall be structurally sound, durable, weather resistant, and fastened or anchored sufficiently;

VIII. Size not to exceed eighteen (18) square feet in surface area;

IX. Size not to exceed ten (10) feet in height;

X. Attachment to such signs, including, but not limited to, balloons, streamers, pennants, lighting or moving parts is prohibited.

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.

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

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

c. 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)(2).

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 six (6) 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	4' measured from grade of land	2	Noon on Friday until noon the next following Monday	N/A	10'	10'
Other Temporary "Election Season" Signs	3 SF	8'	3	60 days prior to the event and 5 days after	Election Seasons	10'	10'
Other Temporary "Election Season" Signs	18 SF	8'	2	60 days prior to the event and 5 days after	Election Seasons	10'	10'

[Source: Ord. 1653, 2013]

Section 21-1-5. Residential signs.

(a) Residential: Signs on all parcels used for residential purposes shall comply with the standards set forth in this Section and shall not require a permit except for signs outlined in 21-1-5(a)(1)(B).

(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(d)(7).

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 (1) temporary detached sign or one (1) 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 (1) 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 subject to the following temporary signage provisions as provided in this subsection and as depicted in Table 4-8 below:

i. Limited-duration signs are temporary signs as defined below that are not otherwise permitted under this Chapter;

ii. Limited-duration signs, as set forth herein, are temporary signs and shall require a sign permit as provided by Table 4-8;

a. Limited duration signs include:

I. Pennants or wind blades;

II. Portable signs;

III. Wind-powered devices or any advertising device constructed to be agitated by wind; and

IV. Strings of light bulbs, other than traditional holiday decorations.

b. Limited-duration signs shall be subject to the following restrictions:

I. Such signs shall be located consistent with the Table 4-1 “Vision Triangle”;

II. Such signs shall be located at least six (6) feet from the edge of the roadway;

III. Such signs shall be located no less than ten (10) feet from any other limited-duration sign allowed under this subsection;

IV. Placement of limited-duration signs in medians, roadways, shoulders or bike paths/lanes is prohibited;

V. Placement of limited-duration signs so as to block pedestrian walkways is prohibited;

VI. Attachment of limited-duration signs to public utility poles, traffic and other directional signs, utility boxes, fences, other structures or trees is prohibited;

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. Attachment to limited-duration signs, including, but not limited to, balloons, streamers, pennants, lighting or moving parts is prohibited.

XI. In addition to any other remedies provided by this Chapter 21, the City may without notice remove and dispose of any limited-duration sign that the City determines to be unsafe, unstable, or a danger to the public.

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

F. Limited-duration signs, as defined in Section 21-1-7(a)(52), 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. Placement in medians, roadways, paved shoulders or bike paths/lanes is prohibited;

I. Blocking pedestrian walkways is prohibited;

II. Attachment to public utility poles, traffic and other directional signs, utility boxes, fences, other structures or trees is prohibited.

c. Such signs shall be structurally sound, durable, weather resistant, and fastened or anchored sufficiently;

d. Size not to exceed three (3) square feet in surface area;

e. Size not to exceed three (3) feet in height;

f. Attachment to such signs, including, but not limited to, balloons, streamers, pennants, lighting or moving parts is prohibited;

g. Limited-duration signs may only be posted from 12:00 p.m. on Thursdays through 7:00 p.m. on Sundays;

h. 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 Section 21-1-5(a)(2).

Table 4-8

Temporary Signs							
Temporary Sign Type	Maximum Size	Maximum Height	Number of signs allowed	Duration	Limit Per Year	Front Setback	Side Setback
Regular Temporary Wall or Freestanding Signage for Single-family Residential, Duplex or Townhomes	6 SF	8'	1	90 days or the duration of the event		10'	5'
Regular Temporary Window or Wall Signage for Tenants of Multi-family Apartments and Condominiums	6 SF	8'	1 per unit	90 days or the duration of the event		N/A	N/A
Freestanding Signs (Multi-Family Only)	18 SF	8'	1	Allowed for 15 consecutive days, up to 60 consecutive days in a time block	8 times per year	10'	10'
Wall Signs (Multi-Family Only)	32 SF	Roof line	1	Allowed for 15 consecutive days, up to 60 consecutive days in a time block	8 times per year	N/A	N/A
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 Signs (Single-Family Residential, Duplex or Townhomes Only)	3 SF	3'	N/A	Noon on Thursday through 7 p.m. on Sunday		6' from edge of road	6' from edge of road
Limited-duration Signs (Multi-Family Only)	18 SF	10' – measured from grade of land	2	Allowed for 30 consecutive days 1 time in a calendar year	Once per year	6' from edge of road	6' from edge of road

[Source: Ord. 1653, 2013; 1687, 2014]

Section 21-1-6. 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 (2) 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.

(7) For multiple building complexes which are located on one tract or parcel of real estate.

(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, and a copy of said determination shall be forwarded to the Planning Commission, for their information, at the next scheduled Planning Commission meeting.

(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.

[Source: Ord. 1653, 2013]

Section 21-1-7. 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 to 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) *Display area* – means the area or display surface used for the graphic message.

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

(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 (2) or more businesses or industrial uses located within the same building or which share a common wall; or

ii. Two (2) 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 (1) 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 facade* – 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 (2) 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 orient themselves in physical space and navigate from place to place.

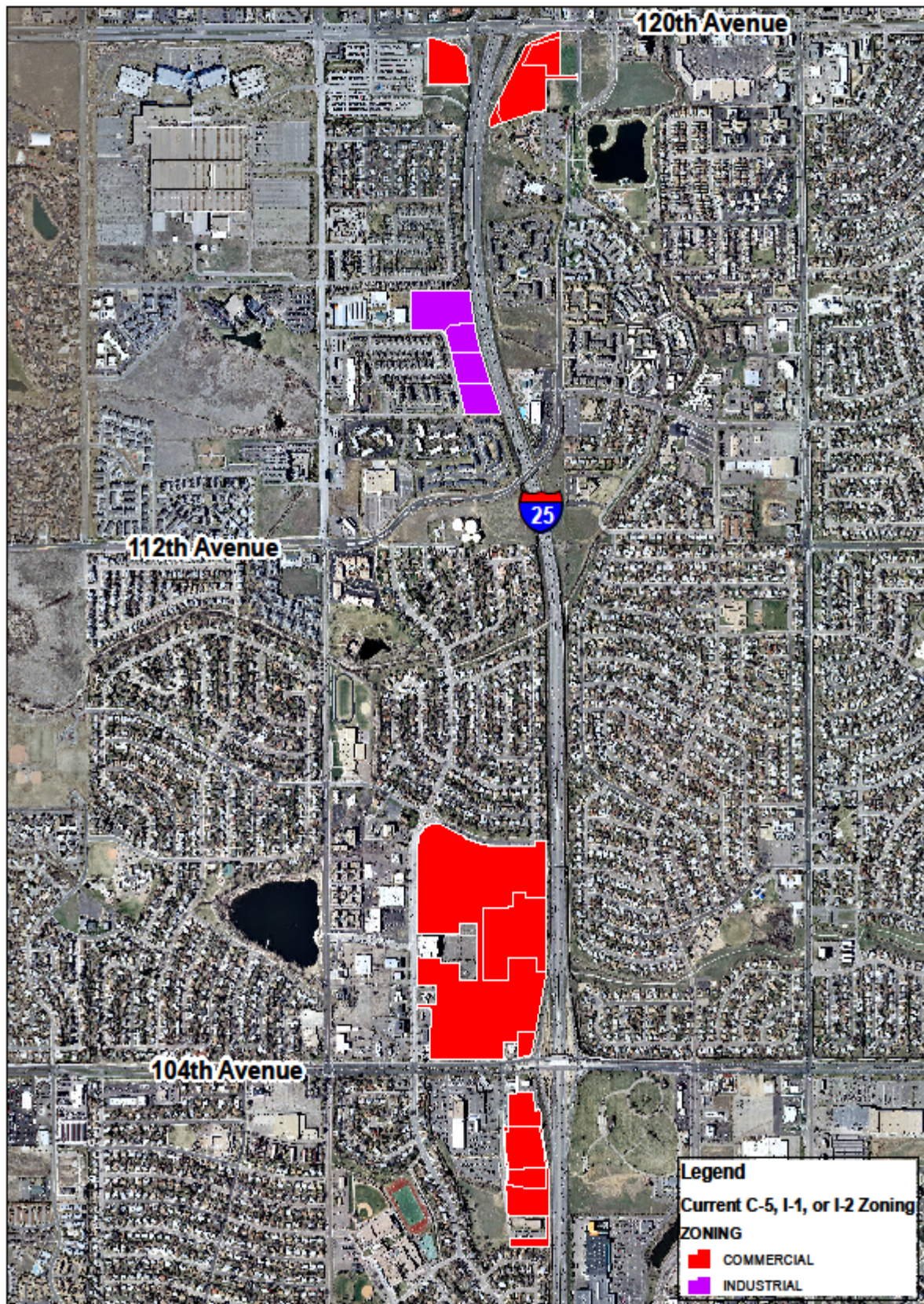
(103) *Weekend sale sign* – small temporary signs allowed without a permit for a constrained period of time.

(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.

[Source: Ord. 1653, 2013]



[Source: Ord. 1653, 2013]

SPONSORED BY: MAYOR DOWNING

COUNCILMAN'S BILL

ORDINANCE NO.

No. CB-1885
Series of 2017

Series of 2017

A BILL FOR AN ORDINANCE REPEALING AND REENACTING CHAPTER 21 OF THE NORTHGLENN MUNICIPAL CODE – THE NORTHGLENN SIGN CODE

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

Section 1. Chapter 21 of the City of Northglenn Municipal Code is repealed and reenacted to read as follows:

CHAPTER 21

CITY OF NORTHGLENN SIGN CODE

ARTICLE 1 PURPOSE AND INTENT

Section 21-1-1. Purpose. The purpose of this Code is to promote public health, safety and welfare by:

- (a) Regulating 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;
- (b) Protecting the public from signs which are structurally unsafe;
- (c) Promoting traffic safety and the free movement of traffic and protect the public from the hazardous conditions which result from signs that may confuse and distract or obscure the vision of motorists, bicyclists, and pedestrians or impair their ability to see pedestrians, obstacles, other vehicles or traffic signs;
- (d) Promoting efficient communication of messages;
- (e) Assisting in wayfinding;
- (f) Maintaining, enhancing and improving the aesthetic environment of the City by preventing visual clutter that is harmful to the appearance of the community;
- (g) Improving 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

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

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.

Section 21-1-2. Intent. The intent of this Sign Code, as more specifically set forth herein, is to:

(a) 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 Code;

(b) Allow certain small, unobtrusive signs incidental to the principal use of a site in all zones when in compliance with the requirements of this Sign Code;

(c) 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; and

(d) Provide for the enforcement of the provisions of this Sign Code.

ARTICLE 2 GENERAL PROVISIONS

Section 21-2-1. General. No sign shall be erected, mounted, displayed, maintained or remodeled 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 Article shall apply to all signs except signs erected, mounted, displayed, maintained or remodeled on property owned, controlled or maintained by the Federal Government, the State or the City, including public streets, alleyways, sidewalks, rights-of-way, trails, easements, parks and other spaces. Those matters are addressed through other provisions of the Northglenn Municipal Code.

Section 21-2-2. Substitution. Subject to the land owner's consent, a noncommercial message of any type may be substituted for any duly permitted or allowed commercial message or any duly permitted or allowed noncommercial message; provided, that the sign structure or mounting device is lawful without consideration of message content. Such substitution of message may be made without any additional approval or permitting. This provision prevails over any more specific provision to the contrary within this chapter. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over noncommercial speech, or favoring of any particular noncommercial message over any other noncommercial message. This provision does not create a right to increase the total amount of signage on a parcel, nor does it affect the requirement that a sign structure or mounting device be properly

permitted.

Section 21-2-3. 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 hereafter. 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.

Section 21-2-4. Nonconforming Signs.

(a) 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 a legal nonconforming sign and subject to the provisions of this section.

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

(c) Continuation of Nonconforming Signs. Subject to the termination provisions below, a nonconforming sign may be continued and shall be maintained in good structural condition. Legally nonconforming signs shall not be:

(1) Replaced or structurally altered;

(2) Altered or repaired so as to increase the degree of non-conformity of the sign;

(3) Re-established after abandonment for ninety (90) consecutive days of the use to which the sign pertained; or

(4) 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.

Any violation of these provisions shall immediately terminate the right to maintain said nonconforming sign.

Section 21-2-5. Permit 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.

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

(b) Balloons smaller than two (2) feet in diameter and arranged in groups of less than twelve (12) not to exceed four (4) groups, unless granted a temporary use permit.

(c) Building directory signs are allowed, in addition to wall signs otherwise permitted by these regulations. Building directory signs may be allowed up to a total of fifteen (15) square feet for the purpose of identifying tenants of a building.

(d) Building markers.

(e) Directional signs, subject to the following:

- (1) Signs are located on the property where the business is located;
- (2) Signs are located on private property and not in any public rights-of-way;
- (3) Signs shall not be located along street frontage;
- (4) Signs shall not create a traffic hazard; and
- (5) Signs do not exceed four (4) square feet per sign face.

(f) Entrance or exit signs.

(g) Flags. Flags shall not exceed any proportions established by applicable State or Federal law or Presidential declaration. Flags or pennants larger than specified are not allowed.

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

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

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

(4) 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.

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

(h) Holiday lights and decorations containing no commercial message, and displayed sixty (60) days prior to and fifteen (15) days after the holiday.

(i) Single-family residential signs and multi-family temporary signs for individual dwelling units.

(j) Vehicle signs measuring two (2) square feet or less. (Refer to Section 21-7-2).

(k) Window signs, both permanent and temporary, not to exceed twenty-five percent (25%) of the total window area per façade. (Refer to Section 21-6-7).

(l) Works of art.

Section 21-2-6. Prohibited Signs. The following signs shall not be erected, mounted, displayed, maintained or remodeled:

(a) Advertising on bus benches or on bus shelters except as may be specifically approved by City Council via a license agreement;

(b) Animated signs;

(c) Balloons larger than two (2) feet in diameter or balloons arranged in groups greater than twelve (12), unless granted through a temporary use permit;

(d) Roof signs;

(e) Search lights;

(f) Signs or posters on or extending into any public right-of-way, except as authorized by resolution of City Council;

(g) 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;

(h) Signs which block any window, doorway, or any other opening required for proper ventilation, light, or exit facilities;

(i) Signs which by their light or focus cause a nuisance by unduly disturbing the uses of surrounding property or by causing a traffic hazard;

(j) 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;

(k) Strings of light bulbs in non-residential parking areas unless granted through a temporary use permit; and

(l) Vehicle Signs. It shall be unlawful to park, place or store a vehicle or trailer on which there is a motor vehicle sign with more than two (2) square feet for more than ninety-six (96) hours, on private or public property, unless a temporary sign permit has been approved or a temporary use permit has been granted. Public transit vehicles are exempt. (Refer to Section 21-7-2).

ARTICLE 3 ENFORCEMENT

Section 21-3-1. Unlawful Acts. Unless specifically allowed by another article of this Sign Code, it shall be unlawful for any person, firm or corporation to erect, maintain, affix, post or remodel any sign without first obtaining a permit from the Department of Planning and Development.

Section 21-3-2. Administrative Enforcement. The Director of Planning and Development, henceforth referred to as 'Director', is hereby authorized and directed to enforce all provisions of this Sign Code. In addition to the penalty provisions set forth in subsections (a) and (b) below, specific authority is granted to the enforcement officer to remove, or have removed, signs erected, mounted, displayed, maintained or remodeled in violation of this Sign Code after posting of a notice at least twenty-four (24) hours prior to removal upon the premises where such sign(s) is located. Enforcement is also authorized administratively as follows:

(a) Violations of this Sign Code may result in enforcement under Chapter 19 of the Northglenn Municipal Code.

(b) Violations of this Sign Code may also be punishable as provided in Chapter 1, Section 1-1-10 of the Northglenn Municipal Code.

Section 21-3-3. Sign Removal. Authorized City staff may remove any sign erected, mounted, displayed, maintained or remodeled in violation of this Article under the following circumstances:

(a) A sign may be removed without notice when it is determined by the Director to present an immediate threat to the safety of the public;

(b) 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;

(c) 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; and

(d) The cost of removal shall be borne by the owner or lessee of the sign.

Section 21-3-4. Sign Disposal. 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 (7) 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 (\$100.00) as determined by the City, the City shall provide notice by mail to the following:

(1) 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 (½) hour of staff time.

(2) 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.

(3) 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.

Section 21-3-5. 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 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.

ARTICLE 4 ADMINISTRATION

Section 21-4-1. Sign Permit Required. Except as this code expressly or otherwise provides, no sign shall be erected, mounted, displayed, remodeled, reconstructed, maintained or moved in the City without first securing a permit from the City. Changes made to the display area of any existing sign structure area are exempt from the requirement of 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.

Section 21-4-2. Process.

(a) Application. An application for a sign permit shall be obtained from and submitted to the Building Department.

(b) Sign Permit Fees. All applications for sign permits shall be accompanied by payment of fees, to be based on the building permit fees in the International Building Code in place at the time of application. Valuation of signs shall be determined by use of the Colorado State Tax Commission Manual in effect at the time of application. In the case of any application for alteration or improvement of an existing sign, the fees shall apply to any increase in valuation of such sign.

(c) Decision. The Director or the Director's designee shall approve or deny the sign permit within seven (7) days of receipt of the complete application.

(d) Denial. 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.

(e) Appeal. 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 Section 11-42-5 of the City of Northglenn Zoning Ordinance.

ARTICLE 5 MEASUREMENTS AND COMPUTATIONS

Section 21-5-1. Determining Sign Area.

(a) Wall Signs.

(1) For a wall sign which is framed, outlined, painted or otherwise prepared and intended to provide a background for a sign display, the area shall include the entire portion within such background or frame.

(2) For a wall sign without a distinguishable frame or outline, the area shall be determined by the following:

(A) The area 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) When multiple elements are organized to form a single sign, but are separated by open space, the sign area and dimensions shall be calculated by determining the geometric form, or combination of forms, which comprises all of the display area, including the space between different elements.

(C) Minor appendages to a particular regular shape, as determined by the Director, shall not be included in the total area of a sign.

(b) Freestanding Signs.

(1) The sign area shall include the frame, if any, but shall not include:

(A) 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.

(B) 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 Director, shall not be included in the total area of a sign.

(2) Multi-faced signs are measured as a total of all sign faces. However, when two (2) 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 (1) of the two (2) faces. When the sign has more than two (2) display surfaces, the area of the sign shall be the total area of largest display surfaces that are visible from any single direction.

(c) Disputes. If an applicant does not agree with the determination of sign area, the applicant can submit a formal application to the Board of Adjustment in accordance with Section 11-42-5 of the City of Northglenn Zoning Ordinance.

Section 21-5-2. 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.

Section 21-5-3. 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 (EMC).

(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 EMCs) shall be designed so that illumination does not exceed five hundred (500) nits (candelas per square meter).

(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.

Section 21-5-4. Building Façades.

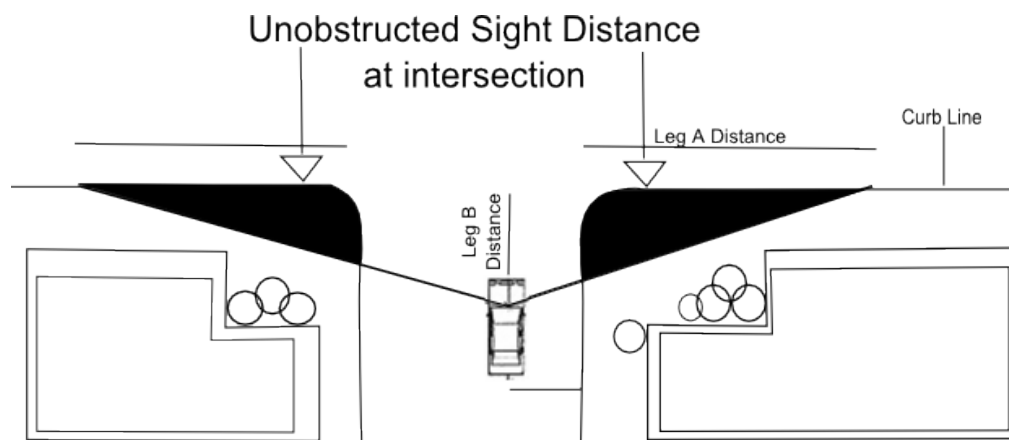
- (a) The building façade shall include the building walls that face a public street or a parking lot which serves the uses therein.
- (b) The area of any building façade shall be defined as the square footage of all wall areas parallel, or nearly parallel, to a street frontage, excluding any such wall area determined by the Director as clearly unrelated to the facade criteria.
- (c) Buildings with two (2) or more façades. The square footage of the wall and allowable sign area shall be calculated separately for each such building façade.
- (d) Multiple-tenant Building. The sign area for a multiple tenant unit shall be determined by measuring the square footage of that tenant unit's building facade.

Section 21-5-5. Vision Triangles.

- (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 (2) 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.
- (b) Planning and Development staff will determine the classification of all adjacent roadways used in calculating the required unobstructed sight distance at all intersections.
- (c) Table 1 below depicts the required linear flow line distance for each leg of a vision triangle in correspondence with the listed street classification system.

Table 1

Leg A Distance					
Leg B 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'



ARTICLE 6
PERMANENT NON-RESIDENTIAL SIGNS

Section 21-6-1. Wall Signs.

(a) The linear dimension of the wall sign(s) shall not be greater than eighty percent (80%) of either the length of the tenant space or the length of the building façade.

(b) Multi-story Buildings. Individual buildings with three (3) stories or greater with multiple tenants are subject to the following provisions:

(1) One (1) high wall sign per façade may be located in the area between the bottom of the top floor and the top of the parapet wall; and

(2) Remaining signage must be located between the ground level and first floor.

(c) Signage can be internally, directly or indirectly illuminated.

(d) The area of all wall sign(s) shall be based upon the following Table 2:

Table 2

Wall Signs		
Building or Tenant Façade (Sq. Ft.)	Allowed Sign Area (Sq. Ft.)	Max. Sign Area (Sq. Ft.)
≤250	N/A	25
251-1000	10% of building or tenant façade	100
1001-2500		225
2501-5000		400
5001+		450

Section 21-6-2. Marquee, Awning, Canopy Signs, and Changeable Copy.

(a) One (1) 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.

(b) 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.

(c) No portion of the signage shall be allowed to extend above or below the marquee, canopy, or awning.

Section 21-6-3. Projecting Signs.

- (a) Projecting signs shall have a maximum area of twelve (12) square feet.
- (b) Projecting sign area will count towards wall sign allowance.
- (c) The bottom of the sign shall be a minimum of eight (8) feet above the sidewalk.
- (d) Sign(s) 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.

Section 21-6-4. Freestanding Signs.

- (a) Multiple-tenant Building. If two (2) or more businesses share a building, joint identification signs shall be used. (Reference Section 21-6-5).
- (b) Single-tenant Building. Only one (1) sign is allowed for each street frontage, with a maximum of two (2) signs per single-tenant building.
- (c) If a freestanding sign exceeds eight (8) feet in height, the width of the base shall not exceed one-third (1/3) the width of the sign face.
- (d) No two (2) freestanding signs shall be closer together than ten (10) feet. In the event that two (2) signs are located on one site, they each must be separated by a minimum of fifty (50) feet from one another.
- (e) Signs shall be set back a minimum of ten (10) feet from the edge of curb. In no case shall a sign be placed in the right-of-way or obstruct any vision triangle as outlined in Table 1.
- (f) Signs may be internally or indirectly illuminated.
- (g) Electronic message centers (EMCs) are permissible, subject to the regulations in Section 21-6-6.
- (h) Uses with a Drive-thru.
 - (1) A maximum of two (2) additional signs are allowed per service drive aisle, not to exceed fifty (50) square feet or eight (8) feet in height each.
 - (2) Sign(s) must be adjacent to service drive aisle.
 - (3) Electronic message centers (EMCs) are permissible, subject to the regulations in Section 21-6-6.

- (i) The area of freestanding sign(s) shall be based upon the following Table 3:

Table 3

Freestanding Signs					
Building Square Footage	Max. Area per Face (Sq. Ft.)	Max. Height	Setback	Monument Sign Max. Area per Face (Sq. Ft.)	Monument Sign Max. Height
0-10,000	36	25'	10' from edge of curb	45	8'
10,001+	60	30'		75	

**Reference Section 21-6-4(h) for provisions for uses with a drive-thru.*

Section 21-6-5. Joint Identification Signs. Joint identification signs shall be used for those businesses in non-residential zones that have two (2) or more businesses sharing a building. Individual freestanding signs shall not be permitted in these cases.

(a) Business sharing a common wall or a joint driveway or parking area may submit an application for a joint identification sign.

(b) For a new joint identification sign or for a modification to a permitted sign, the applicant must provide documentation signed by each property owner identifying the rules, regulations and maintenance obligations pertaining to the sign.

(c) Only one (1) sign is allowed for each street frontage, with a maximum of two (2) signs per multiple-tenant building. If two (2) signs are used, the maximum area based on building square footage shall be allowed for both signs.

(d) 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.

(e) All signs shall be set back a minimum of ten (10) feet from the edge of curb. In no case shall a sign be placed in the right-of-way or obstruct any vision triangle as outlined in Table 1.

(f) Sign(s) may be internally or indirectly illuminated.

(g) Electronic message centers (EMCs) are permissible, subject to the regulations in Section 21-6-6.

(h) Additional requirements for joint identification signs are included in Table 4 below:

Table 4

Joint Identification Signs					
Site Size (Sq. Ft.)	Max. Area per Face (Sq. Ft.)	Max. Height	Setback	Monument Sign Max. Area per Face (Sq. Ft.)	Monument Sign Max. Height
0 – 10,000	50	25'	10' from edge of curb	62.5	8'
10,001 – 20,000	100			125	
20,001 – 40,000	150			187.5	
40,001 – 80,000	200			250	
80,001 – 160,000	250	30'		312.5	
160,001+	300	40'		375	

Section 21-6-6. Electronic Message Centers (EMC). EMCs may be incorporated into freestanding signs and are subject to the following restrictions:

(a) **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.

(b) **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.

(c) **Brightness/Luminance.**

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

(2) 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) nits (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 brightness rating. City officials shall have the right to view the technical specifications of the sign to determine compliance.

(d) **Sequential Messaging.** Consecutive messaging from a single advertiser, regardless of content, is strictly prohibited. A minimum of one (1) message hold time period is required between single advertiser messaging.

Section 21-6-7. Window Signs.

(a) The combination of all window signs, temporary and/or permanent, shall not exceed twenty-five percent (25%) of the total window area per façade.

(b) Window signs that meet the standards set forth above shall be exempt from requiring a sign permit.

Section 21-6-8. Off-premise Commercial Advertising Signs. Off-premise commercial advertising signs shall be allowed in those specifically defined areas of C-5 Commercial, I-1 and I-2 Industrial Zones located adjacent to Interstate Highway 25, as set forth in Appendix A/Article 12, attached to this Sign Code and are subject to the following conditions:

(a) They shall not exceed sixty (60) feet in height or six hundred seventy-two (672) square feet in area;

(b) They shall be placed at least two thousand (2,000) feet apart;

(c) They shall be set back a minimum of twenty-five (25) feet from the front property line;

(d) On corner lots, they shall not be placed within a three hundred (300) foot vision triangle;

(e) They may be indirectly or internally illuminated;

(f) 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;

(g) No more than two (2) poles or other structural members shall be used to support the sign;

(h) 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

(i) An electronic message center (EMC) may be incorporated into an off-premise commercial advertising sign subject to the following restrictions:

(1) Message Hold Time. Each message displayed shall remain static for a minimum of five (5) seconds. All such signs shall have a default mode to prevent the display from malfunctioning in a flashing or intermittent fashion.

(2) 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.

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

(4) 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.

ARTICLE 7 TEMPORARY NON-RESIDENTIAL SIGNS

Section 21-7-1. Temporary Non-residential Signs.

(a) There shall be no more than four (4) permitted temporary signs allowed per parcel at one time.

(b) Placement of such signs shall not exceed one hundred and twenty (120) days per business in a calendar year. Permits shall be issued with a minimum of fifteen (15) consecutive days and a maximum of sixty (60) consecutive days used in a time block. The following exceptions apply:

(1) Signs on Projects While Under Construction. Signs may be displayed for the duration of the construction project or completion of transaction, and shall be removed upon completion of the project.

(2) Election Season Signs. Signs may be displayed sixty (60) days prior to the election and must be removed within five (5) days of the election.

(3) Weekend Signs. Signs may be displayed from noon on Friday until noon the following Monday.

(c) Temporary signs shall not be illuminated.

(d) Temporary signs are subject to the following:

(1) Sign(s) shall be set back a minimum of ten (10) feet from the edge of curb. In no case shall a sign be placed in the right-of-way or obstructing and vision triangle as outlined in Table 1;

(2) Sign(s) may not be located to interfere with pedestrian, bicycle or vehicle traffic; and

(3) Sign(s) must be anchored to the ground or weighted sufficiently to prevent movement by wind.

(e) Temporary signs are subject to the regulations as depicted in Table 5 below:

Table 5

Temporary Non-residential Signs				
Sign Type	Max. Area Per Sign Face (Sq. Ft.)	Max. Sign Height	Number permitted	Permit Required
Wall Banner	36	N/A	2	Yes
Pole Banner/Wind blade	36	15'	4	Yes
Freestanding Banner	36	8'	2	Yes
Portable/A-frame/ Sandwich Board	8	8'	2	Yes
Sign Spinner	12	6'	2	Yes
Development Signs	96	10'	*1	Yes
Election Season Signs	3	8'	3	No
	18		2	
Weekend Signs	6	8'	No Limit	No

**1 sign for each subcontractor, real estate affiliate, or development partner associated with the project*

Section 21-7-2. Vehicle Signs.

(a) Vehicles that are parked or stored for more than ninety-six (96) hours with a vehicle mounted sign more than two (2) square feet must acquire a temporary sign permit and shall comply with the following:

(1) Only one (1) vehicle per applicant is allowed to display signage;

(2) The motor vehicle sign may not be larger in any dimension than or extend beyond any surface of the vehicle or trailer to which it is attached;

(3) The motor vehicle sign must be attached to a vehicle or trailer that is registered and operable;

(4) The motor vehicle sign may not be 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; and

(5) The motor vehicle sign may not be 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 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 vehicle sign shall be considered in compliance if evidence can be shown of the following:

(1) The regulations in the subsection 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, and provided further that they are stored or parked in areas and in such a fashion as is appropriate to their use as vehicles. Signs measuring two (2) square feet or less shall be exempt.

(2) 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.

(3) 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.

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

ARTICLE 8 PERMANENT RESIDENTIAL SIGNS

Section 21-8-1. Single-family Permanent Signs. Single-family residential shall include single family homes, duplexes, and townhomes. Single-family permanent signs do not require a permit and are subject to the following provisions:

- (a) There shall be a maximum of one (1) sign per street frontage;
- (b) Sign(s) shall not exceed two (2) square feet per sign face;
- (c) Sign(s) shall be limited to wall, window or freestanding type placement;
- (d) Sign(s) may be indirectly illuminated; and
- (e) Sign(s) shall be setback a minimum of ten (10) feet from the edge of curb. In no case shall a sign be placed in the right-of-way or obstructing any vision triangle as outlined in

Table 1.

Section 21-8-2. Multi-family Permanent Signs.

- (a) There shall be a maximum of one (1) sign per access point abutting the complex.
- (b) Sign(s) shall be freestanding.
- (c) Sign(s) shall not exceed seventy-five (75) square feet per sign face.
- (d) Sign(s) shall be no more than eight (8) feet in height.
- (e) Sign(s) may be indirectly illuminated.
- (f) Sign(s) shall be setback a minimum of ten (10) feet from the edge of curb unless otherwise approved by the Department of Planning and Development. In no case shall a sign be placed in the right-of-way or obstructing any vision triangle as outlined in Table 1.

ARTICLE 9
TEMPORARY RESIDENTIAL SIGNS

Section 21-9-1. Single-family Temporary Signs.

(a) Temporary signs do not require a permit; however are subject to the provisions outlined below:

- (1) There shall be a maximum of one (1) wall, window, or freestanding sign;
- (2) Sign shall not exceed six (6) square feet in area; and
- (3) Sign can be in place for up to ninety (90) days or the duration of the event.

(b) Election season signs do not require a permit; however are subject to the provisions outlined below:

(1) Election season signs are allowed during election season on a residential parcel in a number equal to the number of ballot issues and ballot candidates; and

(2) Such signs shall not exceed three (3) square feet per face in addition to the height and setback restrictions.

Section 21-9-2. Multi-family Temporary Signs. Temporary signs for multi-family residential are subject to the provisions of temporary non-residential signs found in Table 5, as well as the following:

(a) There shall be no more than four (4) permitted temporary signs allowed at one time;

(b) Placement of such signs shall not exceed 120 days in a calendar year. Permits shall be issued with a minimum of fifteen (15) consecutive days and a maximum of up to sixty (60) consecutive days used in a time block;

(c) Sign(s) shall be set back a minimum of ten (10) feet from the edge of curb. In no case shall a sign be placed in the right-of-way or obstructing any vision triangle as outlined in Table 1;

(d) Sign(s) may not be located to interfere with pedestrian, bicycle or vehicle traffic;

(e) Sign(s) shall not be illuminated; and

(f) Sign(s) must be anchored to the ground or weighted sufficiently to prevent movement by wind.

(g) Dwelling Unit Signs. Individual dwelling unit signs do not require a permit and are subject to the following provisions:

(1) There shall be a maximum of one (1) sign per dwelling unit;

(2) Sign shall be limited to wall, window or balcony type placement;

(3) Sign shall not exceed two (2) square feet per sign face; and\

(4) Sign may be indirectly illuminated.

ARTICLE 10 COMPREHENSIVE SIGN PLANS (CSP)

Section 21-10-1. Purpose. This Article is established for the consideration of sign proposals that may require additional flexibility for use in larger scale developments, developments that have unique configurations, or projects that demonstrate unique circumstances. The intent of this provision is to generate continuity and cohesiveness between proposals for various signs associated with development projects and to strike a balance between signage needs and general aesthetics.

Section 21-10-2. Applicability. The owner of any property, or the owners of multiple contiguous properties, may submit an application for a CSP for any residential or nonresidential use. CSPs are subject to the following:

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

(1) Types and numbers of signs allowed;

(2) Maximum sign area;

- (3) Maximum height of signs;
- (4) Placement of signs; and
- (5) Materials and illumination standards.

(b) All parties affected by provisions of the CSP must be signatory to such plans; provided, however, that if a site(s) with multiple property owners 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.

Section 21-10-3. Application and Approval Process.

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

- (1) Location;
- (2) Size;
- (3) Height;
- (4) Color;
- (5) Lighting;
- (6) Orientation; and
- (7) Construction materials.

(b) Criteria for Approval. In making its determination on an application for a CSP, the Planning Commission shall consider:

- (1) Compatibility, in terms of scale and architectural features, with the site and surrounding area;
- (2) Harmony with the character of the neighborhood;
- (3) Need for the proposed use;
- (4) Impact on the surrounding land uses;
- (5) General conformance to the purposes of this Sign Code and other ordinances; and

(6) The health, safety and welfare of the inhabitants of the area and City of Northglenn.

(c) Sign Permit Required. Following approval of a CSP, no signs may be constructed prior to obtaining a sign permit.

(d) Appeal. Any denial of the Planning Commission may be appealed by the applicant submitting formal application to the Board of Adjustment under the process outlined in Section 11-42-5 of the City of Northglenn Zoning Ordinance.

(e) Expiration. An approved CSP shall expire one (1) year from the date of approval if no allowed signs have been constructed or erected or obtained a sign permit within such time period.

Section 21-10-4. CSP Modifications.

(a) Once authorized by the Planning Commission, a CSP may be modified through the following procedure:

(1) The Director 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, and a copy of said determination shall be forwarded to the Planning Commission, for their information, at the next scheduled Planning Commission meeting.

(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 Sign Code;
and

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

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.

(5) Any denial of the Planning Commission may be appealed by the applicant submitting formal application to the Board of Adjustment under the process outlined in Section 11-42-5 of the City of Northglenn Zoning Ordinance.

ARTICLE 11 DEFINITIONS

Section 21-11-1. Definitions.

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

(1) **Abandoned** – 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.

(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) **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.

(7) **Awning sign** – a sign or graphic printed on or in some fashion attached directly to the awning material.

(8) **Banner** – any sign of lightweight fabric or similar material that is mounted to a pole or structure.

(9) **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.

(10) **Building directory sign** – a sign established to communicate to tenants their location within a building.

(11) **Building façade** – the total area of the horizontal and vertical dimensions of that side of a building which is adjacent to a dedicated street and architecturally finished to match the principal building façade, 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 façade.

(12) **Building marker** – any sign cut into a masonry surface or made of bronze or other permanent material and which relates to its construction.

(13) **Canopy** – a roof-like cover, often of fabric, plastic, metal, or glass on a support, which provides shelter.

(14) **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.

(15) **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.

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

(17) **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.

(18) **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; CSPs are used to provide incentive for latitude in the design and display of multiple signs.

(19) **Directional sign** – any sign used to primarily communicate navigational information.

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

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

(22) **Edge of curb** – stone or concrete edging to a street defining the furthest

extent of the improved roadway surface.

(23) **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.

(24) **Electronic message center (EMC)** – a sign capable of displaying words, symbols, figures, or images that can be periodically changed by manual, electronic, remote or automatic means.

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

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

(27) **Exemptions** – signs do not require a sign permit, but still subject to regulations and maintenance requirements of the Sign Code.

(28) **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.

(29) **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.

(30) **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.

(31) **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.

(32) **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.

(33) **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.

(34) **High wall sign** – sign allowed on multiple-tenant buildings of three (3) stories or greater and shall be located in the area between the bottom of the top floor and the top of the parapet wall.

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

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

(37) **Illumination** –

(A) 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.

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

(C) Internal: 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.

(38) **Joint identification sign** – a sign which serves as a common or collective identification. A joint identification sign is required if two (2) or more businesses share a building.

(39) **Lot** – see parcel.

(40) **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.

(41) **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.

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

(43) **Monument sign** – a low-profile freestanding sign that is anchored to the ground, designed to generally complement the building on the premises, and which has a height not exceeding eight (8) feet.

(44) **Multi-faced sign** – any sign with more than one (1) display area visible from any point at the same time.

(45) **Multiple-tenant building** – any building which is intended to have more

than one (1) tenant. A building which has multiple units, of one (1) or more of which are vacant, is still considered a multiple-tenant building.

(46) **Multiple tenant unit** – a unit within a multiple-tenant building.

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

(48) **Nonconforming 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.

(49) **Off-premise commercial advertising sign** – sign advertising a commercial 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.

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

(51) **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.

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

(53) **Permitted** – sign which has received an approved sign permit.

(54) **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, 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 considered to be an A-frame or a sign displaying a noncommercial message held by, attached to, or affixed on an individual.

(55) **Prohibited sign** – any sign not allowed by these standards and regulations.

(56) **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.

(57) **Residential use** – 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.

(58) **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.

(59) **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.

(60) **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.

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

(62) **Setback of sign** – the required minimum distance between placement of a sign and the right-of-way.

(63) **Sight distance** – the length of roadway ahead visible to the driver.

(64) **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 advertise sign device.

(65) **Sign area** – shall mean the entire sign face, including the advertise sign 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.

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

(67) **Single-tenant building** – a building with one (1) unit and/or is intended for one (1) tenant without regard to vacancies.

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

(69) **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.

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

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

(72) **Traffic sign** – an official sign erected, mounted, displayed, maintained or remodeled by the City, the State or the Federal Governments at the side of or above roads to provide information to road users.

(73) **Vehicle sign** – a sign that is mounted, placed, written or painted on a vehicle or trailer, whether motor driven or not.

(74) **Vision triangle** – the vision triangle is a triangle measured from the point of intersection of the flow lines, abutting the two (2) points of access, a certain distance along each based on travel speeds of the adjacent roadway.

(75) **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.

(76) **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.

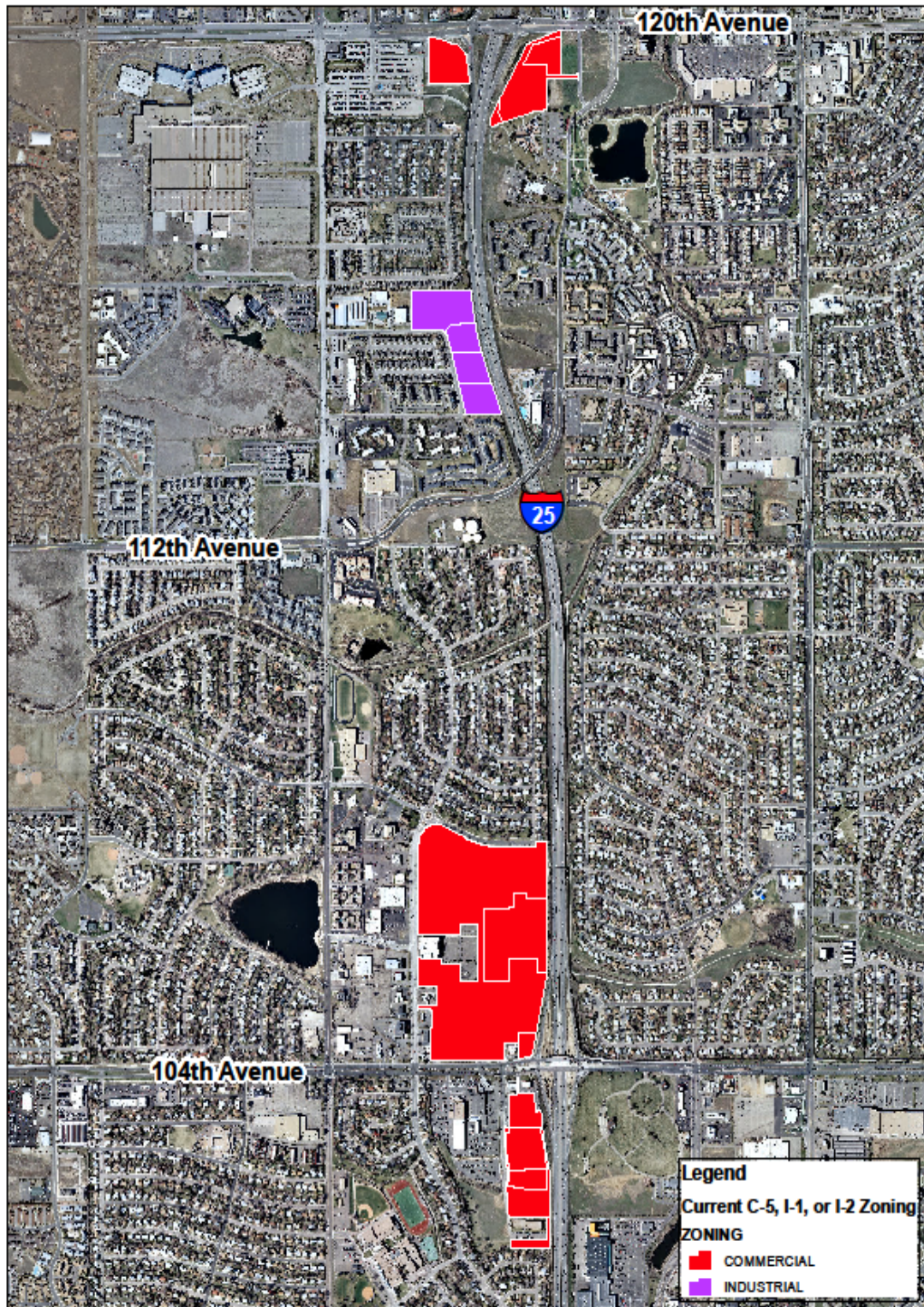
(77) **Weekend sign** – small temporary signs allowed without a permit for a constrained period of time.

(78) **Wind blades** – a sign typically made from a piece of cloth, varying in size, shape, color, and design, usually attached at an edge to a staff or cord, and used as a means of conveying a message.

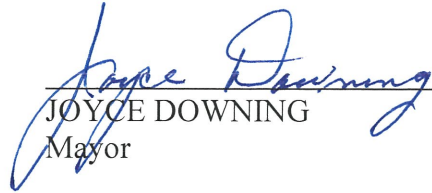
(79) **Window sign** – any sign, picture, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale, or service, that is placed inside a window or upon the windowpane or glass and is visible from the exterior of the window.

(80) **Work of art** – a hand produced work of visual art that is tiled or painted by hand directly upon, or affixed directly to an exterior wall of a building with the permission of the property owner.

ARTICLE 12
APPENDIX A



INTRODUCED, READ AND ORDERED POSTED this 8th day of May,
2017.


JOYCE DOWNING
Mayor

ATTEST:


JOHANNA SMALL, CMC
City Clerk


PASSED ON SECOND AND FINAL READING this ____ day of _____,
2017.

JOYCE DOWNING
Mayor

ATTEST:

JOHANNA SMALL, CMC
City Clerk

APPROVED AS TO FORM:


COREY Y. HOFFMANN
City Attorney