

## ARTICLE XXIX Sign Standards

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### **Sec. 16-29-10. Purpose and intent.**

The purpose of this Article is to provide regulations that protect the health, safety and welfare of the public and support the economic well-being of the community by creating a favorable physical image. These regulations are intended to further the goals and policies in the City Comprehensive Plan and Design Guidelines. More specifically, the intent of this Article is to:

- (1) Preserve and enhance an attractive physical appearance of the community and promote a healthy and vibrant economy.
- (2) Encourage signs that are well-designed, that attract, rather than demand, the public's attention, and that do not create a nuisance, distraction or impediment to travelers or adjacent landowners by their brightness, size or height.
- (3) Provide businesses, individuals, institutions and organizations within the City a reasonable opportunity to use signs as an effective means of identification and communication, while appropriately regulating the time, place and manner under which signs may be displayed.
- (4) Foster the safety of motorists and pedestrians by assuring that all signs are in safe and appropriate locations.
- (5) Provide review and approval procedures that ensure compliance with, and consistent enforcement of, the requirements of this Article.

(Ord. 10-08 Art. 4)

### Sec. 16-29-20. Application of Article.

- (a) The regulations contained in this Article shall apply to all outdoor signs in the City, unless otherwise provided for in this Article.
- (b) Any sign that can be displayed under the provisions of this Article may contain a noncommercial message.
- (c) Regulations contained in this Article shall apply to signs in all zoning districts. On parcels where mixed-uses (both residential and nonresidential) exist, residential uses shall comply with residential sign regulations and nonresidential uses shall comply with nonresidential sign regulations provided in this Article.
- (d) Signs within a Planned Development (PD) District shall be governed by this Article, except when the PD, or a Sub-Area Plan of the PD, has been adopted by the City Council, which incorporates additional or alternative standards for signage. In those cases, the sign provisions of the PD or Sub-Area Plan shall govern and supersede provisions of this Article. If a particular element is not addressed in one (1) of the above, the provisions of this Article shall apply.
- (e) Alternative sign standards may be approved by the Planning Commission as part of a wayfinding signage plan developed by the City, or as part of a Site Improvement Plan for commercial centers or districts in excess of one hundred (100) acres, or for freestanding buildings in excess of one hundred thousand (100,000) square feet. In these cases, the Planning Commission may approve signs that vary from standards herein upon demonstration of compliance with the intent of this Article and the Design Guidelines.
- (f) Signs in the C4-Commercial Zone District, as amended, are regulated by additional restrictions of that zone district.
- (g) The regulations shall not apply to temporary signs erected by state or local government agencies or their contractors, or public utility companies to communicate information to the public, facilitate the construction, maintenance or operation of transportation facilities or to warn of dangerous or hazardous conditions, including signs indicating the presence of underground utilities.

(Ord. 10-08 Art. 4)

### Sec. 16-29-30. Signs allowed without a sign permit.

The following signs are allowed without a permit:

- (1) Any sign displaying a public notice or warning required by a valid and applicable federal, state or local law, ordinance or regulation.
- (2) ~~Flags of any nation, government, commercial or noncommercial institution.~~ All flags shall comply with standards of Subsection 16-29-60 (p). Up to three (3) flags per premise. More than three (3) flags shall require approval through a Site Improvement Plan process. ~~All flags shall comply with standards of Subsection 16-29-60 (p).~~
- (3) Window signs that do not exceed a total of fifty percent (50%) of the total window area per building side or per tenant occupied building frontage in a multi-tenant building. Window signs temporarily covering windows of unoccupied buildings or tenant spaces for sale or lease may exceed the maximum area requirement. "Day-Glo" fluorescent, luminous or reflective color window signs are prohibited. A banner applied to the exterior surface of a window is not considered a window sign and shall require a banner permit (see Section 16-29-130).
- ~~(4) Religious symbols and seasonal decorations within the appropriate holiday season.~~
- ~~(5) (4) Architectural features, building decorations and works of art site elements which that are integral to the design of a building and/or site, applied as an artistic accent, and which in no way identify a business, business activity or product are not considered signage and~~ are exempt from these

sign regulations. Such features ~~of a building may~~ shall be subject to approval of a Site Improvement Plan.

- ~~(6)~~ (5) Signs on motor vehicles for sale or lease, including trucks, buses and trailers, that do not exceed two (2) total square feet. Federally mandated window stickers shall not be included in the calculation of square footage. "Day-Glo" fluorescent, luminous or reflective color signs mounted or painted on vehicles are prohibited.
- ~~(7)~~ (6) Signs erected by state or local government agencies or their contractors, or public utility companies to facilitate the construction, maintenance or operation of transportation facilities or to warn of dangerous or hazardous conditions, including signs indicating the presence of underground utilities.
- ~~(8)~~ (7) Incidental signs in residential areas where noted in Figure 16.1 herein, and in nonresidential areas where noted in Figure 16.2 herein.
- ~~(9)~~ (8) Temporary signs in residential areas as noted in Figure 16.1.
- ~~(10)~~ (9) Temporary signs in nonresidential areas as noted in Figure 16.2.
- ~~(11)~~ (10) Portable signs, including sidewalk and A-frame signs, that do not exceed one (1) per public entry door to ~~a business—an establishment~~, not to exceed twelve (12) square feet per side per sign, and located within twenty (20) feet of the entry of the business establishment for which the sign is advertising. The sign shall not be placed in a parking lot, right-of-way or in a median; shall not block exits or pose a hazard to vehicular or pedestrian traffic; may not penetrate the ground; and shall be placed to assure continuous ADA access. Businesses Establishments with drive-through windows may have one (1) sign placed on the interior side of the drive-through, not to exceed twelve (12) square feet per side. Signs may be displayed during business hours only and must be stored indoors upon close of business.
- ~~(12)~~ Signs erected for an association promotion, limited to portable signage that is no greater than six (6) square feet in sign areas; however, no lawn signs are allowed. Signage is allowed in the right-of-way (not in medians), and shall not pose a hazard to vehicular or pedestrian traffic. Banners are allowed attached to buildings. All signage must be removed within twenty-four (24) hours after the event.
- ~~(13)~~ (11) Signs used for purposes of direction, instruction or safety at construction sites.

(Ord. 10-08 Art. 4)

#### **Sec. 16-29-40. Prohibited signs.**

The following signs are prohibited unless otherwise approved as part of a temporary use permit, banner permit or as otherwise provided in this Article. Signs not specifically addressed below or in this Article, or which are reasonably similar to the following, are considered prohibited as determined by the Director.

- (1) Portable signs, including but not limited to temporary promotional signs, balloons, inflatable devices, advertising flags, pennants or spinners, inflatable signs, lawn signs and banners.
- (2) Commercial flags and balloons that are mounted or attached on vehicles for sale or lease and "Day-Glo" fluorescent, luminous or reflective color signs mounted or painted on vehicles for sale or lease.
- (3) Vehicle-mounted signage located for the purpose of advertisement, business identity or directional guidance on private or public property on or near street frontages or access drives. Such vehicles are required to locate to the rear of the building, loading area or other less visible interior space so as not to be used as signage when parked.

- (4) Beacons, flashing signs, search lights and any lights that project towards the sky; and signs with any type of animation or intermittent lighting effects including messages that flash, blink, scroll or move.
- (5) Any sign emitting sound for the purpose of attracting attention.
- (6) Signs in the public right-of-way or on public property, except signs erected by the City, a licensee of the City, a special district serving the City or the State in accordance with the Manual on Uniform Traffic Control Devices, as amended, ~~and except signs permitted as an association promotion or through a temporary use permit as provided herein.~~ Signs in the public right-of-way or on public property that are not approved or otherwise exempted may be removed by the Director or designee and discarded. Those who install such signs may be subject to a penalty in accordance with this Chapter.
- (7) Roof-mounted signs, or signs which project above the highest point of the roofline or fascia of the building.
- ~~(8) Signs associated with a proposed development or proposed zoning prior to City approval of such development or zoning, except for any sign displaying a public notice or warning required by a valid and applicable federal, state or local law, ordinance or regulation.~~
- ~~(9)~~ (8) Signs on landscaping, lawns, pavement or furniture, such as benches, bike racks, light poles and similar site or streetscape elements, unless otherwise approved by the City.
- ~~(10)~~ (9) Electronic message signs.
- ~~(11)~~ (10) Changeable copy signs (wall-mounted).
- ~~(12)~~ (11) Off-premises signs, including billboards, are prohibited except as otherwise provided in this Article. Off-premises signs may be permitted as follows: where two (2) or more businesses within commercial centers (with adjacent uses and common access) or shopping centers consolidate signage that provides enhanced wayfinding and identification in compliance with the applicable regulations of this Article and the Design Guidelines; or where construction has temporarily closed or altered the access into or out of a property.

(Ord. 10-08 Art. 4)

**Sec 16-29-50. Sign permit.**

- (a) Unless specifically exempted in Section 16-29-30, a permit shall be required from the Community Development Department for erection of all signs, and for any change to an existing approved sign resulting in a modified appearance or increase in total area. Exemptions from the necessity of securing a permit, however, shall not be construed to relieve the sign's owner from responsibility for its erection and maintenance in a safe manner and in a manner in accordance with all the other provisions of this Article.
- (b) All requests for signage shall be accompanied by a completed sign permit application, colored illustration, scaled drawings of building or tenant-occupied frontages, sign dimensions and sign specifications. Applications for permanent wall signs shall include an image or images with sign(s) superimposed on the building face and showing all existing wall signage, if any. Applications for permanent freestanding signs shall include a site plan showing the location, setback, height and sign area of all proposed and existing signage if any, and existing and proposed landscaping and easements, as applicable. Applications for freestanding signs in excess of six (6) feet in height shall be accompanied by an engineered drawing or stamped certificate by a certified engineer attesting to the structural stability of the sign, as requested by the City. All completed applications shall be decided within thirty (30) days of submission.
- (c) Appeals.
  - (1) Any person aggrieved by any decision of an administrative officer of the City pursuant to the provisions of this Section may appeal that decision to the Director. Such appeal shall be filed in

writing within ten (10) days of receipt of the decision. The Director may meet informally with the appellant and shall render a decision in writing within twenty (20) days of receipt of the appeal.

- (2) Any person aggrieved by the decision of the Director may appeal the decision to the Planning Commission. Such appeal shall be filed in writing within ten (10) days of receipt of the decision. The Planning Commission shall schedule a hearing and render a decision in writing within twenty (20) days of receipt of the appeal. The written decision shall be given to the appellant and the Director.
- (3) Any person aggrieved by a final decision of the Planning Commission may appeal the decision by appropriate legal action to a court of record having jurisdiction. Such appeal shall be filed no more than thirty (30) days from the date of the final decision.
- (d) A sign permit fee shall be established by the City Council and shall be available through the Community Development Department. Additional building permit, electrical permit and/or use tax fees may apply.
- (e) Sign permits are effective for a period of one (1) year from the date of permit approval, during which time the sign installation must be completed, or a request for new permit must be submitted. Requests to extend the approval period shall be submitted in writing and may be granted by the Director for up to an additional six (6) months.
- (f) Unless otherwise stated in this Article, all determinations, findings and interpretations shall be made by the Community Development Department.

(Ord. 10-08 Art. 4)

#### **Sec. 16-29-60. General provisions.**

- (a) Signs shall be designed to be compatible with a building or project in terms of relative scale, overall size, materials and colors, and shall substantially conform to the Design Guidelines pursuant to Section 16-29-70.
- (b) The maximum square footage of all signs and the maximum height of freestanding signs contained herein may be reduced in order to be in proper proportion and scale to the building or project. Guidelines for determining the height of a freestanding sign may include, but are not limited to, the proportional relationship of the sign to: height of adjoining buildings, topography, elevation of grade, area landscaping, traffic speeds of adjoining roads and distance from roads.
- (c) Freestanding signs shall employ forms and materials that duplicate or complement the design of the building or project. The design should support or frame the body of the sign with a proportionate base and a definitive cap that provides a finished appearance. Pylon signs or signs with exposed pole supports are not allowed.
- (d) Wall signs shall be comprised of individual channel letters. Internally illuminated cabinet signs are permitted for wall or freestanding signs, provided that the cabinet incorporates routed, push-through or molded letters, graphics, panels or similar qualities that provide substantial dimension and interest to the face of the sign. Up to one-third (?) of a sign may be a smooth-faced cabinet.
- (e) Wall signs shall be mounted onto the wall in such a way that mitigates the visual impacts of electrical raceways, components and conduits. This may include concealing such elements from public view, finishing them to match the background wall color, or integrating them into the overall design of the sign.
- (f) Cabinet signs shall have a predominantly darker colored background with a lighter contrasting color for the letters and symbols. Registered trademarks and logos are exempt from this provision. The background or field should have a non-gloss, non-reflective finish.
- (g) Changeable copy signs are permitted as part of freestanding signs. Translucent white or light-colored panels are allowed. Additionally, all letters and characters must be securely placed and form complete messages (i.e., no dangling or missing letters) to ensure quality appearance and legibility.

- (h) Signs and sign structures shall be maintained at all times in a state of good repair and free from malfunction, deterioration, insect infestation, rot, rust, loosening or fading.
- (i) Any element of a building, site or landscaping damaged or altered by the removal of a sign must be repaired or replaced. If a wall sign is replacing an existing wall sign, any exposed holes or damage to the building must be repaired and repainted to match the wall surface.
- (j) Signs shall be constructed such that they are able to withstand the maximum wind pressure for the area in which they are located.
- (k) Temporary signs shall not be illuminated.
- (l) The Director or designee shall have the authority to order the repair, alteration or removal of a sign or structure which constitutes a violation of the provisions of this Article or approved permit. In the event that such a sign has not been removed, altered or repaired within a specified time frame after written notification, the Director or designee shall have the authority to remove such sign or structure at the expense of the owner of the premises on which the sign is located.
- (m) No sign shall be located, designed or lighted so as to impair the visibility of traffic movement, or to distract, or contain an element that distracts, the attention of drivers in a manner likely to lead to unsafe driving conditions, as determined by the Director or designee.
- (n) Signs within the sight distance area, as defined in the City's adopted Roadway Design and Construction Standards, at the intersections of roads and driveways are subject to review and approval by the Engineering Division.
- (o) For the purpose of enforcing signs not in conformance with this Article, the following parties shall be regarded as having joint and severable responsibility with regard to illegal placement of such signs:
  - (1) The record owner of the property on which the sign is located.
  - (2) The entity or person identified in the sign.
  - (3) The person placing or affixing the sign.
- (p) All flags shall conform to the following regulations:
  - (1) No flag shall exceed five (5) feet by eight (8) feet. ~~-, including government or noncommercial flags.~~
  - (2) The maximum height for freestanding flagpoles shall be thirty (30) feet.
- (q) Banners erected on light poles on public or private property may be allowed upon approval of a sign permit. Banners on public property are permitted only upon execution of a license agreement approved by the City, as well as approval of a sign permit. Banners on public or private property shall conform to the following:
  - (1) Banners shall be associated with multi-tenant shopping centers, residential or mixed-use developments, transit-oriented developments and similar applications. The type of banner may change periodically under the scope and terms of the agreement and/or permit.
  - (2) Banners should be sized and mounted to provide adequate visibility and spacing so as not to interfere with pedestrian or vehicular movement.
  - (3) Banners shall be made of quality, durable materials that are resistant to fading or damage by the wind and maintained in good condition.
  - (4) Mounting systems shall complement the design and color of the pole.

(Ord. 10-08 Art. 4)

**Sec. 16-29-70. Design guidelines.**

The Director shall establish design guidelines to effectuate the intent and purpose of this Article, to assist in its implementation, and to facilitate sign permit applications. A copy of the design guidelines is available from the Community Development Department.

(Ord. 10-08 Art. 4)

**Sec. 16-29-80. On-site signs - residential.**

Signs on parcels in residentially developed areas shall comply with the standards set forth in Figure 16.1, this Article, and shall substantially conform to the guidelines pursuant to Section 16-29-70.

**Figure 16.1  
Signs in Residential Areas**

<i>Type of Sign</i>	<i>Max. Sign Area</i>	<i>Max. Height</i>	<i>Max. Number</i>	<i>Sign Permit Required</i>	<i>Additional Requirements</i>
Incidental sign (permanent)	<del>3-4 sq. ft.</del> Max 4 sq. ft if gross floor area of building(s) on site is <100,000 square feet, and Max 10 square if feet if gross floor area of building(s) on site is > 100,000 square feet	—		No	
Sign located at entry to subdivision	48 sq. ft. single-sided; 24 sq. ft. per sign face if double-sided (freestanding) 32 sq. ft. (wall)	8 ft.	2 per entrance to community	Yes	
Signs for uses approved by	32 sq. ft. if single-sided (16 sq. ft. per	8 ft.		Yes	Shall be approved with new or

special use permit in residential areas	face if double-sided)				amended SIP or special use permit.
Temporary sign (single-family detached or attached)	<del>6 sq. ft. if single-sided; 16 sq. ft. per face if double-sided.</del> <u>9 sq. ft. of cumulative area per side per street frontage</u>	6 ft		No	May be lawn sign. <u>Signs shall be maintained, clean and in good repair.</u>
Temporary sign (multifamily)	32 sq. ft. if single-sided; 16 sq. ft. per face if double-sided	6 ft.	1 per street frontage	No	
Temporary sign (located on undeveloped property or property under development)	<5 ac. = 32 sq. ft. if single-sided; 16 sq. ft. per face if double-sided	6 ft.	1 per street frontage	No	Non real estate signs may be posted up to 2 months prior to reasonable anticipated start of construction. Such signs for multi-family projects shall be removed upon project completion. For single-family projects, signs shall be removed after the last lot is sold, or the last unit is built.
	>5 ac. = 48 sq. ft. if single-sided; 24 sq. ft. per face if double-sided	12 ft.	2 per street frontage		

<p>Temporary off-premises open-house real-estate sign.</p>	<p>Single or double-sided signs not to exceed 2 ½ ft. tall by 2 ft. wide excluding frame.</p>		<p>4 per open house event</p>	<p>No</p>	<p>Display during daylight hours only. No bright or iridescent colors of attachments to signs. May be placed in right of way (not in medians provided they do not interfere or impede traffic of any kind. Not intended for apartment complexes.</p>
<p>Directional sign for garage sales</p>	<p>2 ½ ft. tall by 2 ft. wide</p>		<p>4 per residence</p>	<p>No</p>	<p>May be placed on sidewalks provided they do not interfere or impede traffic or pedestrian movement. Signs are not permitted in medians. No sign should penetrate the ground. Devices to secure signs must be returned to proper location upon removal of sign.</p>
<p>Election season sign</p>	<p>6 sq. ft. if single-sided (3 sq. ft. per side)</p>		<p>There is no limit to the number of signs per candidate</p>	<p>No.</p>	<p>No sign shall be posted more than 90 days prior to the election to which the sign is related, and</p>

			or ballot issue.		<p>must be removed within 2 weeks of the final election. Must be placed on private land and setback 5 feet from property line. No signs are permitted on public land or rights-of-way. Lawn signs meeting these requirements are permitted.</p>
<p><u>Temporary special event sign</u></p>	<p><u>Individual signs not to exceed 9 square feet</u></p>			<p><u>Yes</u></p>	<p><u>Display time is limited to duration of event. May not be placed in rights-of-way, public property, or in sidewalks.</u></p>

(Ord. 10-08 Art. 4)

**Sec. 16-29-90. On-site signs - nonresidential.**

Signs on parcels in nonresidential areas shall comply with standards set forth in Figure 16.2, this Article, and substantially conform to the guidelines pursuant to Section 16-29-70.

**Figure 16.2  
Signs in Nonresidential Areas**

<i>Type of Sign</i>	<i>Max. Sign Area</i>	<i>Max. Height</i>	<i>Max. Number</i>	<i>Sign Permit Required</i>	<i>Additional Requirements</i>
Freestanding sign	Maximum sign area per sign face: 0.5 sq. ft. per 3 linear ft. of street frontage on which the sign is placed to a maximum total of 100 sq. ft. per face	15 ft.	1 per tenant frontage, per parcel	Yes	Signs shall not be placed in the right-of-way or in any easements that prohibit structures unless otherwise allowed by easement beneficiary.
Wall sign	50 sq. ft. plus 1 sq. ft. per lineal foot of building frontage, or tenant lease line, in excess of 50 ft. to a total of 100 sq. ft. per building face. For floor areas greater than 100,000 sq. ft., a maximum of 200 sq. ft. per building face	—	Office buildings or buildings with similar use where multiple tenants exist or may be planned, and where public entrance is predominantly interior are limited to 1 wall sign per building side. Additional signs may be approved where retail or other uses have separate	Yes	No sign shall exceed 75% of the linear footage of the wall on which the sign is placed (within the tenant lease line or multi-tenant buildings), unless otherwise approved. See also Section 16-29-60

			exterior public entry.		
Projecting sign (primary)	Shall be counted toward maximum allowable wall sign area	—		Yes	Projecting signs shall not extend more than 36" from the building to which they are attached and shall have a clearance of 8 feet from grade level to the bottom of the sign.
Projecting sign (secondary)	6 sq. ft. (3 sq. ft. per side)	—	1 per tenant frontage	Yes	Are permitted in addition to wall sign area allowance. The bottom of the sign shall be a minimum 8 feet above the sidewalk. Shall not extend more than 36" from the building to which attached.
Awning	Up to 20% of the area of the shed (slope) portion of awning and 50% of valance	—		Yes	Are permitted in addition to allowance for wall sign.
Canopy sign	25% of the fascia per side	—	Not to exceed 2 per canopy	Yes	Are permitted in addition to allowance for wall sign. Color bands and light

					bands are prohibited. Signs shall not extend beyond gable or fascia of canopy.
Incidental sign (permanent)	<p><del>4 sq. ft./sign face (freestanding); 2 sq. ft. if building mounted.</del></p> <p><u>Max 4 sq. ft if gross floor area of building(s) on site is &lt;100,000 square feet, and Max 10 square if feet if gross floor area of building(s) on site is &gt; 100,000 square feet</u></p>	4 ft.		No	
Temporary sign (located on developed property)	32 sq. ft. single-sided; 16 sq. ft. per face if double-sided	6 ft.	1 per street frontage	No	<del>Intended for signs located on land for sale or lease.</del>
Temporary sign (located on undeveloped property or property under development)	<5 ac. = 32 sq. ft. if single-sided; 16 sq. ft. per face if double-sided	6 ft.	1 per street frontage	No	Non-real estate signs may be posted no sooner than 2 months prior to reasonably anticipated start of construction and shall be removed upon

					project completion.
	>5 ac. = 64 sq. ft. if single-sided; 32 sq. ft. per face if double-sided	12 ft.	2 per street frontage		
Election season sign	64 sq. ft. if single-sided (32 sq. ft. per side); 15 ft. height	15 ft.	There is no limit to the number of signs per candidate or ballot issue	No	<del>No sign shall be posted more than 90 days prior to the election to which the sign is related, and must be removed within 2 weeks of the final election. Must be placed on private land and setback 5 feet from property line. No signs are permitted on public land or rights-of-way. Lawn signs meeting these requirements are permitted.</del>
<u>Temporary special event sign</u>				<u>Yes</u>	<u>Display time is limited to duration of event. May not be placed in rights-of-way, public property, or in sidewalks.</u>

Ord. 10-08 Art. 4)

**Sec. 16-29-100. Permanent sign measurement.**

The area of a sign shall be measured as follows:

- (1) For a wall sign which includes a backing or background that is part of the overall sign display, the sign area measurement shall include the entire portion within such background and shall be determined by the sum of areas in each square, rectangle, triangle, portion of a circle or any combination thereof which creates the smallest single continuous perimeter enclosing the extreme limits of the sign display.
- (2) For a wall sign comprised of separate elements that are organized to form a single sign, the sign area measurement shall be determined by the sum of areas in each square, rectangle, triangle, portion of a circle or any combination thereof which creates the smallest perimeter enclosing the extreme limits of each separate element in the sign display, not including the space between each element.
- (3) For a freestanding sign, the sign area measurement shall be determined by the sum of areas in each square, rectangle, triangle, portion of a circle or any combination thereof which creates the smallest single continuous perimeter enclosing the extreme limits of the sign display. The sign area shall not include the frame or structural support unless such structural support is so designed to constitute a part of the sign display.
- (4) Architectural features and structural decorations which are integral to the design of the building or freestanding structure, and are not integral to the design of the sign display, are not included in determining sign area measurement.
- (5) The maximum height of a freestanding sign is fifteen (15) feet. Sign height is measured from the base to the highest point of the sign including decorative elements and architectural features, as measured from the average finished grade.
- (6) The maximum square footage of all signs and the maximum height of freestanding signs contained herein may be reduced in order to be in proper proportion and scale to the building or project. Guidelines for determining the height of a freestanding sign may include, but are not limited to, the proportional relationship of the sign to: height of adjoining buildings, topography, elevation of grade, area landscaping, traffic speeds of adjoining roads, and distance from road.

(Ord. 10-08 Art. 4)

**Sec. 16-29-110. Sign illumination.**

The purpose of this Section is to establish standards for illuminated signs that are consistent with the City's economic and aesthetic goals while ensuring that lighting does not create glare or significant off-site impacts. In areas where an illuminated sign may impact a single-family residential area, the Director may impose requirements related to reducing illumination levels or imposing time restrictions on hours of lighting.

- (1) All illumination associated with a proposed sign shall be disclosed as part of the sign permit or temporary use permit application, and is subject to review and approval as part of said permit.
- (2) Illuminated signs shall have light levels appropriate for the ambient light conditions of the context in which it is located, so as to provide consistency and compatibility with light levels in the area.
- (3) The light source, whether internal or external to the sign, shall be shielded from view, with the exception of approved exposed LED tubing, neon, luminous tube signs or similar lighting which may be approved in nonresidential areas where it is not readily visible from residential areas.
- (4) Externally illuminated monument signs may be illuminated from a ground light source and shall utilize shielded and focused light fixtures that do not cause glare and that minimize illumination beyond the sign copy.

- (5) Freestanding permanent signs may be illuminated from solar-powered energy, provided that the location and design of the solar panels and all related exposed equipment are integrated into the design of the sign structure so as to minimize their visibility.
- (6) Illuminated cabinet signs or portions thereof that are not signed or not in use shall have illumination turned off, or otherwise screened or reduced in intensity to minimize impacts.
- (7) Illuminated signs displayed onto any surface by a projection method are subject to a sign permit or temporary use permit and shall not project onto a public sidewalk or right-of-way.
- (8) Lighting for signs shall not create a hazardous glare for pedestrians or vehicles either in a public street or on private premises.
- (9) Signs shall not include animation, flashing, moving or intermittent illumination.
- (10) Illumination levels are subject to a thirty-day review period following the installation of the sign, during which time the City may inspect the sign to ensure that illumination levels are consistent and compatible with ambient light conditions in the area; do not create glare; are positioned at the appropriate angle to light the copy area; and do not have exposed light sources. The Director may require that light be shielded, reduced in intensity or removed, to ensure compliance with the requirements of this Article and the Design Guidelines. Additionally, at any time, the Director may order the modification or removal of any illumination determined to be noncompliant with this Article or the Design Guidelines.

(Ord. 10-08 Art. 4)

**Sec. 16-29-120. Nonconforming signs.**

- (a) Any permanent nonconforming sign lawfully existing at the time of adoption of the ordinance codified in this Article may be continued in operation and maintained after the effective date of the ordinance codified herein.
- (b) A nonconforming sign or sign structure shall be brought into conformity with this Article if it is altered, reconstructed, replaced or relocated. A change in copy is not considered an alteration or a replacement for purposes of this Section.
- (c) Termination of nonconforming signs shall occur:
  - (1) By abandonment, meaning any sign, together with its supporting structure, which remains on the property ten (10) days or more after the use with which it was approved has been vacated.
  - (2) By destruction, damage or obsolescence, which will terminate the right to maintain any nonconforming sign, including whenever the sign is damaged or destroyed in excess of fifty percent (50%) of the current replacement cost of the sign from any cause whatsoever, or becomes obsolete or substandard under any applicable City ordinances.
  - (3) Any sign maintained in violation of the provisions of this Article shall constitute a nuisance to be abated in a manner provided in Chapter 7, Article 1 of this Code, as amended.

(Ord. 10-08 Art. 4)

**Sec. 16-29-130. Temporary banners.**

- (a) Each business or entity with its own exterior public entrance to the building may display one (1) banner per tenant frontage, not to exceed two (2) banners, on no more than four (4) occasions per calendar year using any combination of days not to exceed a cumulative total of sixty (60) days per calendar year.
- (b) The maximum banner size shall not exceed fifty (50) square feet where the tenant building frontage is less than one hundred fifty (150) linear feet. Banners up to two hundred (200) square feet are permitted

for tenant building frontages in excess of one hundred fifty (150) linear feet. The applicant may be required to provide documentation to confirm building frontage.

- (c) Banners must be securely attached to the building or to a fence or wall attached to the building within the boundaries of the tenant's lease line. Banners should be pulled straight and taut wherever possible and properly maintained at all times. Banners must not block access to windows or doors and must be placed so as not to create hazardous or unsafe conditions.
- (d) A banner is allowed in place of a permanent sign as long as a sign permit for the permanent sign has been submitted and a permit is obtained for the banner. The size of the banner may be as large as the size approved for the permanent sign. The banner may be displayed for up to ninety (90) days. The banner does not count towards the regular banner time allotment.
- (e) Banners displayed on buildings that will open in the foreseeable future may be allowed as an alternative to a temporary ground sign once a building permit has been issued. One (1) banner per street frontage not to exceed two (2) banners is allowed. Banners shall not exceed fifty (50) square feet in area. However, banners up to two hundred (200) square feet are permitted for tenant building frontages in excess of one hundred fifty (150) linear feet. The applicant may be required to provide documentation to confirm building frontage. Banners must be removed when the business is open to the public. No permit is required for these banners.
- (f) When circumstances arise that make it impossible to meet the above banner requirements, the Director has the authority to approve variations.
- (g) A banner permit application is available from the Community Development Department.
- (h) Failure to obtain a banner permit or failure to abide by the stipulations of an approved permit constitutes a zoning violation.

(Ord. 10-08 Art. 4)

**Sec. 16-29-140. Temporary use signage.**

- (a) Signs associated with a temporary use shall be subject to the terms of the temporary use permit, as provided by Article XXII of this Chapter.
- (b) Failure to obtain a temporary use permit or failure to abide by the stipulations of an approved permit constitutes a zoning violation.

(Ord. 10-08 Art. 4)

**Sec. 16-29-150. Severability.**

- (a) It is hereby declared to be the expressed intent that the provisions of this Article shall be severable in accordance with the provisions set forth below.
- (b) If any provision of this Article is declared to be invalid by a decision of any court of competent jurisdiction, it is hereby declared to be the intent that:
  - (1) The effect of such decision shall be limited to the clause, sentence, paragraph or part of this Article that is expressly stated in the decision to be invalid; and
  - (2) Such decision shall not affect, impair or nullify this Article as a whole or any other part thereof, and the rest of this Article shall continue in full force and effect.
- (c) If the application of any provision of this Article to any sign, use, lot, building, other structure or tract of land is declared to be invalid by a decision of any court of competent jurisdiction, it is hereby declared to be the intent that:

- (1) The effect of such decision shall be limited to that sign, use, lot, building, other structure or tract of land immediately involved in the controversy, action or proceeding in which the judgment or decree of invalidity was rendered; and
- (2) Such decision shall not affect, impair or nullify this Article as a whole or the application of any provision thereof, to any other sign, use, lot, building, other structure or tract of land.

(Ord. 10-08 Art. 4)

#### Sec. 16-29-160. Definitions.

~~Association promotion occurs when an event is conducted on an infrequent or irregular basis by a group that does not have a permanent place of business. The event must take place in Lone Tree and be open to the public.~~

*Awning* means an architectural projection or shelter projecting from and supported by the exterior wall of a building and composed of a covering of rigid or nonrigid materials and/or fabric on a supporting framework that may be either permanent or retractable.

*Banner sign* means a copy or graphics displayed on a flexible form made of fabric, plastic, nylon or other nonrigid material.

*Billboard.* See *off-premises sign*. Any other outdoor advertising prohibited by the provisions of Section 43-1-401, et seq., C.R.S. shall also be considered *billboards*.

*Cabinet sign* means a sign structure consisting of the frame and face(s), not including the internal components, embellishments or support structure.

*Canopy* means a multi-sided overhead structure or architectural projection supported by attachments to a building (attached) or supported by columns but not enclosed by walls (freestanding).

*Changeable copy sign* means a sign where letters, characters or graphics change manually through placement of letters or symbols on a panel mounted in or on a track system.

*Copy* means those letters, numerals, figures, symbols, logos and graphic elements comprising the content or message of a sign, excluding numerals identifying a street address only.

*Day-Glo* means a trade name for certain inks or lacquers that become fluorescent when activated by the ultraviolet rays of sunlight or special illumination.

*Double-sided sign* means a sign with two (2) parallel faces.

~~Election season means ninety (90) days prior to and fourteen (14) days after any City regular or special election, any county or special district election, or any state or federal primary or general election.~~

*Electronic message sign* means a sign where letters, characters or graphics are activated and displayed electronically allowing variable message or display and programming capability.

*Exterior illuminated sign* means a sign that is illuminated by a light source that is directed towards and shines on the face of a sign; also called *direct illumination*.

*Flag means any fabric or similar material which is attached by one edge to a pole or rope.*

*Freestanding sign* means a sign principally supported by a structure affixed to the ground or supported by one (1) or more columns, poles or braces placed in or upon the ground and not supported by a building.

~~Garage sale means a sale of used household or personal articles (such as furniture, tools or clothing) held on a resident's own premises.~~

*Incidental signs, nonresidential* means a sign of a permanent nature that has a purpose secondary to the use on the property and not intended to attract attention beyond the perimeter of the site. ~~, including but not limited to signs intended to instruct users as to matters of direction, necessity, hours of operation, credit card information or public safety, provided the signs do not exceed four (4) square feet in area if freestanding and (2) square feet if building mounted.~~

~~*Incidental signs, residential* means a sign of a permanent nature not exceeding three (3) square feet. Incidental signs are associated with identifying the location or name of a residence, including but not limited to the street number, name of building or occupant, building or unit number or similar purpose.~~

*Lawn sign* means a temporary sign that is erected by means of inserting one (1) or more stakes into the ground.

*Nonconforming sign* means a sign, which on the effective date of the ordinance codified in this Article, was lawfully maintained and had been lawfully erected in accordance with the provisions of any prior applicable sign regulation but which does not conform to the limitations established by this Article, as amended.

*Off-premises sign* means a sign directing attention to a specific business, product, service, entertainment event or activity or other commercial activity that is not sold, produced, manufactured, furnished or conducted at the property upon which the sign is located.

~~*Portable sign* means a sign that is designed to be moved easily and not permanently affixed to the ground, to a structure or to a building, is not permanently affixed to the ground, does not penetrate the ground, and is not permanently affixed to the ground, to a structure, or to a building.~~

*Projecting sign (primary)* means a building-mounted sign with the faces of the sign projecting from and perpendicular to the building fascia, and which serves as a main identification sign for the use.

*Projecting sign (secondary)* means a building-mounted sign with the faces of the sign projecting from and perpendicular to the building fascia, and which serves as a purpose secondary to the main identification sign and is predominantly intended to be viewed by pedestrians.

*Push-through* means a letter or logo that is cut out of a backing material as thick as or thicker than the sign face material, and then mounted on the inside of the sign face so that the backing material's thickness extends flush with or through and beyond the front plane of the sign face.

*Pylon sign* means a freestanding sign with a visible support structure, which may or may not be enclosed by a pole cover.

*Raceway* means an electrical enclosure that may also serve as a mounting device for a wall sign.

*Sidewalk sign* means a freestanding portable sign including an easel or A-framed sign that is typically hinged at the top or attached in a similar manner.

*Sign* means any device visible from a public place that displays either commercial or noncommercial messages by means of graphic presentation of alphabetic or pictorial symbols or representations.

*Sign display* means the combination of characters, lettering, illustrations, ornamentation or other figures, together with any other material, design or color intended to differentiate such elements from the background to which they are placed.

*Temporary sign* means a sign intended to display either commercial or noncommercial messages of a transitory or temporary nature. Portable signs, including banners, are considered temporary signs.

~~*Temporary Special Event Sign* means signage that may exceed allowable permanent signage for an entity, provided that the signage is associated with an approved Temporary Use Permit. Display time is limited to the duration of event special event. The language on these signs need not be tied to the event.~~

*Wall sign* means a sign that is in any manner affixed to any exterior wall of a building or structure, excluding banners.

*Window sign* means a sign that is applied or attached to the interior or exterior surface of a window or window frame.

(Ord. 10-08 Art. 4)