

CHAPTER 14 Sign Code [11](#)

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FOOTNOTE(S):

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Editor's note—Ord. No. 15-07, §1, adopted Nov. 3, 2015, repealed the former Ch. 14, §§ 14-1-10—14-4-90, and enacted a new Ch. 14 as set out herein. The former Ch. 14 pertained to similar subject matter and derived from prior code 14-1—14-6, 14-11—14-17, 14-31—14-36, 14-41—14-46, 14-51—14-55, 14-61—14-65, 14-71—14-75, 14-81—14-89; Ord. 11-11 §1, 2011. [\(Back\)](#)

ARTICLE I Findings; Purpose; Objectives; Authority; Applicability; and Exceptions

[Sec. 14-1-10. Findings of fact.](#)

[Sec. 14-1-20. Purpose.](#)

[Sec. 14-1-30. Objectives.](#)

[Sec. 14-1-40. Authority.](#)

[Sec. 14-1-50. Applicability and exceptions.](#)

Sec. 14-1-10. Findings of fact.

The City Council finds as follows:

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- (a) This Chapter advances important, substantial, and compelling governmental interests.
- (b) The regulations set out in this Chapter are unrelated to the suppression of constitutionally-protected free expression and do not involve the content of protected messages which may be displayed on signs, nor do they involve the viewpoint of individual speakers.
- (c) The incidental restriction on the freedom of speech that may result from the regulation of signs hereunder is no greater than is essential to the furtherance of the important, substantial, and compelling interests that are advanced by this Chapter.
- (d) The City has a compelling interest in maintaining, perpetuating, and enhancing the authentic and unique historic character within the National Historic Landmark District ("NHLD"); as the NHLD is not only a nationally-significant historic resource of exceptional quality and integrity, but also a critical element of the community's identity and economic well-being.
- (e) Historic character can be protected by reasonable regulation of materials, fonts, and colors used for signs, without regard to the message displayed on the signs.
- (f) The City has an important and substantial interest in preventing sign clutter (which is the proliferation of signs of increasing size and dimensions as a result of competition among property owners for the attention of passing motorists and pedestrians), because sign clutter:
 - (1) Creates visual distraction and obstructs views, potentially creating a public safety hazard for motorists, bicyclists, and pedestrians;
 - (2) May involve physical obstructions of streets or sidewalks, creating public safety hazards;
 - (3) Degrades the aesthetic and essential historic character of the City, making the City a less attractive place for tourism, commerce, and private investment; and
 - (4) Dilutes or obscures messages displayed along the City's streets through the proliferation of distracting structures and competing messages.
- (g) The City has an important and substantial interest in protecting the health of its tree canopy, which contributes to the character and value of the community.
- (h) The City has a substantial and/or compelling interest in preventing traffic accidents.
- (i) Sign clutter can be reduced and prevented by reasonable sign regulations that:
 - (1) Do not relate to the content of the regulated signs; and
 - (2) Balance the legitimate needs of individuals, entities, and organizations to convey messages with the legitimate objectives of the City to promote public safety, enhance community character, protect and sustain historic character, and support and enhance private property values.
- (j) Temporary signs may be degraded, damaged, moved, or destroyed by wind, rain, snow, ice, and sun, and after such degradation, damage, movement, or destruction, such signs harm the safety and aesthetics of the City's streets if they are not removed.
- (k) Certain types of speech are not constitutionally protected due to the harm that they cause to individuals or the community.
- (l) The City has a compelling interest in protecting minors from speech that is harmful to them as provided by state or federal law, and such speech may be prohibited in places that are accessible to minors.

(Ord. No. 15-07, §1, 2015)

Sec. 14-1-20. Purpose.

The purpose of this Chapter is to set out reasonable regulations for the design, location, installation, operation, repair, and maintenance of signs in a manner that advances the City's important, substantial, and compelling interests set out in Section 14-1-10, while simultaneously safeguarding the constitutionally protected right of free speech.

(Ord. No. 15-07, §1, 2015)

Sec. 14-1-30. Objectives.

The objective of the regulations of this Chapter is to provide a balanced and fair legal framework for the design, location, installation, operation, repair, and maintenance of signs that:

- (a) Promotes the safety of persons and property by ensuring that signs do not create a hazard by:
 - (1) Collapsing, catching fire, or otherwise decaying;
 - (2) Confusing or distracting motorists; or
 - (3) Impairing drivers' ability to see pedestrians, obstacles or other vehicles, or to read traffic signs; and
- (b) Promotes the efficient communication of messages, and ensures that persons exposed to signs:
 - (1) Are not overwhelmed by the number of messages presented; and
 - (2) Are able to exercise freedom of choice to observe or ignore said messages according to the observer's purpose; and
- (c) Protects the public welfare and enhances the appearance and economic value of the landscape by reducing and preventing sign clutter;
- (d) Protects the integrity and character of the City's unique, authentic historic areas;
- (e) Ensures that signs are compatible with their surroundings, and prevents the construction of signs that are a nuisance to occupants of adjacent and contiguous property or users of the public rights-of-way due to brightness, glare, reflectivity, bulk, or height; and
- (f) Provides timely, fair, and consistent permitting and enforcement.

(Ord. No. 15-07, §1, 2015)

Sec. 14-1-40. Authority.

- (a) Generally. The City has the authority to regulate signs under the United States Constitution, the Constitution of the State of Colorado, and its home rule Charter.
- (b) Marijuana businesses. The content of signs related to the marijuana business is restricted by state laws and regulations, and both the advertising and sale of marijuana are prohibited by federal law. The City has no authority to supersede state or federal marijuana laws.

(Ord. No. 15-07, §1, 2015)

Sec. 14-1-50. Applicability and exceptions.

- (a) Applicability of Chapter.

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- (1) Generally. All construction, relocation, enlargement, alteration, and modification of signs within the City shall conform to the applicable requirements of this Chapter. This Chapter applies only to signs that are integrated into, attached to, installed upon, or set upon the ground, a structure, landscaping, or a building, or installed within a building within six (6) feet of a window. This Chapter does not apply to signs that are affixed to or painted on vehicles (except as provided in Section 14-3-20(c)) or to signs that are carried by people.
 - (2) Comprehensive Sign Plans. Comprehensive Sign Plans that are approved prior to the effective date may be carried out according to their terms. Signs permitted pursuant to an approved Comprehensive Sign Program shall be considered conforming to the requirements of this Chapter.
 - (3) Signs permitted before effective date. Except as provided in Subsection (a)(2), above, if a permit for a sign has been issued in accordance with applicable City ordinances in effect prior to the effective date of this Chapter, and provided that construction is commenced pursuant to the permit within six (6) months of the effective date of this Chapter or prior to the expiration of the permit, whichever occurs first, and is diligently pursued to completion, said sign may be completed in accordance with the approved plans on the basis of which the permit has been issued. The sign will be thereafter subject to the provisions of Section 14-8-10 regarding nonconforming signs, if applicable.
- (b) Other regulations.
- (1) In addition to the regulations set out in this Chapter, signs may also be subject to applicable State laws and regulations (e.g., State of Colorado, Department of Highways, "Rules and Regulations Pertaining to Outdoor Advertising," effective January 1, 1984, as may be amended from time to time), Federal laws and regulations, and applicable adopted building codes.
 - (2) Where any provision of this Chapter covers the same subject matter as other regulations of the City, the more restrictive regulation shall apply, unless the City determines that the more restrictive regulation is clearly unenforceable as a matter of law.
 - (3) Where any provision of this Chapter covers the same subject matter as other regulations of the State of Colorado or the United States, the applicant is advised that nothing in this Chapter shall be construed as a defense to a violation of applicable state or federal law except as provided in the state or federal law.
- (c) Sign permit required. A sign permit is required prior to any repair or restoration of a landmark sign and for the erection, installation, or substantial modification of any sign that is not an exempt sign as defined in Subsection (d), below. Sign permits are issued by the HPO for signs that comply with all of the applicable standards of this Chapter, an approved Comprehensive Sign Program (see Section 14-1-50(a)(2)), or an approved Sign Design Program.
- (d) Exemptions from permit requirement. The following "exempt signs" are not exempt from applicable provisions of this Chapter, but are exempt from the requirement of Subsection (c) that a sign permit be obtained prior to installation. Exempt signs may require a building permit or other related permit if they are subject to a building or electrical code.
- (1) Public signs. Signs that are posted by:
 - a. The City on property owned, leased, licensed, or comparably controlled by the City; or
 - b. Governmental entities that are not subject to City jurisdiction.
 - (2) Required signs. Signs that are required by law or regulation:
 - a. In furtherance of the performance of a public duty or function (e.g., temporary or permanent traffic controls and street signs); or
 - b. To give legal notice (e.g., notices of pending action pursuant to City ordinances); or
 - c. To comply with building codes (e.g., address numbers); or
 - d. To comply with other laws or regulations.

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- (3) Optional residential signs. One (1) wall sign, affixed to a residential building on its front elevation, provided that the sign does not exceed five (5) square feet in sign area.
- (4) Flags. Flags that are hung from not more than three (3) rigid, building-mounted or ground-mounted flagpoles per property, provided that:
 - a. Flags are flown full-staff, except by order of the President of The United States, by order of the Governor of Colorado, on May 15th (sunrise until sunset), on Memorial Day (sunrise until noon), on September 11 (sunrise until sunset), on Korean War Veterans Armistice Day (sunrise until sunset), on National Firefighters Memorial Day (sunrise until sunset), and on Pearl Harbor Remembrance Day (sunrise to sunset);
 - b. There is at least six (6) feet of sign clearance when flags are flown full-staff, or, in the case of building-mounted flags, the flags do not project into areas used by vehicles or pedestrians;
 - c. No more than three (3) flags are flown from any one (1) flagpole; and
 - d. No flag exceeds thirty-two (32) square feet in area.
- (5) Small signs.
 - a. Signs that are affixed to a building or structure, that do not exceed one (1) square foot in sign area, provided that only one (1) such sign is present on each elevation that is visible from public rights-of-way or neighboring property; and
 - b. Signs that are less than three-fourths ($\frac{3}{4}$) of a square foot in area that are affixed to machines, equipment, fences, gates, walls, gasoline pumps, public telephones, or utility cabinets.
- (6) Holiday decorations. Decorations and signs that are clearly incidental, customary, and commonly associated with a holiday.
- (7) Interior signs. Signs that are not visible from residential lots, abutting property, public rights-of-way, or property located at a higher elevation than the property upon which the sign is installed.
- (8) Temporary signs. Temporary signs that are in compliance with the applicable requirements of Article V, Standards for Temporary Signs.

(Ord. No. 15-07, §1, 2015)

ARTICLE II Definitions

[Sec. 14-2-10. Definitions.](#)

Sec. 14-2-10. Definitions.

Abandoned sign means a sign that does not contain a message, or contains a commercial or event-based message that is obviously obsolete (e.g., the name of a business that is no longer operational, or an advertisement for an event that has already occurred), for a continuous period of sixty (60) days.

Attached sign means a sign that is attached to or located inside a building (e.g., a wall sign, projecting sign, awning sign, or window sign).

Awning sign means a sign that is mounted, painted, or attached to canvas or other material that is installed over a projecting structural framework above a building window or door.

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Banner means a type of temporary sign that is painted or printed on cloth, vinyl, or other flexible material, which is designed to be stretched between poles, fence posts or wire, or hung on walls with ties, clips, rails, brackets, hooks, or frames.

Banner frame means a frame system that is used for stretching banners, which is designed to prevent wrinkling and movement and to conceal fasteners.

Bracket sign means a type of permanent sign that is mounted above a principal entrance to a building, on a bracket that extends generally perpendicular to the building wall; with the bracket attached either to the building wall or to the underside of a canopy or awning structure.

Building elevation means the external face of a building, projected onto a two-dimensional plane. For purposes of calculating allowed sign area, the building elevation is the two-dimensional representation of the side of the building upon which the sign is proposed.

Bulletin board means a cabinet sign structure that houses a display board upon which bulletins and posters are displayed.

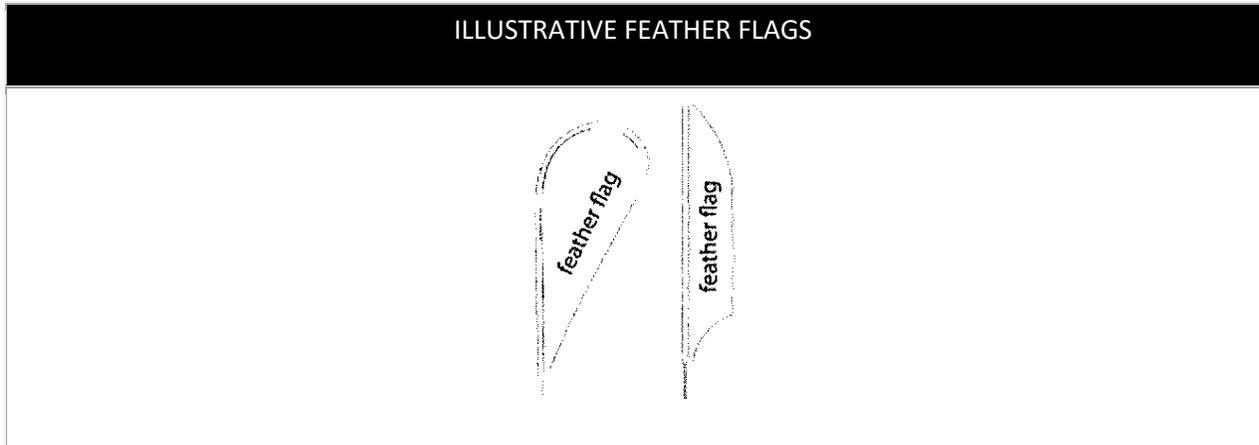
City means Central City, Colorado, a Colorado home-rule municipality.

Detached sign means a sign that is not attached to or located inside a building (e.g., a monument sign or pole sign).

e.g. means "for example," and is intended to be illustrative and not exclusive.

Electronic message center means a display surface that is composed of light emitting diodes (LEDs) that is capable of displaying variable messages and graphics, which are generally created on a computer.

Feather flag means a flag that is mounted on a temporary flagpole (e.g., a flagpole that is installed in a mount that is staked into the ground), which may be vertical, bowed, or flexible. Feather flags do not include flags that are flown from straight, rigid flagpoles that are permanently installed in the ground or temporarily or permanently attached to buildings, light poles, or utility poles.



Flag means a flexible piece of fabric, that is attached along one (1) edge to a straight, rigid flagpole (directly or with rope), and which is designed to move when the wind blows. Flags are typically (but not necessarily) rectangular in shape, and often (but not always) include printed or embroidered insignia that symbolizes a nation, state, or organization, or that display a graphic or message.

Foot-candle means a unit of measurement of the intensity of light falling on a surface, equal to one (1) lumen per square foot.

Free-standing sign means a pole sign or a monument sign.

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Glare means light emitted from a luminaire at an angle of zero (0) to thirty (30) degrees downward from the horizontal plane at which the luminaire is installed, that trespasses beyond the object that the luminaire is intended to illuminate.

Historic color palette means the color palettes set out in the Benjamin Moore Historic Color Palette and the Kwal Paint Historic Colors of America, and such other colors as may be approved by the Historic Preservation Commission based on appropriate documentation.

Historic fonts palette means a collection of fonts that is approved by the Historic Preservation Commission as identical to or consistent with the typefaces during the period of significance of the NHLD.

Landmark sign means a sign that has been continuously displayed since 1930.

lf. means linear foot.

Lux means a measure of illuminance (a measure of light that falls upon or passes through an object), in terms of lumens per square meter.

Manual changeable copy center means a sign element in which letters, numbers, or symbols may be changed manually without altering the face of the sign (e.g., by placement of letters into tracks). Manual changeable copy centers are sometimes known as "readerboards" or "marquee signs."

Monument sign means a type of freestanding permanent sign generally having a low profile with little or no open space between the surface of the ground and the sign face or frame.

National Historic Landmark District ("NHLD") means the Central City/Black Hawk Historic District, a National Historic Landmark District.

Outlying area means any area in the City which is not part of the NHLD.

Period of significance means the period between 1859 and 1918.

Pixel pitch means a measurement of the resolution of an electronic message center display, in terms of the distance (generally in millimeters) between the center of a light emitting diode (LED) cluster (pixel) and the center of the next LED pixel. Lower pixel pitch measurements indicate higher display resolution.

Pole sign means a type of freestanding permanent sign that is mounted upon one or more poles.

Portable sign means a sign that is designed to be easily moved from one (1) location to another, and when placed, is neither fastened to a permanent structure or building, nor staked or otherwise installed into the ground. Portable signs include signs that are mounted on trailers, wheeled carriers, or frames that are designed to be placed onto a surface without being secured to it.

Principal building entrance means a primary point of public pedestrian access into a building. The phrase "principal building entrance" does not include doors used principally as emergency exits, or doors that provide restricted access (e.g., for employees or deliveries).

Projecting sign means a sign that is mounted upon a building wall such that the sign face is not roughly parallel to the building wall.

Roof sign means a sign that is installed, in whole or in part, above an eave line or parapet of a building.

sf. means square foot.

Sidewalk sign means a type of portable sign that is designed to be placed (but generally not anchored) upon a hard surface in order to attract the attention of pedestrians.

Sign means any surface, device, fabric, or display which bears or displays lettered, pictorial, or sculptured matter that is visible from abutting property, a public street, sidewalk, right-of-way, or other property at a higher elevation than the property on which the sign is installed, and that is used to convey information to the public or to direct or attract attention to another object, or to a person, institution, organization, business, product, service, event, location, concept, or idea. The term "sign" also includes the following items regardless of whether they include lettered or pictorial material, if they otherwise meet the above-stated definition in terms of visibility and use: bubble machines, pinwheels, searchlights,

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pendants, streamers, inflatable figures or objects (including but not limited to "dancing" inflatable devices and balloons). The term "sign" includes all structural members (if any).

Sign band means an area on a building facade usually located immediately above the storefront and below the second story window sill, or below the cornice line, where signs were historically attached.

Sign face means the surface area of a sign which is designed for placement of text, symbols, or images. The sign face does not include the supporting structure, if any, unless the supporting structure is used for the display of text, symbols, or images. For wall signs, the sign face is equal to the sign area of the wall sign, or the area within any frame or color used to define, differentiate, or mount the wall sign, whichever is larger.

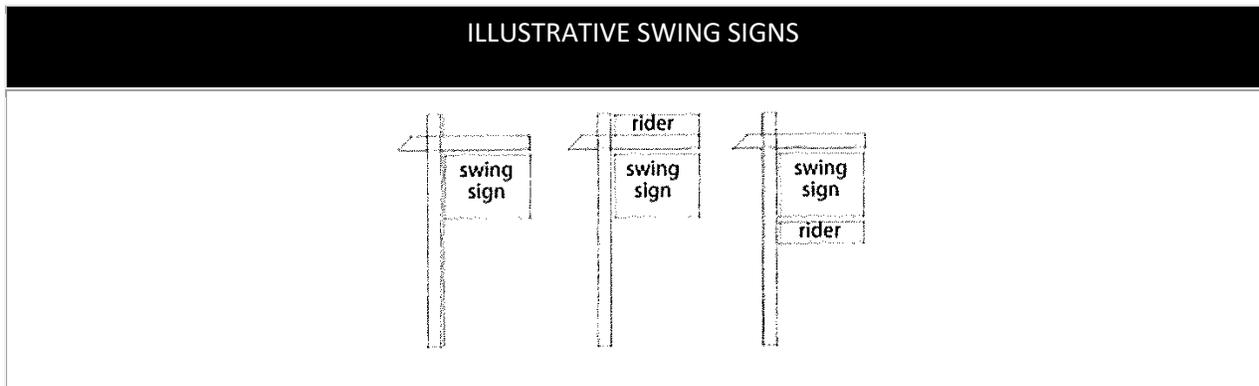
Site sign means a type of temporary sign that is constructed of vinyl, plastic, wood, metal, or other comparable rigid material, which is displayed on a structure that includes at least two (2) posts.

Sock sign means a type of temporary sign that is constructed of flexible material, designed to fit over a permanent sign face or mount.

Street elevation means a street-facing building elevation.

Substantial modification means any modification of a sign that involves alteration or replacement of a structural support, enlargement of the sign area, material changes to the sign height or sign clearance, obvious changes of materials or components (e.g., replacement of wood with plastic), addition of new components (e.g., installation of lighting) or repairs that cost more than fifty (50%) percent of the replacement cost of the sign. Substantial modifications do not include replacement of sign panels in a sign cabinet with comparable materials that display different messages, replacement of existing light sources with compliant light sources (unless the electrical work exceeds the repairs limit), painting, or repainting,

Swing sign means a type of temporary sign that is suspended from a horizontal swing post that is attached to a post that is staked into the ground. Swing signs may include riders that are mounted to the swing post or suspended under the sign panel.



Uplight means light emitted from a luminaire at an upward angle from the horizontal plane at which the luminaire is installed, that trespasses beyond or away from the object that the luminaire is intended to illuminate.

Wall sign, painted or applied means a type of permanent sign that is painted on or applied to a wall of a building, which extends not more than two (2) inches from the building wall.

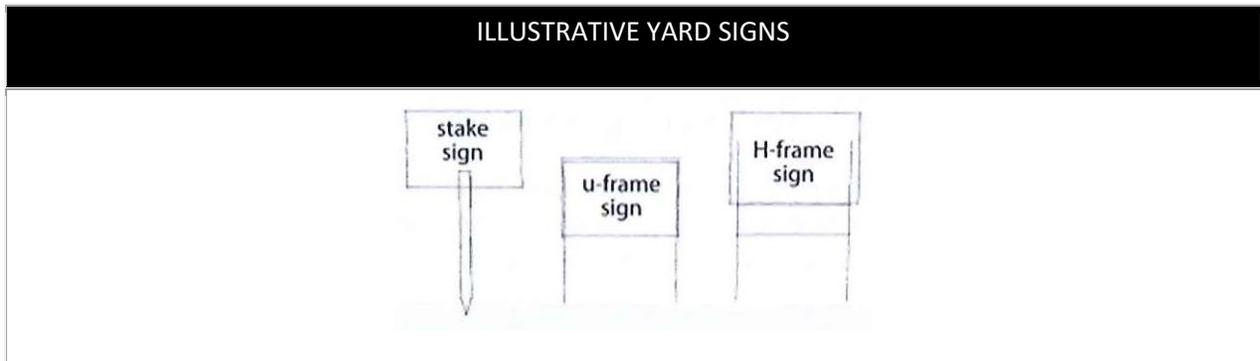
Wall sign, cabinet means a type of permanent sign that is installed against the wall of a building, with a structure that extends more than two (2) inches, but not more than one (1) foot, from the building wall and a sign face that is roughly parallel to the building wall upon which the sign is mounted.

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Window sign means a type of temporary or permanent sign that is: (i) painted on, applied to, or attached to a window; or (ii) or installed or positioned within a building such that the sign face is oriented towards and highly visible through a window that is within six (6) feet of the sign.

Window transparency, means, for the purposes of this Chapter, any area of a window that is not covered or obstructed by a sign, such that the visibility through the window in both directions is not blocked. The actual visibility through the window (e.g., a pedestrian's ability to overcome daytime glare) is not a factor in the determination of window transparency, provided that the window is not treated with a reflective coating.

Yard sign means a type of temporary sign that is constructed of paper, vinyl, plastic, wood, metal or other comparable material, which is mounted on a stake or a frame structure (often made from wire) that includes one (1) or more stakes.



Zoning district means a district established by Article II of the Zoning Ordinance, including: Resource District (RCE); Low Density Residential (LDR); Medium Density Residential (MDR); High Density Residential (HDR); Historic Downtown Gaming (HDG); Gregory Gulch Gaming (GGG); Transitional (TSL); Limited Community Commercial (LCC); and General Purpose Commercial (GPC).

Zoning map means the City of Central Zoning Map that is adopted by reference in Section 16-31, Zoning Ordinance, as it may be amended from time to time.

Zoning ordinance means Chapter 16, Zoning, Central City Colorado Municipal Code, as amended from time to time.

(Ord. No. 15-07, §1, 2015)

ARTICLE III Measurements and Calculations; General Design Standards; Content

[Sec. 14-3-10 Measurements and calculations.](#)

[Sec. 14-3-20. Prohibitions.](#)

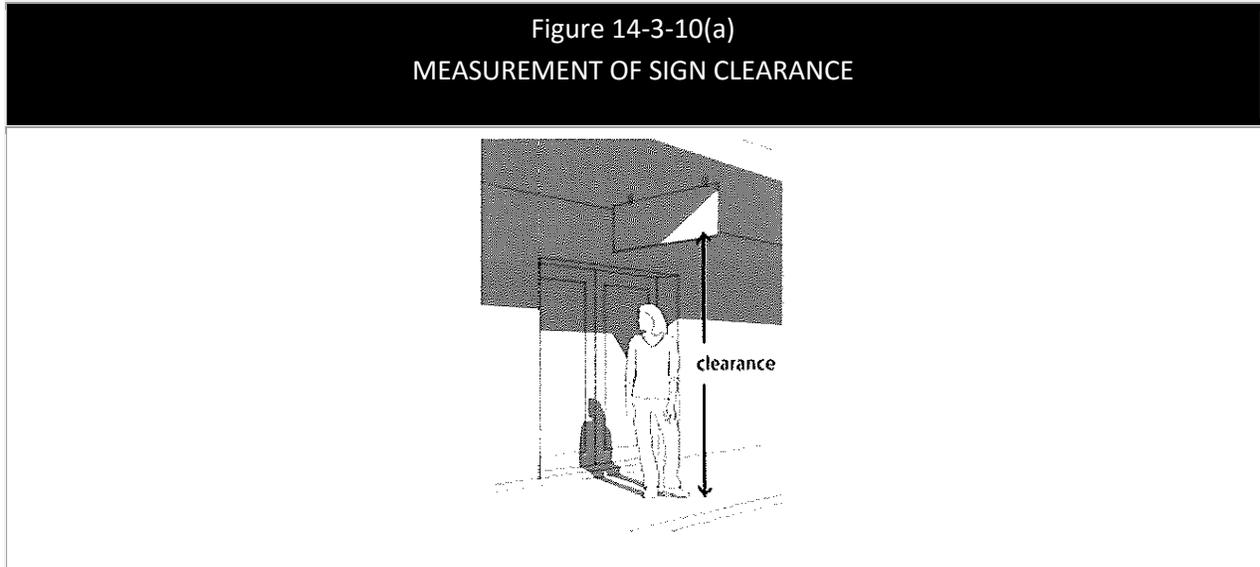
[Sec. 14-3-30. Illumination.](#)

[Sec. 14-3-40. Electronic message centers.](#)

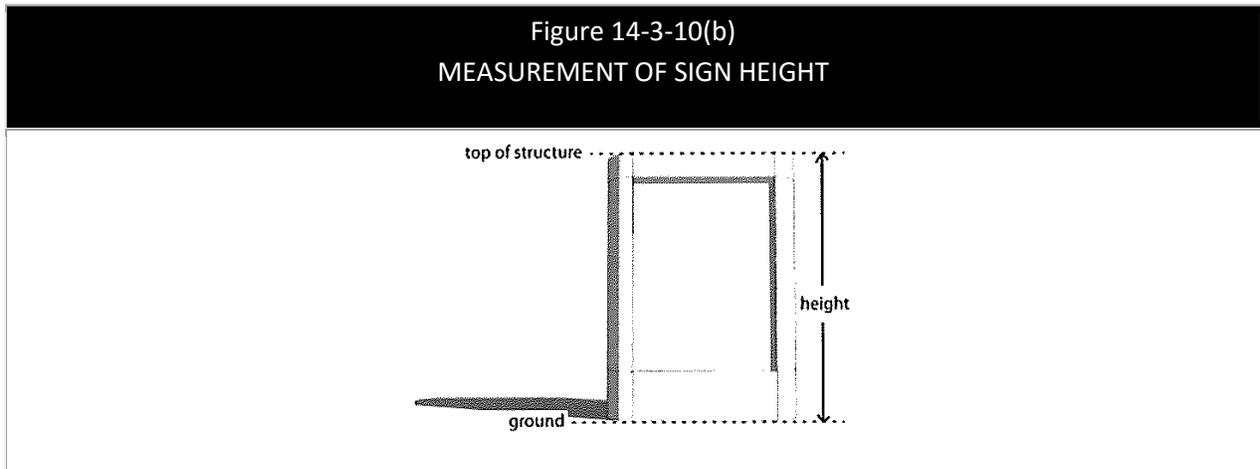
[Sec. 14-3-50. Content.](#)

Sec. 14-3-10 Measurements and calculations.

- (a) Sign clearance. Sign clearance is the distance between the bottom of a sign face or structural element that is not affixed to the ground and the nearest point on the ground-level surface under it. See Figure 14-3-10(a), Measurement of Sign Clearance.



- (b) Sign height. For detached signs (temporary and permanent), sign height is the vertical distance to the top of the sign face or sign structure, whichever is higher, measured from the elevation of the average grade around the base of the sign. See Figure 14-3-10(b), Measurement of Sign Height.



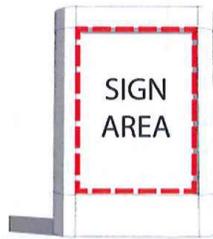
- (c) Sign area.

- (1) Generally. Sign area is the area within a continuous polygon with up to eight (8) straight sides that completely encloses the limits of text and graphics of a sign, together with any frame or other material or color forming an integral part of the display or used to differentiate the sign's message from the background against which it is placed.

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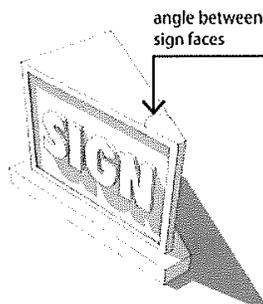
- (2) Inclusions and exclusions. The sign area does not include the structure upon which the sign is placed (unless the structure is an integral part of the display or used to differentiate it), but does include any open space contained within the outer limits of the display face of a sign, or between any component, panel, strip, or figure of any kind composing the display face, whether this open space is enclosed by a frame or border or not. See figure 14-3-10(c), Measurement of Sign Area, Generally.

Figure 14-3-10(c)
MEASUREMENT OF SIGN AREA,
GENERALLY



- (3) Double-faced signs. For projecting, suspended, free-standing, or other double-faced signs, only one (1) sign face is measured, provided that the sign faces are parallel or form an interior angle of less than thirty (30°) degrees and the sign faces are mounted on the same structure. If the sign faces are not equal in area, the larger sign face is measured. If the interior angle between the sign faces is more than thirty (30°) degrees, then both sign faces are measured. See Figure 14-3-10(d), Measurement of Sign Area, Double-Faced Signs.

Figure 14-3-10(d)
MEASUREMENT OF SIGN AREA,
DOUBLE-FACED SIGNS



- (d) Signable area. Signable area is that portion of a building façade that is uninterrupted by doors, windows or architectural details, upon which a wall-mounted sign is or may be located. Its area is

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calculated by selecting a continuous façade, then drawing the largest possible imaginary rectangle uninterrupted by and not including doors, windows or architectural details and computing the area of said rectangle.

(Ord. No. 15-07, §1, 2015)

Sec. 14-3-20. Prohibitions.

- (a) Generally. The prohibitions in this Section apply to temporary and permanent signs in all areas of the City.
- (b) Prohibited signs. The following sign structures and designs are prohibited:
 - (1) Signs with more than two (2) sign faces.
 - (2) Signs that are a traffic hazard because they simulate or imitate (in size, color, lettering, or design) any traffic sign or signal.
 - (3) Animated or moving signs, including any moving, swinging, rotating, flashing, blinking, scintillating, fluctuating, or otherwise animated light, except as provided in Section 14-3-20(c)(12).
 - (4) Portable signs, except as specifically permitted in Article V, standards for temporary signs.
 - (5) Pole signs.
 - (6) Abandoned signs.
 - (7) Roof signs.
- (c) Prohibited design elements. The following elements shall not be incorporated as an element of any sign or sign structure, whether temporary or permanent:
 - (1) Awnings that are backlit or made of plastic.
 - (2) Electronic message centers (see Section 14-3-40).
 - (3) Feather flags.
 - (4) Flags, banners, or comparable elements that are designed to move in the wind, but only when such elements are attached to another sign type (e.g., flags may be attached to flagpoles, but may not be attached to monument signs).
 - (5) Flashing lights, except as part of holiday displays.
 - (6) Inflatable signs.
 - (7) Manual changeable copy centers.
 - (8) Motor vehicles, unless:
 - a. The vehicles are operational, and either:
 - 1. New; or
 - 2. Regularly used as motor vehicles, with current registration and tags;
 - b. The display of signage on the motor vehicle would not interfere with the immediate operation of the motor vehicle (e.g., signs that are held in place by an open hood or trunk are not allowed; signs that cover windows are not allowed; and signs that would fall off of the vehicle while the vehicle is in motion are not allowed); and
 - c. The motor vehicle is legally parked in a designated off-street parking space.
 - (9) Semi trailers, shipping containers, or portable storage units, unless:

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- a. The trailers, containers, or portable storage units are:
 1. Structurally sound and capable of being transported;
 2. Used for their primary purpose (e.g., storage, pick-up, or delivery); and
 3. If subject to registration, have current registration and tags; and
 - b. The display of signage is incidental to the primary purpose; and
 - c. The semi trailer, shipping container, or portable storage unit is parked or placed in a designated loading area or on a construction site at which it is being used for its primary purpose.
- (10) Stacked products (e.g., tires, soft drink cases, bagged soil or mulch).
- (11) Sound, smoke, bubble, or odor emitters.
- (12) Spinning or moving parts, except that a single, vertical, striped cylindrical pole not more than thirty-six (36) inches long, used as a projecting sign, may rotate about its vertical axis.
- (13) Unshielded bare light bulbs that are larger than C9 format or brighter than 50 lumens per bulb (note that illumination of signs in any manner is subject to Section 14-3-30).
- (d) Prohibited obstructions. In no event shall a sign, whether temporary or permanent, obstruct the use of:
- (1) Building ingress or egress, including doors, egress windows, and fire escapes.
 - (2) Equipment, structures, or architectural elements that are related to public safety or utility service (e.g., standpipes, fire hydrants, and meters).
 - (3) Any vision clearance area that is required by zoning ordinance Section 16-167, vision clearance area, or other applicable regulations.
- (e) Prohibited mounts. No sign, whether temporary or permanent, shall be posted, installed, mounted on, fastened, or affixed to any of the following:
- (1) Any tree or shrub.
 - (2) Any utility pole or light pole, unless:
 - a. The sign is a banner or flag that is not more than ten (10) square feet in area;
 - b. The owner of the utility pole or light pole consents to its use for the display of the banner or flag;
 - c. The banner or flag is mounted on brackets or a pole that extend not more than 30 inches from the utility pole or light pole;
 - d. The banner or flag is either situated above an area that is not used by pedestrians or vehicles, or the bottom of the banner or flag has a sign clearance of at least eight (8) feet; and
 - e. The requirements of Subsection (f) are met, if applicable.
 - (3) Utility cabinets or pedestals (except exempt signs that are posted by or with the consent of the owner of the utility cabinet or pedestal).
- (f) Prohibited locations. In addition to applicable setback requirements and other restrictions of this Article, no sign shall be located in any of the following locations:
- (1) In or over public rights-of-way (which, in addition to streets, may include other sidewalks, parkways, retaining walls, utility poles, traffic control devices, medians, and center islands that are within public rights-of-way), except:
 - a. Temporary or permanent signs posted by or under the authority of the City or governmental entity with jurisdiction over the right-of-way;

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- b. Temporary signs posted in connection with authorized work within the right-of-way, as authorized or required by the City or governmental entity with jurisdiction over the right-of-way;
 - c. Signs painted on or affixed to transit shelters and bus benches as authorized by the provider of the shelter or bench, but not extending beyond the physical structure of the shelter or bench;
- (2) In locations that have less horizontal or vertical clearance from authorized communication or energized electrical power lines than the minimum clearance required by the laws of the State of Colorado and the regulations duly promulgated by agencies thereof.
- (g) Landmark signs. Landmark signs shall not be removed, defaced or covered.

(Ord. No. 15-07, §1, 2015)

Sec. 14-3-30. Illumination.

- (a) Generally. Illumination of signs using internal or external light sources is subject to the provisions and limitations of this Section.
- (b) Wiring and electrical components. Junction boxes, conduits, switches, sensors, transformers, wires, and other electrical or electronic components used to illuminate signs shall be hidden from view.
- (c) Light trespass. No sign or associated luminaire shall create light spillover of more than one (1) lux at any property line within or bounding an LDR, MDR, HDR, RCE, or TSL zoning district. Luminaires associated with sign illumination shall not create glare or sky glow.
- (d) Internal Illumination.
 - (1) Internal illumination of signs is allowed:
 - a. In the GPC or LCC zoning districts provided that the sign is installed on property located in the outlying area; or
 - b. By approved Sign Design Program.
 - (2) Internally illuminated signs not increase ambient light levels more than 0.3 foot-candles, measured in the vertical plane, forty (40) linear feet from the sign, five (5) feet above ground level.
 - (3) Awning signs shall not be backlit or otherwise internally illuminated.
- (e) External illumination. External illumination of signs shall not exceed an illuminance of more than five hundred (500) lux on any part of the sign face or surrounding surfaces. Luminaires shall be shielded and directed to prevent glare and sky glow.
- (f) Hours of illumination.
 - (1) In the GPC, LCC, LDR, MDR, HDR, RCE, and TSL zoning districts, illuminated signs shall be turned off each day by the later of 10:00 p.m. or thirty (30) minutes after closing of the associated land use. Signs may be turned back on at 5:00 a.m.
 - (2) In the HDG and GGG zoning districts, signs may be illuminated at any time.

(Ord. No. 15-07, §1, 2015)

Sec. 14-3-40. Electronic message centers.

No sign shall include an electronic message center (see Section 14-3-20(c)(2)).

(Ord. No. 15-07, §1, 2015)

Sec. 14-3-50. Content.

- (a) Generally. Except as provided in this Section and Section 14-3-20(b)(2) no sign shall be approved or disapproved based on the message it displays.
- (b) Prohibition on certain types of unprotected speech. The following content is prohibited without reference to the viewpoint of the individual speaker:
 - (1) Text or graphics of an indecent or immoral nature that is harmful to minors under state or federal law;
 - (2) Text or graphics that advertise unlawful activity, except as provided in Subsection (c) of this Section;
 - (3) Text or graphics that are obscene, fighting words, defamation, incitement to imminent lawless action, or true threats; or
 - (4) Text or graphics that present a clear and present danger due to their potential confusion with traffic control signs or signs that provide public safety information (for example, signs that use the words "stop," "yield," "caution," or "danger," or comparable words, phrases, symbols, or characters in such a manner as to imply a safety hazard that does not exist).
- (c) Commercial speech related to marijuana. Federal law prohibits the advertising and sale of marijuana. Colorado law specifically allows the advertising and sale of marijuana, subject to comprehensive state regulation. As of the effective date of this Chapter, the U.S. Department of Justice has indicated that it will use prosecutorial discretion to (in general) not enforce federal marijuana laws in states that have legalized marijuana under state law and enacted comprehensive regulations for the marijuana industry. Accordingly, the City will allow a limited exception to Subsection (b)(2) of this Section for the signs of licensed marijuana businesses, provided that the businesses are licensed and operated in compliance with applicable state statutes and regulations. The exception created by this Subsection does not create a defense to the enforcement of federal law, nor shall the City be liable for any damages caused by the enforcement of federal law. If the federal policy regarding prosecutorial discretion officially changes such that federal marijuana prohibitions are enforced in Colorado, then the limited exception created by this Section shall automatically terminate, and signs advertising marijuana shall be considered prohibited signs.
- (d) Severability. The narrow classifications of content that are prohibited by this Section are either not protected by the United States or Colorado Constitutions, or are offered limited protection that is outweighed by the substantial and compelling governmental interests in protecting the public safety and welfare. It is the intent of the City Council that each Subsection of this Section (e.g., Subsections (b)(1), (b)(2), (b)(3), (b)(4) or Subsection (c)) be individually severable in the event that a court holds one (1) or more of them to be inconsistent with the United States or Colorado Constitutions.

(Ord. No. 15-07, §1, 2015)

ARTICLE IV Standards for Permanent Signs

[Sec. 14-4-10. Historic materials and colors.](#)

[Sec. 14-4-20. Standards for attached permanent signs.](#)

[Sec. 14-4-30. Standards for detached permanent signs.](#)

Sec. 14-4-10. Historic materials and colors.

- (a) Materials. Permanent signs in the NHLD shall be constructed from metal, stone, wood, or such other material as may be approved by the HPO or HPC upon appropriate documentation provided by the applicant.
- (b) Colors. Permanent signs in the NHLD shall utilize the historic color palette unless otherwise approved by the HPC as part of a Sign Design Program.
- (c) Fonts. Text displayed on permanent signs in the NHLD shall utilize the historic fonts palette unless otherwise approved by the HPC as part of a Sign Design Program.

(Ord. No. 15-07, §1, 2015)

Sec. 14-4-20. Standards for attached permanent signs.

- (a) Wall signs. Wall signs are allowed according to the standards in Table 14-4-20(a), Wall Signs.

Table 14-4-20(a) WALL SIGNS								
Type of Sign/ Standard	Zoning District							
	Gaming		Commercial			Residential		Other
	HDG	GGG	GPC	LCC	TSL	HDR	LDR / MDR	RCE
Standards Applicable to All Wall Signs								
Max. Total Wall Sign Area ("MTWSA")	50% of signable area			30% of signable area			5 sf.	
Location of Sign	Wall signs must be set back at least 6 inches from architectural features, and at least 18 inches from building corners, cornice or eave lines, and ground planes; architectural feature setback may be reduced to 2 inches if the signable area is a sign band that is 18 inches or less in height; no wall sign may be installed more than 8 feet above ground level unless: (1) the signable area upon which it is installed is at least 2 feet in height and at least 4 feet in width; or (2) the sign is installed on a sign band that existed on the effective date of this Chapter						Front building elevation	
Applied or Painted Wall Sign								

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Max. Number of Signs	Not Limited		1/building frontage	1
Max. Sign Area	MTWSA, less area allocated to other types of wall signs			5 sf.
Banner Frame Applied to Building Wall				
Max. Number of Signs	3 per building elevation	1 per building		Not Allowed
Max. Sign Area ¹ (per banner frame)	32 sf.	32 sf.		Not Applicable
Other Restrictions	Detached banner frames along the building frontage (see Table 14-4-30) are also counted towards max. number of signs			Not Applicable
Bulletin Board Attached to Building Wall				
Max. Number of Signs	1 / building elevation, provided that signable area is greater than 50 sf.	1 / building elevation, provided that signable area is greater than 20 sf.		Not Allowed
Max. Sign Area ¹	12 sf.	12 sf.		Not Applicable
Other Restrictions	Not allowed if a cabinet wall sign is installed on same facade	None		Not Applicable
Cabinet Wall Sign or Channel Lettering Attached to Building Wall				
Max. Number of Signs	1 / building elevation, provided that signable area is greater than 50 sf.		Not Allowed	
Max. Sign Area ¹	32 sf.	32 sf. in NHLD 48 sf. in Outlying Area		Not Applicable
Channel Lettering Attached to Building Fascia				

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Max. Number of Signs	Not Limited	Not Allowed
Max. Sign Area (not counted towards MTWSA)	50% of signable area of fascia	Not Applicable

Table notes:

The maximum sign area shown is also limited by the MTWSA. For example, if the total signable area of a building elevation in the HDG zoning district is 30 sf., then the maximum sign area of a banner frame is 15 sf. (50% of 30 sf.), not 32 sf. (the maximum sign area allowed for a banner frame, regardless of MTWSA); and if a 15 sf. banner frame is installed, no other wall signs are allowed on the same elevation.

- (b) Projecting, awning, and bracket signs. Projecting, awning, and bracket signs are allowed according to the standards in Table 14-4-20(b), Projecting, Awning, and Bracket Signs.

Table 14-4-20(b) PROJECTING, AWNING, AND BRACKET SIGNS								
Type of Sign/ Standard	Zoning District							
	Gaming		Commercial			Residential		Other
	HDG	GGG	GPC	LCC	TSL	HDR	LDR / MDR	RCE
Projecting Signs								
Max. Number of Signs	1 per building frontage (if a building is designed to appear as multiple attached buildings, then one per apparently differentiated building frontage), plus 1 per public vehicular entrance to a parking structure					1 per nonresidential building		
Max. Sign Area	30 sf.; if building frontage exceeds 60 ft. then 1 sf. per 2 lf. of building frontage, not to exceed 50 sf.					15 sf.		

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Min. Sign Clearance	8 ft.	8 ft.
Awning Signs		
Max. Number of Signs	1 per awning face	Not Allowed
Max. Sign Area (per sign)	50% of awning face	Not Applicable
Bracket Signs		
Max. Number of Signs	1 per principal building entrance	Not Allowed
Max. Sign Area	8 sf.	Not Applicable
Min. Sign Clearance	8 ft.	Not Applicable

(c) Window Signs. Window signs are allowed according to the standards in Table 14-4-20(c), Window Signs.

Table 14-4-20(c) WINDOW SIGNS								
Type of Sign/ Standard	Zoning District							
	Gaming		Commercial			Residential		Other
	HDG	GGG	GPC	LCC	TSL	HDR	LDR/ MDR	RCE

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All Window Signs		
Min. Window Transparency ("MWT")	60% of window area between 2 and 8 feet above ground level 86% of window area above 8 feet above ground level	Not Applicable
Applied or Painted Window Signs		
Other Restrictions	Permanent applied window signs shall be affixed to the window in a professional manner (e.g., without wrinkles, bubbles, tape, etc.)	Not Applicable

(Ord. No. 15-07, §1, 2015)

Sec. 14-4-30. Standards for detached permanent signs.

Detached permanent signs are allowed according to the standards in Table 14-4-30, Detached Permanent Signs.

Table 14-4-30 DETACHED PERMANENT SIGNS								
Type of Sign/ Standard	Zoning District							
	Gaming		Commercial			Residential		Other
	HDG	GGG	GPC	LCC	TSL	HDR	LDR / MDR	RCE
Monument Signs								
Max. Number of Signs	Not Allowed	1 per vehicular entrance to property			1 per street frontage	Not Allowed	1 per street frontage	
Max. Sign Area	Not Applicable	1 sf. per 3 lf. street frontage up to and including 120 ft. of frontage, then 1 sf. per 6 lf. of street frontage thereafter, rounded down, not to exceed 100 sf.			16 sf.	Not Applicable	12 sf.	

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Max. Sign Height	Not Applicable	6 ft.; plus 1 ft. per 45 lf. of street frontage, not to exceed 16 ft.	6 ft.	Not Applicable	5 ft.
Min. Sign Setbacks from All Property Lines ¹	Not Applicable	3 ft.		Not Applicable	3 ft.
Min. Landscape Area around Base of Sign ^{1,2}	Not Applicable	3 ft.		Not Applicable	3 ft.
Banner Frames Mounted on Handrails or Retaining Walls					
Max. Number of Signs	3 per building elevation	1 per building	Not Allowed		
Max. Sign Area (per sign)	32 sf.	32 sf.	Not Applicable		
Other Restrictions	Banner frames mounted to building elevation along the building frontage (see Table 14-4-20A) are counted towards max. number of signs		Not Applicable		

Table notes:

Signs may be approved in other locations (e.g., medians) by Sign Design Program alternative approval

The minimum landscape area is measured as a distance from the base of the sign in all horizontal directions

(Ord. No. 15-07, §1, 2015)

ARTICLE V Standards for Temporary Signs

[Sec. 14-5-10. Standards for attached temporary signs.](#)

[Sec. 14-5-20. Standards for detached temporary signs.](#)

[Sec. 14-5-30. Duration of display of temporary signs.](#)

Sec. 14-5-10. Standards for attached temporary signs.

- (a) Generally. Attached temporary signs are allowed subject to the standards of this Section, for the duration that is set out in Section 14-5-30, Duration of display of temporary signs.
- (b) Banners. Banners are permitted in the HDG, GGG, GPC, LCC, and TSL zoning districts, provided that there is not more than one (1) banner displayed per street frontage, unless banner frames are present, in which case one (1) banner may be displayed in each banner frame, and banners may not be displayed outside of the banner frames.
- (c) Sock signs and temporary wall signs. Sock signs and temporary wall signs are permitted in the HDG, GGG, GPC, LCC, and TSL zoning districts, provided that they are used during a period not to exceed forty-five (45) days in which a new permanent sign or sign component is being fabricated and installed.
- (d) Window signs.
 - (1) Temporary window signs are allowed in all locations where permanent window signs are allowed, provided that the applicable transparency standards of Table 14-4-20(c), Window Signs, are met.
 - (2) Temporary window signs shall be affixed to the window such that the fastener (e.g., tape) is not highly visible, or shall be mounted vertically inside of the building for viewing through the window.

(Ord. No. 15-07, §1, 2015)

Sec. 14-5-20. Standards for detached temporary signs.

The maximum number, maximum sign area, maximum height, and other restrictions that apply to detached temporary signs are set out in Table 14-5-20, Standards for Detached Temporary Signs.

Table 14-5-20 STANDARDS FOR DETACHED TEMPORARY SIGNS								
Type of Sign/ Standard	Zoning District							
	Gaming		Commercial			Residential		Other
	HDG	GGG	GPC	LCC	TSL	HDR	LDR / MDR	RCE
Yard Signs								
Max. Number of Signs	Not Allowed		1 per driveway			Not limited for permitted detached and attached residential uses; 2 per driveway for multifamily and nonresidential uses; 2 per frontage for		

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			vacant property	
Max. Sign Area (per sign)	Not Applicable	5 sf.	6 sf.	
Max. Sign Height	Not Applicable	3 ft.	3 ft.	
Min. Setback from Property Lines	Not Applicable	Greater of: (i) 2 ft., or (ii) 1 ft. from interior edge of sidewalk		
Other Restrictions	Not Applicable	Must be staked within a landscape area		
Site Signs				
Max. Number of Signs	1 per lot	1 per frontage	1 per parcel of at least 5 acres in area	1 per frontage
Max. Sign Area (per sign / total)	16 sf.	32 sf.	16 sf.	16 sf.
Max. Sign Height	5 ft.	5 ft.	5 ft.	5 ft.
Min. Setback from Property Lines	2 ft. if staked; 0 ft. if installed on temporary construction site fencing			
Other Restrictions	Not allowed if a swing sign is present on the property. Must be staked within a permeable landscape area that extends at least 18 inches in all horizontal directions from sign base; or fastened to temporary construction site fencing. If permeable landscape area or temporary construction fence is not present, Site Sign is not allowed.			

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Swing Signs		
Max. Number of Signs	Not Allowed	1 per residential lot
Max. Sign Area (per sign / total)	Not Applicable	5 sf., including riders
Max. Sign Height	Not Applicable	5 ft.
Min. Setback from Property Lines	Not Applicable	2 ft.
Other Restrictions	Not Applicable	Must be staked within a permeable landscape area that extends at least 18 inches in all horizontal directions from sign base; not allowed if site sign is present on property
Sidewalk Signs		
Max. Number of Signs	1 per primary building entrance	Not Allowed
Max. Sign Area (per sign)	6 sf.	Not Applicable
Max. Sign Height	4 ft.	Not Applicable
Other Restrictions	Must leave at least 4 feet of clear sidewalk width for pedestrian use, and at least 3 feet of clear width at recessed building entries; must not obstruct pedestrian travel path or principal building entrance; must be weighted, anchored,	Not Applicable

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	or tethered to avoid movement in high winds; not allowed in public right-of-way unless licensed by City	
Banners		
Max. Number of Signs	1 per frontage	Not Allowed
Max. Sign Area (per sign)	32 sf.	Not Applicable
Other Restrictions	Must be affixed to existing fence; retaining wall; or handrail; standards set out in Sec. 14-5-10(b) apply; mounting hardware (e.g., hooks, eyelets, ropes and cords) must be concealed	Not Applicable

(Ord. No. 15-07, §1, 2015)

Sec. 14-5-30. Duration of display of temporary signs.

- (a) Generally. The purpose of temporary signs is to display messages for a temporary duration. Temporary signs shall not be used as a subterfuge to circumvent the regulations that apply to permanent signs or to add permanent signage to a property in addition to that which is allowed by this Chapter.
- (b) Classification of temporary sign materials. Temporary signs are constructed from a variety of materials with varying degrees of durability. Common materials are classified in Table 14-5-30(a), Classification of Temporary Sign Materials.

Table 14-5-30(a)					
CLASSIFICATION OF TEMPORARY SIGN MATERIALS					
Material	Material Class				
	1	2	3	4	5
Paper, card stock, foam core board, or cardboard	✓				

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Laminated paper or cardstock, polyethylene bags		✓			
Cloth, canvas, nylon, polyester, burlap, flexible vinyl, or other flexible material of comparable durability			✓		
Inflexible vinyl, hard plastic, composite, or corrugated plastic ("coroplast")				✓	
Wood or metal					✓

(c) Duration of display.

(1) In general, a temporary sign shall be removed as of the earlier of the date that:

- a. It becomes an abandoned sign; or
- b. It falls into disrepair (see Section 14-7-10, Sign maintenance); or
- c. The number of days set out in Table 14-5-30(b), Duration of Temporary Signs by Material Class expires.

Table 14-5-30(b)
DURATION OF TEMPORARY SIGNS BY MATERIAL CLASS

Sign Type	Max. Duration for Individual Sign by Material Class					Max. Posting Days / Year
	1	2	3	4	5	
Yard Sign	3 days	30 days	Not Allowed	60 days	180 days	180 days
Site Sign	Not Allowed	Not Allowed	Not Allowed	60 days	180 days	300 days ¹
Swing Sign	Not Allowed	Not Allowed	Not Allowed	60 days	180 days	300 days ¹
Sidewalk Sign	Not Allowed	Not Allowed	Not Allowed	6 AM to 10 PM daily ²		365 days
Banner	Not Allowed	Not Allowed	180 days ³	Not Allowed	Not Allowed	180 days ³

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Window Sign	90 days	90 days	Not Allowed	90 days	90 days	365 days
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Table notes:

Alternatively, the sign type may be displayed for four hundred twenty (420) days every two (2) calendar years.

Or as otherwise allowed by right-of-way license.

Banners that are mounted in banner frames may be displayed until they fade, tear, or otherwise fall into disrepair.

- (2) Temporary signs that are required due to governmental regulation (e.g., public notices) shall be removed as required by the applicable regulation.
- (d) Administrative interpretations. Materials for signage that are not listed in this Section may be introduced into the market. When a material is proposed that is not listed in this Section, the HPO shall determine the class of materials with which the new material is comparable, based on the new material's appearance, durability, and colorfastness. No temporary sign shall be displayed for a longer period than the longest permitted period in this Section, regardless of the material.

(Ord. No. 15-07, §1, 2015)

ARTICLE VI Permitting Procedures; Sign Design Program Alternative

[Sec. 14-6-10. Permitting procedures.](#)

[Sec. 14-6-20. Sign design program alternative.](#)

Sec. 14-6-10. Permitting procedures.

- (a) Generally. Applications for sign permits shall be submitted on a form approved by the HPO, and accompanied by the processing fee that is specified in the City's fee schedule established by the City Council by resolution from time to time, along with any fees that are due pursuant to the applicable building code.
- (b) Sign permits. The HPO shall approve or deny sign permit applications within a processing period of fourteen (14) days after receipt of a complete application and fee. If an application is denied, the HPO shall specify the reason for denial to the applicant in writing. If the HPO does not decide the application within the processing period, the application is approved.
- (c) Calculation of processing period. For the purposes of calculating any processing period set out in this Article, the first day is not counted, and the processing period ends at 11:59 p.m. on last day of the processing period. If the end of the processing period is a weekend day or legal holiday, the processing period shall be extended until 11:59 p.m. on the next business day.

(Ord. No. 15-07, §1, 2015)

Sec. 14-6-20. Sign design program alternative.

- (a) Purpose. The requirements of this Chapter ensure that signs that meet certain minimum standards for public safety and consistency with the historic character of development in Central City may be promptly approved and displayed. In some cases, alternative standards may improve the aesthetic and functional qualities of the development. Approval of a Sign Design Program pursuant to the standards of this Section allows for unified presentation of signage throughout a development, flexibility to address unique environments, and pre-approval of designs and design elements to make processing of subsequent applications for sign permits more efficient. To these ends, a Sign Design Program alternative is hereby created.
- (b) Authorization to modify requirements. Signage which is proposed as part of a Sign Design Program may deviate from the standards of this Chapter in terms of the types and numbers of signs allowed, the maximum sign area, fonts, colors, and materials and illumination standards, subject to compliance with an approved Sign Design Program.
- (c) Procedures. Sign Design Program applications shall be submitted on a form approved by the HPO, accompanied by the applicable processing fee. City staff shall review the application for completeness and shall forward the application to the HPC for consideration at a noticed public hearing within forty-five (45) days after the date of application. The HPC shall consider the application at the public hearing, and shall either approve the application, approve the application with conditions unrelated to sign content or viewpoint, or deny the application after applying the approval criteria set out in Subsection (d) below, subject to the limitations of Subsection (e) below. Public hearings on Sign Design Program applications shall not be tabled or continued without the applicant's consent, which shall be included in the record of the hearing. If the HPC does not decide the application within the processing period, the application is approved.
- (d) Approval criteria. The HPC may approve a Sign Design Program if it finds that the Sign Design Program results in a substantially improved, comprehensive, and unified proposal compared to what is allowed through strict compliance with the sign regulations of this Chapter.
 - (1) Modification of sign setbacks or required landscape area. Setbacks or required landscape area for detached signs may be different from the requirements of this Chapter if it is demonstrated that there is no impact on public safety or on utility easements, the aesthetic impact of the modification is appropriately mitigated, and all other requirements for approval of a Sign Design Program are met.
 - (2) Architectural theme. All signs shall be architecturally integrated into or complimentary to the design and materials of the buildings and character of the site, and shall use similar, complimentary, or coordinated design features, materials, fonts, and colors. The Sign Design Program shall establish or continue an integrated architectural vocabulary and cohesive theme for the development. Within the NHL, signs shall not degrade the historic character of the buildings to which they relate.
 - (3) Height, area, number and location of signs. The height, area, type, number and location of signs permitted through the Sign Design Program shall be determined by the HPC, based on the following criteria:
 - a. The overall size of the development and the scale of the use or uses located or anticipated to be located there (larger land areas and scales of use tend to favor larger signs and / or more signs);
 - b. The relationship between the building setback and sign location (higher visibility signage may be appropriate for buildings with lower visibility);
 - c. Frontage (larger frontages may justify more or larger signs, particularly if the size of the frontage tends to prevent sign clutter by allowing additional spacing between signs);

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- d. Access and visibility to the site;
 - e. Intended traffic circulation pattern;
 - f. Hierarchy of signage;
 - g. Relationship between the site and adjacent uses; and
 - h. Consistency with the objectives and design policies of the City's Comprehensive Plan and any applicable land use or design plans approved by the City Council for the area in which the Sign Design Program is proposed.
- (4) Illumination. The HPC may approve internal illumination of signs if it finds that:
- a. The illumination standards of Section 14-3-30 are met; and
 - b. Illumination of the sign with external light sources is not practicable because it would create undue glare or sky glow due to the location and configuration of the sign.
- (e) Maximum total sign area. The total permitted sign area approved by a Sign Design Program shall not exceed one hundred twenty-five (125%) percent of the sign area for permanent signs that would otherwise be permissible if the property were in strict compliance with this Article.
- (f) Elimination of nonconforming signs. In addition to proposed new signage, all existing signs on a property for which a Sign Design Program approval is sought shall be addressed in the application. The HPC may require removal or modification of existing nonconforming signs as a condition of approval of a Sign Design Program.
- (g) Temporary signs. A Sign Design Program may address temporary signs. An applicant may propose a prohibition on temporary signs as part of a Sign Design Program.
- (h) Conditions of approval. The HPC may impose reasonable conditions on the Sign Design Program that are not related to the content of the signs or the viewpoints of the sign users, in order to ensure continuing compliance with the standards of this Chapter and approved Sign Design Programs.
- (i) Denial of proposed sign design program. If an application is denied, the HPC shall specify the reason for denial to the applicant in writing.
- (j) Contents of Sign Design Program. A Sign Design Program shall set forth a master plan for signage for an entire development. Sign Design Programs shall set out:
- (1) The boundaries of the parcel or parcels in which the program will be applied;
 - (2) Architectural elevations of the buildings on the parcel or parcels;
 - (3) Sign dimensions and approximate locations;
 - (4) Materials, fonts, and colors (however, the actual content of the proposed sign need not be shown);
 - (5) Proposed illumination, including maximum illumination levels and light sources;
 - (6) A design theme with illustrative examples of each sign type, the form of each sign type, and the proposed general locations of each sign type; and
 - (7) A demonstration that the Sign Design Program will maintain historic character (if the property is located within the NHLD), improve the aesthetics of the development, reduce sign clutter, and avoid or mitigate adverse impacts on the use, enjoyment, or value of adjacent and nearby property.
- (k) Effect of approval. Upon approval of a Sign Design Program, sign permits shall be administratively issued, based on compliance with the standards set out in the Sign Design Program for the development. Sign Design Programs may also specify types of signs that may be installed without further permits.

(Ord. No. 15-07, §1, 2015)

ARTICLE VII Sign maintenance

[Sec. 14-7-10. Sign maintenance.](#)

Sec. 14-7-10. Sign maintenance.

- (a) Generally. Signs and sign structures of all types (attached, detached, and temporary) shall be maintained as provided in this Section.
- (b) Paint and finishes. Paint and other finishes shall be maintained in good condition. Peeling finishes shall be repaired. Signs with running colors shall be repainted, repaired, or removed if the running colors were not a part of the original design.
- (c) Mineral deposits and stains. Mineral deposits and stains shall be promptly removed.
- (d) Corrosion and rust. Permanent signs and sign structures shall be finished and maintained to prevent corrosion and rust. A patina on copper elements (if any) is not considered rust.
- (e) Damage. Permanent signs that are damaged shall be repaired or removed within 60 days. Temporary signs that are damaged (e.g., broken yard signs) shall be removed within twenty-four (24) hours.
- (f) Level position. Signs that are designed to be level, whether temporary or permanent, shall be installed and maintained in a level position.

(Ord. No. 15-07, §1, 2015)

ARTICLE VIII Nonconformities and Enforcement

[Sec. 14-8-10. Nonconforming signs.](#)

[Sec. 14-8-20. Enforcement.](#)

Sec. 14-8-10. Nonconforming signs.

- (a) Generally. Any permanent sign that exists on the effective date of this Chapter but does not conform to the provisions of Chapter is a "legal nonconforming" sign, provided that it was originally approved by a sign permit, or, if no sign permit was required under applicable law, it was in all respects in conformity with the applicable law immediately prior to the effective date, or had legal nonconforming status at such time.
- (b) Repairs and alterations. Routine maintenance of nonconforming signs is permitted, including necessary non-structural repairs, paint, and incidental alterations (e.g., changing the message of the sign by replacing or repainting the sign face). Structural alterations to nonconforming signs are permitted only if it is demonstrated that the alteration will eliminate the nonconformity.
- (c) Termination and removal.

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- (1) A nonconforming sign which has been damaged by fire, wind or other cause in excess of fifty (50%) percent of its replacement cost shall not be restored except in conformance with this Chapter.
- (2) If an element of a sign that causes the sign to be nonconforming is removed, it shall not be replaced, except with a conforming element.
- (3) If a nonconforming sign structure becomes an abandoned sign, it shall be removed or brought into conformance with this Article. For the purposes of this standard, a temporary "sock sign" may be used to display a message while a new sign face is being created.
- (4) If a nonconforming sign structure is removed for any reason other than routine repair and maintenance, it shall not be replaced unless the replacement sign conforms to this Chapter.
- (5) Nonconforming signs that are a danger to the public safety due to damage or wear shall be removed and shall not be replaced unless the replacement sign conforms to this Chapter.

(Ord. No. 15-07, §1, 2015)

Sec. 14-8-20. Enforcement.

- (a) Enforcement authority. This Chapter shall be enforced by the City Manager's designee.
- (b) Immediate removal of signs. Signs that are unlawfully located within public right-of-way may be summarily removed by the City and disposed of without notice.
- (c) Penalty for noncompliance. Every person convicted of a violation of any provision of this Chapter shall be punished by a fine not to exceed the maximum fine a municipal court may impose as a matter of law for each day the violation continues. The Municipal Court may further order the defendant to remove a prohibited or unlawful sign within five (1) days or such other time period as the Court determines is reasonable, and if the defendant fails to timely do so that the City may remove such sign and charge the property owner for the cost of removal plus a five (1) percent fee for administration, inspection, and other incidentals.
- (d) Serving of notice.
 - (1) Notices of violation of this Chapter shall be either:
 - a. Sent by first-class mail, postage prepaid, to the address of the record owner of the real estate and/or person in possession and control of the property upon which the violation is alleged, or
 - b. Personally served upon such person.
 - (2) The notice of violation shall identify the sign or activity that is in violation of this Chapter, and cite the section number that is allegedly violated. The notice of violation shall provide a period of not less than five (5) days to cure the violation, except that the period to cure allegedly unlawful installations of permanent signs or unlawful modifications of permanent signs shall be not less than fourteen (14) days.
 - (3) Failure to comply with the terms of the notice of violation may result in the summons to appear in Municipal Court.
- (e) Lien for collection of fines, penalties, and costs. In order to collect fines, penalties, and costs that are assessed by the Municipal Court, the City may file a lien against the property upon which the prohibited or unlawful sign is located; such lien to have priority over all liens except general taxes and prior special assessments. The lien shall be placed upon the tax rolls for the current year, to be collected in the same manner as other taxes are collected. The City may file such lien at any time not less than thirty (30) days after judgment is entered by the Municipal Court.

(Ord. No. 15-07, §1, 2015)