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Remove:



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## **Agenda**

**New Castle Planning and Zoning Commission Work Session**  
**Wednesday, January 25, 2023, 7:00 PM**

**Virtual Meetings are subject to internet and technical capabilities.**

**If you prefer to telephone in:**  
**Please call: 1-346-248-7799**  
**Meeting ID: 709 658 8400**

**Follow the prompts as directed. Be sure to set your phone to mute until called on.**

**A. Discuss Municipal Sign Code**

**B. Discuss New Zoning Map**

**Glenwood Springs Office**  
910 Grand Avenue, Suite 201  
Glenwood Springs, Colorado 81601  
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## MEMORANDUM

TO: Town of New Castle  
FROM: David McConaughy, Haley Carmer, and Christine Gazda  
RE: Sign Code Work Session  
DATE: January 20, 2023

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This memorandum is intended to provide an overview of the law concerning sign regulations and recommendations on how to revise the Town's sign code to better align with these principles. To that end, we have also prepared a redline of the Town's existing sign code to identify provisions that may need to be revised or eliminated. The redline is included with this memorandum.

### Relevant Case Law

The seminal case concerning sign regulations is *Reed v. Town of Gilbert, Arizona*, 576 U.S. 155 (2015). The Gilbert sign code contained exemptions for "ideological signs," defined as "communicating a message or idea", "political signs," "designed to influence the outcome of an election," and "temporary directional signs," directing the public to a church or other "qualifying event." *Id.* at 160-61. Each category of sign had a different set of requirements for size and duration. *Id.* A local pastor without a permanent church location posted signs advertising the location and time for the next day's services, and the town cited the church for exceeding the time limits for display of this type of sign (temporary directional). *Id.* at 161-62. The town prevailed through the Ninth Circuit Court of Appeals, but the Supreme Court reversed, holding that the town's regulations were facially content-based and subject to strict scrutiny. *Id.* at 163, 173. The Supreme Court found that the regulations were not narrowly tailored to meet a compelling governmental interest and were, therefore, unconstitutional under the First Amendment. *Id.* at 173.

In 2022, the Supreme Court again analyzed sign regulations in *City of Austin, Texas v. Reagan Nat'l Advert. of Austin, LLC*, 142 S.Ct. 1464. This time, however, the Supreme Court upheld Austin's sign code, which differentiated between signs that advertised on- versus off-premises services and activities. Specifically, the Supreme Court found that on-/off-premises distinctions, which it called a type of location-based regulation, were content-neutral under *Reed* and subject to intermediate scrutiny. *Id.* at 1471-73.

### Focus on Type, Not Message

A content-based regulation, as applied to a sign code, means that if you have to read the sign to determine how it is regulated, it is content-based. Here's a short list of sign types that are "okay" or "not okay" based on whether the enforcing official must read their content to know how they are regulated:

<u>Not Okay</u>	<u>Okay</u>
Construction signs	Site signs
Political and ideological signs	Yard signs
Real estate signs	Yard signs

## Special event banners

## Banners

After creating a series of content-neutral sign types, make sure that those types are described in content-neutral terms. Ask yourself, “Do I have to read the sign to determine what the restrictions are?” If the answer is yes, then the definition fails the test. In describing the list of exemptions or exceptions, stick with the sign type, e.g., government signs, window signs, and flags/banners.

### **Signs Not Explicitly Addressed in *Reed* or *City of Austin***

The two clear messages from the Supreme Court concerning sign regulations are: (1) create content-neutral regulations; and (2) distinctions between on- and off-premises signs are permissible. In Justice Thomas’ majority opinion in *Reed*, he identified two content-based signs that \*might\* survive even strict scrutiny:

Warning signs on private property  
Signs directing traffic  
Private house number street signs

In his concurring opinion in *Reed*, Justice Alito outlined some rules he believed would not be content based:

- Rules regulating the size of signs and the locations in which signs may be placed. These rules may distinguish between free-standing signs and those attached to buildings.
- Rules distinguishing between lighted and unlighted signs.
- Rules distinguishing between signs with fixed messages and electronic signs with messages that change.
- Rules that distinguish between the placement of signs on private and public property.
- Rules distinguishing between the placement of signs on commercial and residential property.
- Rules restricting the total number of signs allowed per mile of roadway.
- Rules imposing time restrictions on signs advertising a one-time event. Rules of this nature do not discriminate based on topic or subject and are akin to rules restricting the times within which oral speech or music is allowed.
- In addition to regulating signs put up by private actors, government entities may also erect their own signs consistent with the principles that allow governmental speech. They may put up all manner of signs to promote safety, as well as directional signs and signs pointing out historic sites and scenic spots.

### **Examples of Revised Sign Codes**

In changing the Town’s sign code to comply with *Reed*, you may wish to consider how other municipalities have revised their regulations. Attached hereto are examples from Fort Collins and Delta. The yard sign regulations added to the Town’s code in redline come from Glenwood Springs and are for discussion purposes only.

## **Next Steps**

We will be discussing this memorandum and our sign code redline with the Planning & Zoning Commission at a work session on January 25, 2023. The purpose of the work session is to get feedback from P&Z on how they'd like to transition the sign code to one that is more content-neutral. From there, our office will work with Town staff to develop substantive revisions to the sign code. Because the sign code is included in the Town's zoning regulations, final changes to the sign code must be reviewed by P&Z at a public hearing before the changes are presented to Town Council for adoption. The public hearing on the sign code revisions will occur in February. We look forward to discussing the sign code with P&Z on the 25<sup>th</sup>.

### 3.8.7 - SIGNS

#### 3.8.7.1 - Generally

(A) ***Title; Purpose and Intent.***

- (1) *Title.* Sections 3.8.7.1, 3.8.7.2, 3.8.7.3, 3.8.7.4, 3.8.7.5. and 3.8.7.6 may be collectively referred to as the “City of Fort Collins Sign Code,” or the “Sign Code”. Definitions related to the Sign Code are set out in § 5.1.2, Definitions.
- (2) *Purpose and Intent.* The purpose and intent of the Sign Code is to set out reasonable regulations for the design, location, installation, display, operation, repair, maintenance, and removal of signs in a manner that advances the City’s legitimate, important, substantial, and compelling interests, while simultaneously safeguarding the constitutionally protected right of free speech.

(B) ***Interests.*** The City has a legitimate, important, substantial, or compelling interest in:

- (1) Preventing the proliferation of signs of generally increasing size, dimensions, and visual intrusiveness (also known as “sign clutter”) that tends to result from property owners competing for the attention of passing motorists and pedestrians, because sign clutter:
  - (a) Creates visual distraction and obstructs views, potentially creating safety hazards for motorists, bicyclists, and pedestrians;
  - (b) May involve physical obstruction of streets, sidewalks, or trails, creating public safety hazards;
  - (c) Degrades the aesthetic quality of the City, making the City a less attractive place for residents, business owners, visitors, and private investment; and
  - (d) Dilutes or obscures messages on individual signs due to the increasing competition for attention.
- (2) Maintaining and enhancing the historic character of historic Downtown Fort Collins, a unique historic resource of exceptional quality and vibrancy.
- (3) Protecting the health of the City’s tree canopy, an important community asset that contributes to the character, environmental quality, and economic health of the City and the region.
- (4) Maintaining a high quality aesthetic environment to protect and enhance property values, leverage public investments in streets, sidewalks, trails, plazas, parks, open space, civic buildings, and landscaping, and enhance community pride.
- (5) Protecting minors from speech that is harmful to them according to state or federal law, by preventing such speech in places that are accessible to and used by minors.

(C) ***Findings.*** The City finds that:

- (1) Content-neutrality, viewpoint neutrality, and fundamental fairness in regulation and review are essential to ensuring an appropriate balance between the important, substantial, and compelling interests set out in § 3.8.7.1(B) and the constitutionally-protected right to free expression.
- (2) The regulations set out in the Sign Code are unrelated to the suppression of constitutionally-protected free expression, do not relate to the content of protected messages that may be displayed on signs, and do not relate to the viewpoint of individual speakers.
- (3) The incidental restriction on the freedom of speech that may result from the regulation of signs pursuant the Sign Code is no greater than is essential to the furtherance of the important, substantial, and compelling interests that are set out in § 3.8.7.1(B).
- (4) Regulation of the location, number, materials, height, sign area, form, and duration of display of temporary signs is essential to preventing sign clutter.

- (5) 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.
- (6) Certain classifications of speech are not constitutionally protected due to the harm that they cause to individuals or the community.

(D) ***Applicability, exemptions, and permit exceptions.***

- (1) *Applicability.* The provisions of the Sign Code shall apply to the display, construction, installation, erection, alteration, use, location, maintenance, and removal of all signs within the City that are not specifically exempt from such application.
- (2) *Sign Permits.*
  - (a) No sign shall be displayed, constructed, installed, erected, refaced, or altered within the City limits until the City has issued a sign permit, unless the sign qualifies as an exception to the permit requirements.
  - (b) No permit is required for routine sign maintenance, painting, or replacing light sources with lighting of comparable intensity (however, the installation of a new manual changeable copy message center or electronic message center does require a permit).
- (3) *Sign Regulation Exemptions.* The Sign Code does not apply to:
  - (a) Signs of any type that are installed or posted (or required to be installed or posted) by the Federal government, the State of Colorado, Larimer County, the City, or a School District (collectively, "Governmental Entities"), on property owned or controlled by the Governmental Entity.
  - (b) Required signs, posted in accordance with applicable law or regulations.
- (4) *Sign Regulation Partial Exemptions.* The following signs are subject only to subsections (E) through (L), inclusive, and shall not require a sign permit:
  - (a) Signs that are not visible from any of the following areas due to the configuration of the building(s) or structure(s) or the topography of the site upon which the signs are located:
    1. Residential lots;
    2. Adjoining property that is not under common ownership;
    3. Public rights-of-way; or
    4. Property that is located at a higher elevation than the property upon which the sign is displayed.
  - (b) Signs that are not legible from adjoining property or rights-of-way due to the configuration of the building(s) or structure(s) or the topography of the site upon which the signs are located or the orientation or setback or typeface of the sign, provided that:
    1. One such sign may have a sign area that is not more than 35 square feet, and if a sign area allowance applies to the site, 50 percent of the sign area of the sign is counted towards the sign area allowance;
    2. Other such signs may have a sign area that is not more than eight square feet, and are not counted towards any applicable sign area allowance.
  - (c) Horizontal projected light signs that are projected onto private property, provided that they are not projected onto required signs.
- (5) *Sign Permit Exceptions.* The following signs may be displayed, constructed, installed, erected, or altered without a sign permit, but are not exempt from other applicable provisions of § 3.8.7.2 or § 3.8.7.3:

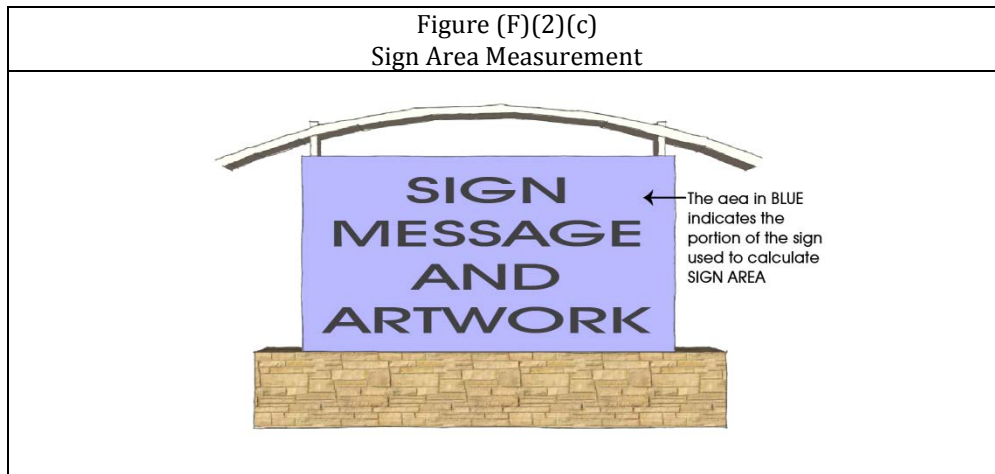
- (a) One optional residential sign per street-facing building elevation of a residential building not exceeding four square feet in area;
- (b) Flags that are hung from not more than three rigid, straight, building-mounted or ground-mounted flagpoles per 100 feet of property frontage or fraction thereof, provided that:
  - 1. No more than three flags are flown from any one flagpole;
  - 2. No flag obstructs pedestrian, bicycle, or vehicular traffic, or a required sight triangle; and
  - 3. No flag exceeds 32 square feet in area;
- (c) Small signs, as follows:
  - 1. Signs that are affixed to a building or structure, that do not exceed two square feet in sign area, provided that only one such sign is present on each elevation that is visible from public rights-of-way or adjoining property; and
  - 2. Signs that are less than one square foot in area that are affixed to machines, equipment, fences, gates, walls, gasoline pumps, public telephones, or utility cabinets;
- (d) Temporary seasonal decorations;
- (e) Temporary signs (except feather flags and attached or detached temporary banners and pennants, all of which require a sign permit); and
- (f) Window signs that are less than six square feet in area, provided that:
  - 1. The total area covered by window signs:
    - a. Does not exceed 25 percent of the area of the architecturally distinct window in which they are located; and
    - b. Does not exceed 25 percent of the sign allowance described in § 3.8.7.2(A); and
  - 2. The window signs are not illuminated.

(E) ***Relationship to Other Regulations.***

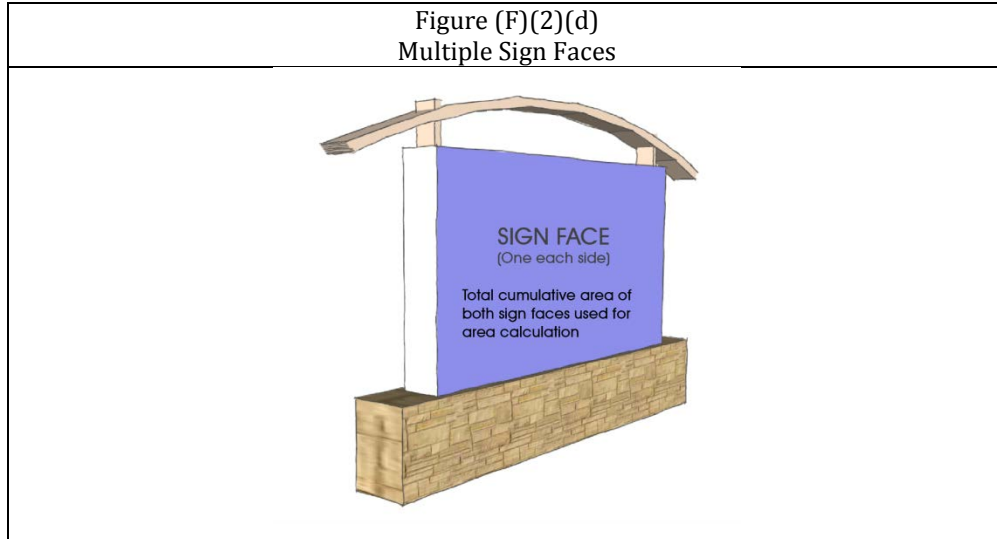
- (1) In addition to the regulations set out in the Sign Code, signs may also be subject to applicable State laws and regulations (*e.g.*, State of Colorado, Department of Highways, “Rules and Regulations Pertaining to Outdoor Advertising,” effective January 1, 1984, as may be amended from time to time), Federal laws and regulations, and applicable adopted building and electrical codes. Exceptions to the sign permit requirement do not constitute exemptions to other applicable codes or permit requirements.
- (2) Where any provision of the Sign Code covers the same subject matter as other regulations of the City, the more specific regulation shall control the more general one, unless the City determines that the more restrictive regulation is clearly unenforceable as a matter of law.
- (3) Where any provision of the Sign Code 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 may be provided in the state or federal law.
- (4) All signs within the Old Town Historic District within the Downtown District must comply with the Old Town Historic District Design Guidelines except that the Old Town Historic District Design Guidelines shall not be interpreted to limit the content of the sign.
- (5) The Downtown District shall be defined by the boundary exhibited in the 2017 Fort Collins Downtown Plan, which includes the following Subdistricts: North Mason, Civic, Historic Core, and Canyon Avenue.

(F) ***Measurements.***

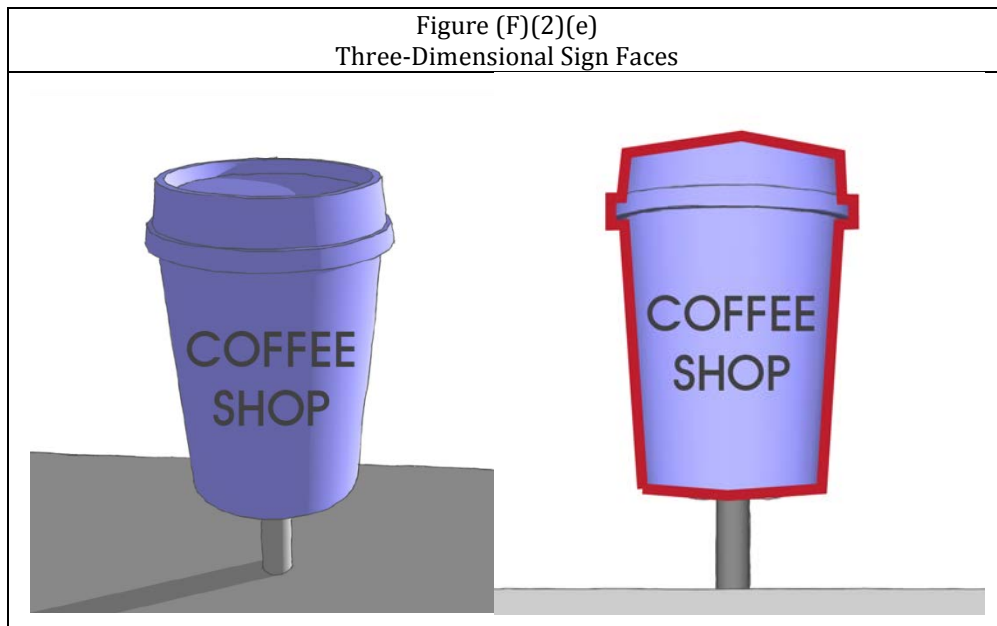
- (1) *Property Frontage*. Property frontage is measured as the length of each property boundary that abuts a public street right-of-way.
- (2) *Sign Area*.
  - (a) *Generally*. In general, sign area is the area within a continuous polygon with up to eight straight sides that completely encloses the 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 contents from the background against which they are placed.
  - (b) *Additions*. The area of all freestanding and ground signs shall include the area of the sign face(s) as calculated in subsection (F)(2)(a), together with any portion of the sign structure which exceeds one and one-half (1½) times the area of the sign face(s).
  - (c) *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, 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.



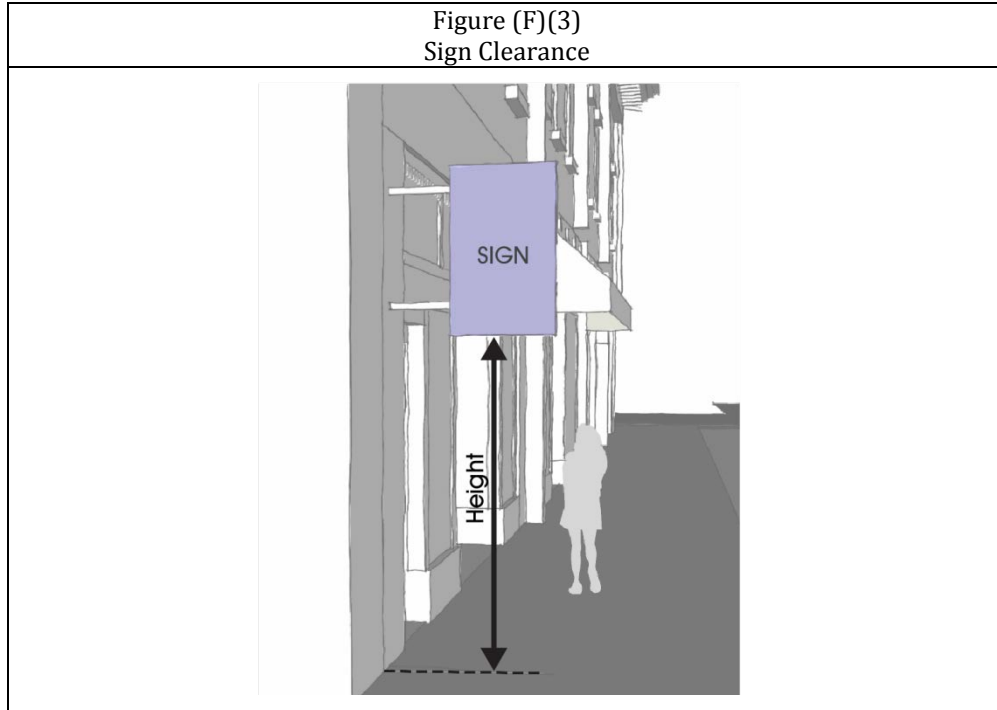
- (d) *Multiple Sign Faces*. Freestanding temporary signs may have multiple faces. The area of such signs is measured using the vertical cross-section that represents the sign's maximum projection upon a vertical plane (*e.g.*, for a sign with two (2) opposite faces on the same plane, the total cumulative area of both faces is used for area calculation).



- (e) *Three-Dimensional Sign Faces.* The area of signs that do not have a flat sign face is measured using the vertical cross-section that represents the sign's maximum projection upon a vertical plane.



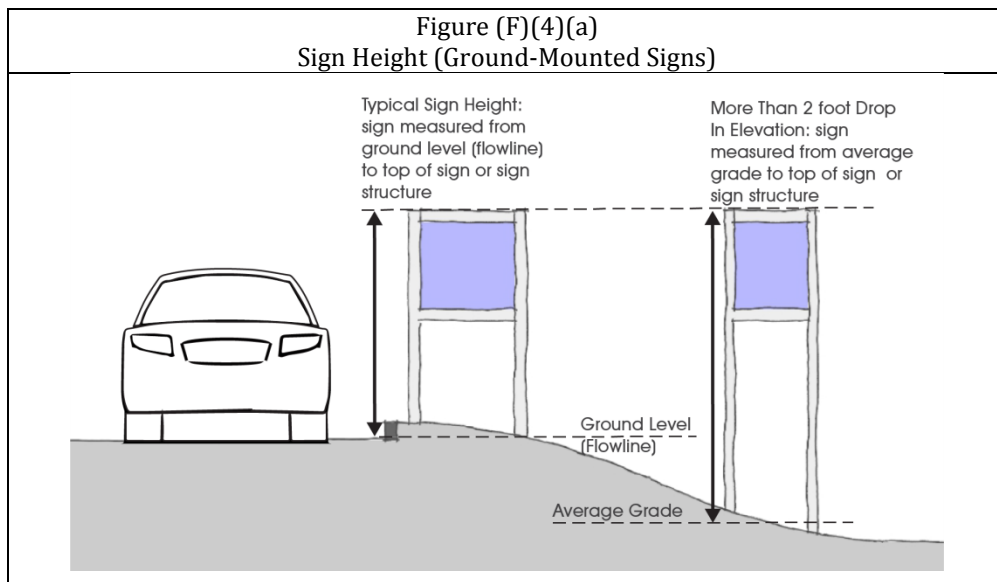
- (3) *Sign Clearance.* Sign clearance is the distance between the bottom of a sign or related structural element that is not affixed to the ground and the nearest point on the ground-level surface under it.



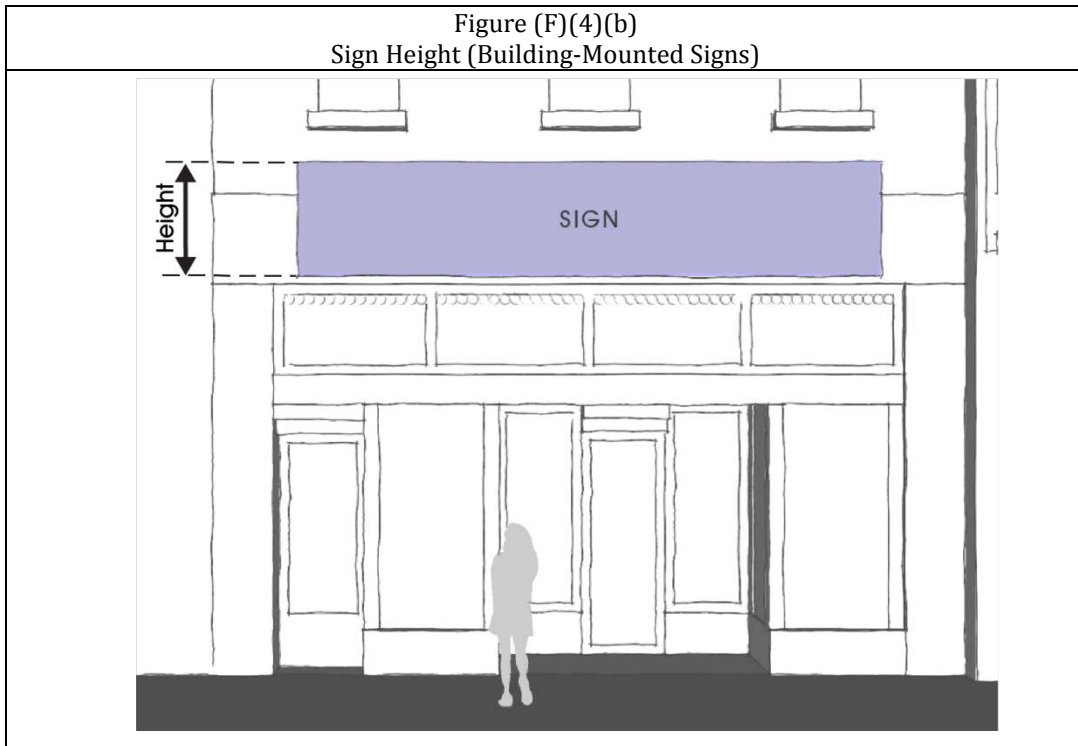
(4) *Sign Height.* Sign height is measured as:

(a) For ground-mounted signs:

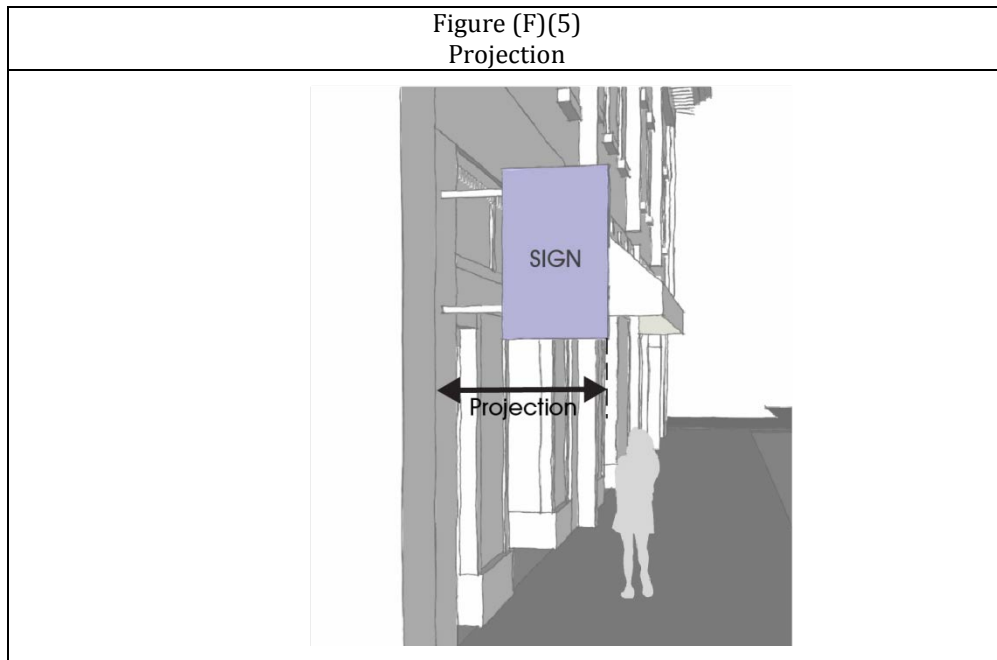
1. The distance between ground level at the base of the sign and the top of the sign or sign structure, whichever is higher; or
2. If the average grade under the base of the sign is more than two feet lower than the average grade of the nearest adjoining street, then the height of the detached sign shall be measured from the elevation of the flowline of the street to the top of the sign or sign structure.



- (b) For building-mounted signs, the greatest distance between the lowest part of the sign or sign structure and the highest part of the sign or sign structure.



- (5) *Projection.* Projection is the horizontal distance between a building wall or fascia to which a sign is mounted and the part of the sign or sign structure that is most distant from the wall or fascia, Measured perpendicular to the vertical plane of the wall or fascia.



- (6) *Setbacks* Sign setbacks are measured perpendicularly from the property line that defines the required setback to the nearest point on the sign or sign structure.

(G) ***Prohibited signs and sign elements.***

- (1) *Generally.* The prohibitions in this subsection (G) apply to temporary and permanent signs in all areas of the City.
- (2) *Prohibited Signs.* The following signs are not allowed, whether temporary or permanent:
- (a) Temporary signs, except as specifically permitted in § 3.8.7.3, Temporary Signs;
  - (b) Portable signs, except as permitted in the Code of the City of Fort Collins Chapter 24, Article IV;
  - (c) Wind-driven signs except flags, feather flags, banners, and pennants in compliance with this § 3.8.7.3;
  - (d) Inflatable signs, and signs that are designed to appear as inflatable signs (*e.g.*, plastic balloons);
  - (e) Revolving or rotating signs;
  - (f) Permanent off-premises signs, except as provided in § 3.8.7.6;
  - (g) Billboards, except as provided in § 3.8.7.6; and
  - (h) Abandoned signs.
- (3) *Prohibited Design Elements.* The following elements shall not be incorporated as an element of any sign or sign structure, whether temporary or permanent:
- (a) Animated or moving parts, including any moving, swinging, rotating, or spinning parts or flashing, blinking, scintillating, chasing, fluctuating, or otherwise animated light; except as expressly allowed in this Sign Code;
  - (b) Cardboard, card stock, or paper, except when laminated or used as a window sign located on the interior side of the window;
  - (c) Motor vehicles, unless:
    - 1. The vehicles are operational, and either:
      - a. Automobile dealer inventory; or
      - b. Regularly used as motor vehicles, with current registration and tags;
    - 2. 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 if the vehicle were in motion are not allowed); and
    - 3. The motor vehicle is legally parked in a vehicle use area depicted on an approved site plan.
  - (d) Semi-trailers, shipping containers, or portable storage units, unless:
    - 1. The trailers, containers, or portable storage units are:
      - a. Structurally sound and capable of being transported,
      - b. Used for their primary purpose (*e.g.*, storage, pick-up, or delivery); and
      - c. If subject to registration, have current registration and tags; and
    - 2. The display of signage is incidental to the primary purpose; and

3. The semi-trailer, shipping container, or portable storage unit is parked or placed in a designated loading area or on a construction site in an area that is designated on an approved construction staging plan.

*Exception: This standard does not apply to shipping containers that are used as building cores.*

- (e) Stacked products (*e.g.*, tires, soft drink cases, bagged soil or mulch) that are placed in unapproved outdoor storage locations;
- (f) Materials with a high degree of specular reflectivity, such as polished metal, installed in a manner that creates substantial glare from headlights, street lights, or sunlight.

*Exception: This standard does not prohibit retroreflective materials that comply with the standards set forth in the Manual on Uniform Traffic Control Devices.*

- (g) Rooftop signs and all other types of signs that project above the roof deck, except that signs are allowed on parapet walls if the parapet wall was constructed as a part of the building and the parapet wall includes a sign band within which the sign is installed.

*Exception: Secondary Roof signs as provided in subsection 3.8.7.2(F).*

- (4) **Prohibited Obstructions.** In no event shall a sign, whether temporary or permanent, obstruct the use of:

- (a) Building ingress or egress, including doors, egress windows, and fire escapes;
- (b) Operable windows (with regard to movement, not transparency); or
- (c) Equipment, structures, or architectural elements that are related to public safety, building operations, or utility service (*e.g.*, standpipes, downspouts, fire hydrants, electrical outlets, lighting, vents, valves, and meters).

- (5) **Prohibited Mounts.** No sign, whether temporary or permanent, shall be posted, installed, mounted on, fastened, or affixed to any of the following:

- (a) Any tree or shrub;
- (b) Any utility pole or light pole, unless:
  1. The sign is a banner or flag that is not more than 10 square feet in area;
  2. The owner of the utility pole or light pole consents to its use for the display of the banner or flag;
  3. 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;
  4. 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 feet; and
  5. Any applicable City encroachment or banner permits are obtained; or
- (c) Utility cabinets.

- (H) **Prohibited Locations.** In addition to applicable setback requirements and other restrictions of this Sign Code, 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, trails, multi-use pathways, retaining walls, utility poles, traffic calming devices, medians, and center islands that are within public rights-of-way), except:
  - (a) 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;

- (b) Signs that are the subject of a revocable license agreement with the City, installed and maintained in accordance with the terms of that agreement;
  - (c) Portable signs permitted pursuant to the Code of the City of Fort Collins, Chapter 24, Article IV; or
  - (d) Signs posted by the City or jurisdiction that owns or maintains the right-of-way; or
- (2) Within any sight distance triangle, as provided in subsection (I), below.
- (I) **Illumination.** The illumination of signs, where permitted, shall comply with the standards of this subsection (I) and Land Use Code § 3.2.4, Site Lighting.
- (1) *Generally.*
- (a) In general, attached illuminated signs shall be turned off by 11:00 PM if they located within 300 feet of property that is zoned, used, or approved for residential use. However, signs may be illuminated in Downtown, Commercial/Industrial, and Mixed-Use sign districts after 11:00 PM if:
    - 1. The operating hours of the use to which the sign relates extend past 10:30 PM, in which case the sign shall be turned off not more than 30 minutes after the end of operating hours each day; and the sign is dimmed by at least 30 percent between midnight and 6:00 AM; or
    - 2. The lighting that illuminates the sign is used primarily for the protection of the premises or for safety purposes, or
    - 3. The sign is separated from residential uses by an arterial street.
  - (b) Illuminated signs shall avoid the concentration of illumination. The intensity of the light source shall not produce glare, the effect of which constitutes a traffic hazard or nuisance to adjoining property.
  - (c) No sign or associated luminaire shall create light spillover of more than one lux at any property line that is zoned or used for single-family detached, duplex, or townhome purposes.
  - (d) Every electric sign shall have affixed thereon an approved Underwriters' Laboratories label, and all wiring connected to such sign shall comply with all provisions of the National Electrical Code, as adopted by the City.
  - (e) Electrical service to freestanding signs shall be installed underground. Electrical service to attached signs shall be provided from the building and concealed from view.
- (2) *Internal Illumination.*
- (a) No internal sign lighting shall include any exposed light source, except that neon or comparable tube lighting is permitted in locations where internal sign illumination is allowed.
  - (b) During the permit between sunset and the time an illuminated sign must be turned off pursuant to subsection (I)(1)(a), above, internally lit signs (including electronic message centers) shall not exceed 600 nits of luminance.
- (3) *Indirect Lighting.*
- (a) All signs that use indirect lighting shall have their lighting directed in such a manner as to illuminate only the face of the sign, and not to create glare or sky glow.
  - (b) When indirect lighting is used to illuminate detached signs, the light source must be concealed from view from on and off-site vehicular and pedestrian use areas and from within existing buildings.
  - (c) Indirect lighting of signs shall not exceed the following illuminance:
    - 1. Commercial/Industrial and Mixed-Use Sign Districts: 600 lux
    - 2. Downtown Sign District: 500 lux

3. All Other Sign Districts: 400 lux
- (4) *Off-Premises Signage.* No new illumination may be added to existing off-premises signage.

(J) **Message Centers.**

(1) *Manual Copy Message Centers.*

(a) *Design.*

1. Manual changeable copy message centers shall appear integrated into the sign face of a permanent sign that also includes text and graphics that are not part of the manual changeable copy message center.
2. No manual changeable copy message center may be constructed using face or screen materials such as expanded metal or other types of mesh; any type of corrugated plastic such as Filon, V3, or Styrene; or other types of materials that are commonly used for “portable” or “homemade” signs.

(b) *Dimensions.* No manual changeable copy message center shall occupy more than 80 percent of the sign area of a sign.

(c) *Operation and Maintenance.*

1. No changeable copy sign or portion of a sign may have changeable copy that is nailed, pinned, glued, taped, or comparably attached.
2. If any part of the changeable copy portion of a sign or the track type system or other method of attachment is absent from the sign, or deteriorates so that it is no longer consistent with the style or materials used in the permanent portion of the sign, or is altered in such a way that it no longer conforms to the approved plans and specifications, the sign shall be removed or repaired within 14 days.

(2) *Electronic Message Centers.* Digital electronic message centers (“EMCs”) may be incorporated into signs as provided in this subsection.

(a) *Number, Design, Dimensions.*

1. Not more than one sign with an EMC component is allowed per street frontage.
2. EMCs shall appear to be incorporated into the face of a permanent sign that includes text or graphics that are not part of the EMC.
3. EMCs shall not have a pixel pitch that is greater than 12 mm.
4. EMCs shall be integrated harmoniously into the design of the sign face and structure, shall not be the predominant element of the sign, and if located at the top of a sign, the sign must include a substantial cap feature above the EMC, which consists of the same material, form, color, and texture as is found on the sign face or structure.
5. Not more than 50 percent of the sign area of a permitted sign may be occupied by EMCs.

(b) *Spacing, Prohibitions.*

1. Signs with EMC components shall be separated from each other and from property used or if the property is vacant but zoned for residential purposes (except multi-family buildings with more than four units) by a distance of not less than 100 feet, measured in a straight line.
2. EMCs are not allowed on a freestanding pole sign except as provided in Section 3.8.7.6.
3. In the Downtown (D) District, wall signs with electronic message centers are not permitted on properties located within the boundaries of the Portable Sign Placement Area Map, See Sec. 24-150, *et seq.*, Fort Collins Municipal Code.

(c) *Operations.*

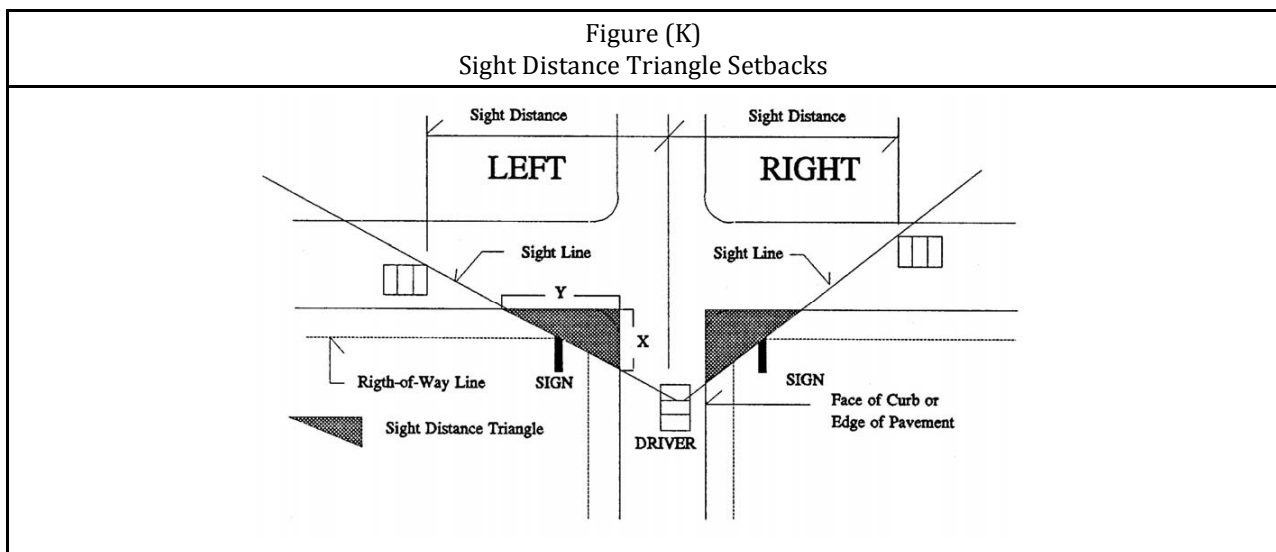
1. The message displayed on an EMC shall not change more frequently than once per 60 seconds unless the EMC is subject to Section 3.8.7.6(F). If a single sign includes multiple EMCs, they shall be considered a single EMC for the purposes of this standard.
2. EMCs shall contain static messages only, and animated, dissolve, or fade transitions are not allowed.
3. EMCs shall be controlled by dimming software and sensors to adjust brightness for nighttime viewing and variations in ambient light. The intensity of the light source shall not produce glare, the effect of which constitutes a traffic hazard or is otherwise detrimental to the public health, safety or welfare.

(d) *Certification.* Prior to acceptance of the installation by the City, the permit holder shall schedule and inspection with a Zoning Inspector to verify compliance. The permit holder and the business owner, business manager or property manager shall be in attendance during the inspection.

(K) **Sight Distance Triangles.** Signs that obstruct view within an area between a 42 inches and 72 inches above the flowline of the adjacent street shall be set back from the right-of-way line a distance as established in Table (K), Sight Distance Triangles.

Table (K) Sight Distance Triangles <sup>1</sup>			
Type of street	Y distances (ft.) <sup>2</sup>	X distances (ft.)	Safe sight distance (ft.)
Arterial	Right: 135	15	500
	Left: 270		
Collector	Right: 120	15	400
	Left: 220		
Local	Right: 100	15	300
	Left: 150		

**Table Notes:**  
<sup>1</sup> These distances are typical sight distance triangles to be used under normal conditions and may be modified by the Director of Engineering in order to protect the public safety and welfare in the event that exceptional site conditions necessitate such modification.  
<sup>2</sup> See Figure (K) for illustration.



- (L) **Content.** Except as provided in this subsection (L), no sign shall be approved or disapproved based on the content or message it displays.
- (1) *Prohibition on Certain Types of Unprotected Speech.* The following content, without reference to the viewpoint of the individual speaker, shall not be displayed on signs:
    - (a) Text or graphics that is harmful to minors as defined by state or federal law;
    - (b) Text or graphics that are obscene, fighting words, defamation, incitement to imminent lawless action, or true threats, as such words and phrases are defined by controlling law;
    - (c) Text or graphics that present a clear and present danger due to their potential confusion with traffic control signs; or
    - (d) Signs that provide false information related to public safety (e.g., signs that use the words “Stop,” “Yield,” “Caution,” or “Danger,” or comparable words, phrases, symbols, or characters that are presented in a manner as to confuse motorists or imply a safety hazard that does not exist).
  - (2) *Severability.* The narrow classifications of content that are prohibited from display on signs by this subsection (L) are either not protected by the United States and 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 provision of this subsection (L) be individually severable in the event that a court holds one or more of them to be inconsistent with the United States Constitution or Colorado Constitution.

(M) **Sign Districts.**

- (1) *Generally.* In recognition that the City is a place of diverse physical character, and that different areas of the City have different functional characteristics, signs shall be regulated based on sign district in which they are located.
- (2) *Sign Districts Created.* The following sign districts are created: Downtown, Commercial/Industrial, Multifamily, Single-Family, and Residential Neighborhood. Sign districts shall correspond to zoning districts as provided in Table (M), Sign Districts.

Table (M) Sign Districts	
Sign District	Corresponding Zoning Districts
Downtown	D; R-D-R
Commercial/Industrial	T; C-C; C-C-N; C-C-R; C-G; C-S; C-L; H-C; E; I
Mixed-Use	L-M-N; M-M-N; H-M-N; N-C
Multifamily	N-C-M; N-C-B
Single-Family	R-U-L; U-E; R-F; R-L; N-C-L; P-O-L; R-C
Residential Neighborhood Sign District	See map on file at City Clerk’s office. To the extent of any geographic overlap with other sign districts, the Residential Neighborhood Sign District supersedes the overlapped sign district.

**3.8.7.2 - Permanent Signs**

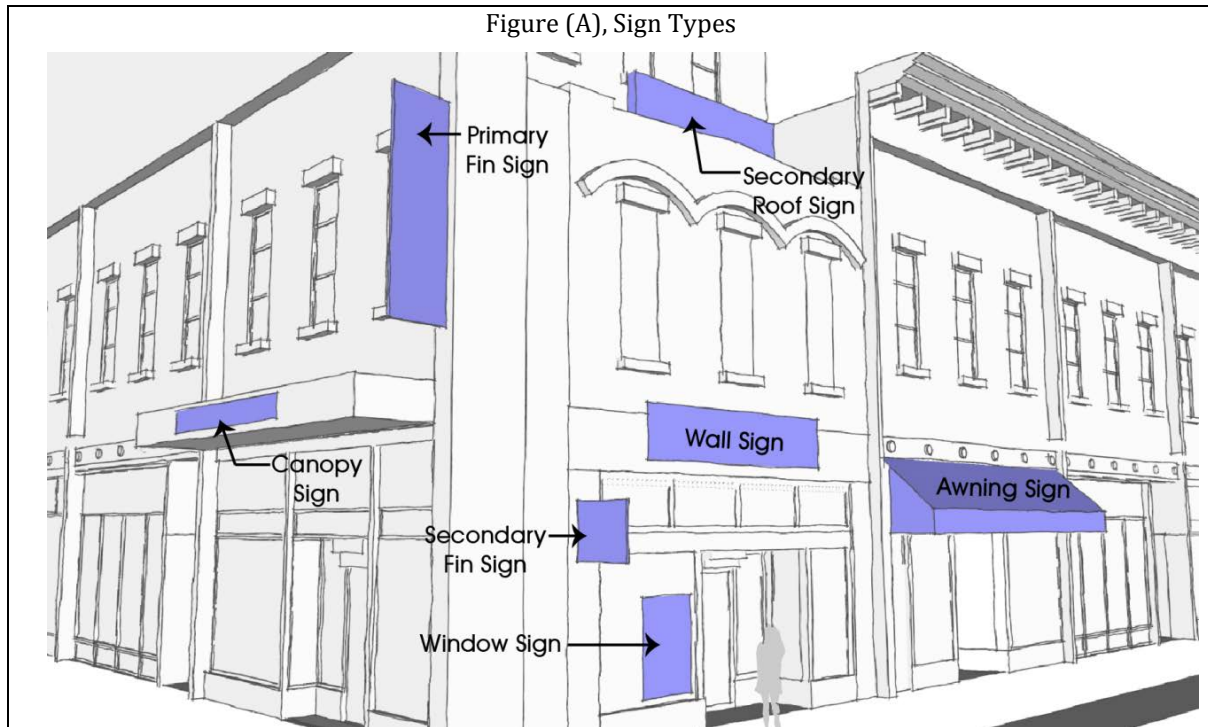
(A) **Sign Area Allowance.**

- (1) *Generally.* The sign area allowance limits the total amount of sign area that may be allocated to certain types of signs (listed in Tables (B) to (F)) on a site based on the location and use of the site. Sign area allowance is calculated as set out in Table (A), Sign Area Allowance.

Table (A) Sign Area Allowance					
Location / Use	Calculation				
	For 1st 200 lf. of bldg. frontage	+	For each lf. of bldg. frontage in excess of 200 lf.	=	But not less than
	<b>Generally</b>				
All Sign Districts <sup>1</sup>	2 sf. / lf.	+	1 sf. / lf.	=	1 sf. / lf. of lot frontage
<b>TABLE NOTES:</b>					
<sup>1</sup> Sign allowance is calculated per building frontage and may only be applied to the frontage to which the calculations apply. No more than 3 building frontages shall be used for the purposes of the sign allowance calculations.					

- (2) *Sites without Frontage on Public Streets.* If a building does not have frontage on a dedicated public street, the owner of the building may designate the one building frontage for the purpose of calculating the sign area allowance.
- (3) *Allocation of Sign Area Allowance.*
  - (a) If the only building frontage that fronts on a public street is a wall containing no signs, the property owner may designate another building frontage on the building on the basis of which the total sign allowance shall be calculated, provided that no more than 25 percent of the total sign allowance permitted under this Sign Code may be placed on frontage other than the building fascia which was the basis for the sign allowance calculation.
  - (b) In all other cases, the sign allowance for a property may be distributed in any manner among its building and/or street frontages except that no one building or street frontage may contain more sign area than 100 percent of the sign area allowance.

(B) **Wall Signs.** Wall signs are allowed according to the standards in Table (B), Wall Signs.



Type of Sign Standards	Sign District					
	Outside of Residential Neighborhood Sign District <sup>1</sup>					Within Residential Neighborhood Sign District <sup>1</sup>
	Downtown	Commercial/Industrial	Mixed-Use	Multifamily	Single-Family	
<b>Applied or Painted Wall Signs</b>						
Max. #	Not limited	Not limited	1 per single-family dwelling unit or duplex building that fronts on an arterial; or 1 per nonresidential use	1 per single-family dwelling unit or duplex building that fronts on an arterial; or 1 per nonresidential use	1 per single-family dwelling unit or duplex building that fronts on an arterial; or 1 per nonresidential use	1 per single-family dwelling unit or duplex building that fronts on an arterial; not limited for nonresidential uses
Subject to Sign Area Allowance	Yes	Yes	Nonresidential uses only	Nonresidential uses only	Nonresidential uses only	Yes

Table (B)  
Wall Signs

Table (B) Wall Signs						
Type of Sign Standards	Sign District					
	Outside of Residential Neighborhood Sign District <sup>1</sup>					Within Residential Neighborhood Sign District <sup>1</sup>
	Downtown	Commercial/Industrial	Mixed-Use	Multifamily	Single-Family	
Max. Sign Area	In addition to sign allowance, 6 sf. is allowed on rear wall if: (i) the wall includes a public entrance; (ii) site is within DDA Alley Enhancement Project area; and (iii) a projecting sign is not installed on the wall	Limited by sign area allowance	Single-family or duplex building: 4 sf. Nonresidential use: 35 sf.	Single-family or duplex building: 4 sf. Nonresidential use: 35 sf.	Single-family or duplex building: 4 sf. Nonresidential use: 35 sf.	Limited by sign area allowance, except if tenant space does not have outside wall, in which case 30 sf.
Max. Sign Height	4.5 ft. if within 15 ft. of elevation of sidewalk below; 7 ft. if above 15 ft. of elevation of sidewalk below but any portion below fourth story; 9 ft. if entirely above fourth story.	7 ft.	7 ft.	7 ft.	7 ft.	2.5 ft. within Neighborhood Service Center or Neighborhood Commercial Uses; 2 ft. within Convenience Shopping Center use; and 1.5 ft. for all other Institutional, Business, Commercial, or other Nonresidential uses
Max. Sign Width	N/A	N/A	N/A	N/A	N/A	Tenant space 45,000 sf. or less: lesser of 40 ft. or 75% of width of tenant space; Tenant space is larger than 45,000 sf.: 55 ft.
Allowed Lighting	Indirect only	Indirect only	Indirect only	Indirect only	None	Indirect only
Other Standards	For flush wall signs consisting of framed banners, all banners shall be sized to fit the banner frame so that there are no visible gaps between the edges of the banner and the banner frame.	For flush wall signs consisting of framed banners, all banners shall be sized to fit the banner frame so that there are no visible gaps between the edges of the banner and the banner frame.	Not allowed if detached sign is installed	Not allowed if detached sign is installed	Not allowed if detached sign is installed	Location shall harmonize with architecture of the building(s) to which sign is attached, (e.g., projection, relief, cornice, column, change of building material, window or door opening); Flush wall signs shall align with other such signs on the same building.
<b>Applied or Painted Wall Signs – Vertically Oriented</b>						
Max. #	1 per building	1 per building	1 per building	1 per building	1 per building	1 per single-family dwelling unit or duplex building that fronts on an arterial; 1 per building for nonresidential uses
Subject to Sign Area Allowance	Yes	Yes	Nonresidential uses only	Nonresidential uses only	Nonresidential uses only	Yes

Table (B) Wall Signs						
Type of Sign Standards	Sign District					
	Outside of Residential Neighborhood Sign District <sup>1</sup>					Within Residential Neighborhood Sign District <sup>1</sup>
	Downtown	Commercial/Industrial	Mixed-Use	Multifamily	Single-Family	
Max. Sign Area	Limited by sign area allowance	Limited by sign area allowance	Single-family or duplex building: 4 sf. Nonresidential use: 35 sf.	Single-family or duplex building: 4 sf. Nonresidential use: 35 sf.	Single-family or duplex building: 4 sf. Nonresidential use: 35 sf.	Limited by sign area allowance, except if tenant space does not have outside wall, in which case 30 sf.
Max. Sign Height	10' if within 15' if elevation of sidewalk below; 25 ft. if above 15' of elevation of sidewalk below	25 ft.	25 ft.	25 ft.	25 ft.	25 ft.
Max. Sign Width	2 ft.	2 ft.	2 ft.	2 ft.	2 ft.	2 ft.
Allowed Lighting	Indirect only	Indirect only	Indirect only	Indirect only	Indirect only	Indirect only
Cabinet Wall Signs or Dimensional Wall Signs						
Max. #	Not limited	Not limited	Not limited for nonresidential or mixed-use; 1 per building per frontage for multifamily properties	Not limited for nonresidential or mixed-use; 1 per building per frontage for multifamily properties	Not limited for nonresidential or mixed-use; 1 per building per frontage for multifamily properties	Not limited for nonresidential or mixed-use; 1 per building per frontage for multifamily properties
Subject to Sign Area Allowance	Yes	Yes	Nonresidential uses only	Yes	Yes	Yes
Max. Sign Area	Limited by sign area allowance	Limited by sign area allowance	Limited by sign area allowance	Limited by sign area allowance	Limited by sign area allowance	Limited by sign area allowance
Max. Sign Height	4.5 ft. if within 15 ft. of elevation of sidewalk below; 7 ft. if above 15 ft. of elevation of sidewalk below but any portion below fourth story; 9 ft. if entirely above fourth story.	7 ft.	7 ft.	7 ft.	7 ft.	2.5 ft. within Neighborhood Service Center or Neighborhood Commercial Uses; 2 ft. within Convenience Shopping Center use; and 1.5 ft. for all other Institutional, Business, Commercial, or other Nonresidential uses
Max. Projection	1 ft.	1 ft.	1 ft.	1 ft.	1 ft.	1 ft.
Allowed Lighting	Any	Any	Any	None	None	Internal only

Table (B) Wall Signs						
Type of Sign Standards	Sign District					
	Outside of Residential Neighborhood Sign District <sup>1</sup>					Within Residential Neighborhood Sign District <sup>1</sup>
	Downtown	Commercial/Industrial	Mixed-Use	Multifamily	Single-Family	
Other Standards	Raceway must be finished to match color of wall; raceway must be not more than 50% of height of attached letters or shapes	Raceway must be finished to match color of wall; raceway must be not more than 50% of height of attached letters or shapes	Raceway must be finished to match color of wall; raceway must be not more than 50% of height of attached letters or shapes	Raceway must be finished to match color of wall; raceway must be not more than 50% of height of attached letters or shapes	Raceway must be finished to match color of wall; raceway must be not more than 50% of height of attached letters or shapes	Raceway must be finished to match color of wall; raceway must be not more than 50% of height of attached letters or shapes

(C) **Window Signs.** Window signs are allowed according to the standards in Table (C), *Window Signs*.

Table (C) Window Signs						
Type of Sign Standards	Sign District					
	Outside of Residential Neighborhood Sign District <sup>1</sup>					Within Residential Neighborhood Sign District
	Downtown	Commercial/Industrial	Mixed-Use	Multifamily	Single-Family	
<b>All Window Signs</b>						
Max. #	Not limited <sup>1</sup>	Not limited <sup>1</sup>	Not limited <sup>1</sup>	Not limited	Not limited	Not limited
Subject to Sign Area Allowance	Yes, except as provided in "other standards," below	Yes, except as provided in "other standards," below	Nonresidential only, and except as provided in "other standards," below	No	No	Yes
Max. Sign Area <sup>2</sup>	Up to 50% of area of architecturally distinct window.	Up to lesser of 50% of area of architecturally distinct window or 80 sf.	Up to lesser of 50% of area of architecturally distinct window or 80 sf.	Nonresidential: Up to lesser of 50% of area of architecturally distinct window or 80 sf.; Residential: 6 sf.	Nonresidential: Up to lesser of 50% of area of architecturally distinct window or 80 sf.; Residential: 6 sf.	Nonresidential: Up to lesser of 25% of area of architecturally distinct window or 80 sf.; Residential: 6 sf.
Max. Sign Height	No Max.	7 ft.	7 ft.	3 ft.	3 ft.	3 ft.
Allowed Lighting	Internal	Internal	Internal	None	None	Internal
Other Standards	Window signs that are not exempt from sign permits are counted towards sign area allowance. See subsection (A), above, and § 3.8.7.1(D)(5)(g)	Window signs that are not exempt from sign permits are counted towards sign area allowance. See subsection (A), above, and § 3.8.7.1(D)(5)(g)	Window signs that are not exempt from sign permits are counted towards sign area allowance. See subsection (A), above, and § 3.8.7.1(D)(5)(g)	Not allowed above the first story of nonresidential buildings	Not allowed above the first story of nonresidential buildings	Not allowed above the first story of nonresidential buildings

(D) **Projecting Signs.** Projecting signs include awning signs, marquee signs, under-canopy signs, and fin signs. Projecting signs are allowed according to the standards in Table (D), *Projecting Signs*. Projecting signs shall not extend into the public right-of-way, except that the City may grant a revocable license to allow projecting signs to encroach into the right-of-way.

Table (D)  
Projecting Signs

Type of Sign Standards	Sign District					
	Outside of Residential Neighborhood Sign District					Within Residential Neighborhood Sign District
	Downtown	Commercial/Industrial	Mixed-Use	Multifamily	Single-Family	
<b>Awning Signs</b>						
Max. #	1 per awning	1 per awning	1 per awning	1 per awning; limited to nonresidential uses	1 per awning; limited to nonresidential uses	1 per awning; limited to nonresidential uses
Subject to Sign Area Allowance	Yes	Yes	Nonresidential uses only	Nonresidential uses only	Nonresidential uses only	Yes
Max. Sign Area	Lesser of 35 sf. or 25% of total area of the awning	Lesser of 35 sf. or 25% of total area of the awning	Lesser of 35 sf. or 25% of total area of the awning	Lesser of 35 sf. or 25% of total area of the awning	Lesser of 10 sf. or 10% of total area of the awning	Lesser of 35 sf. or 25% of total area of the awning
Max. Projection (may project into right-of-way with revocable license)	7 ft.	7 ft.	7 ft.	7 ft.	7 ft.	7 ft.
Min. Sign Clearance	8 ft. to awning; 7 ft. to valance	8 ft. to awning; 7 ft. to valance	8 ft. to awning; 7 ft. to valance	8 ft. to awning; 7 ft. to valance	8 ft. to awning; 7 ft. to valance	8 ft. to awning; 7 ft. to valance
Allowed Lighting	Indirect; or backlighting of letters and graphics is allowed if background is completely opaque	Indirect; or backlighting of letters and graphics is allowed if background is completely opaque	Indirect; or backlighting of letters and graphics is allowed if background is completely opaque	Indirect; or backlighting of letters and graphics is allowed if background is completely opaque	For nonresidential uses only; Indirect; or backlighting of letters and graphics is allowed if background is completely opaque	Indirect; or backlighting of letters and graphics is allowed if background is completely opaque
Other Standards	Not allowed above first story; awning must be installed over window or building entrance  Awning sign shall not project above top of awning or beyond face of awning	Not allowed above first story; awning must be installed over window or building entrance  Awning sign shall not project above top of awning or beyond face of awning	Not allowed above first story; awning must be installed over window or building entrance  Awning sign shall not project above top of awning or beyond face of awning	Not allowed above first story; awning must be installed over window or building entrance  Awning sign shall not project above top of awning or beyond face of awning	Not allowed above first story; awning must be installed over window or building entrance  Awning sign shall not project above top of awning or beyond face of awning	Not allowed above first story; awning must be installed over window or building entrance  Awning sign shall not project above top of awning or beyond face of awning
<b>Under-Canopy Signs</b>						
Max. #	1 per building entrance for canopies that are attached to buildings; 1 per elevation for detached canopies	1 per building entrance for canopies that are attached to buildings; 1 per elevation for detached canopies	1 per building entrance for canopies that are attached to buildings; 1 per elevation for detached canopies;	1 per building entrance for canopies that are attached to buildings; 1 per elevation for detached canopies	1 per building entrance for canopies that are attached to buildings; 1 per elevation for detached canopies	Under canopies that cover vehicular use areas: 1 per street frontage; all others not limited.

**Table (D)  
Projecting Signs**

Type of Sign Standards	Sign District					
	Outside of Residential Neighborhood Sign District					Within Residential Neighborhood Sign District
	Downtown	Commercial/Industrial	Mixed-Use	Multifamily	Single-Family	
Subject to Sign Area Allowance	Yes	Yes	Yes	Yes	Yes	Yes
Max. Sign Area (per face)	Not covering vehicular use area: 4 sf.; Covering vehicular use area: 12 sf.	Not covering vehicular use area: 4 sf.; Covering vehicular use area: 12 sf.	Not covering vehicular use area: 4 sf.; Covering vehicular use area: 12 sf.	Not covering vehicular use area: 4 sf.; Covering vehicular use area: 12 sf.	Not covering vehicular use area: 4 sf.; Covering vehicular use area: 12 sf.	Not covering vehicular use area: 4 sf.; Covering vehicular use area: 12 sf.
Min. Sign Clearance	8 ft.	8 ft.	8 ft.	8 ft.	8 ft.	8 ft.
Allowed Lighting	Any	Any	Any	Indirect only	Indirect only	Indirect only
Other Standards	Under-canopy sign shall not project above top of canopy to which it is mounted; painted or applied wall sign standards apply if parallel to building facade; secondary fin sign standards apply if perpendicular to building façade; not allowed if secondary fin sign is present at same entrance	Under-canopy sign shall not project above top of canopy to which it is mounted; painted or applied wall sign standards apply if parallel to building facade; secondary fin sign standards apply if perpendicular to building façade; not allowed if secondary fin sign is present at same entrance	Under-canopy sign shall not project above top of canopy to which it is mounted; painted or applied wall sign standards apply if parallel to building facade; secondary fin sign standards apply if perpendicular to building façade; not allowed if secondary fin sign is present at same entrance	Not allowed if secondary fin sign is present at same entrance	Not allowed if secondary fin sign is present at same entrance	Not allowed on a canopy that covers a vehicular use area if a canopy sign is present; not allowed if secondary fin sign is present at same entrance
<b>Fin Signs (Primary)</b>						
Max. #	1 per street frontage per nonresidential, mixed-use, or multifamily building	1 per street frontage per nonresidential, mixed-use, or multifamily building	1 per street frontage per nonresidential, mixed-use, or multifamily building	1 per street frontage per nonresidential, mixed-use, or multifamily building	1 per street frontage per nonresidential, mixed-use, or multifamily building	1 per street frontage per nonresidential, mixed-use, or multifamily building
Subject to Sign Area Allowance	Yes	Yes	Yes, but only for nonresidential, mixed-use, or multifamily buildings	Yes, but only for nonresidential, mixed-use, or multifamily buildings	Yes, but only for nonresidential, mixed-use, or multifamily buildings	Yes

Table (D)  
Projecting Signs

Type of Sign Standards	Sign District					
	Outside of Residential Neighborhood Sign District					Within Residential Neighborhood Sign District
	Downtown	Commercial/Industrial	Mixed-Use	Multifamily	Single-Family	
Max Sign Area	12 sf. if within 15 ft. of elevation of sidewalk below; 25 sf. if between 15 ft. and 45 ft. of elevation above sidewalk below; 45 sf. if entirely above 45 ft. of elevation above sidewalk below	15 sf.	15 sf.	15 sf.	15 sf.	7 sf.
Max. Sign Height	7 ft. if within 15 ft. of elevation of sidewalk below; 10 ft. if between 15 ft. and 45 ft. of elevation above sidewalk below; 18 ft. if entirely above 45 ft. of elevation above sidewalk below	7 ft.	7 ft.	7 ft.	7 ft.	4 ft.
Max. Projection (may project into right-of-way only by revocable license)	Entirely or partially below third story: 3 ft.; entirely above third story: .6 ft.; Not more than 4 ft. within right-of-way	6 ft.; not more than 4 ft. within right-of-way	6 ft.; not more than 4 ft. within right-of-way	6 ft.; not more than 4 ft. within right-of-way	6 ft.; not more than 4 ft. within right-of-way	4 ft.; not more than 4 ft. within right-of-way
Min. Sign Clearance	8 ft.	8 ft.	8 ft.	8 ft.	8 ft.	8 ft.
Allowed Lighting	Any	Any	Any	Any	Any	Internal only
Other Standards	City may authorize up to 48 in. encroachment into right-of-way by revocable license if total sign area for fin signs is lesser of 1 sf. per lf. building frontage or 12 sf.	City may authorize up to 48 in. encroachment into right-of-way by revocable license if total sign area for fin signs is lesser of 1 sf. per lf. building frontage or 12 sf.	City may authorize up to 48 in. encroachment into right-of-way by revocable license if total sign area for fin signs is lesser of 1 sf. per lf. building frontage or 12 sf.	City may authorize up to 48 in. encroachment into right-of-way by revocable license if total sign area for fin signs is lesser of 1 sf. per lf. building frontage or 12 sf.	City may authorize up to 48 in. encroachment into right-of-way by revocable license if total sign area for fin signs is lesser of 1 sf. per lf. building frontage or 12 sf.	

Table (D) Projecting Signs						
Type of Sign Standards	Sign District					
	Outside of Residential Neighborhood Sign District					Within Residential Neighborhood Sign District
	Downtown	Commercial/Industrial	Mixed-Use	Multifamily	Single-Family	
<b>Fin Signs (Secondary)</b>						
Max. #	1 per public building entry	1 per public building entry	1 per public building entry	1 per public building entry	1 per public building entry	1 per public building entry
Subject to Sign Area Allowance	Yes	Yes	Yes, but only for nonresidential uses	No	No	Yes
Max Sign Area	4 sf.	4 sf.	4 sf.	4 sf.	4 sf.	4 sf.
Max. Projection	4 ft.	4 ft.	4 ft.	4 ft.	4 ft.	1 ft.
Min. Sign Clearance	By building code	By building code	By building code	By building code	By building code	By building code
Allowed Lighting	Indirect only	Any	Any	Not allowed	Not allowed	Internal only
Other Standards	Must be located above entrance, within 3 ft. of top of door; not allowed if under-canopy sign is present at same entrance	Must be located above entrance, within 3 ft. of top of door; not allowed if under-canopy sign is present at same entrance	Must be located above entrance, within 3 ft. of top of door; not allowed if under-canopy sign is present at same entrance	Must be located above entrance, within 3 ft. of top of door; not allowed if under-canopy sign is present at same entrance	Must be located above entrance, within 3 ft. of top of door; not allowed if under-canopy sign is present at same entrance	Must be located above entrance, within 3 ft. of top of door; not allowed if under-canopy sign is present at same entrance

(E) **Canopy Signs.** Canopy signs are allowed according to the standards in Table (E), *Canopy Signs*.

Table (E) Canopy Signs						
Type of Sign Standards	Sign District					
	Outside of Residential Neighborhood Sign District					Within Residential Neighborhood Sign District
	Downtown	Commercial/Industrial	Mixed-Use	Multifamily	Single-Family	
<b>All Canopy Signs</b>						
Max. #	1 per canopy elevation, for nonresidential, multifamily, or mixed-use property	1 per canopy elevation, for nonresidential, multifamily, or mixed-use property	1 per canopy elevation, for nonresidential, multifamily, or mixed-use property	1 per canopy elevation, for nonresidential, multifamily, or mixed-use property	1 per canopy elevation, for nonresidential, multifamily, or mixed-use property	1 per street frontage, on canopy that covers vehicular use area of nonresidential, multifamily, or mixed-use property
Subject to Sign Area Allowance	Yes	Yes	Yes	Yes	Yes	Yes
Max. Sign Area (per sign)	20 percent of canopy fascia on elevation to which sign is mounted	30 percent of canopy fascia on elevation to which sign is mounted	30 percent of canopy fascia on elevation to which sign is mounted	15 percent of canopy fascia on elevation to which sign is mounted	10 percent of canopy fascia on elevation to which sign is mounted	12 sf. on canopy that covers vehicular use area
Allowed Lighting	Internal only	Internal only	Internal only	Internal only	Internal only	Internal only
Min. Sign Clearance	By building code	By building code	By building code	By building code	By building code	By building code

Table (E) Canopy Signs						
Type of Sign Standards	Sign District					
	Outside of Residential Neighborhood Sign District					Within Residential Neighborhood Sign District
	Downtown	Commercial/Industrial	Mixed-Use	Multifamily	Single-Family	
Other Standards	Canopy signs shall not project above the top of the canopy to which they are mounted.	Canopy signs shall not project above the top of the canopy to which they are mounted.	Canopy signs shall not project above the top of the canopy to which they are mounted.	Canopy signs shall not project above the top of the canopy to which they are mounted.	Canopy signs shall not project above the top of the canopy to which they are mounted.	Not allowed on a canopy that covers a vehicular use area if an under-canopy sign is present.

(F) **Secondary Roof Signs.** Secondary roof signs are allowed according to the standards in Table (F), Secondary Roof Signs.

Table (F) Secondary Roof Signs						
Type of Sign Standards	Sign District					
	Outside of Residential Neighborhood Sign District					Within Residential Neighborhood Sign District
	Downtown	Commercial/Industrial	Mixed-Use	Multifamily	Single-Family	
Max. #	1 per building, for nonresidential or mixed-use property	1 per building, for nonresidential or mixed-use property	1 per building, for nonresidential or mixed-use property	1 per building, for nonresidential or mixed-use property	1 per building, for nonresidential or mixed-use property	1 per building, for nonresidential or mixed-use property
Subject to Sign Area Allowance	Yes	Yes	Yes	Yes	Yes	Yes
Max. Sign Area (per sign)	Limited by sign area allowance	Limited by sign area allowance	Limited by sign area allowance	Limited by sign area allowance	Limited by sign area allowance	Limited by sign area allowance
Max. Sign Height	1 <sup>st</sup> or 2 <sup>nd</sup> story secondary roof: 3 ft	1 <sup>st</sup> or 2 <sup>nd</sup> story secondary roof: 3 ft.;	1 <sup>st</sup> or 2 <sup>nd</sup> story secondary roof: 3 ft.;	1 <sup>st</sup> or 2 <sup>nd</sup> story secondary roof: 3 ft	1 <sup>st</sup> or 2 <sup>nd</sup> story secondary roof	1 <sup>st</sup> or 2 <sup>nd</sup> story secondary roof: 3 ft
Allowed Lighting	Any	Any	Any	Any	Any	Any
Other Standards	Distance between secondary roof and bottom of sign face shall not exceed 6 in.; not allowed above 2 <sup>nd</sup> story	Distance between secondary roof and bottom of sign face shall not exceed 6 in. ; not allowed above 2 <sup>nd</sup> story	Distance between secondary roof and bottom of sign face shall not exceed 6 in. ; not allowed above 2 <sup>nd</sup> story	Distance between secondary roof and bottom of sign face shall not exceed 6in ; not allowed above 2 <sup>nd</sup> story	Distance between secondary roof and bottom of sign face shall not exceed 6in. ; not allowed above 2 <sup>nd</sup> story	Distance between secondary roof and bottom of sign face shall not exceed 6 in. ; not allowed above 2 <sup>nd</sup> story

(G) **Freestanding Permanent Signs.** Detached permanent signs are allowed according to the standards in Table (G)(1), *Freestanding Permanent Signs*.

Table (G)(1) Freestanding Permanent Signs						
Type of Sign Standards	Sign District					
	Outside of Residential Neighborhood Sign District					Within Residential Neighborhood
	Downtown	Commercial / Industrial	Mixed-Use	Multifamily	Single-Family	
<b>Primary Detached Signs</b>						
Max. #	1 per frontage <sup>1</sup>	1 per frontage <sup>1</sup>	1 per frontage for nonresidential, mixed-use, or multifamily property <sup>1</sup>	1 per site for nonresidential, mixed-use, or multifamily uses <sup>1</sup> ; 1 per site for single-family detached or duplex if the lot fronts on an arterial; 2 per public vehicular entry into residential subdivision or multifamily site (one single face sign on each side of entry)	1 per site for nonresidential, mixed-use, or multifamily uses <sup>1</sup> ; 1 per site for single-family detached or duplex if the lot fronts on an arterial; 2 per public vehicular entry into residential subdivision or multifamily site (one single face sign on each side of entry)	1 per site for nonresidential, mixed-use, or multifamily uses <sup>1</sup> ; 2 per public vehicular entry into residential subdivision or multifamily site (one single face sign on each side of entry)
Subject to Sign Area Allowance	Yes	Yes	Yes, for nonresidential or multifamily uses	No	No	Yes
Max. Sign Area	Based on setback and style, see Table (G)(2), below	Based on setback and style, see Table (G)(2), below	Based on setback and style, see Table (G)(2), below	Single-family detached or duplex building with frontage on arterial: 4 sf. All other allowed signs: 35 sf.	Single-family detached or duplex building with frontage on arterial: 4 sf. All other allowed signs: 35 sf.	32 sf. <sup>2</sup>
Max. Sign Height	Based on setback and style, see Table (G)(2), below	Based on setback and style, see Table (G)(2), below	Based on setback and style, see Table (G)(2), below	Single-family detached or duplex building with frontage on arterial: 5 ft. Multifamily or Nonresidential use: 8 ft.	Single-family detached or duplex building with frontage on arterial: 5 ft. Multifamily or Nonresidential use: 8 ft.	Multifamily or Nonresidential use: 5 ft. <sup>2</sup>
Allowed Lighting	Any	Any	Any	Indirect only	None	Any
Setbacks and Spacing	See Table (G)(2), below; 15 ft. setback from interior lot lines; 75 ft. spacing between freestanding signs	See Table (G)(2), below; 15 ft. setback from interior lot lines; 75 ft. spacing between freestanding signs	See Table (G)(2), below; 15 ft. setback from interior lot lines; 75 ft. spacing between freestanding signs	Not allowed if a wall sign is installed	Not allowed if a wall sign is installed	75 ft. from adjacent residential zone or existing or approved residential use
Max. Cabinets or Modules per Sign Face	3	3	3	3	3	3

**Table (G)(1)  
Freestanding Permanent Signs**

Type of Sign Standards	Sign District					
	Outside of Residential Neighborhood Sign District					Within Residential Neighborhood
	Downtown	Commercial / Industrial	Mixed-Use	Multifamily	Single-Family	
Other Standards	Location may be established by approved development plan; Structure shall match primary finish and colors of associated buildings; Pole style signs shall contain no more than 30 percent (or 40 percent if located within the site distance triangle) of free air space between the top of the sign and the ground, vertically and between the extreme horizontal limits of the sign extended perpendicular to the ground. A base or pole cover provided to satisfy this requirement shall be integrally designed as part of the sign by use of such techniques as color, material and texture. Freestanding signs that existed prior to December 30, 2011, and that do not comply with this requirement shall be removed or brought into compliance by December 31, 2019, provided that such signs otherwise comply with § 3.8.7.4, Nonconforming Signs.					structure shall match primary finish and colors of associated buildings; must be monument style
<b>Secondary Detached Signs</b>						
Max. #	1 per vehicular access point to nonresidential, mixed-use, or multifamily property	1 per vehicular access point to nonresidential, mixed-use, or multifamily property	1 per vehicular access point to nonresidential, mixed-use, or multifamily property	1 per vehicular access point to nonresidential, mixed-use, or multifamily property	1 per vehicular access point to nonresidential, mixed-use, or multifamily property	1 per street frontage of a neighborhood service center or neighborhood commercial district
Subject to Sign Area Allowance	Yes	Yes	Nonresidential uses only	No	No	No
Max. Sign Area	16 sf.	16 sf.	16 sf.	16 sf.	16 sf.	32 sf.
Max. Sign Height	4 ft.	4 ft.	4 ft.	4 ft.	4 ft.	6 ft.
Allowed Lighting	Any	Any	Any	Indirect only	Indirect only	Any
Setbacks and Spacing	2 ft. from right-of-way; 10 ft. from property lines	2 ft. from right-of-way; 10 ft. from property lines	2 ft. from right-of-way; 10 ft. from property lines	2 ft. from right-of-way; 10 ft. from property lines	2 ft. from right-of-way; 10 ft. from property lines	2 ft. from right-of-way; 10 ft. from property lines
Max. Cabinets or Modules per Sign Face	1	1	1	1	1	1
Other Standards	Same as primary freestanding sign; however, pole style signs are not allowed	Same as primary freestanding sign; however, pole style signs are not allowed	Same as primary freestanding sign; however, pole style signs are not allowed	Same as primary freestanding sign; however, pole style signs are not allowed	Same as primary freestanding sign; however, pole style signs are not allowed	Same as primary freestanding sign; however, pole style signs are not allowed
<b>Drive-Thru Lane Signs</b>						
Max. #	1 per drive through lane	1 per drive through lane	1 per drive through lane	1 per drive through lane	1 per drive through lane	1 per drive through lane
Subject to Sign Area Allowance	No	No	No	No	No	No
Max. Sign Area	30 sf. <sup>3</sup>	30 sf. <sup>3</sup>	30 sf. <sup>3</sup>	30 sf. <sup>3</sup>	30 sf. <sup>3</sup>	30 sf. <sup>3</sup>
Max. Sign Height	6 ft.	6 ft.	6 ft.	6 ft.	6 ft.	6 ft.
Allowed Lighting	Any	Any	Any	Any	Any	Any

Table (G)(1) Freestanding Permanent Signs						
Type of Sign Standards	Sign District					
	Outside of Residential Neighborhood Sign District					Within Residential Neighborhood
	Downtown	Commercial / Industrial	Mixed-Use	Multifamily	Single-Family	
Setbacks and Spacing	2ft from the right of way; if the sign faces out to the right-of-way 10 ft.	2ft from the right of way; if the sign faces out to the right-of-way 10 ft.	2ft from the right of way; if the sign faces out to the right-of-way 10 ft.	2ft from the right of way; if the sign faces out to the right-of-way 10 ft.	2ft from the right of way; if the sign faces out to the right-of-way 10 ft.	2ft from the right of way; if the sign faces out to the right-of-way 10 ft.
Max. Cabinets or Modules per Sign Face	1	1	1	1	1	1
Other Standards	Must be oriented to the drive-thru lane; if any part of the sign structure is visible from abutting property or right-of-way additional screening is required <sup>4</sup>	Must be oriented to the drive-thru lane; if any part of the sign structure is visible from abutting property or right-of-way additional screening is required <sup>4</sup>	Must be oriented to the drive-thru lane; if any part of the sign structure is visible from abutting property or right-of-way additional screening is required <sup>4</sup>	Must be oriented to the drive-thru lane; if any part of the sign structure is visible from abutting property or right-of-way additional screening is required <sup>4</sup>	Must be oriented to the drive-thru lane; if any part of the sign structure is visible from abutting property or right-of-way additional screening is required <sup>4</sup>	Must be oriented to the drive-thru lane; if any part of the sign structure is visible from abutting property or right-of-way additional screening is required <sup>4</sup>
<b>Table Notes:</b>						
<sup>1</sup> Frontages include the frontage of all properties that are part of a group of properties that are planned or developed with shared pedestrian or vehicular access. Signs may not be allocated from one frontage to another.						
<sup>2</sup> Additional sign area and sign height are allowed as follows: (i) Convenience shopping centers: Max. sign area: 40 sf., Max. sign height 8 ft.; (ii) Neighborhood service centers or neighborhood commercial districts: Max. sign area: 55 sf., Max. sign height: 10 ft.						
<sup>3</sup> An EMC may be 100% of the sign area if the display changes no more than three times in a 24hr. period.						
<sup>4</sup> Screening may be achieved through plants or other materials compatible to the primary building						

Table (G)(2) Setback for Primary Detached Signs based on Sign Height and Sign Area				
Distance from Street Right-of-Way Line (ft.)	Monument Style Sign		Pole Style Sign	
	Max. Height (ft.)	Max. Sign Area (per face) (sf.)	Max. Height (ft.)	Max. Sign Area (per face) (sf.)
0	7	45	10	20
5	8.5	60	10	30
10	10	75	12	40
15	12	90	12	50
20	12	90	14	60
25	12	90	16	70
30	12	90	18	80
36+	12	90	18	90

**(H) Projected Light Signs.**

**(1) Horizontal Projected Light Signs.**

- (a) Horizontal projected light signs that are projected onto public sidewalks are allowed only by portable sign permit, except that with respect to such signs, the area in which the portable sign

permit may be issued is expanded to include the following zoning districts: D, R-D-R, C-C-R, C-G, and N-C, and all pedestrian-oriented shopping streets within the C-C and H-C zoning districts.

- [b] All horizontal projected light signs require a permit.
  - (b) The projected image of a horizontal projected light sign:
    - 1. Shall be entirely within 10 ft. of a building entrance;
    - 2. Shall not exceed 6 sf. in area;
    - 3. Shall be projected onto a sidewalk or landscaped area; and
    - 4. Shall not project onto safety or traffic signage (e.g., crosswalk markings, bicycle dismount signs, etc.).
    - 5. Shall comply with all applicable lighting standards.
  - (c) The projector shall be concealed from view and either:
    - 1. Located entirely on private property; or
    - 2. Hung under an awning, canopy, eave, or arcade that is allowed to encroach over the right-of-way by way of a revocable license.
  - (d) A Horizontal projected light sign shall not be displayed on the public sidewalk at the same time as a sidewalk sign.
- (2) *Vertical Projected Light Signs.* Vertical projected light signs are not allowed as permanent signs. See Section 3.8.7.3 for the temporary use of vertical projected light signs.
- (3) *Operation.* All projected light signs shall contain static messages only. Animated, dissolve, or fade transitions are not allowed.
- (1) ***Restoration or Replacement of Historic Signs.*** The provisions of this subsection apply to buildings in the Downtown sign district that are more than 50 years old, whether or not they are formally recognized as historic at the local, state, or national level, or whether they are located within a designated historic district.
- (1) An owner of a building within the Downtown sign district may apply for a sign permit to restore or replace an historic sign that may not otherwise comply with the strict provisions of this Sign Code. Restorations or replacements that comply with the strict provisions of this Sign Code are not processed as historic signs.
  - (2) In addition to other required application materials, the owner shall provide evidence of the historic signage on the property during its period of significance (if applicable), or during the period within 20 years after its original construction.
  - (3) Upon determination that the application is complete (and not more than three business days after receipt of the application), the application shall be forwarded to the Fort Collins Design Review Subcommittee (“DRC”) of the Landmark Preservation Commission (“LPC”) for consideration on its next available regular or special agenda, which shall not be more than 45 days after the date of forwarding.
  - (4) After consideration of the application and appropriate supporting evidence at public hearing:
    - (a) If the DRC of the LPC finds that the proposed sign is comparable to the design, placement, area, quality, and character of the original sign, then the DRC of the LPC may approve the sign, and it shall be counted towards the sign area allowance. The DRC of the LPC may condition such approval on such modifications as are necessary to achieve comparability, but shall not condition such approval on changes in content.
    - (b) If the DRC of the LPC finds that the proposed sign is a replica or restoration of the original sign, including materials (which may include modern materials that are appropriate for historic restorations), design, colors, and content, then the DRC of the LPC may approve the sign, and it shall not be counted towards the sign area allowance.

- (c) If the DRC of the LPC finds that the proposed sign is not comparable to the design, placement, area, quality, or character of the original sign, then the DRC of the LPC shall deny the application and provide the applicants written reasons therefor within seven days after the denial.

**3.8.7.3 - Temporary Signs**

(A) **Applicability.** The regulations contained in this § 3.8.7.3 apply to temporary signs. The standards of this Section are applied in conjunction with all other applicable standards (e.g., the standards set out in § 3.8.7.1).

(B) **Standards for Attached Temporary Signs.**

- (1) *Generally.* The standards of this subsection apply to temporary signs that are attached to buildings. Temporary signs that are not attached to buildings are subject to the standards of subsection (C), below. Duration of display is limited by subsection (D).
- (2) *Attached Temporary Banners and Pennants.* Attached temporary banners and pennants may only be displayed provided a permit is obtained pursuant to § 3.8.7.4(B)(2).
- (3) *Temporary Sign Covers.* Temporary sign covers are permitted in all sign districts, provided that they are used during a period not to exceed 40 days in which a new permanent sign or sign component is being fabricated and such sign or sign component is permitted and installed in accordance with this Sign Code.
- (4) *Temporary Window Signs.*
  - (a) Temporary window signs are allowed in all locations where permanent window signs are allowed, provided that the standards of § 3.8.7.2(C) are met as to the combination of temporary and permanent window signs.
  - (b) 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.

(C) **Standards for Detached Temporary Signs.**

- (1) *Generally.* The standards of this subsection apply to temporary signs that are not attached to buildings. Temporary signs that are attached to buildings are subject to the standards of subsection (B), above. Duration of display is limited by subsection (D).
- (2) *Detached Temporary Signs.* Detached temporary signs are allowed according to the standards in Table (C), Detached Temporary Signs. Detached temporary sign types that are not listed in Table C (including but not limited to inflatable signs) are not allowed. Detached banners and pennants may only be displayed provided a permit is obtained pursuant to subsection (E), below. Portable signs may only be displayed provided a permit is obtained pursuant to the Code of the City of Fort Collins, Chapter 24, Article IV.

Table (C) Detached Temporary Signs (sf. = square feet / ft. = linear feet / N/A = not applicable)				
Type of Sign Standards	Sign District			
	Downtown	Commercial-Industrial	Multifamily/Mixed Use	Single-Family
<b>Yard Signs</b>				
Max. #	Single-Family and Duplex Residential Buildings: Not Limited	Single-Family and Duplex Residential Buildings: Not Limited	Single-Family and Duplex Residential Buildings: Not Limited	Residential Buildings: Not limited

**Table (C)**  
**Detached Temporary Signs**  
 (sf. = square feet / ft. = linear feet / N/A = not applicable)

Type of Sign Standards	Sign District			
	Downtown	Commercial-Industrial	Multifamily/Mixed Use	Single-Family
	Multi-Family Residential Buildings: 1 per 20 ft. of property frontage or fraction thereof	All other uses: 2 per vehicular access point	Multi-Family Residential Buildings: 1 per 20 ft. of property frontage or fraction thereof	Nonresidential and Residential Mixed Use Buildings: 1 per 80 ft. of property frontage or fraction thereof
Nonresidential and Residential Mixed Use Buildings: 1 per 80 ft. of property frontage or fraction thereof		Nonresidential and Residential Mixed Use Buildings: 1 per 80 ft. of property frontage or fraction thereof		
Max. Sign Area (per sign)	6 sf.	8 sf.	8 sf.	6 sf.
Max. Sign Height	4 ft.	4 ft.	4 ft.	4 ft.
Allowed Lighting	None	None	None	None
Setbacks and Spacing	2 ft. from property lines; 2 ft. from all other signs	2 ft. from property lines; 2 ft. from all other signs	2 ft. from property lines; 2 ft. from all other signs	2 ft. from property lines; 2 ft. from all other signs
Other Standards	Must be installed in permeable landscaped area.	Must be installed in permeable landscaped area that is at least 8 sf. in area and 2 ft. in any horizontal dimension, not more than 10 ft. from vehicular access point	Must be installed in permeable landscaped area that is at least 8 sf. in area and 2 ft. in any horizontal dimension	Must be installed in permeable landscaped area that is at least 8 sf. in area and 2 ft. in any horizontal dimension
Site Signs				
Max. #	Residential Buildings: Not Limited	1 per 600 ft. of property frontage or fraction thereof	1 per 600 ft. of property frontage or fraction thereof, provided that the area of the property is at least 2 acres; properties that are less than 2 acres shall not display site signs	1 per 600 ft. of property frontage or fraction thereof, provided that the area of the property is at least 2 acres; properties that are less than 2 acres shall not display site signs
	Nonresidential and Residential Mixed Use Buildings: 1 per property			
Max. Sign Area	16 sf.	32 sf.	32 sf.	32 sf.
Max. Sign Height	6 ft.	6 ft.	6 ft.	6 ft.
Allowed Lighting	External, down directional and concealed light source	External, down directional and concealed light source	External, down directional and concealed light source	External, down directional and concealed light source
Setbacks and Spacing	2 ft. from front property lines	2 ft. from front property lines	2 ft. from front property lines	2 ft. from front property lines
	10 ft. from all other property lines	10 ft. from all other property lines	10 ft. from all other property lines	10 ft. from all other property lines
	10 ft. from all other signs	10 ft. from all other signs	10 ft. from all other signs	10 ft. from all other signs

Table (C) Detached Temporary Signs (sf. = square feet / ft. = linear feet / N/A = not applicable)				
Type of Sign Standards	Sign District			
	Downtown	Commercial-Industrial	Multifamily/Mixed Use	Single-Family
	12 ft. from building walls	12 ft. from building walls	12 ft. from building walls	12 ft. from building walls
Other Standards	Where allowed, site signs shall be installed in permeable landscaped areas or hardscaped areas other than vehicular use areas and sidewalks that are at least 5 ft. in every horizontal dimension and at least 40 sf. in area	Where allowed, site signs shall be installed in permeable landscaped areas or hardscaped areas other than vehicular use areas and sidewalks that are at least 5 ft. in every horizontal dimension and at least 40 sf. in area	Where allowed, site signs shall be installed in permeable landscaped areas or hardscaped areas other than vehicular use areas and sidewalks that are at least 5 ft. in every horizontal dimension and at least 40 sf. in area	Where allowed, site signs shall be installed in permeable landscaped areas or hardscaped areas other than vehicular use areas and sidewalks that are at least 5 ft. in every horizontal dimension and at least 40 sf. in area
<b>Swing Signs</b>				
Max. #	Not allowed	Not allowed	1 per property frontage	1 per property frontage
Max. Sign Area	N/A	N/A	5 sf., including riders	5 sf., including riders
Max. Sign Height	N/A	N/A	5 ft.	5 ft.
Allowed Lighting	N/A	N/A	None	None
Setbacks and Spacing	N/A	N/A	2 ft. from all property lines	2 ft. from all property lines
Other Standards	N/A	N/A	Swing signs shall be installed in permeable landscaped areas that are at least 4 ft. in every horizontal dimension and at least 20 sf. in area	Swing signs shall be installed in permeable landscaped areas that are at least 4 ft. in every horizontal dimension and at least 20 sf. in area
<b>Feather Flags</b>				
Max. #	1 per 100 ft. of property frontage or fraction thereof; may be clustered	1 per 100 ft. of property frontage or fraction thereof; may be clustered	1 per 100 ft. of property frontage or fraction thereof; may be clustered	Residential Buildings: Not Allowed Nonresidential Buildings: 1
Max. sign area	40 sf.	40 sf.	40 sf.	10 sf.
Max. sign height	15 ft.	15 ft.	15 ft.	10 ft.
Other Standards	Not allowed if freestanding banner is present  Must be installed in a permeable landscaped area with a radius that extends not less than 3 ft. from the flag pole	Not allowed if freestanding banner is present  Must be installed in a permeable landscaped area with a radius that extends not less than 3 ft. from the flag pole	Must be installed in a permeable landscaped area with a radius that extends not less than 3 ft. from the flag pole	Must be installed in a permeable landscaped area with a radius that extends not less than 3 ft. from the flag pole

**(D) Duration of Display of Temporary Signs.**

- (1) *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 Sign Code.
- (2) *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 (D)(1), Classification of Temporary Sign Materials.

Table (D)(1) Classification of Temporary Sign Materials					
Material	Material Class				
	1	2	3	4	5
Paper, card stock, foam core board, or cardboard	✓				
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					✓

- (3) *Duration of Display.*
  - (a) In general, a temporary sign shall be removed as of the earlier of the date that:
    1. It becomes an abandoned sign; or
    2. It falls into disrepair (see § 3.8.7.5); or
    3. The number of days set out in Table (D)(2), *Duration of Temporary Sign Display by Material Class*, expires.

Table (D)(2) Duration of Temporary Sign Display by Material Class						
Sign Type	Max. Duration for Individual Sign by Material Class					Max. Posting Days/Year
	1	2	3	4	5	
Yard Sign	Not Allowed	45 days	Not Allowed	60 days	180 days	180 days
Site Sign	Not Allowed	Not Allowed	Not Allowed	60 days	180 days	180 days <sup>1</sup>
Swing Sign	Not Allowed	Not Allowed	Not Allowed	60 days	180 days	180 days <sup>1</sup>
Window Sign	30 days per sign	30 days per sign	30 days per sign	30 days per sign	30 days per sign	30 days per sign
Feather Flags	Not Allowed	Not Allowed	20 days	Not Allowed	Not Allowed	20 days

**Table Notes:**  
<sup>1</sup> Alternatively, the sign type may be displayed for three hundred sixty (360) days every two (2) calendar years.

- (b) Temporary required signs shall be removed as required by the applicable regulation.
- (4) *Administrative Interpretations.* Materials for signage that are not listed in this subsection (D) may be introduced into the market. When a material is proposed that is not listed in this subsection (D), the Director shall determine the class of materials with which the new material is most closely comparable, based on the new material's appearance, durability, and colorfastness. No temporary sign shall be displayed for a longer period than a site sign constructed of class 5 material, regardless of the durability material (although such a sign may be permissible as a permanent sign under § 3.8.7.2).

(E) **Banners and Pennants.**

- 
- (1) Attached unframed banners, detached banners, and attached and detached pennants are allowed in any zone district pursuant to the restrictions in below Table (E), provided that a permit is obtained from the Director. The Director shall issue a permit for the display of banners and pennants only in locations where such banners and pennants will not cause unreasonable annoyance or inconvenience to adjoining property owners or other persons in the area and on such additional conditions as deemed necessary to protect adjoining premises and the public. All banners and pennants shall be removed on or before the expiration date of the permit. If any person, business or organization erects any banners or pennants without receiving a permit, as herein provided, the person, business or organization shall be ineligible to receive a permit for a banner or pennant for the remainder of the calendar year.
  - (2) Each business or non-profit entity or other organization, and each individual not affiliated with an entity or organization, shall be eligible to display banners and pennants pursuant to a valid permit for a maximum of forty (40) days per calendar year.
  - (3) The Director shall review a banner or pennant permit application within two (2) business days to determine completeness. If it is complete, the Director shall approve or deny the application within three (3) business days after such determination. If it is incomplete, the Director shall cause the application to be returned to the applicant within one (1) business day of the determination, along with written reasons for the determination of incompleteness.
  - (4) Notwithstanding the size and time limitations contained in Table E in the Downtown sign district:
    - (a) , In conjunction with a special event permit three banners larger in size than 40 sf. may be displayed for 15 days.
    - (b) The Director may approve a temporary banner permit application if it is demonstrated that:
      1. The banner display is not detrimental to the public good;
      2. The banner does not project into the right-of-way;
      3. The banner is attached to a building 30ft or greater in height;
      4. The banner is mounted flush with the building wall;
      5. The banner is on the side of building that fronts a right-of-way or public plaza;
      6. There is no more than 15 sf. of permanent signage on the side of the building on which the banner is to be displayed;
      7. The banner does not cover more than one architecturally distinct window;
      8. No feather flags are displayed on the property;
      9. Only one banner is displayed at a time;
      10. The banner does not exceed six feet in width and 25 feet in height; and
      11. The banner is displayed no more than a four consecutive month period

Table (E) Banners and Pennants (sf. = square feet / ft. = linear feet / N/A = not applicable)				
Standard	Sign District			
	Downtown	Commercial-Industrial	Multifamily/Mixed Use	Single-Family
<b>Detached Banners and Pennants</b>				
Max. # on each building elevation	1	1 per 300 ft. of building elevation or fraction thereof, but not more than 3 banners per building	1	Residential Buildings: Not Allowed Nonresidential Buildings: 1
Max. Sign Area	40 sf.	40 sf.	40 sf.	Residential Buildings: N/A Nonresidential Buildings: 40 sf.
Allowed Lighting	None	External	None	None
Max. Sign Height	7 ft.	7 ft.	4 ft.	4 ft.
Other Standards	None	If more than one banner is allowed on a building elevation, banners may be clustered	None	None
<b>Detached Banners and Pennants</b>				
Max. #	Either framed or unframed: 1 per property frontage; or 1 per 100 ft. of property frontage if secured to temporary construction fencing related to permitted construction (may be clustered)	Either framed or unframed: 1 per property frontage; or 1 per 100 ft. of property frontage if secured to temporary construction fencing related to permitted construction (may be clustered)	Either framed or unframed: 1 per property frontage; or 1 per 100 ft. of property frontage if secured to temporary construction fencing related to permitted construction (may be clustered)	Not allowed
Max. Sign Area (per banner)	40 sf.	40 sf.	40 sf.	40 sf.
Allowed Lighting	None	None	None	None
Max. Sign Height (applies to freestanding banner frames)	6 ft.	6 ft.	6 ft.	6 ft.

- (5) For banners and pennants in all sign districts, the following shall apply:
- (a) mounting hardware shall be concealed from view;
  - (b) banners shall be stretched tightly to avoid movement in windy conditions;
  - (c) all banners that are installed in banner frames shall be sized to fit the banner frame so that there are no visible gaps between the edges of the banner and the banner frame;
  - (d) banners are not allowed if any of the following are present on the property: feather flag, yard sign, site sign, or swing sign;
  - (e) any common line of pennants must be stretched tightly to avoid movement in windy conditions.

**(F) Vertical Projected Light Signs.**

- (1) Vertical projected light signs may be used in connection with a temporary special event, during the term of the temporary special event. Such special events may include, but are not limited to, Art in Public Places events or Downtown Development Authority Alley Enhancement Projects.
- (2) The projected image of a vertical projected light signs is limited to nonresidential and mixed-use properties, but is not limited by zoning district.
- (3) The projected image shall not fall onto a surface with a high degree of specular reflectivity, such as polished metal or glass. The image shall be positioned to harmonize with the architectural character of the building(s) to which it is projected, and shall avoid any projection, relief, cornice, column, window, or door opening.
- (4) The projected image shall not exceed 15 sf. if any portion of it is on a first story building wall or on a structure that is not a building, or 30 sf. if all of the image is above the first story of a building, except that a projected image may occupy 100 percent of the side or rear wall area of a building in the Downtown sign district, provided that the building is within the Downtown Development Authority's Alley Enhancement Project and the building wall does not face a vehicular right-of-way.
- (5) The path of the projection shall not cross public rights-of-way or pedestrian pathways at a height of less than seven feet.
- (6) Vertical projected light signs shall contain static messages only, and animated, dissolve, or fade transitions are not allowed.
- (6) Vertical projected light signs are subject to the illumination standards of § 3.8.7.1(I) unless the City determines that additional illumination will be permitted because it will pose no material detrimental effects on neighboring properties or public rights-of-way due to the location and/or timing of the display. Such determination, and allowable illumination levels, shall be specified in the permit that allows the vertical projected light sign.

**3.8.7.4 - Nonconforming Signs and Administration****(A) Nonconforming Signs.**

- (1) Nonconforming signs shall be maintained in good condition and no such sign shall be:
  - (a) Structurally changed to another nonconforming sign, although its content may be changed;
  - (b) Structurally altered in order to prolong the life of the sign;
  - (c) Altered so as to increase the degree of nonconformity of the sign;
  - (d) Enlarged;
  - (e) Re-established after damage or destruction if the estimated cost of reconstruction 50 percent of the appraised replacement cost.
- (2) Except as provided in subsection (A)(3), below, all existing nonconforming signs located on property annexed to the City shall be removed or made to conform to the provisions of this Article no later than seven years after the effective date of such annexation; provided, however, that during said seven-year period, such signs shall be maintained in good condition and shall be subject to the same limitations contained in subparagraphs (A)(1)(a) through (f), above. This subsection shall not apply to off-premises signs which are within the ambit of the just compensation provisions of the Federal Highway Beautification Act and the Colorado Outdoor Advertising Act.
- (3) All existing signs with flashing, moving, blinking, chasing or other animation effects not in conformance with the provisions of this Article and located on property annexed to the City shall be altered so that such flashing, moving, blinking, chasing, or other animation effects shall cease within

60 days after such annexation, and all existing portable signs, vehicle-mounted signs, banners, and pennants located on property annexed to the City shall be removed or made to conform within 60 days after such annexation.

- (4) Historic signs shall be considered conforming for the purposes of this Section. The Director may designate a sign as an historic sign if:
  - (a) The applicant provides documentation that the sign has been at its present location for a minimum of fifty (50) years.
  - (b) The sign is structurally safe or capable of being made structurally safe without substantially altering its historic character. The property owner is responsible for making all structural repairs and restoration of the sign to its original condition.
  - (c) The sign is representative of signs from the era in which it was constructed and provides evidence of the historic use of the building or premises.

(B) **Administration.**

- (1) All sign permit applications shall be accompanied by detailed drawings indicating the dimensions, location, and engineering of the particular sign, plat plans when applicable, and the applicable processing fee.
- (2) The Director shall review the sign permit application within two business days after receipt to determine if it is complete. If it is complete, the Director shall approve or deny the application within three business days after such determination. If it is incomplete, the Director shall cause the application to be returned to the applicant within one business day of the determination, along with written reasons for the determination of incompleteness.

### 3.8.7.5 - Sign Maintenance

- (A) **Maintenance Standards.** Signs and sign structures of all types (attached, detached, and temporary) shall be maintained according to the following standards:
- (1) *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.
  - (2) *Mineral Deposits and Stains.* Mineral deposits and stains shall be promptly removed.
  - (3) *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.
  - (4) *Damage.* Permanent signs that are damaged shall be repaired or removed within one year, unless the damage creates a material threat to public safety, in which case the Chief Building Official may order prompt repair or removal. Temporary signs that are obviously damaged (*e.g.*, broken yard signs) shall be removed within 24 hours.
  - (5) *Upright, Level Position.* Signs that are designed to be upright and level, whether temporary or permanent, shall be installed and maintained in an upright and level position. Feather flag poles shall be installed in a vertical position. Signs that are not upright and level shall be removed or restored to an upright, level position.
  - (6) *Code Compliance.* The sign must be maintained in compliance with all applicable building, electrical, and property maintenance codes (including any exceptions that may apply to existing sign structures).
- (B) **Quality of Repairs.** Repairs to signs shall be equal to or better in quality of materials and design than the original sign.

**(C) *Altering or Moving Existing Signs.***

- (1) Any alteration to an existing sign structure (except for alterations to changeable copy, replacement of a panel in a cabinet sign, replacement of a light source with a comparably bright light source, application of paint or stain) shall require a new permit pursuant to § 3.8.7.4(B) prior to commencement of the alteration. Alterations requiring a new permit shall include, without limitation:
  - (a) Changes to the area of manual changeable copy center on a sign, including the installation of a new manual changeable copy center where one was not previously present;
  - (b) Changing the size of the sign;
  - (c) Changing the shape of the sign;
  - (d) Changing the material of which the sign is constructed;
  - (e) Changing or adding lighting to the sign (except as provided above);
  - (f) Changing the location of the sign; or
  - (g) Changing the height of the sign.
- (2) No sign permit is required for removal of sign displays from supporting structures for maintenance, provided that they are replaced on the same support in the same configuration and the maintenance did not involve work that requires a permit.

**3.8.7.6 - Conversion of Nonconforming Billboards**

- (A) ***Generally.*** The purpose of this Section is to provide an incentive for the reduction of sign clutter by allowing for digital billboard replacements (DRC) in exchange for the removal of existing nonconforming billboards according to the provisions set out herein. The digital electronic message center components of DRC are exempt from § 3.8.7.1(J)(2), and instead are subject to the standards of this Section. DRC are subject to all other provisions of § 3.8.7.1.
- (B) ***Replacement Ratio.*** The applicant for a (DRC) shall provide proof that the greater of eight static sign faces or 2,200 sf. of static sign face from existing billboards within the City of Fort Collins or its Growth Management Area will be permanently removed for each sign face that is the subject of a DRC. Where a sign structure remains with no sign faces, the sign structure shall also be permanently removed.
- (C) ***Review Procedures.***
  - (1) (1) An application to convert nonconforming billboards will undergo a Type 2 review.
- (D) ***Replacement Locations.*** (1) Within the City there shall not be more than five new DRC locations and shall be:
  - (a) Prohibited in the D; R-L; R-C; P-O-L; U-E; R-U-L; R-F; N-C-L; and N-C-M zone districts.
  - (b) Not located within 500 ft. from designated historic districts or landmarks, natural areas or parks, or property that is used or zoned for single-family, duplex, or single family attached residential uses
  - (c) Not located within 1/8 mile (660 ft.) of Downtown Zone District
- (2) DRC shall be separated from each other by not less than two miles, measured in a straight line between the DRC and existing static billboards.
- (3) DRC shall be set back as follows:
  - (a) From public rights-of-way: 25 ft.
  - (b) From traffic control devices and driver decision and action points: 100 ft.

(d) From interchanges with limited access highways: 1,000 ft.

- (D) **Sign Face Area.** No sign face of a digital billboard replacement shall exceed 90 sf. in area, unless it is directed at an interstate highway, in which case it shall not exceed 250 sf. in area.
- (E) **Sign Height.** No DRC shall exceed 18 ft. in height, unless it is directed at an interstate highway, in which case it shall not exceed 26 ft. in height. If flush mounted on a side of a building it cannot cover any fenestration and not exceed the lesser of the roof line or 18 ft. in height.
- (F) **Design and Operation.** With respect to digital billboard replacements:
  - (1) EMCs shall not have a pixel pitch that is greater than 16 mm.
  - (2) The message displayed on an EMC shall be a single message (not a split screen with more than one message), which shall not change more frequently than set out in Table (F), Dwell Time.

Table (F) Dwell Time	
Speed limit of street that EMC faces	Minimum dwell time
50 m.p.h. or less	60 seconds
More than 50 m.p.h.	24 seconds

- (3) DRC shall contain static messages only, and animated, dissolve, or fade transitions are not allowed.
- (4) DRC shall be controlled by dimming software and sensors to adjust brightness for nighttime viewing and variations in ambient light. The intensity of the light source shall not produce glare, the effect of which constitutes a traffic hazard or is otherwise detrimental to the public health, safety or welfare.
- (5) DRC that are mounted on poles shall utilize pole covers to hide the poles from view.
- (G) **Certification.** Prior to acceptance of the installation by the City, the permit holder shall schedule and inspection with the Community Development Department to verify compliance. The permit holder and the business owner, business manager or property manager shall be in attendance during the inspection.

**Definitions**

**5.1.2 - Definitions.<sup>1</sup>**

**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.

**Applied or painted sign** means a type of wall sign that is applied to or painted on a building wall, such that the sign appears flush with, or within not more than one inch of, the surface of the wall.

**Attached sign** means a wall sign, a window sign, a roof sign, or a projecting sign.

**Awning sign** means a sign that is painted on, integrated into, or attached to an awning. For the purposes of this definition, an awning is a projection from the building that is supported entirely from the exterior wall of the building, and that gives shelter from the sun or weather over doors, windows, or storefronts. An awning is different from a canopy in that an awning is covered with fabric or other flexible material.

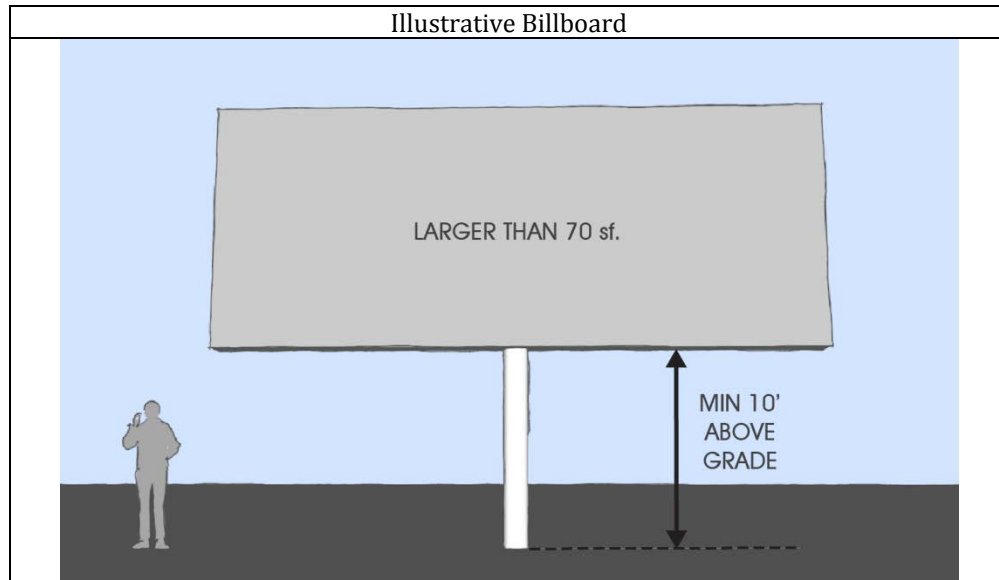
**Banner** means a type of temporary sign that is painted or printed on cloth, vinyl, or other flexible material, which is designed to be stretched between poles, fence posts or wire, mounted in a free-standing frame, or hung on walls with ties, clips, rails, brackets, hooks, or frames.

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<sup>1</sup> These definitions should be alphabetically interleaved with the existing definitions in Section 5.1.2 of the Land Use Code.

**Banner frame** means type of wall sign composed of a frame that is secured to a building wall and used to stretch banners such that they are tightly stretched and their mounting hardware is hidden from view.

**Billboard** means a type of freestanding sign that incorporates a sign face that is larger than 70 square feet, mounted on one or more pole structures, such that the lowest part of the sign face is 10 feet or more above adjacent grade.



**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 type of wall sign composed of a cork, letter board, white board, or comparable surface that is within a secured, weather-resistant enclosure and used for the display of temporary messages. Bulletin board does not include manual changeable copy center.

**Cabinet sign** means a type of sign composed of a frame or external structure with a box-like design that encloses a sign face and other functional elements of the sign, including dimensional or electrical components.

**Canopy sign** means a type of sign with one face affixed to a canopy. For the purposes of this definition, a canopy is an attached or detached structure, open on at least one side, which is designed to provide overhead shelter from the sun or weather. Canopies include, but are not limited to, service station canopies, carports, porte-cochères, arcades, and pergolas. A canopy is different from an awning in that a canopy is not covered with fabric or flexible material.

**Commercial speech** means expression by a speaker for the purposes of commerce, where the intended audience is actual or potential consumers, and where the content of the message is commercial in character. Commercial speech typically advertises a business or business activity or proposes a commercial transaction.

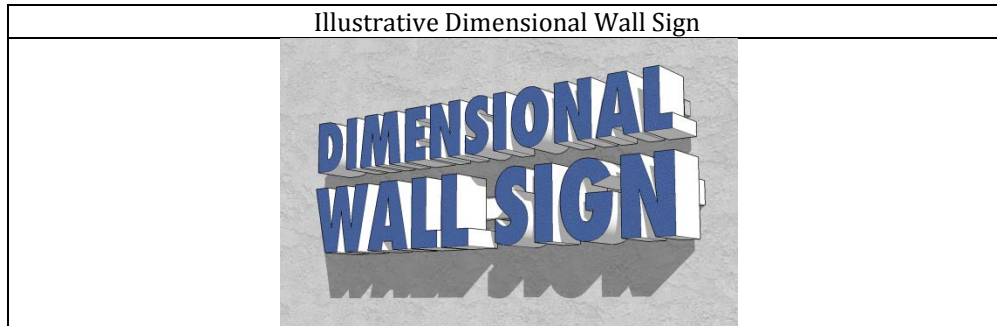
**Detached sign** means a sign that is not attached to or located inside of a building.

**Digital billboard** means a billboard that incorporates an electronic message center on at least one sign face.

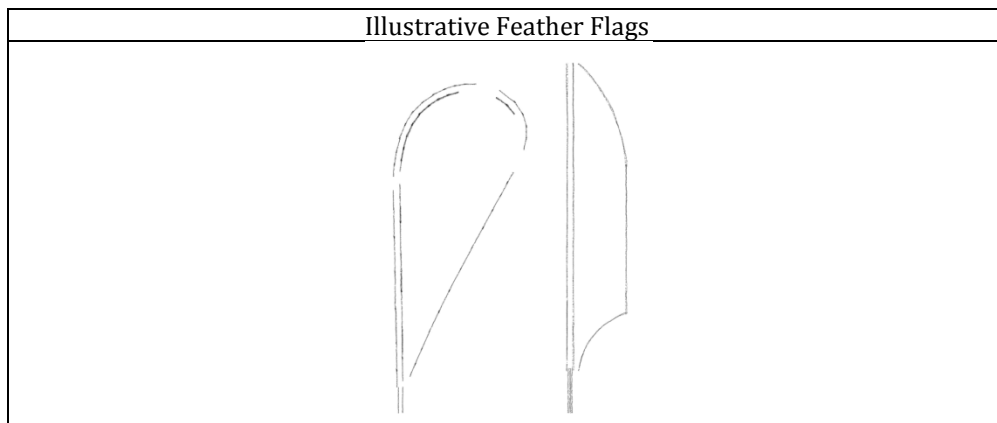
**Digital billboard replacement** means the replacement of all or part of a static sign face of an existing billboard with a digital electronic message center or a new billboard with an electronic message center that replaces existing billboards without electronic message centers, according to the provisions of § 3.8.7.6.

**Digital electronic message center** means a display surface that is composed of light emitting diodes (LEDs) or comparable light sources that is capable of displaying variable messages and graphics, which are generally created on a computer. Digital electronic message centers are also known as EMCs.

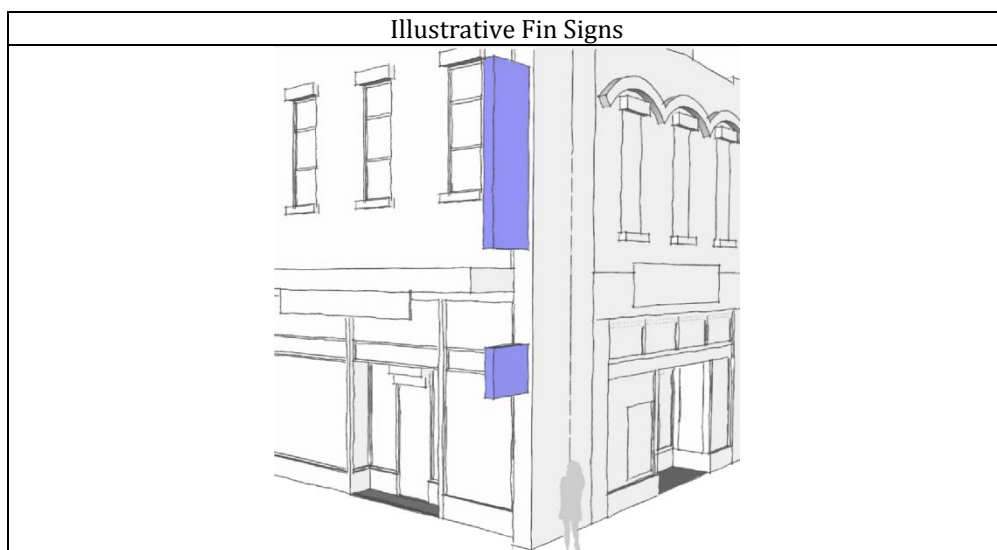
**Dimensional wall sign** means a three-dimensional sign that is attached to building wall, such that the elements of the sign do not extend more than eight inches from the building wall. Dimensional wall signs include but are not limited to channel lettering.



**Feather flag** means a flexible piece of fabric that is attached to a flexible pole along a long edge such that the pole stretches the fabric taut regardless of wind conditions. Feather flags are also commonly referred to as “teardrop banners,” “teardrop flags,” and “flutter flags.”



**Fin sign** means a projecting sign that is mounted on or affixed to a building wall, such that the sign face is generally perpendicular to the building wall. In addition to the wall mount or mounts, a fin sign may include ground-mounted support structures.



**Flag** means a flexible piece of fabric, that is attached along one 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.

**Hanging sign** means a sign that is mounted under an awning or canopy as such terms are defined above, or under a cantilevered portion of a building. Generally, hanging signs are oriented perpendicular to the building wall.

**Inflatable sign** means a sign that is constructed from an envelope flexible material that is given shape and / or movement by inflation. The phrase inflatable sign does not include balloons that are less than 18 inches in all dimensions.

**Initial luminaire lumens** means the light output of the lamp or luminaire before any light loss factors are considered.

**Interactive window sign** means one or more illuminated screens that are displayed inside storefront windows that can be programed to allow customers to navigate content interactively from outside the window.

**Manual changeable copy message 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 that are enclosed within a cabinet structure). Manual changeable copy centers are sometimes known as “readerboards.”

**Marquee sign** means projecting sign that is designed as a canopy structure, which includes a combination of permanent lettering or graphics and either manual changeable copy or electronic message center components.

**Monument style** means a style of freestanding sign characterized by a supporting sign structure that is at least 70 percent of the width of the sign face, and that contains not more than 2 sign faces.

**Off-premises signs** shall mean a sign or billboard which is used or intended for use to advertise, identify, direct or attract the attention of the public to a business, institution, product, organization, event or location offered or existing elsewhere than upon the same lot, tract or parcel of land where such sign or billboard is displayed.

**Optional residential sign** means a wall sign, affixed to a residential building on a street-facing elevation, with a single sign face that does not exceed four square feet in area.

**Permanent sign** means a durable sign that is mounted or affixed for long-term use, not easily removed, and resistant to weather and other wear and tear.

**Pole cover** means a durable, permanent decorative cover that encloses the structural supports of a detached sign. The phrase “pole cover” does not include paints, stains, powder coating, or other finishes that are applied directly to the structural supports.

**Portable sign** means a sign that is designed to be easily moved from one location to another, and when placed, is neither fastened to a permanent structure or building, nor staked or otherwise installed into the ground.



**Primary detached sign** means a detached sign that is visually dominant over other detached signs on the same property, due to its taller height and / or larger sign area.

**Primary fin sign** means a fin sign that is visually dominant over other fin signs on the same building, due to its taller height and / or larger sign area.

**Principal building entrance** means a street-level 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).

**Projected light sign** means any image, text, or other content that is projected onto an outdoor surface (e.g., a building wall or sidewalk) by a laser projector, video projector, video mapping, or other comparable technology, in a location such that the image, text, or content is obviously visible from outside of the premises.

**Projecting sign** means a type of attached sign that extends from a building wall, usually perpendicular to the wall’s surface. Projecting signs include awning signs, fin signs, marquee signs, and hanging signs.

**Property** means the real property owned or controlled by the applicant for a sign permit or alternative sign program. Property may be a single lot or parcel, or may be a combination of abutting lots or parcels that will be bound by the approval.

**Property frontage** means the length of a front, side, or rear property line that abuts a street right-of-way.

**Required sign** means a sign that is required by an applicable building code (e.g., address numbers) or health and safety regulations (e.g., the Occupational Safety and Health Act (“OSHA”) or other laws or regulations, whether such sign is temporary or permanent.

**Rider** means a subordinate sign panel that is attached to a swing sign, either above the horizontal member or below the principal sign face. To illustrate, but without limiting the range of messages that a rider may convey, if the swing sign is used to advertise a property as “for sale,” a rider is often used to convey a related message such as “contract pending.”

**Roof sign** means a type of attached sign that is mounted onto a building’s roof structure.

**Secondary detached sign** means a detached sign that is subordinate to a primary detached sign in terms of height and / or sign area.

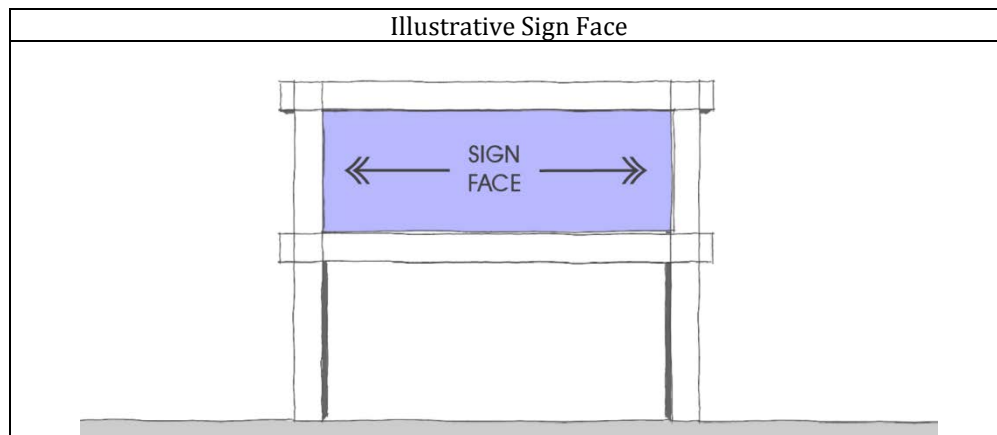
**Secondary fin sign** means a fin sign that is subordinate to a primary fin sign in terms of height and / or sign area.

**Secondary roof** means a flat roof structure that is at least 10 feet lower than another roof structure on the same building.

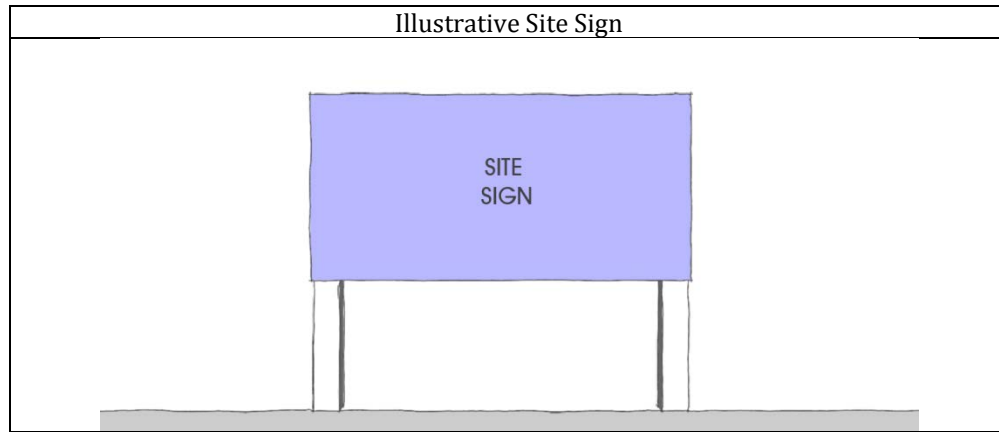
**Secondary roof sign** means a sign that is mounted upon the horizontal plane of a flat roof structure of secondary roof of a building, which may include the roof of a canopy or porte-cochère that is attached to a building.

**Sign** means any writing (including letter, word or number), pictorial representation (including illustration or declaration), product, form (including shapes resembling any human, animal or product form), emblem (including any device, symbol, trademark, object or design which conveys a recognizable meaning, identity or distinction) or any other figure of similar character that is a structure or any part thereof or is written, painted, projected upon, printed, designed into, constructed or otherwise placed on or near a building, board, plate, or upon any material object or device whatsoever, that by reason of its form, location, manner of display, color, working, stereotyped design or otherwise attracts or is designed to attract attention to the subject or to the premises upon which it is situated, or is used as a means of identification, advertisement or announcement. The term sign shall not include the following:

- (1) window displays of merchandise or products;
- (2) works of art that do not include commercial speech;
- (3) products, merchandise or other materials which are offered for sale or used in conducting a business, when such products, merchandise, or materials are kept or stored in a location which is designed and commonly used for the storage of such products, merchandise or materials; and
- (4) any display that would otherwise be considered a sign, but that has been found by the Landmark Preservation Commission to be an integral part of a building that is designated as an historic landmark, and the display is a contributing feature of the historic character of such building. 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 posts.



**Street-Facing Building Elevation** means Building Elevation that is oriented toward a public or private street that abuts the property.

**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.

**Temporary seasonal decorations** means decorations and signs that are clearly incidental, customary, and commonly associated with a holiday.

**Temporary sign** means a sign that is designed or intended to be displayed for a short period of time.

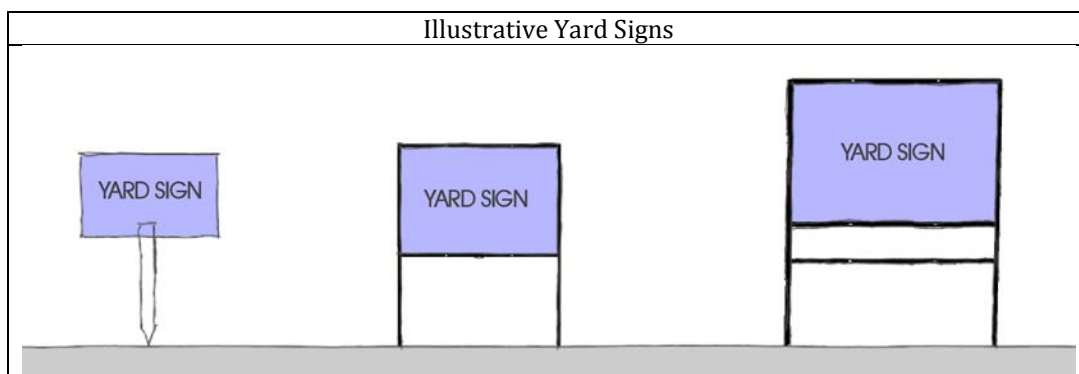
**Temporary sign cover** means a type of temporary sign that is constructed of flexible material, designed to fit over a permanent sign face or mount.

**Wall sign** means a sign that is painted on, applied to, or affixed to a building wall. Wall signs include applied or painted signs, bulletin boards, cabinet signs, and dimensional wall signs.

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

**Window transparency** means the surface 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 by a sign.

**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 or more stakes.



## Chapter 17.68

### SIGN REGULATIONS

#### Sections:

- 17.68.010 General Provisions
- 17.68.020 Application of Chapter
- 17.68.030 Signs Requiring a Permit
- 17.68.040 Signs Allowed Without a Permit
- 17.68.050 Exemptions for Addressing
- 17.68.060 Non-Conforming Signs
- 17.68.070 Relationship to Other Regulations
- 17.68.080 Measurements and Calculations
- 17.68.090 Prohibited Signs and Design Elements
- 17.68.100 Prohibited Sign Locations
- 17.68.110 Illumination of Signs
- 17.68.120 Sign Maintenance
- 17.68.130 Allowable Sign Space

17.68.010 General Provisions. The purpose of this Chapter is to set out regulations for the erection and maintenance of signs while preserving the right of free speech and expression.

A. The objective of the regulations of this Chapter is to provide a balanced and fair legal framework for design, construction, and placement of signs that:

1. Promotes the safety of persons and property by ensuring that signs do not create a hazard by:
  - a. Collapsing, catching fire, or otherwise decaying; or
  - b. Confusing or distracting motorists; or
  - c. Impairing drivers' ability to see pedestrians, obstacles or other vehicles, or to read traffic signs.
2. Promotes the efficient communication of messages, and ensures that persons exposed to signs:
  - a. Are not overwhelmed by the number of messages presented; and
  - b. Are able to exercise freedom of choice to observe or ignore said messages according to the observer's purpose.

3. Protects the public welfare and enhances the appearance and economic value of the landscape by protecting scenic views and avoiding sign clutter that can compromise the character, quality, and viability of commercial corridors;
4. Ensures that the design and appearance of signs are compatible with their surroundings, and prevents the construction of signs that are a nuisance to occupants of adjacent and contiguous property due to brightness, reflectivity, bulk, or height;
5. Promotes the use of signs that are aesthetically pleasing, of appropriate scale, and integrated with the built environment, in order to meet the City's Comprehensive Planning objectives related to the quality and character of development;
6. Enhances property values and business opportunities;
7. Assists in wayfinding; and
8. Provides fair and consistent permitting and enforcement.

B. Certain types of speech are not protected by the First Amendment due to the harm that they cause to individuals or the community, and speech that is harmful to minors may be prohibited in places that are accessible to minors pursuant to Section 17.68.090(D). (Ord. 4, 2022)

17.68.020 Application of Chapter. Hereinafter, all construction, relocation, enlargement, alteration, and modification of signs within the City shall conform to the requirements of this Chapter, all State and Federal regulations concerning signs and advertising, and applicable building codes. Publicly funded art and murals are not subject to requirements of this chapter. Generally, signs are approved by issuance of a sign permit except those outlined in Section 17.68.040.

A. Planned Unit Developments are required to develop a sign plan as set forth in Section 16.05.050(B)(5), which should generally follow this Chapter 17.68. (Ord. 4, 2022)

17.68.030 Signs Requiring a Permit. A sign permit shall be required for all signs exceeding six (6) square feet in area,

measured pursuant to Section 17.68.080(F), unless otherwise exempted by Section 17.68.040. A permit is required when the sign face is changed, such as changes in name or ownership. In addition, a sign permit shall be required at any time the area of a permitted sign is increased, provided that the increase is allowable within the zone district in which the sign is located. This Section shall not be interpreted so as to grant permission for prohibited signs with sign areas less than six (6) square feet. (Ord. 4, 2022)

17.68.040 Signs Allowed Without a Permit.

A. The following signs do not require a sign permit, but may require a building permit or other related permit (if subject to building or electrical codes):

1. *Official and Legal Notice.* Official and legal notice signs that are issued by any court, public body, or officer in performance of a public duty, or in giving any legal notice, including signs that are required to be posted to give notice of pending action pursuant to the Delta Municipal Code.

2. *Signs with De Minimus Area.* Signs that are affixed to a building or structure (even if wall signs are not permitted in the district or for the use), which do not exceed one square foot in sign area, provided that only one such sign is present on each elevation that is visible from public rights-of-way or neighboring property; and signs that are less than three-fourths of a square foot in area that are affixed to machines, equipment, fences, gates, walls, gasoline pumps, public telephones, or utility cabinets.

3. *Flags.* Flags that are not larger than thirty (30) square feet in area that are affixed to permanent flagpoles or flagpoles that are mounted to buildings (either temporary or permanent).

4. *Carried Signs.* Signs that are being carried by people or by service animals recognized under the Americans with Disabilities Act (however, such signs are not exempt if they are set down or propped on objects).

5. *Bumper Stickers.* Bumper stickers on vehicles not exceeding four (4) inches by eighteen (18) inches and also as exempted in Section 17.68.090(C)(5).

6. *Interior Signs.* Includes window displays not meeting criteria for window signs in 17.68.080(C)(2).

7. *Traffic Control Signs.* Traffic control signs and other signs related to public safety that the City, Delta County, any Federal department or agency, or the State of Colorado or any political subdivision thereof with jurisdiction in the City installs or requires a developer to install.

8. *Holiday Decorations.* Holiday or seasonal decorations that are displayed for no more than thirty (30) days.

9. *Balloons.* Balloons less than twenty-four inches (24") in diameter.

10. *Pennants.* Pennants with at least one dimension (either length or width) less than twenty-four inches (24").

11. *Banners or Wave Flags.* Banners or wave flags twenty-five (25) square feet or less, with a limit of two (2) per lot.

12. *Yard Signs.* Yard signs in residential zone districts that are not more than six (6) square feet in area and six (6) feet in height per sign, with a total allowable sign area of twelve (12) square feet per lot.

13. *Swing Signs.* Swing signs in residential zone districts that are not more than five (5) square feet in area and six (6) feet in height, with a limit of one (1) per street frontage.

B. Signs that do not require permits shall still comply with Section 17.68.120, Sign Maintenance. (Ord. 4, 2022)

17.68.050 Exemption for Addressing. The posting of the addresses of buildings in locations that are visible from the street is necessary for the effective delivery of public safety services, including E-911. The efficient and timely delivery of emergency services is a compelling governmental interest. Accordingly, the City requires that street addresses shall be

posted in accordance with Section 502 of the Delta Building Code.

A. *Exclusion from Sign Area Calculation.* Because address signs are required, numbers and letters used for addressing are not included in the calculation of sign area if they are not more than fourteen (14) inches in height. (Ord. 4, 2022)

17.68.060 Non-Conforming Signs. Legally permitted signs in effect prior to the effective date of this Chapter may continue to be used as long as the sign is maintained, not enlarged or changed materially. Changes will require a permit and compliance with this Chapter. If the sign is destroyed or damaged, it may be replaced if construction is completed within six (6) months. (Ord. 4, 2022)

17.68.070 Relationship to Other Regulations. These Regulations recognize other regulations pertaining to signage (e.g., State of Colorado, Department of Highways, "Rules and Regulations Pertaining to Outdoor Advertising," effective January 1, 1984, and as may be amended, or the Manual on Uniform Traffic Control Devices). Where any provision of this Chapter covers the same subject matter as other regulations, the more restrictive regulation shall apply.

17.68.080 Sign Area and Dimensions. The regulations of this Chapter shall be applied using the measurements set out in this Section.

A. Total Allowable Sign Area

1. B-1 zone district: fifty (50) square feet or one (1) square foot per linear foot of lot frontage, whichever is greater.

2. B-2, B-3, I, and I-R zone districts, and for any allowed commercial uses in Residential zone districts not including home-based businesses: one hundred (100) square feet or one (1) square foot per linear foot of lot frontage, whichever is greater.

B. Maximum Sign Area per Undivided Parcel

1. B-1 and I-R zone districts, and for any allowed commercial uses in Residential zone districts not including home-based businesses: three hundred (300) square feet.

2. All other zone districts: no maximum.

C. Maximum Sign Area per Sign Face: one hundred and fifty (150) square feet.

D. Maximum Sign Height: thirty-five (35) feet. No part of any sign attached to or within six (6) feet of a building shall be higher than the ridgeline of the roof or parapet of the building.

E. Supplemental Regulations for Specific Sign Types

1. *Neon Signs*

a. Allowed in the B-1, B-2, B-3, I, and I-R zone districts.

b. One sign, no larger than six (6) square feet, is allowed per business if located in a window.

c. Sign area shall count toward total allowable sign area.

d. Shall comply with Section 17.68.090(A)(3).

2. *Electronic Message Centers*

a. Allowed in the B-1, B-2, B-3, I, and I-R zone districts, and for any commercial uses in Residential zone districts not including home-based businesses.

b. One (1) sign is allowed per business.

c. If ten (10) square feet or less:

i. The sign area shall not count toward the total allowable sign area.

ii. Sign may scroll with no transitions, frame effects, blinking, flashing, or other

prohibited elements outlined in Section 17.68.090(A)(3).

d. If ten (10) square feet or larger:

i. The sign shall be counted toward the total allowable sign area.

ii. Message must be static and may only change once per day.

3. *Signs Used to Identify a Residential Development*

a. The sign shall be set back at least one (1) foot from any sidewalk.

b. The sign shall not encroach on any utility easement.

c. The sign shall not obstruct a required sight distance or sight triangle as set forth in the City's Standards and Specifications.

d. Sign area is limited to sixty-five (65) square feet of total allowable sign space, in lieu of the individual signs allowed above on each lot or unit. This larger sign can be used until such time as sixty percent (60%) of the total lots or units in such development have been sold. One of these larger signs may be used at each street intersection accessing such development or at one location within the development.

4. *Shopping Center Multi-Tenant Signs*

a. Shopping centers that are not part of a Planned Unit Development may have one (1) multiple use sign that has been approved by the Planning Commission at each entrance.

b. Each tenant's sign on the multiple use sign counts toward that tenant's total allowable sign space.

F. Sign Area

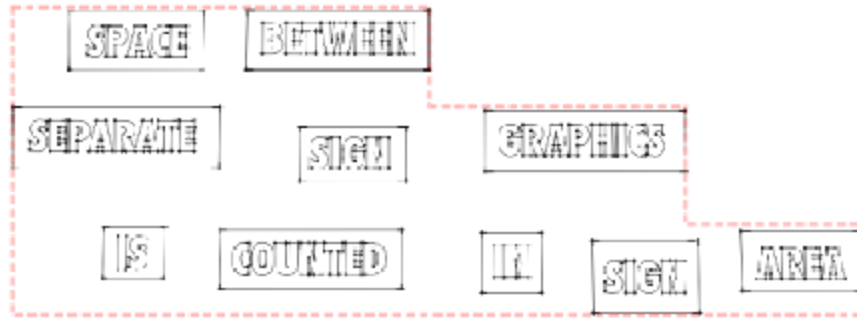
1. Sign area is calculated as the area within a continuous perimeter with up to eight (8) straight sides that encloses the limits of text and graphics of a sign, together with any frame or other material or color forming an integral part of the display or used to differentiate the sign's message from the background against which it is placed. The area excludes the structure upon which the sign is placed (unless the structure is an integral part of the display or used to differentiate it), but includes 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 17.68.080(F)(1), Sign Area, Generally.

Figure 17.68.080(F) (1)  
Sign Area, Generally

The sign area of the illustrative monument sign below is calculated as the area within the smallest eight-sided polygon that encloses all of the text and graphics and framing of the message and graphics of the sign.



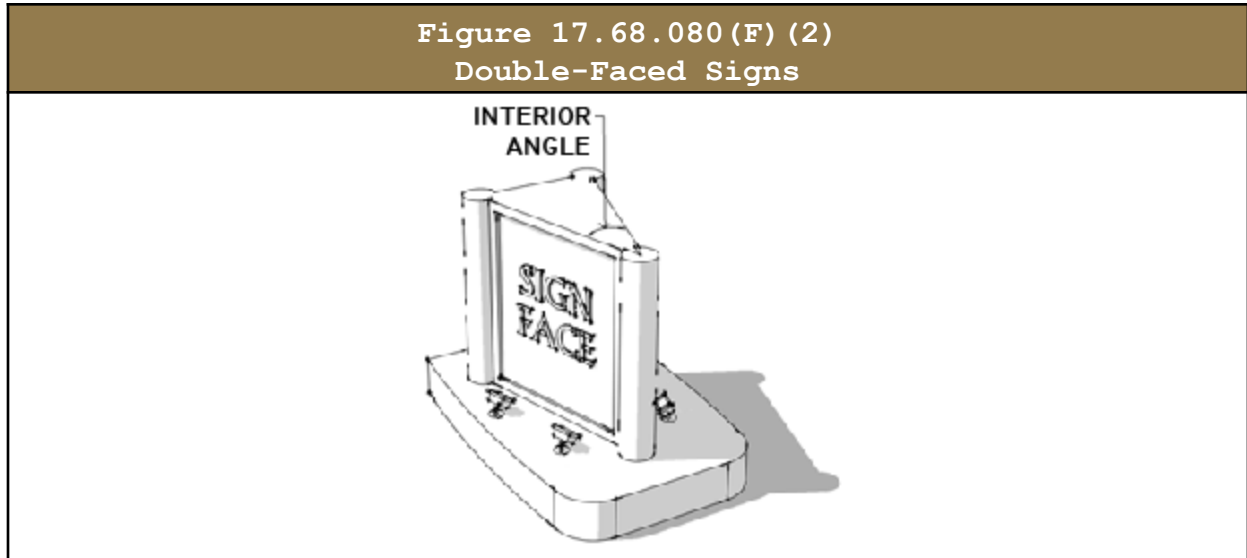
The sign area of the illustrative collection of wall signs below is measured as the area within the smallest eight-sided polygon that encloses all of the text and graphics and framing that differentiates them from the wall.



2. *Double-Faced Signs.* For projecting, suspended, or other double-faced signs:

- a. Only one display face is measured if the sign faces are parallel or form an interior angle of less than forty-five (45) degrees, provided that the signs are mounted on the same structure. If the faces are of unequal area, then sign area is equal to the area of the larger face.
- b. Both display faces are measured if:
  - i. The interior angle is greater than forty-five (45) degrees; or

- ii. The sign faces are mounted on different structures.



3. Signable area is calculated as follows:

- a. *Wall Signs*. A two-dimensional area on the facade of a building that describes the largest square, rectangle, or parallelogram which is free of architectural details.
- b. *Window Signs*. The area of glass that has affixed paint, decals or lettering
- c. *Other Signs*. The area of the face of the sign which is designed to be used for text and graphics (the signable area does not include the sign's supporting frame or structure, if any, provided that such frame or structure is not designed to display text or graphics). (Ord. 4, 2022)

17.68.090 Prohibited Signs and Design Elements. This Section identifies signs and sign elements that are not allowed anywhere within City limits.

A. The following signs are prohibited in all areas of the City:

- 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 that are visible from public rights-of-way, including any moving, swinging, rotating, flashing, blinking, scintillating, fluctuating, or otherwise animated light (except as allowed in Section 17.68.080(E)(2), Electronic Message Centers).

B. The following elements shall not be used as an element of signs or sign structures:

1. Sound, smoke, or odor emitters.
2. Stacked products (e.g., tires, soft drink cases, bagged soil or mulch).
3. Unfinished wood support structures, except that stake signs may use unfinished stakes.

C. The following elements shall not be used as an element of signs or sign structures, which are visible from public rights-of-way:

1. Flags, banners, or comparable elements that are designed to move in the wind that are not affixed to permanent flagpoles or flagpoles that are mounted to buildings; except as allowed per Sections 17.68.040(J) and (K).
2. Spinning or moving parts.
3. Bare light bulbs, except on holiday displays which are exempted from regulation by Section 17.68.040(A)(8).
4. Flashing lights, except on holiday displays which are exempted from regulation by Section 17.68.040(A)(8).
5. Motor vehicles, unless:
  - a. The vehicles are functional, used as motor vehicles, and have current registration and tags;
  - b. The display of signage is incidental to the motor vehicle use; and
  - c. The motor vehicle is properly parked in a marked parking space or is parked behind the principal building.
6. Semi-trailers, shipping containers, or portable storage units, unless:
  - a. The trailers, containers, or portable storage units are functional, used for their primary storage

purpose, and, if subject to registration, have current registration and tags;

b. The display of signage is incidental to the use for temporary storage, pick-up, or delivery; and

c. The semi-trailer is parked in a designated loading area or on a construction site at which it is being used for deliveries or storage.

D. The following content is prohibited without reference to the viewpoint of the individual speaker:

1. Text or graphics that are harmful to minors, as that term is defined below; or

2. Text or graphics that advertise activity that is unlawful under local, state, or federal law; or

3. Text or graphics that are obscene, fighting words, defamatory, incite 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).

E. Off-premise signs are not allowed. Signs may identify or advertise only that activity or use conducted upon or related to the premises upon which the sign is located except as permitted in Section 17.68.040. Signs on motor vehicles or semi-trailers that otherwise comply with subsections C(5) or (6) above are not in violation of this Section merely because the vehicle happens to be traveling or parked temporarily away from the premises on which the advertised business is located, provided that such vehicles are not permanently or routinely parked in an off-premises location (not including the residence of the owner or driver) to function as an advertisement for the purpose of evading the intent of this Section. For purposes of this Section, parking within fifty (50) feet of the same off-premises location for more than eighty (80) hours during any consecutive thirty (30) day period shall create a rebuttable presumption of a violation.

F. The narrow classifications of content that are prohibited by this subsection are either not protected by the United States or Colorado Constitutions, or are offered limited protection that is outweighed by the substantial governmental interests in protecting the public safety and welfare. Each paragraph of this subsection shall be individually severable in the event that a court of competent jurisdiction were to hold one or more of them to be inconsistent with the United States or Colorado Constitutions.

G. For the purposes of this Section, "harmful to minors" shall mean any description or representation, in whatever form, of nudity, sexual conduct, or sexual excitement that:

1. Predominantly appeals to the prurient, shameful, or morbid interest of minors in sex;
2. Is patently offensive to contemporary standards in the adult community as a whole with respect to what is suitable sexual material for minors; and
3. When taken as a whole, lacks serious literary, artistic, political, or scientific value. (Ord. 4, 2022)

17.68.100 Prohibited Sign Locations. Attached signs shall be installed on signable areas of buildings. Signs that are in violation of this Section are subject to immediate removal.

A. In no event shall a sign, obstruct:

1. Building ingress or egress, including doors, egress windows, and fire escapes.
2. Features of the building or site that are necessary for public safety, including standpipes and fire hydrants.
3. Sight triangles and distances that are required by the City of Delta Standards and Specifications.

B. No sign shall be posted, installed, or mounted on any of the following locations:

1. On trees.
2. On utility poles or light poles, unless:
  - a. The utility pole or light pole is the property of the person or entity that posts the sign.
3. On utility cabinets, except signs posted by the utility that are necessary for public safety or

identification of the facility by the utility provider.

C. 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 elements, such as sidewalks, parkways, retaining walls, utility poles, traffic control devices, medians, and center islands that are within the public right-of-way), except:

- a. Traffic control signs installed by a governmental entity or which are required to be installed by a governmental entity (e.g., permanent traffic control devices such as stop, yield, and speed limit signs, as well as temporary signs related to street construction or repair);
- b. Signs posted by governmental entities that support emergency management, such as wayfinding to disaster relief locations;
- c. Banners posted by the City on utility or light poles;
- d. Signs constructed by the City or another governmental or quasi-governmental entity pursuant to terms and conditions set forth in an approved intergovernmental agreement with the City that implement a community identity program recognized by resolution of City Council;
- e. Signs located in the B-1 Zoning District may be placed over the right-of-way in conformance with the following criteria:
  - i. The sign must be supported and attached to a building located in the B-1 Zoning District;
  - ii. The sign may extend no more than five (5) feet from the building and may extend no closer than six (6) feet from the curbline. No sign may extend over any roadway or alley.
  - iii. No part of the sign may be less than eight (8) feet above the surface beneath it.

- iv. No more than one (1) sign per business may extend over the City right-of-way.
- v. No sign with its face parallel to the wall of the building to which it is attached, except for those printed on an awning, may extend more than twelve (12) inches from the building, nor more than twelve inches over the public property.
- vi. The sign may identify or advertise only that activity or use conducted upon or related to the property immediately abutting the sign.

2. In locations that have less horizontal or vertical clearance from authorized communication or energized electrical power lines than that prescribed by the laws of the State of Colorado and the regulations duly promulgated by agencies thereof.

17.68.110 Illumination of Signs. Signs may be internally illuminated. If external illumination is used, the source of illumination shall be shielded pursuant to Section 15.04.080(B)(1)(f).

17.68.120 Sign Maintenance. Signs and sign structures of all types shall be maintained as provided in this Section.

A. Signs shall display messages. Signs that do not display a message for a period of more than thirty (30) days shall be deemed abandoned and must be removed. If business or activity being advertised on the sign is closed or abandoned, the sign must be removed.

B. 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. Permanent signs and sign structures shall be finished and maintained to prevent tattering, tearing, fading, unintended corrosion etc. Signs not maintained in good order shall be deemed abandoned and must be removed.

## Chapter 17.18 SIGN CODE

### Sections:

#### 17.18.010 Title.

This chapter shall be known and cited as the New Castle Sign Code.

(Ord. No. 2011-4, § 2(D)(exh. A), 4-19-2011)

#### 17.18.020 Purposes.

- A. The regulations in this chapter are intended to coordinate the use, placement, physical dimensions, and design of all signs within the Town of New Castle while preserving the right to free speech and expression. The purposes for these regulations include providing a balanced and fair legal framework for design, construction, and placement of signs that:
1. ~~To recognize~~Recognizes that signs are a necessary means of visual communication for the convenience of the public and ~~to provide flexibility within the sign review/approval process to allow for unique circumstances and creativity provides fair and consistent permitting and enforcement;~~
  2. ~~To recognize~~Recognizes and ensures the right of those concerned to identify businesses, services, and other activities by the use of signs, ~~and limit signs to those which are accessory and incidental to the use on the premises where such signs are located;~~
  3. ~~To provide~~Provides a reasonable balance between the right of an individual to identify his or her business and the right of the public to be protected against the visual discord resulting from the unrestricted proliferation of signs and similar devices;
  4. ~~To protect~~Protects the public from damage or injury caused by signs that are poorly designed or maintained and from distractions or hazards to pedestrians or motorists caused by the indiscriminate placement or use of signs;
  5. ~~To conserve~~Conserves energy by supporting use of lighting elements that utilize light emitting diodes (LED), florescent bulbs, and other low energy consuming lighting devices, thereby reducing energy demands;
  6. ~~To promote~~Promotes conservation of energy by reducing or eliminating the over-lighting of signs and use of inefficient lighting systems;
  7. ~~To support~~Supports use of materials in structures that include recycled products and other materials that are designed for longevity and that minimize environmental impacts;
  8. ~~To ensure~~Ensures signs are well designed and contribute in a positive way to the Town of New Castle's visual environment, express local character, and help develop a distinctive image for the Town of New Castle;
  9. ~~To encourage~~Encourages signs which are responsive to the aesthetics and character of their particular location, adjacent buildings and uses, and the surrounding neighborhood;

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10. ~~To ensure~~Ensures signs are compatible and integrated with a building's architectural design and with other signs on and near the property, ~~and prevents the construction of signs that are a nuisance to occupants of adjacent and contiguous property due to brightness, reflectivity, bulk, or height;~~
  11. ~~To prevent~~Prevents unnecessary or excessive competition between signs in the ~~T~~town;
  - ~~12. To ensure signs are appropriate for where they are located;~~
  - ~~13~~12. ~~To provide~~Provides mechanisms for bringing nonconforming signs into compliance with these regulations as a result of changing use, abandonment, or other legal mechanisms;
  - ~~14~~13. ~~To establish~~Establishes sign districts that differentiate the types of signs allowed in specific areas based upon characteristics particular to that district.

(Ord. No. 2011-4, § 2(D)(ex. A), 4-19-2011)

### 17.18.030 Definitions.

As used in this chapter, the following words have the following meanings:

"Above-roof sign" means a sign displayed above the peak or parapet of a building.

"Administrator" or "code administrator" means the town administrator or his or her designee.

"Animation" or "animated" (*See also "changeable copy" and "movement"*) means the movement or the illusion of movement of any part of a sign's structure, design, or pictorial or text segment(s), including the movement of any illumination or the flashing or varying of light intensity; the automatic changing of all or any part of the facing of a sign.

"Architectural detail" (*See also "sign area," "wall sign" and "roof sign"*) means any projection, relief, cornice, column, change of building material, window, or door opening on any building.

"Architectural, historic, or scenic area" means an area that contains unique architectural, historic, or scenic characteristics that require additional regulations to ensure that signs enhance the visual character and are compatible with the area.

"Auxiliary sign" means a sign in addition to other signs associated with a business or use. The sign area of any auxiliary sign is calculated in the sum of total square footage for all signs. For example, an awning sign may be considered an auxiliary sign when used in conjunction with a wall sign for a business.

"Awning" means a cloth, plastic, or other nonstructural covering that either is not moveable and permanently attached to a building or can be raised or retracted to a position against the building when not in use.

"Banner" means a sign on a lightweight material that may be temporarily but not permanently affixed to a building or other structure and that may be affected by the movement of air.

"Bare-bulb illumination" means a light source that consists of light bulbs with a twenty-watt maximum wattage for each bulb.

"Building" means a structure having a roof supported by columns or walls.

"Bulletin board" means a type of changeable copy sign located on a premises used for temporary posting of bulletins, ~~or notices, events, meetings, but is not used to display commercial messages relating to products or services that are offered on the premises.~~ Bulletin boards may be open or enclosed, and/or protected by glass, Plexiglas or a similar clear protective cover.

"Canopy" means a structure other than an awning which is made of cloth, wood, metal, or other material with frames affixed to a building and carried by a frame.

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"Changeable copy" means copy that changes automatically at intervals of more than once every one hundred eighty (180) seconds.

"Changeable copy—manual" means copy that is changed manually in the field.

"Clearance" means the smallest vertical distance between the grade of the adjacent street or street curb and the lowest point of any sign, including framework and embellishments, extending over that grade.

"Copy" means text, wording or numbers in either permanent or removable form.

~~"Directional sign" means a sign with a symbol indicating direction of travel and may be found, for example, at the exit or entrance of a premises that has two or more driveways or adjacent to a street off of the right of way when used for real estate purposes.~~

"Double-faced" means a sign with two faces.

"External illumination" means illumination of a sign that is affected by an artificial source of light not contained within the sign itself.

"Facade" means the entire building front including the parapet and any other architectural details which faces and is parallel to or nearly parallel to a public or private street. There can be only one building facade for each street upon which a building faces.

"Face" means the area of a sign on which copy or graphics are placed.

"Flashing illumination" means illumination in which the artificial source of light is not maintained stationary or constant in intensity, color, or focus when a sign is illuminated.

"Frontage" means the length of the property line of any premises along a public right-of-way.

~~"Government sign" means any temporary or permanent sign erected and maintained by the town, Garfield County, State of Colorado, federal government, or other duly organized and constituted governmental or quasi-governmental entity.~~

~~"Grand opening sign" means a temporary sign or banner displayed on a premises indicating or conveying that a grand opening is in progress or pending.~~

"Graphics" means the presentation of information, logos, or symbols in the form of diagrams and illustrations instead of as words or numbers.

"Ground sign" means a sign supported by one (1) or more uprights, posts, or bases placed upon or affixed in the ground and not attached to any part of a building. It includes a pole sign and a monument sign.

"Height" means the vertical distance measured from the highest point of the sign, excluding decorative embellishment, to the grade of the adjacent street or the surface grade beneath the sign, whichever is less/lowest in elevation.

~~"Identification sign" means a sign whose copy and graphics is limited to the name and address of a building, institution, or person and/or to the activity or occupation being identified.~~

"Illumination" or "illuminated" means a source of any artificial or reflected light, either directly from a source of light incorporated in, or indirectly from an artificial source, so shielded that no direct illumination is visible elsewhere than on and in the immediate vicinity of the sign.

~~"Incidental sign" means a small sign, emblem or decal informing the public of goods, facilities or services available on the premises, e.g., a credit card sign or a sign indicating open/closed and/or hours of business.~~

"Indirect illumination" means a source of external illumination, located away from the sign, that lights the sign, but which is itself not visible to persons viewing the sign from any street, sidewalk or adjacent property.

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~~"Informational sign" means a sign that provides facts about business hours, open/closed, loading zones or a similar message without advertising a product, displaying a logo or otherwise conveying a commercial message.~~

"Internal illumination" means a light source that is concealed or contained within the sign and becomes visible through a translucent surface.

"Item of information" means a word, logo, abbreviation, symbol, or geometric shape.

"Legal nonconforming sign" means a sign that was lawfully constructed or installed prior to the adoption or amendment of this chapter and was in compliance with all of the provisions of the sign code then in effect, but which does not presently comply with this chapter. If a premises lawfully has more signs than this chapter would otherwise allow, any sign in excess of that number is nonconforming.

"Lot" means a parcel of land legally defined on a subdivision map recorded with the clerk and recorder or a parcel of land defined by a legal record or survey map.

"Marquee" means a permanent structure other than a roof, awning, or canopy which is attached to, supported by, and projecting from a building. Marquees are often, but not always, designed to accept the placement of changeable copy, typically for the purpose of announcing current or upcoming events at the premises.

"Monument sign" means a ground sign permanently affixed to the ground at its base, supported entirely by a continuous base structure, and not mounted on a pole or system of poles.

"Movement" (*See also "animation"*) means physical redirection or revolution up or down, around, or sideways that completes a cycle of change at set intervals.

"Multi-tenant building" or "multi-building complex" means a grouping of two or more business establishments that either share common parking on the lot where they are located, or that occupy a single structure or separate structures that are physically or functionally related or attached.

"Multi-use building" means a building consisting of more than one separate commercial use.

~~"Nameplate" means a non-electric on-premise identification sign giving only the name, address, and/or occupation of an occupant or group of occupants.~~

"Neon tube illumination" means a source of light for externally lit signs supplied by a tube filled with neon or other inert gas and which is bent to form letters, symbols, or other shapes.

"Occupancy" means the portion of a building or premises owned, leased, rented or otherwise occupied for a given use.

"Occupant" means a use or tenant located in a building and includes multi-use/multi-tenant buildings, or shopping centers.

"Off-premise sign" means a sign which is not related in manner to the property upon which it is located or which directs attention to a person, business, profession, or activity not conducted on the property in which it is located.

"Owner" means the person with legal title to all or a portion of a piece of property as evidenced by official records such as a deed or assessor's record. The owner of property on which a sign is located is presumed to be the owner of the sign unless facts to the contrary are officially recorded or otherwise brought to the attention of the administrator, e.g., a sign leased from a sign company.

"Painted wall sign" means any sign that is applied with paint or similar substance on the face of a wall.

"Parapet" means the extension of a false front or wall above a roofline.

"Pole cover" means the cover enclosing or decorating a pole or other structural support of a sign.

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~~"Political sign" means a sign used in connection with a local, state or national election or referendum or which advocates a political position.~~

"Peak" means the highest point on a roof or the highest point on another architectural element that blocks the rear view of a sign.

"Pole sign" means a freestanding sign that is permanently supported in a fixed location by a structure of poles, uprights, or braces from the ground and not supported by a building or a continuous base structure.

"Portable sign" means a sign designed to be transported and not permanently attached to the ground or a building or designed to be permanently attached to the ground or a building including, but not limited to, menu and sandwich board signs.

"Premises" means the lot or lots, plots, portions, or parcels of land considered as a unit for a single use or development, whether owned or leased, and not located in a shopping center or multi-use building.

"Projecting sign" means a sign attached to and projecting from the wall of a building not in the same plane as the wall.

~~"Public right-of-way" means all streets, roadways, sidewalks and alleys, and all other areas reserved for present or future use by the public as a matter of right for the purpose of vehicular or pedestrian travel.~~

~~"Real estate sign" means a temporary sign advertising the real estate upon which the sign is located as being for rent, lease or sale.~~

"Roof sign" (*See also "above-roof sign"*) means a sign painted, erected, constructed, or maintained on the roof of a building; a sign that is displayed above the eaves and under the peak of a building.

"Shopping center" means a commercial development under unified control consisting of four or more separate commercial establishments sharing a common building, or which are in separate buildings that share a common entranceway or parking area.

"Sign" means a lettered, numbered, symbolic, pictorial, or illuminated visual display of copy and/or graphics designed to identify, announce, direct, or inform and that is visible from a public right-of-way. The term "sign" includes banners, pennants, streamers, moving mechanisms, and lights, whether or not the device contains copy or graphics.

"Sign area" means the surface area that describes the largest square, rectangle, triangle, parallelogram, polygon or sphere as further defined under sign area calculations.

"Sign area calculations."

1. Awning, banner, bulletin board, canopy, changeable copy, ~~creative, directional, identification, incidental, marquee, nameplate,~~ off-premises, portable, ~~real estate,~~ suspended, or similar two-dimensional signs: The area of the sign face within a continuous perimeter composed of a single rectangle, circle, triangle, or parallelogram enclosing the extreme limits of characters, lettering, illustrations, ornamentations, or other figures shall be counted in calculating sign area.
2. Pole and monument signs:
  - a. Signs composed of one (1) or two (2) individual sign faces: The area of the single largest sign face (if the sign faces are different sizes) shall be counted in calculating sign area by using the following formula. The area enclosing the perimeter shall be summed to determine total sign area. The perimeter of measurable area shall not include embellishments such as pole covers, framing, decorative roofing, etc., provided that there is not written advertising copy on such embellishments.
  - b. Signs composed of more than two (2) sign faces: The area enclosing the entire perimeter of each sign face shall be calculated and shall be summed with all other sign faces and divided by one-

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half to determine total sign area. The perimeter of measurable area shall not include embellishments such as pole covers, framing, decorative roofing, etc., provided that there is not written advertising copy on such embellishments.

3. Projecting signs: The area of the single largest sign face (if the sign faces are different sizes) within a continuous perimeter composed of a single rectangle, circle, triangle, or parallelogram enclosing the extreme limits of characters, lettering, illustrations, ornamentations, or other figures shall be counted in calculating sign area.
4. Wall signs: The area of the sign face free of architectural details on the facade of a building or part of a building within a continuous perimeter composed of a single rectangle, circle, triangle, or parallelogram enclosing the extreme limits of characters, lettering, illustrations, ornamentations, or other figures shall be counted in calculating sign area.
5. Other signs: Other signs that do not fall into any single sign area calculation category due to geometry, design or other characteristics shall be calculated using one (1) or more of the most applicable aforementioned methodologies and based upon the more restrictive area calculation method as determined by Town staff.

"Sign district map" means the map accompanying and to be used with these regulations that identifies the boundaries of each sign district enumerated in these regulations.

"Size" means the total area of the face used to display a sign, not including its supporting poles or structures. If a sign has two faces that are parallel, not more than two feet apart and supported by the same poles or structures, the size of the sign is one-half the area of the two faces. Spherical sign area shall be the entire surface of the sphere. The total area of multi-faced signs (more than two faces) shall be one-half the area of the two smallest faces plus the total area of all faces greater than the two smallest.

"Structure" means anything which is built or constructed, an edifice or building of any kind or any piece of work artificially built or composed of parts joined together in some definite manner. This term includes a building.

~~"Subdivision identification sign" means a freestanding or wall sign identifying a recognized subdivision, condominium complex, or residential development.~~

"Suspended sign" means a sign that is suspended from the underside of a horizontal plane surface of a building or structure such as a canopy, porch ceiling or portico and is typically used as a pedestrian scale sign.

"Temporary sign" means a non-permanent sign subject to the requirements of section 17.18.040(B).

~~"Temporary window sign" means a temporary sign displayed in a window. ~~sign displayed for a limited period of time.~~~~

"Town" means the Town of New Castle, Colorado.

"Unified sign band" means a coordinated arrangement of signs on a structure with the same design style, font type, sign face, height and similar characteristics that create a unified appearance.

"Use" means the purpose for which a building, lot, sign or structure is intended, designed, occupied or maintained.

"Wall sign" means a sign painted on or attached directly to an exterior wall of a building or that which is dependent upon a building for support, with the exposed face of the sign located in a place substantially parallel to the exterior building wall to which the sign is attached or which supports the sign.

"Window sign" means a sign applied, painted or affixed to or in the window of a building. A window sign may be temporary or permanent.

(Ord. No. 2011-4, § 2(D)(exh. A), 4-19-2011)

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### 17.18.040 Sign permits and administration.

- A. Sign Permit Required. To ensure compliance with the regulations of this chapter, a sign permit shall be required in order to erect, move, alter, reconstruct or repair any permanent or temporary sign, except signs that are exempt as set forth in section 17.18.050 (Exempt Signs). In multitenant buildings, a separate permit shall be required for each business entity's sign(s). Separate building and electrical permits may be required for signs and will be determined on a case-by-case basis. Changing or replacing the copy or graphics on an existing lawful sign shall not require a permit, provided the change does not result in a violation of this chapter.
- B. Temporary Signs and Banners. The ~~town~~ Town may approve temporary sign permits subject to the following:
- ~~1. Signs displaying a Grand opening signs may only be displayed for a period not to exceed thirty (30) consecutive days.~~
  - ~~2.1. Signs displayed in conjunction with a special sale or other one-time event such as hunting season may only be displayed for a period not to exceed two (2), fourteen (14) 30-day periods within any consecutive three hundred sixty-five (365) days. Such signs shall only be permitted as fourteen (14) day timeframes and may not be further subdivided or prorated.~~
  - ~~3.2. The banner or temporary sign or banner shall be securely attached to the wall of the establishment, other freestanding signs or properly designed and structurally sound poles or posts on private property. Banner or temporary sign shall not be erected within the road Right of Way.~~
  - ~~4.3. One (1) banner or temporary sign per street frontage per establishment shall be permitted unless more than one (1) business occupies the same building. In that case, each business may be allowed to display a banner or temporary sign. However, the other limitations of this section shall not be increased by the number of businesses at a location.~~
  - ~~5.4. A temporary sign or banner shall not be placed within the public right of way nor off the premises granted the sign permit. Prior to display, the staff must affix a weatherproof semi permanent temporary sign permit approval sticker to each banner or temporary sign to document approval and timeframe for display.~~
- C. Application for a Sign Permit.
1. Sign Permit Application Requirements. Applications for sign permits shall be made in writing on forms furnished by Town staff. The application shall contain:
    - a. The location by street number and the legal description of the property upon which the proposed sign structure is to be located;
    - b. Names and addresses of the property owner, applicant (if different from the property owner), sign contractor and erectors;
    - c. Evidence of a current New Castle contractor's license may be required at the sole discretion of the Town A administrator depending on the nature of the sign;
    - d. Legible accurately scaled plan which includes the specific location of the sign and setbacks to adjacent property lines and buildings;
    - e. A detailed accurately scaled drawing indicating the dimensions, materials, and colors of the proposed sign structure. A certification by a structural engineer may be required by staff for a freestanding or projecting sign;
    - f. A graphic drawing or photograph of the sign;

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- g. A description of the lighting to be used including a listing of the energy conservation measures incorporated in sign (light fixture type(s), materials used etc.), fixture specifications, bulb type, wattage and placement, and an estimate of energy consumption by the sign;
  - h. Proof of premises liability insurance covering freestanding, projecting and wall signs;
  - i. If the sign is to be located off the premises listed in the application, a written lease or permission from the property owner of the site on which the sign will be located; and
  - j. Payment of a nonrefundable sign permit fee as established by the current fee schedule. The applicant shall pay all costs billed by the Town of New Castle relative to the review of the application including review fees by outside consultants. Approved sign permit applications shall expire six (6) months from the date of issuance if installation of the sign has not been completed. A single six (6)-month extension may be granted administratively upon completion of an extension application including a written narrative by the applicant explaining the basis for the extension request and payment of an extension application fee.
- 2. Sign Permit Application Review of Completion. Within fifteen (15) business days of the date of submission of an application, the Town Administrator or ~~his/her~~their designee shall determine whether the application is complete. If the application is deemed incomplete, the Town Administrator shall give written notice of the deficiency to the applicant. The applicant shall have fifteen (15) business days, ~~(or such other additional time as administrator~~the Town Administrator may grant in ~~his or her~~their sole discretion,) to correct the deficiency or the Town Administrator may deny the application ~~for failure to achieve completeness.~~
  - 3. Review and Approval. When the application has been determined to be complete, the Town Administrator or ~~his or her~~their designee shall review the sign permit in accordance with the established review criteria. Within fifteen (15) business days of the determination of completeness, the Town Administrator must issue a written decision on the application. The Town Administrator may approve, approve with conditions or deny the sign permit. Upon approval of the sign permit, the sign permit and any building permits required for the sign must be obtained by the applicant prior to construction. Electrical permits, if required, shall be obtained from the state electrical inspector and evidence of an approved permit shall be provided to the Town prior to construction.
- D. Sign Permit Review Criteria. The following review criteria will be used by ~~the Town of New Castle's~~Staff to evaluate all sign permit applications:
    - 1. Sign meets the requirements of this Cchapter;
    - 2. Sign conforms to the requirements of all applicable codes, including, but not limited to, building and electrical codes;
    - 3. Sign conforms to the applicable zoning requirements, including but not limited to, size, height, material and location for the zoning and sign district in which it is located;
    - 4. Sign would not create visual obstructions which adversely impact public safety and/or that otherwise interfere with pedestrian or vehicular safety;
    - 5. Sign would not detract from the character of an architectural, historic, or scenic area;
    - 6. Sign would not be located so as to have a negative impact on adjacent residential property including, but not limited to, impacts from excessive lighting, shading of or impairment of solar access, visibility of or from public rights-of-way and similar adverse impacts;
    - 7. Sign would not impair pedestrian access of a street or area; and
    - 8. Sign would not add to an over-proliferation of signs on a particular property or area.

E. Appeals.

1. An applicant may file an appeal of the Town Administrator's decision on a sign permit application to the Town Council for any of the reasons set forth below. Sign application appeals to the Town Council shall be filed with the Town Clerk no later than ten (10) calendar days after the date of action by the Town Administrator. The following items constitute a basis upon which an applicant may file an appeal. Notice of appeal shall be in writing and shall state specifically any action appealed from and the grounds for such appeal.
  - a. Failure of the Town Administrator to provide a written response concerning completion of an application within fifteen (15) calendar days of the Town's receipt of the sign permit application.
  - b. Any written decision rendered by the Town Administrator concerning a permit or an interpretation of this Chapter.
2. The action being appealed shall be held in abeyance pending the decision of the Town Council. The appeal shall be heard by the Town Council at the next available town council meeting, as determined by the Town Clerk. The Town Council shall review the decision of the Town Administrator under the same criteria applied by the Town Administrator. The Town Council is not bound by the findings and determinations of the Town Administrator, but may give such findings deference as determined by Town Council.

F. Variances. Any variance requested in association with a sign shall be processed pursuant to the provisions of Chapter 17.12 of the New Castle Municipal Code.

(Ord. No. 2011-4, § 2(D)(exh. A), 4-19-2011)

**17.18.050 Exemptions and exceptions-signs.**

A. ~~Exempt Signs~~ Sign Permit Exemptions. This Chapter does not apply to the following types of signs:

1. Signs of any type that are installed or posted, or required to be installed or posted, by the Town of New Castle, Garfield County, State of Colorado, Federal Government, or a School District.
2. Required signs, posted in accordance with applicable law and regulations.

B. Sign Permit Exceptions. The following types of signs ~~are exempt from permit requirements of this chapter and~~ may be ~~placed displayed, constructed, installed, erected, or altered~~ in any zoning/sign district ~~without a sign permit subject to the provisions of this chapter~~. Such signs shall otherwise be in conformance with all applicable requirements contained in this Chapter. All such signs (except government signs) shall be located outside of the public right of way. Signs shall not interfere with traffic signs or the sight distance triangle at intersections. Evidence of owner's permission to install sign may be required. All other signs shall be allowed only with permit and upon proof of compliance with this Chapter.

1. Address. Non-illuminated signs not to exceed two (2) square feet in area ~~which that~~ identify the address and/or occupants of a building.
2. Building Identification, Historical Markers. Non-illuminated signs not exceeding four (4) square feet, constructed of metal, wood or masonry ~~which that~~ are permanently affixed to buildings or structures for the purpose of identifying the name of a building, date of erection or other historical information as approved by Town staff.
3. ~~Bulletin Board.~~ Bulletin board signs in non-residential zoning districts not exceeding fifteen (15) square feet in gross surface area ~~accessory to a church, school, or public or nonprofit institution.~~
4. ~~Construction Site Signs.~~ Temporary construction Site signs provided that:

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- a. Such signs are installed in association with an active building permit and are removed upon issuance of a certificate of occupancy or expiration of the building permit.
  - b. Signs in conjunction with any residential use shall not exceed eight (8) square feet each.
  - c. All temporary ~~construction~~ signs at a single construction site shall have a maximum sign area of thirty-two (32) square feet.
  - d. Temporary ~~construction-site~~ signs shall be oriented to public or private streets.
  - e. Such signs shall not be illuminated.
  - f. Such signs shall only be installed on the private property on which the construction activity is located.
  - g. Such signs shall be removed within seven (7) days after issuance of a certificate of occupancy.
- ~~5.—Incidental Sign. Non-illuminated or indirectly illuminated signs which identify, as a courtesy to customers, items such as credit cards accepted, redemption stamps offered, menus or prices, limited to one such sign for each use, not to exceed four square feet or eight square feet in total area. Such signs may be attached to the building, as projecting or wall signs, suspended from a canopy or included as an integral part of a freestanding sign or placed in window.~~
- ~~6.—Decorations (Holiday). Temporary decorations or displays, when such are clearly incidental to and are customarily and commonly associated with any national, state, local or religious holiday or celebration; provided that such signs shall be displayed for not more than sixty (60) days in any one (1) year; and may be of any type, number, area, height, location, illumination or animation.~~
- 7. Directional. On-premise directional and instructional signs not exceeding four (4) square feet in area apiece.
  - 8. ~~Business Identification Window Sign. Signs affixed, painted on or otherwise attached to door glass which identifies the name and/or address of an establishment.~~
  - 9. ~~Farm Products. Temporary farm product signs, including farmers markets, provided that~~Signs on Non-Residential Property:
    - a. One (1) on-premises sign may be used. Said sign shall be located off the street right-of-way. Such sign shall have a maximum sign area of nine (9) square feet and may not be illuminated.
    - b. A maximum of two (2) off-premise signs shall be permitted. Said off-premise signs may be no greater than four (4) square feet apiece and shall not be illuminated. No such sign shall be allowed in the street right-of-way nor within ten (10) feet of a side lot line. No off-premises sign shall be located on property without the expressed written consent of the property owner.
  - ~~10.—Flags. Flags, crests or banners of nations, or organizations of nations, or states and cities, or professional fraternal, religious, or civic organizations, except when displayed in connection with commercial promotion and do not exceed thirty (30) square feet.~~
  - ~~11.—Garage, Estate, Yard Sale or Farm Auction. Signs which advertise a private garage or yard sale on the lot on which the sign is located; provided such signs are displayed no more than two times per year per dwelling unit for a period not to exceed three days.~~
  - ~~12.—Hazards. Temporary or permanent signs erected by the Town of New Castle, public utility companies, oil and gas companies, or construction companies to warn of danger or hazardous conditions, including signs indicating the presence of underground cables, gas lines and similar devices.~~
  - ~~13.—Memorial. Memorial signs, plaques or grave markers which are noncommercial in nature.~~

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- ~~14. Merchandise. Merchandise, pictures or models of products or services which are incorporated as an integral part of a window display.~~
  - ~~15. Political. Political signs displayed on private property.~~
  - ~~16. Public Information. Signs which identify restrooms, public telephones or provide instructions as required by law or necessity, provided the sign does not exceed two square feet in area or as approved by staff and is non-illuminated, internally illuminated or indirectly illuminated. (This category shall be interpreted to include such signs as "no smoking," "restrooms," "no solicitors," "self-service" and similar informational signs.)~~
  - ~~17. Religious Symbols. Religious symbols located on a building or lot used for organized religious services.~~
  18. Regulatory Private Property Signs. Regulatory Signs erected on private property, ~~such as "no trespassing" signs, which that~~ do not exceed two (2) square feet per face, or four (4) square feet in total surface area, limited to four (4) such signs per use or per building, whichever is the greater number.
  19. Sandwich Board Signs. A single, temporary, portable sign not exceeding four (4) square feet and no more than eighteen (18) inches wide placed in front of the business and only during business hours on sidewalk in a manner that does not present a risk to public safety, accessibility (including handicap) or visibility.
  - ~~20. Sale, Lease, Rent. Temporary signs used to offer for sale, lease or rent the land, business or buildings upon which the sign is located provided:~~
    - ~~a. One sign per street frontage advertising real estate ("For Sale," "For Rent," "For Lease" or "For Development") not greater than eight square feet in area in a residential district and thirty-two (32) square feet in area in nonresidential districts may be located on the property being advertised so long as said sign is located behind the street right of way line. If the property so advertised lies on a corner lot or double frontage lot, then a second sign may be oriented along the second street so long as the two signs are at least one hundred (100) feet apart as measured by the shortest straight line.~~
    - ~~b. Signs advertising for sale non-subdivided blocks or parcels of land shall not be greater than thirty-two (32) square feet.~~
    - ~~b. In addition to the on-site real estate sign(s), a maximum of three directional signs, each not exceeding four square feet in area, shall be permitted off the subject premises. Such signs must be placed outside all existing rights-of-way. The message of said signs shall be limited to the name of the real estate company property, development being advertised, an address, a telephone number, a directional arrow, mileage to the subject property, and the terms "Lot/Business/Home/For Sale," "For Rent," "For Lease," "For Development," "Open House," etc.~~
    - ~~c. No more than three temporary directional signs advertising a specific planned commercial or mixed-use development, subdivision, multi-family development, etc., may also be permitted offsite. Each such sign may have a maximum sign area of four square feet and shall be placed outside all existing rights-of-way.~~
    - ~~d. All off-premises real estate signs or directional signs shall require expressed written approval from the landowner on which the sign or signs are to be located.~~
    - ~~e. All such temporary signs shall be removed within seven days after the real estate closing or lease transaction.~~
    - ~~d.f. No sign allowed under this subsection shall be illuminated lighted.~~
  21. Scoreboards. Scoreboards for athletic fields.

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- ~~22. Special Events. Temporary special event signs and banners for religious, charitable, civic, fraternal or similar not-for-profit organizations provided that:~~
- ~~a. Signs shall be erected no sooner than fifteen (15) days prior and removed no later than seven days after the event.~~
  - ~~b. No such sign shall exceed thirty two (32) square feet.~~
  - ~~c. No such sign shall be illuminated.~~
  - ~~d. All such signs shall be located off the street right-of-way, unless otherwise granted permission for such location by the Town of New Castle or the Colorado Department of Transportation (CDOT). In no case may any such sign impede the view or travel of any motorists or pedestrians or be attached to any structure within the right-of-way (government signs, telephone poles, etc.).~~
23. Strings of Light Bulbs. Displays of string lights, provided that:
- a. They are steady burning, clear, non-colored bulb lights. No blinking, flashing, intermittent changes in intensity or rotating shall be permitted.
  - b. They are no greater in intensity than five (5) watts.
  - c. They shall not be placed on or used to outline signs, sign supports, awnings and/or canopies.
  - d. They shall not be assembled or arranged to convey messages, words, commercial advertisements, slogans and/or logos.
  - e. They shall not create a safety hazard with respect to placement, location of electrical cords or connection to power supply.
  - f. They shall be placed only on private property.
  - g. They shall be maintained and repaired so that no individual light bulb is inoperative. In the event the bulbs are not maintained or repaired, the string lights may be removed at the expense of the owner after giving notice to the owner pursuant to this chapter.
24. Text. No permit shall be required for text or copy changes on conforming or legal nonconforming signs specifically designed to permit changes of the text or copy; provided that there are no structural changes, changes to sign area, change in illumination or other modifications.
- ~~25. Time and Temperature. Signs displaying time and temperature devices provided they are not related to a product.~~
- ~~26. Traffic Control. Signs for the control of traffic or other regulatory purposes including signs for the control of parking on private property, and official messages erected by, or on the authority of, a public officer in the performance of his/her duty.~~
- ~~27. Vacancy and No Vacancy. All "vacancy" and "no vacancy" signs, where they are non-illuminated, internally illuminated, indirectly illuminated or directly illuminated signs; provided that the area of the sign does not exceed two and one-half square feet per face. Also, signs designed to indicate vacancy such as "yes," "no" or "sorry" shall also be exempt under the provisions of this paragraph if they meet the area requirement.~~
- ~~28. Vehicular for Sale Signs. Motor vehicle for sale signs provided there is only one sign per vehicle, the sign does not exceed two square feet, and the vehicles are located on private property.~~
29. Vehicular Signs. Signs displayed on trucks, buses, trailers or other vehicles which that are regularly being operated or stored in the normal course of a business, such as signs indicating the name of the owner or business which that are located on moving vans, delivery trucks, rental trucks and trailers and the like, shall be exempt from the provisions of this Cchapter, provided that the primary purpose of

such vehicles is not for the display of signs, and ~~provided~~ that ~~they~~ the vehicles are parked or stored in areas appropriate to their use as vehicles for periods that do not exceed thirty (30) days.

~~30. Vending Machine Signs. A sign permit shall not be required for vending machine signs provided that the advertisement upon the vending machine sign is limited to the product vended.~~

~~?. Yards Signs. Yard signs are allowed without a sign permit pursuant to the following:~~

~~a. In Residential Zoning Districts.~~

~~i. Shall not exceed more than four (4) signs per property at any one (1) time;~~

~~ii. Shall not exceed twenty-four (24) square feet total yard signage on any property;~~

~~iii. Shall not exceed a height of forty-two (42) inches;~~

~~iv. Shall not be located in the public right-of-way;~~

~~v. Shall be located at least five (5) feet from any property line; and~~

~~vi. Shall not be displayed for a period of more than ninety (90) days per calendar year.~~

~~b. In Non-Residential Zoning Districts.~~

~~i. Shall not exceed more than four (4) signs per property at any one (1) time;~~

~~ii. Shall not exceed twenty-four (24) square feet total yard signage on any property;~~

~~iii. Shall not exceed a height of six (6) feet, or forty-two (42) inches if placed within a sight distance triangle;~~

~~iv. Shall not be located in the public right-of-way; and~~

~~v. Shall not be displayed for a period of more than ninety (90) days per calendar year.~~

(Ord. No. 2011-4, § 2(D)(exh. A), 4-19-2011)

#### 17.18.060 Prohibited signs.

- A. Prohibited Signs. The following signs are inconsistent with the purposes and standards in this Chapter and are prohibited in all zoning districts within the Town:-
1. Signs located in the public right-of-way subject to the exemptions in Section 17.18.050.
  2. Animated signs or signs that flash, rotate, blink or moving signs, signs with moving, rotating or flashing lights or signs that create the illusion of movement, except for time and temperature devices.
  3. Any sign that is erected in such a location as to cause visual obstruction or interference with motor vehicle traffic, or traffic-control devices including any sign that obstructs clear vision in any direction from any street intersection or driveway.
  4. Mechanical or electrical appurtenances, such as "revolving beacons," that are designed to attract attention.
  5. Off-premises signs (except as otherwise noted herein).
  6. Any sign ~~which that~~ interferes with free passage from or obstructs any fire escape, downspout, window, door, stairway, ladder or opening intended as a means of ingress or egress or providing light or air.
  7. Any sign located in such a way as to intentionally deny an adjoining property owner visual access to an existing sign.

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8. Vehicle-mounted signs, including but not limited to, signs painted on or attached to semi-trailers or cargo containers when exhibited on private property adjacent to public right-of-way for the purpose of advertising the business or services offered on the property. Vehicle-mounted signs used in connection with a special event are exempted from the requirements of this ~~S~~section during the duration of the special event only and not exceeding seventy-two (72) hours. Upon the conclusion of the special event, such signs must be dismantled. ~~For the purposes of this subsection, the term special event shall mean a parade, circus, fair, carnival, festival, farmers' market or other similar event that is different in character from the customary or usual activities generally associated with the property upon which the special event is to occur.~~
  9. Portable signs or signs not permanently affixed or attached to the ground or to any structure, except as permitted by this ~~C~~chapter.
  10. Searchlights.
  11. Signs with optical illusion of movement by means of a design which presents a pattern capable of reversible perspective, giving the illusion of motion or changing of copy.
  12. Inflatable freestanding signs or tethered balloons or other inflatable figures or devices installed with the primary purpose of attracting attention.
  13. Stationery or portable electronic message boards, except governmental signs.
  14. Wind signs designed or installed to be activated by movement of the atmosphere.

~~15. Any sign (together with its supporting structure) now or hereafter existing which, ninety (90) days or more after the premises have been vacated, advertises an activity, business, product or service no longer produced or conducted upon the premises upon which such sign is located. If the sign or sign structure is covered or the identifying symbols or letters removed, an extension of time may be granted by the building official upon good cause for such extension being shown. (This provision shall not apply to permanent signs accessory to businesses which are open only on a seasonal basis, provided that there is clear intent to continue operation of the business.)~~

~~16.15.~~ Any sign or sign structure ~~which~~that:

- a. Is structurally unsafe;
- b. Constitutes a hazard to safety or health by reason of inadequate maintenance or dilapidation;
- c. Is not kept in good repair; or
- d. Is capable of causing electrical shocks.

~~17.16.~~ Any sign or sign structure ~~which~~that:

- a. In any other way obstructs the view of, may be confused with or purports to be an official traffic sign, signal or device or any other official sign;
- b. Uses any words, phrases, symbols or characters implying the existence of danger or the need for stopping or maneuvering a motor vehicle;
- c. Creates in any other way an unsafe distraction for motor vehicle operators or obstructs the view of motor vehicle operators entering a public roadway from any parking area, service drive, private driveway, alley or other thoroughfare.

(Ord. No. 2011-4, § 2(D)(exh. A), 4-19-2011)

### **17.18.070 Removal, enforcement, and penalties.**

- A. Removal of Signs.

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(Supp. No. 21)

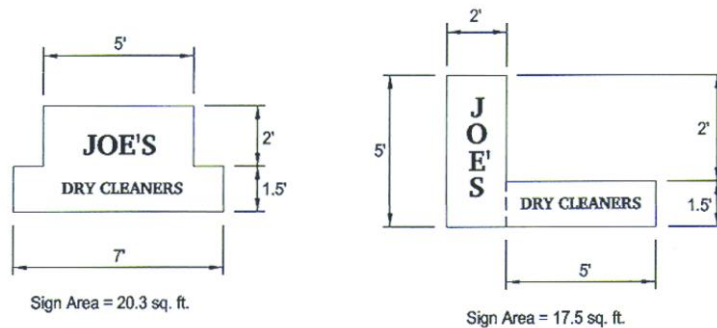
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1. Discontinued Establishments. Whenever a business, industry, service or other use is discontinued, the sign(s) pertaining to the use shall be removed by the person or entity owning or having possession over the property within ninety (90) days after the discontinuance of such use.
2. Removal of Illegal Signs in the Public Right-of-Way. The Town of New Castle may cause the removal of any sign within the public right-of-way or on property that is otherwise abandoned that has been placed there without first complying with the requirements of this Chapter.
3. Storage of Removed Signs. Signs removed by the Town or its designee in compliance with this chapter shall be stored by the Town of New Castle for thirty (30) days, during which they may be recovered by the owner only upon payment to the Town of New Castle for costs of removal and storage. If not recovered within the thirty (30)-day period, the sign and supporting structure shall be declared abandoned and title shall vest with the Town of New Castle. The costs of removal and storage, up to thirty (30) days, may be billed to the owner. If not paid, the applicable costs may be imposed as a tax lien against the property.

- B. Enforcement. The provisions of this Chapter shall be enforced by the Town Administrator.
- C. Penalties. Violations of this chapter shall be subject to the penalties of the Town of New Castle Municipal Code Chapter 17.96.

(Ord. No. 2011-4, § 2(D)(exh. A), 4-19-2011)

**17.18.080 Measurement of sign area and height.**

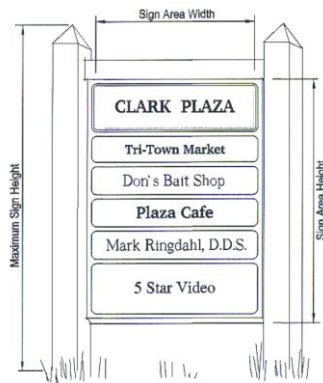
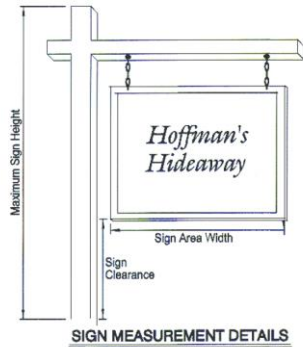


**SIGN AREA MEASUREMENT**

**Figure 7-1**

- A. Sign Surface Area. The area of a geometric shape enclosing any message, logo, symbol, name, photograph or display face shall be measured using standard mathematical formulas. Time and temperature devices shall not be included within the measurement of maximum sign area.
- B. Sign Support. Supporting framework or bracing that is clearly incidental to the display itself and does not include logos, advertising text or similar commercial messages shall not be computed as sign area.

- C. Back-to-Back (Double-Faced) Signs. Back-to-back signs shall be regarded as a single sign only if mounted on a single structure, and the distance between each sign face does not exceed two feet at any point.
- D. Three-Dimensional Signs. Where a sign consists of one (1) or more three-dimensional objects (i.e., balls, cubes, clusters of objects, sculpture), the sign area shall be measured as their maximum projection upon a vertical plane. Signs with three-dimensional objects that exceed a projection of six (6) inches from the sign face may be approved in compliance with section 7.18.120 (Creative Signs).
- E. Wall Signs. The area of a rectangle or geometric shape that most closely outlines the sign face or letters of the sign shall be the calculated sign area.
- F. Sign Height. The height of a sign shall be measured from the highest point of a sign, excluding decorative embellishment, to the grade of the adjacent street or the surface grade beneath the sign, whichever is less lower in elevation. When berms are used in conjunction with signage, the height of the sign shall be measured from the mean elevation of the fronting street.



**Figure 7-2**

**17.18.090 Sign design.**

A. Design Compatibility.

1. Creative Design Encouraged. Signs shall make a positive contribution to the general appearance of the street and commercial area in which they are located. A well-designed sign can be a major asset to a building. The Town of New Castle encourages imaginative and innovative sign design. The creative sign application procedure (section 7.18.120) is specifically designed for artistic and unusual signs that might not fit the standard sign regulations and categories.
2. Proportionate Size and Scale. The scale of signs shall be appropriate for the building on which they are placed and the area in which they are located. Building signs shall be compatible in scale and proportion to the building facade upon which they are mounted.
3. Sign Location and Placement.
  - a. Visibility. Signs shall not visually overpower nor obscure architectural features.
  - b. Integration With the Building and Landscaping. Signs shall be carefully coordinated with the architectural design, overall color scheme and landscaping. Signs shall be designed to complement or enhance the other signs for a building.
  - c. Unified Sign Band. Whenever possible, signs located on buildings with the same block-face shall be placed at the same height, in order to create a unified sign band. Wall signs [for retail uses](#) may [only](#) be located at the first floor level ~~only for retail uses~~.
  - d. Monument Signs. Monument signs should be located in a planter setting within a landscaped area at the primary entries to residential, commercial and industrial subdivisions to provide an overall project identity.
  - e. Pedestrian-Oriented Signs. Pedestrian-oriented signs are encouraged. It is desirable to include a pedestrian-oriented sign as one of the permitted signs for a business. These signs are designed for and directed toward pedestrians so they can easily and comfortably read the sign as they stand on a sidewalk or location adjacent to the business.
  - f. [Signs near or within the Public Right-of-Way. Road Right-of-Way. The provisions of sections 17.18.050-17.18.060 notwithstanding, n](#)o sign shall be erected ~~within the road right-of-way or~~ near the intersection of any road(s) or driveways in such a manner as to obstruct free and clear vision of motorists or pedestrians or at any location where, by reason of the position, shape or color, it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device. Signs located at an intersection must be outside of the sight distance triangle.



**THIS**



**NOT THIS**

**Figure 7-3**

4. Landscaping. Freestanding signs shall be landscaped at their base in a way harmonious with the landscape concept for the whole site. Landscaping shall form an attractive, dense cluster at the base of the sign that is equally attractive in winter and summer.

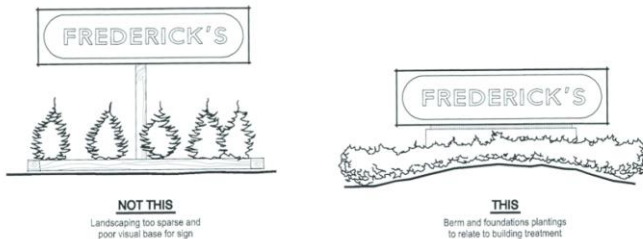


Figure 7-4

5. Low Impact Signs. Signs adjacent residential neighborhoods shall be designed and located so that they have little or no impact on residential areas. Small-scale signs are encouraged.



**REDUCE SIGN IMPACT**

Figure 7-5

B. Color.

1. Color Selection. Colors shall be selected to contribute to legibility and design integrity. Sign colors shall complement the colors used on the structures and the project as a whole. Colors or combinations of colors that are harsh and disrupt the visual harmony and order of the street are unacceptable.
2. Contrasting Colors. Substantial contrast between the color and the material of the background and the letters or symbols will make the sign easier to read during both the day and night. Light letters on a dark background or dark letters on a light background are most legible.

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3. Excessive Colors. Colors or color combinations that interfere with legibility of the sign copy or that interfere with viewer identification of other signs shall be avoided.

C. Materials.

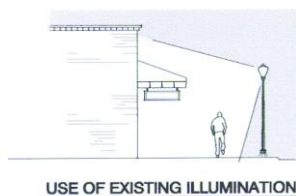
1. Signs shall be constructed of durable, high quality architectural materials. The sign package must use materials, colors and designs that are compatible with the building facade. Sign materials must be of proven durability. Treated wood, manufactured composite products with ingredients that use recycled materials, painted/treated/patina metal, stone, brick and stucco are the preferred materials for signs.

D. Legibility.

1. Signs shall be adequately legible under the circumstances in which they are primarily seen. The legibility of signs is related to:
  - a. The speed at which they are viewed;
  - b. Distance from the edge of the right-of-way;
  - c. The context and surroundings in which they are seen; and
  - d. The design, colors and contrast of the sign copy and sign face.
  - e. The design of the sign including copy, lettering size and style, and colors shall logically relate to the average speed of the traffic which will see it. Signs shall legibly convey their messages without being distracting or unsafe to motorists reading them. Symbols and logos can be used in place of words whenever appropriate.

E. Sign Illumination.

1. Unnecessary lighting is to be avoided.



**Figure 7-6**

2. Sign illumination shall complement, not overpower, the overall composition of the site.
3. All lighted signs incorporating a direct light source shall be designed to direct lighting to illuminate only the face of the sign. External light sources aimed at a sign shall be concealed from pedestrians' and motorists' lines of sight.
4. Signs must be illuminated in a way that does not cause lighting trespass, illumination of adjacent properties, over-lighting or glare onto the street and adjacent properties. Signs shall be lighted only to the minimum level for nighttime readability.

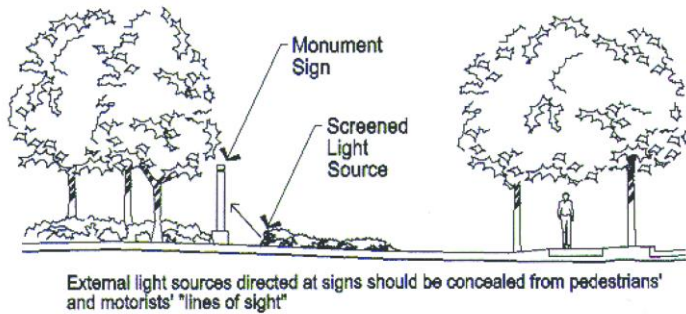


Figure 7-7

5. All lighted signs shall meet all applicable electrical codes and the electrical components used shall bear the label of an approval agency. Additionally, electrical permits shall be obtained for electric signs.
6. Flashing, moving, blinking, chasing or other animation effects shall be prohibited on all signs except time and temperature signs.
7. Neon tubing is an acceptable method of sign illumination for window signs in commercial districts.
8. The use of individually cut, back-lit letter signs is encouraged.
9. The use of solar electric lighting devices to illuminate signs is encouraged.

(Ord. No. 2011-4, § 2(D)(exh. A), 4-19-2011)

#### 17.18.100 Sign installation and maintenance.

- A. Projecting signs shall be mounted so they generally align with others in the block.
- B. Owners of signs extending over public right-of-way shall be required to maintain public liability insurance in an amount to be determined appropriate by the Town of New Castle, in which the Town of New Castle is named as an "other or named insured."
- C. All signs and all components thereof, including sign structures and sign faces, shall be kept neatly painted, in a good state of repair and in compliance with all building and electrical codes so they do not constitute a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation or obsolescence.
- D. The owner of a sign and the owner of the premises on which such sign is located shall be jointly and severally liable to maintain such sign, including any illumination sources in neat and orderly condition, and in a good working order at all times, and to prevent the development of any rust, corrosion, rotting or other deterioration in the physical appearance or safety of such sign. The sign must also be in compliance with all building and electrical codes.

- E. The owner of any sign regulated by this chapter shall be required to keep signs and supporting hardware, including temporary signs and time/temperature signs structurally safe, clean, free of visible defects and functioning properly at all times. Repairs to signs shall be equal to or better in quality of materials and design than the original sign.
- F. The Town of New Castle may inspect any sign governed by this chapter and shall have the authority to order the painting, repair, alteration or removal of a sign which constitutes a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation or obsolescence.

(Ord. No. 2011-4, § 2(D)(exh. A), 4-19-2011)

### 17.18.110 Standards for specific types of signs.

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

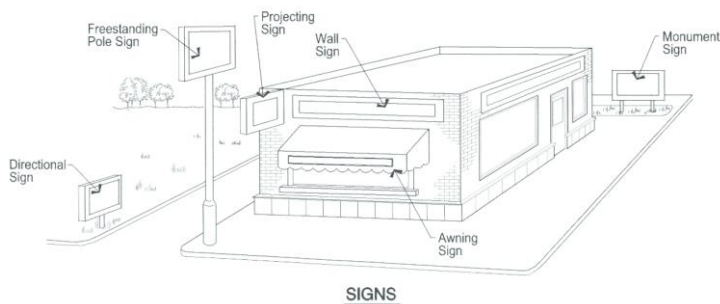


Figure 7-8

1. Location. Signs may be placed only on awnings that are located on first- and second-story building frontages, including those fronting a parking lot or pedestrian way. No awning sign shall project beyond, above or below the face of an awning.
2. Maximum Area and Height. Sign area shall comply with the requirements established by section 17.18.130, Sign Matrices. No structural element of an awning shall be located less than eight feet above finished grade. Awnings on which awning signs are mounted may extend over a public right-of-way no more than seven (7) feet from the face of a supporting building but in no case shall extend over a roadway or parking area. No awning, with or without signage, shall extend above the roof line of any building.
3. Lighting. Awnings shall not be internally illuminated except as part of a creative sign. Lighting directed downwards that does not illuminate the awning is allowed.
4. Required Maintenance. Awnings shall be regularly cleaned and kept free of dust and visible defects.

- B. Canopy Signs. A canopy sign is a wall sign that is permanently affixed to a roofed shelter attached to and supported by a building, by columns extending from the ground or by a combination of a building and columns.

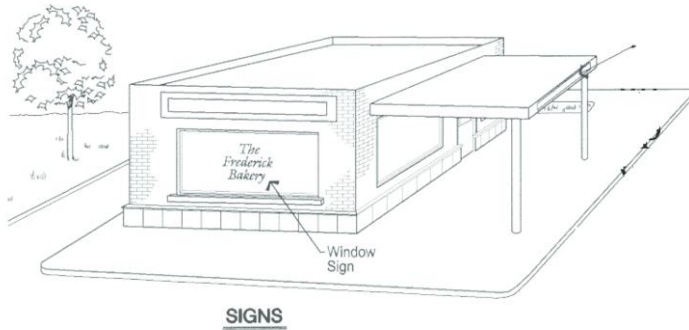


Figure 7-9

1. Maximum Area and Height. Sign area shall comply with the requirements established by section 17.18.130, Sign Matrices. No canopy, with or without signage, shall extend above the roof line of any building. No canopy sign shall project above the top of the canopy upon which it is mounted. However, such signs may project horizontally from the face of a canopy the distance necessary to accommodate the letter thickness and required electrical equipment, but not more than twelve (12) inches (measured from the bottom of the sign). Under-canopy signs which are perpendicular to the face of the building shall be deemed to be projecting wall signs. Under-canopy signs which are parallel to the face of the building shall be a minimum of eight feet above grade and shall be deemed to be flush wall signs.
  2. Required Maintenance. Canopies shall be regularly cleaned and kept free of dust and visible defects.
- C. Freestanding Signs. A freestanding sign is a sign which is supported by one (1) or more columns, uprights, poles or braces extended from the ground, or which is erected on the ground and shall also include a monument sign and pole signs but does not include a sign attached to a structure.
1. Location. The sign may be located only on a site frontage adjoining a public street. No freestanding sign in any zoning/sign district can be erected closer than eight feet from any curbline, nor closer than four feet to any building. No freestanding signs in business and industrial districts may be located less than twenty-five (25) feet from any property line adjacent to a residential zoning district line.
  2. Maximum Area and Height. The sign shall comply with the height and area requirements established in section 17.18.130, Sign Matrices.
  3. Sign Mounting. The sign shall be mounted on one (1) or more posts or have a solid monument-type base. Posts shall not have a diameter greater than twelve (12) inches. Pole bases shall be protected by

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concrete or a similar sturdy structure to prevent damage. Pole base structures may be used as landscaping planters.

4. Pole Signs. Pole signs should not be so large as to obscure the patterns of front facades and yards.

D. Monument Signs. A monument sign is a permanent sign where the entire bottom of the sign is affixed to the ground, not to a building.

1. Location. The sign may be located only along a site frontage adjoining a public street.

2. Maximum Area and Height. The sign shall comply with the height and area requirements established in section 17.18.130, Sign Matrices.

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

4. Landscaping Requirements. Landscaping shall be provided at the base of the supporting structure equal to twice the area of one face of the sign. For example, twenty (20) square feet of sign area equals forty (40) square feet of landscaped area. The planning commission may reduce or waive this requirement if it is determined that the additional landscaping would not contribute significantly to the overall aesthetic character of the project.

E. Projecting Signs. A projecting sign is any sign supported by a building wall and projecting therefrom at least twelve (12) inches or more horizontally beyond the surface of the building to which the sign is attached, but shall not extend more than four feet from the building face.

1. Location. Projecting signs shall be placed only on a ground floor facade, except for businesses located above the ground level with direct exterior pedestrian access. Projecting signs shall generally align with other projecting signs in the block to create a "canopy line" that gives scale to the sidewalk.

2. Maximum Area and Height. Projecting signs shall not be higher than the wall from which the sign projects if attached to a single story building, or the height of the bottom of any second story window if attached to a multi-story building. Projecting signs must have eight feet clearance, and may not extend more than four feet from the building wall except where the sign is an integral part of an approved canopy or awning. The size of projecting signs is limited to three feet wide and six square feet.

3. Sign Structure. Sign supports and brackets shall be compatible with the design and scale of the sign.

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

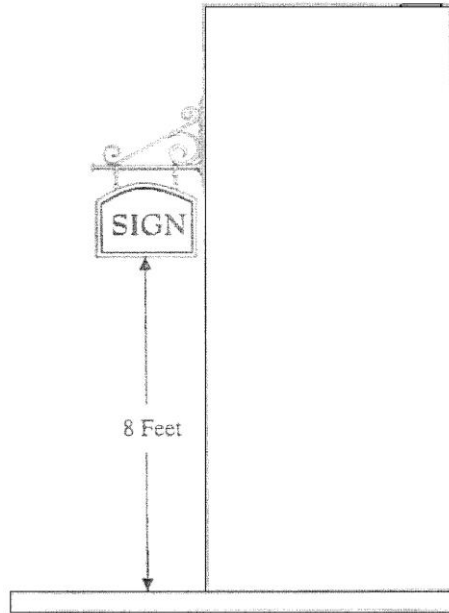


Figure 7-10

- F. Standard Brand-Name Signs. A standard brand-name sign is any sign devoted to the advertising of any standard brand-name commodity or service which is not the principal commodity or service being sold or rendered on the premises, or are not a part of the name or business concern involved.
1. Maximum Area. Not more than twenty (20) percent of the total allowable sign area for any permitted use shall be devoted to the advertising of any standard brand-name commodity or service.
- ~~G. Time and/or Temperature Signs. A time and/or temperature sign is any sign intended to be displayed for a limited period of time and capable of being viewed from any public right-of-way, parking area or neighboring property.~~
- ~~1. Maximum Area. Time and/or temperature signs which do not exceed ten (10) square feet shall not be required to be included in the allowable sign area permitted in section 17-18.130, Sign Matrices; provided however, that any identification or advertising which is attached to or made part of the same sign structure shall be included in the allowable sign area for the premises.~~
  - ~~2. Design. The sign shall be designed in a manner that is compatible with other signs on the site and with the structure on which it is placed.~~

~~3. Maintenance. It shall be the responsibility of the owner of such signs to maintain such signs and insure that they are kept accurate. If these conditions are not met, the sign shall be repaired or removed.~~

- H. Wall Signs. A wall sign is any sign painted on, incorporated in or affixed to the building wall, or any sign consisting of cut-out letters or devices affixed to the building wall with no background defined on the building wall.
1. Location. The sign shall not be placed to obstruct any portion of a window, doorway or other architectural detail. Locate wall signs on buildings at the first floor level only for retail uses. No part of a wall sign shall be located more than twenty-five (25) feet above grade level nor shall it extend above the building eave.
  2. Maximum Area and Height. Wall signs shall not be higher than the eave line of the principal building. The sign shall comply with the height and area requirements established in section 17.18.130, Sign Matrices.
  3. Projection from Wall. No sign part, including cut-out letters may project from the surface upon which it is attached more than required for construction purposes and in no case more than twelve (12) inches.
  4. Design. Wall signs shall identify the individual business, building or building complex by name or trademark only.
- I. Window Signs. A window sign is a sign that is painted on, applied or attached to a window or that can be read through the window from the public right-of-way ~~and may be~~ placed at or below the second ~~story~~ above grade floor level.
1. Maximum Area. When a sign is displayed in a window and is visible beyond the boundaries of the lot upon which the sign is displayed, the total area of such sign shall not exceed twenty-five (25) percent of the window or door area at the ground floor level; and twenty-five (25) percent of the total allowable sign area for the premises.
  2. Lighting. All illuminated window signs shall be included in the total allowable sign area for the premises.
  3. Temporary Window Signs. Temporary signs or posters displayed for periods not exceeding fourteen (14) days announcing or advertising events ~~sponsored by noncommercial organizations~~ shall be exempt from limitations for window signs.

(Ord. No. 2011-4, § 2(D)(exh. A), 4-19-2011)

### 17.18.120 Creative signs.

- A. Purpose. This section establishes standards and procedures for the design, review and approval of creative signs. The purposes of this creative sign program are to:
1. Encourage signs of unique design, and that exhibit a high degree of thoughtfulness, imagination, inventiveness, and spirit; and
  2. Provide a process for the application of sign regulations in ways that will allow creatively designed signs that make a positive visual contribution to the overall image of the Town of New Castle, while mitigating the impacts of large or unusually designed signs.
- B. Applicability. An applicant may request approval of a sign permit under the creative sign program to authorize on-site signs that employ standards that differ from the other provisions of this chapter but comply with the provisions of this section.

- 
- C. Approval Authority. A sign permit application for a creative sign shall be subject to approval by the planning commission.
  - D. Application Requirements. A sign permit application for a creative sign shall include all information and materials required by the Town of New Castle, and the filing fee based on the same fee schedule as a building permit.
  - E. Design Criteria. In approving an application for a creative sign, the planning commission shall ensure that a proposed sign meets the following design criteria:
    - 1. Design Quality. The sign shall:
      - a. Constitute a substantial aesthetic improvement to the site and shall have a positive visual impact on the surrounding area;
      - b. Be of unique design, and exhibit a high degree of thoughtfulness, imagination, inventiveness, and spirit;
      - c. Provide strong graphic character through the imaginative use of graphics, color, texture, quality materials, scale, and proportion.
    - 2. Contextual Criteria. The sign shall contain at least one of the following elements:
      - a. Classic historic design style;
      - b. Creative image reflecting current or historic character of the Town of New Castle;
      - c. Symbols or imagery relating to the entertainment or design industry; or
      - d. Inventive representation of the use, name or logo of the structure or business.
    - 3. Architectural Criteria. The sign shall:
      - a. Utilize and/or enhance the architectural elements of the building;
      - b. Be placed in a logical location in relation to the overall composition of the building's facade;
      - c. Not cover any key architectural features/details of the facade.

(Ord. No. 2011-4, § 2(D)(exh. A), 4-19-2011)

### **17.18.130 Sign matrices.**

The following section of these regulations corresponds to the following sign districts identified on the sign district map.

- 1. Residential district;
- 2. Gateway district;
- 3. Downtown and mixed-use district; and
- 4. Industrial district.

This section includes a series of sign matrices that address permitted, exempt or prohibited signs, sign area, sign illumination and sign height. These tables are intended to assist the user in understanding the type, size, illumination and height of various signs in each sign district. This information is intended to be used in conjunction with the sign district map and other sections of these regulations.

(Ord. No. 2011-4, § 2(D)(exh. A), 4-19-2011)

**17.18.131 Sign standards matrix—Permitted, exempt or prohibited.**

Sign Type	Residential District	Gateway District	Downtown & Mixed-Use District	Industrial District
Awning Sign	Prohibited	Permitted	Permitted	Permitted
Banner	Prohibited	Permitted	Permitted	Permitted
Bulletin Board	Exempt	Exempt	Exempt	Exempt
Canopy Sign	Prohibited	Permitted	Permitted	Prohibited
Changeable Copy Sign	Prohibited	Permitted	Prohibited	Permitted
Creative Sign	Prohibited	Permitted	Permitted	Permitted
<del>Directional Sign</del>	<del>Exempt</del>	<del>Exempt</del>	<del>Exempt</del>	<del>Exempt</del>
Government Sign	Exempt	Exempt	Exempt	Exempt
<del>Grand Opening Sign (Banner)</del>	<del>Prohibited</del>	<del>Permitted</del>	<del>Permitted</del>	<del>Permitted</del>
<del>Identification Sign</del>	<del>Permitted</del>	<del>Permitted</del>	<del>Permitted</del>	<del>Permitted</del>
<del>Incidental Sign</del>	<del>Prohibited</del>	<del>Permitted</del>	<del>Permitted</del>	<del>Permitted</del>
<del>Informational Sign</del>	<del>Prohibited</del>	<del>Exempt</del>	<del>Exempt</del>	<del>Exempt</del>
Marquee Sign	Prohibited	Permitted	Permitted	Permitted
Monument Sign	Permitted	Permitted	Prohibited	Permitted
<del>Nameplate</del>	<del>Exempt</del>	<del>Exempt</del>	<del>Exempt</del>	<del>Exempt</del>
<del>Off-Premises Sign</del>	<del>Permitted</del> <del>Prohibited</del>	<del>Permitted</del> <del>Prohibited</del>	<del>Permitted</del> <del>Prohibited</del>	<del>Permitted</del> <del>Prohibited</del>
Painted Wall Sign	Prohibited	Permitted	Permitted	Permitted
Pole Sign	Prohibited	Permitted	Prohibited	Permitted
<del>Political Sign</del>	<del>Exempt</del>	<del>Exempt</del>	<del>Exempt</del>	<del>Exempt</del>
Portable Sign	Prohibited <sup>a</sup>	Permitted	Permitted	Prohibited
Projecting Sign	Permitted	Permitted	Permitted	Permitted
<del>Real Estate Sign</del>	<del>Exempt</del>	<del>Exempt</del>	<del>Exempt</del>	<del>Exempt</del>
Roof Sign	Prohibited	Prohibited	Prohibited	Prohibited
<del>Subdivision Identification Sign</del>	<del>Permitted</del>	<del>Prohibited</del>	<del>Prohibited</del>	<del>Prohibited</del>
Suspended Sign	Permitted	Permitted	Permitted	Permitted
Temporary Sign	Permitted	Permitted	Permitted	Permitted

Wall Sign	Permitted	Permitted	Permitted	Permitted
Window Sign	Prohibited	Permitted	Permitted	Permitted

(a) Portable signs shall be permitted within the residential zone provided all the following conditions are met:

- The portable sign shall be associated only with retail or restaurant establishments.
- The portable sign shall be stored inside the establishment after hours of operation.
- The portable sign shall not cause visual interference with motor vehicle traffic, pedestrian traffic, or traffic control devices.

(Ord. No. 2011-4, § 2(D)(exh. A), 4-19-2011)

**17.18.132 Sign area matrix.**

Sign Type	Residential District Sq. Ft.	Gateway District Sq. Ft.	Downtown & Mixed-Use District Sq. Ft.	Industrial District Sq. Ft.
Awning Sign	0	Sum of all signs on a given wall shall not exceed 5% of the side of the wall area, but shall not exceed 150 ft. <sup>(a)</sup>	10 if main business sign; 4 if it is an auxiliary business sign	Sum of all signs on a given wall shall not exceed 5% of the side of the wall area, but shall not exceed 150 ft. <sup>(a)</sup>
Banner	0	<del>2460</del>	<del>2460</del>	60
Bulletin Board	15	15	15	15
Canopy Sign	0	Sum of all signs on a given wall shall not exceed 5% of the side of the wall area, but shall not exceed 150 ft. <sup>(a)</sup>	10 if main business sign; 4 if it is an auxiliary business sign	0
Changeable Copy Sign	0	15	15	15
Creative Sign	0	Sum of all signs on a given wall shall not exceed 5% of the side of the wall area, but shall not exceed 150 ft. <sup>(a)</sup>	10 if main business sign; 4 if it is an auxiliary business sign	Sum of all signs on a given wall shall not exceed 5% of the side of the wall area, but shall not exceed 150 ft. <sup>(a)</sup>
Directional Sign	4	4	4	4

**Commented [PS1]:** ~3x8' seems reasonable for gateway and downtown temporary banners. 60' for industrial off the highway.

Government Sign	Exempt	Exempt	Exempt	Exempt
Grand Opening Sign (Banner)	0	<del>2432</del>	<del>2432</del>	<del>6032</del>
Identification Sign	2	2	2	2
Incidental Sign	0	8	8	8
Informational Sign	0	4	4	4
Marquee Sign	0	See "Wall Sign"	See "Wall Sign"	See "Wall Sign"
Monument Sign	64 <sup>(b)</sup>	120 <sup>(c)</sup>	0	120 <sup>(c)</sup>
Nameplate	2	2	2	2
Off-Premises Sign	<del>04<sup>(d)</sup></del>	<del>04<sup>(d)</sup></del>	<del>04<sup>(d)</sup></del>	<del>04<sup>(d)</sup></del>
Painted Wall Sign	0	See "Wall Sign"	See "Wall Sign"	See "Wall Sign"
Pole Sign	0	128 <sup>(e)</sup>	0	128 <sup>(e)</sup>
Political Sign	Exempt	Exempt	Exempt	Exempt
Portable Sign	0	4	4	0
Projecting Sign	6 <sup>(g)</sup>	6 <sup>(f)</sup>	6 <sup>(f)</sup>	6 <sup>(f)</sup>
Real Estate Signs	<a href="#">See 17.18.050 #20.4</a>	<a href="#">See 17.18.050 #20.4</a>	<a href="#">See 17.18.050 #20.4</a>	<a href="#">See 17.18.050 #20.4</a>
Roof Sign	0	0	0	0
Subdivision Identification Sign	64(b)	0	0	0
Suspended Sign	6 <sup>(g)</sup>	6 <sup>(f)</sup>	6 <sup>(f)</sup>	6 <sup>(f)</sup>
Temporary Sign	See Sign Code Text	See Sign Code Text	See Sign Code Text	See Sign Code Text
Wall Sign	6 <sup>(g)</sup>	6 <sup>(f)</sup>	6 <sup>(f)</sup>	6 <sup>(f)</sup>
Window Sign	0	25% window area <sup>(i), (j)</sup>	25% window area <sup>(i), (j)</sup>	25% window area <sup>(i), (j)</sup>

<sup>(a)</sup> Allowed in place of a wall sign and one per individual building tenant.

<sup>(b)</sup> Downward and direct illumination only; when placed on subdivision entry features, only the sign face shall be used to calculate the sign area.

<sup>(c)</sup> Minimum horizontal distance between signs on the same property is seventy-five (75) feet.

~~<sup>(d)</sup> Farm products, real estate and directional signs only. See applicable sign regulation sections.~~

<sup>(e)</sup> In place of project monument sign; not allowed on local or collector streets. Minimum horizontal distance between signs on the same property is seventy-five (75) feet.

<sup>(f)</sup> One per individual tenant building frontage. The sum of all wall signs on a given wall shall not exceed five percent of the wall area, but shall not exceed one hundred fifty (150) square feet; cannot be more than twenty-five (25) feet above grade level or higher than the eave line of the principal building; first floor level only for retail uses.

<sup>(g)</sup> One per street frontage, all signs may be no higher than the eave line of the principal building; may be lighted (shielded light source) and include name and address of facility only. Child care center and bed and breakfast only.

<sup>(h)</sup> Cannot exceed twenty-five (25) percent of the total allowable sign area for the premises.

<sup>(i)</sup> Illuminated window signs shall be included in the total allowable sign area for the premises.

<sup>(j)</sup> Temporary signs or posters displayed for periods not exceeding fourteen (14) days announcing or advertising events sponsored by noncommercial organizations shall be exempt from limitations for window signs.

(Ord. No. 2011-4, § 2(D)(exh. A), 4-19-2011)

**17.18.133 Sign illumination matrix.**

Sign Type	Residential District-Illumination Allowed Y/N	Gateway District-Illumination Allowed Y/N	Downtown & Mixed-Use District-Illumination Allowed Y/N	Industrial District-Illumination Allowed Y/N
Awning Sign	N	N	N	N
Banner	N	N	N	N
Bulletin Board	N	Y	Y	Y
Canopy Sign	N	N	N	N
Changeable Copy Sign	N	Y	N	Y
Creative Sign	N	N	N	N
Directional Sign	N	N	N	N
Government Sign	Exempt	Exempt	Exempt	Exempt
Grand Opening Sign (Banner)	N	N	N	N
Identification Sign	N	N	N	N
Incidental Sign	N	N	N	N
Informational Sign	N	N	N	N
Marquee Sign	N	Y	Y	Y
Monument Sign	Y <sup>(a)</sup>	Y	N	Y
Nameplate	N	Y	Y	Y
Off-Premises Sign	N	N	N	N

Painted Wall Sign	N	Y	Y	Y
Pole Sign	N	Y	N	Y
Political Sign	N	N	N	N
Portable Sign	N	N	N	N
Projecting Sign	N	Y	Y	Y
Real Estate Sign	N	N	N	N
Roof Sign	N	N	N	N
Subdivision Identification Sign	N	N	N	N
Suspended Sign	Y <sup>(a)</sup>	Y	Y	Y
Temporary Sign	N	N	N	N
Wall Sign	Y <sup>(a)</sup>	Y	Y	Y
Window Sign	N	(b)	(b)	(b)

<sup>(a)</sup> Downward aimed direct light source only; may not be illuminated between 10:00 p.m. and 7:00 a.m. if within five hundred (500) feet of existing residential uses.

<sup>(b)</sup> Illuminated window signs shall be included in the total allowable sign area for the premises.

(Ord. No. 2011-4, § 2(D)(exh. A), 4-19-2011)

**17.18.134 Sign height matrix.**

Sign Type	Residential District-Max Height-Feet	Gateway District-Max Height-Feet	Downtown & Mixed-Use District-Max Height-Feet	Industrial District-Max Height-Feet
Awning Sign	0	(a)	(a)	(a)
Banner	0	(a)	(a)	(a)
Bulletin Board	6	6	6	6
Canopy Sign	0	(a)	(a)	0
Changeable Copy Sign	0	(a)	0	(a)
Creative Sign	0	4	4	4
Directional Sign	4	4	4	4
Government Sign	Exempt	Exempt	Exempt	Exempt

Grand Opening Sign (Banner)	0	(a)	(a)	(a)
Identification Sign	6 <sup>(a)</sup>	6 <sup>(a)</sup>	6 <sup>(a)</sup>	6 <sup>(a)</sup>
Incidental Sign	0	6 <sup>(a)</sup>	6 <sup>(a)</sup>	6 <sup>(a)</sup>
Information Sign	0	6 <sup>(a)</sup>	6 <sup>(a)</sup>	6 <sup>(a)</sup>
Marquee Sign	0	(a)	(a)	(a)
Monument Sign	5	6	0	6
Nameplate	Exempt	6 <sup>(a)</sup>	6 <sup>(a)</sup>	6 <sup>(a)</sup>
Off-Premises Sign	4	4	4	4
Painted Wall Sign	0	(a)	(a)	(a)
Pole Sign	0	25	0	25
Political Sign	Exempt	Exempt	Exempt	Exempt
Portable Sign	0	4	4	0
Projecting Sign	6	(b)	(b)	(b)
Real Estate Sign	4	4	4	4
Roof Sign	0	0	0	0
Subdivision Identification Sign	5	0	0	0
Suspended Sign	6	(b)	(b)	(b)
Temporary Sign	6	6	6	6
Wall Sign	6 <sup>(a)</sup>	(c)	(c)	(c)
Window Sign	0	(d)	(d)	(d)

<sup>(a)</sup> May be no higher than the eave line of the principal building.

<sup>(b)</sup> Minimum height above sidewalk or grade eight feet. Shall not be higher than the eave from which the sign projects if attached to a single story building or fifteen (15) feet above grade, whichever is less, or the height of the bottom of any second story window if attached to a multi-story building.


<sup>(c)</sup> Cannot be twenty-five (25) feet above grade level or higher than the eave line of the principal building; first floor level only for retail uses.

<sup>(d)</sup> Window signs visible beyond the boundaries of the lot upon which the sign is displayed shall not exceed twenty-five (25) percent of the window or door area at the ground floor level; and twenty-five (25) percent of the total allowable sign area for the premises.

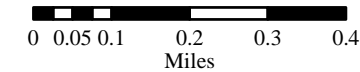
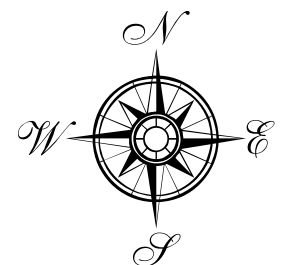
(Ord. No. 2011-4, § 2(D)(exh. A), 4-19-2011)

# New Castle Sign District Map

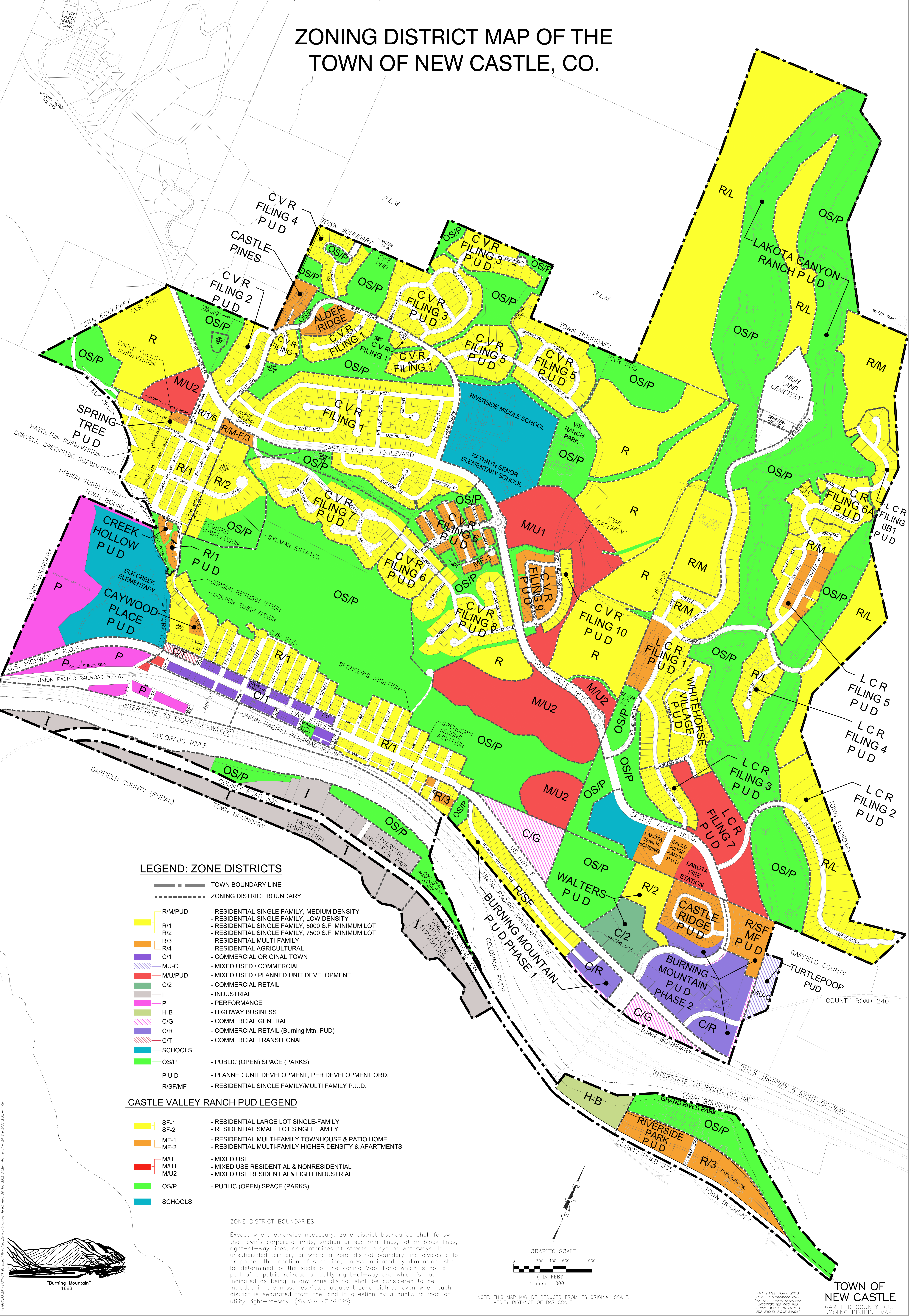
## Legend

-  Residential Sign District
-  Gateway Sign District
-  Downtown Mixed-use Sign Dist
-  Industrial Sign District
-  Open Space
-  City
-  Streams/Ditches
-  flood
-  Railroads
-  Highways

This map is to be used in conjunction with the New Castle Sign Code. The outlines of each district shown on the map follow property lines, zone district boundaries and rights-of way. The level of map accuracy is intended to be sufficient for sign code administration purposes only. Interpretation of sign district boundaries shall be made by the New Castle Planner based upon the purpose and intent of the sign regulations as well as application of a sign district to the underlying uses defined by zoning. Appeals of interpretations made by the Planner shall be in conformance with the relevant section(s) of the New Castle Municipal Code. Areas that do not have a sign district designation do not allow signs.



# ZONING DISTRICT MAP OF THE TOWN OF NEW CASTLE, CO.



## LEGEND: ZONE DISTRICTS

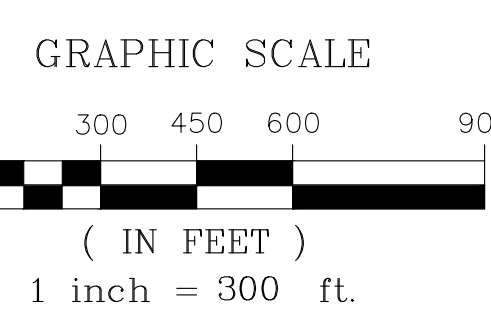
- TOWN BOUNDARY LINE
- ZONING DISTRICT BOUNDARY
- R/M/PUD - RESIDENTIAL SINGLE FAMILY, MEDIUM DENSITY
- R/1 - RESIDENTIAL SINGLE FAMILY, LOW DENSITY
- R/2 - RESIDENTIAL SINGLE FAMILY, 5000 S.F. MINIMUM LOT
- R/3 - RESIDENTIAL SINGLE FAMILY, 7500 S.F. MINIMUM LOT
- R/4 - RESIDENTIAL AGRICULTURAL
- C/1 - COMMERCIAL ORIGINAL TOWN
- MU-C - MIXED USED / COMMERCIAL
- M/U/PUD - MIXED USED / PLANNED UNIT DEVELOPMENT
- C/2 - COMMERCIAL RETAIL
- I - INDUSTRIAL
- P - PERFORMANCE
- H-B - HIGHWAY BUSINESS
- C/G - COMMERCIAL GENERAL
- C/R - COMMERCIAL RETAIL (Burning Mtn. PUD)
- C/T - COMMERCIAL TRANSITIONAL
- SCHOOLS - SCHOOLS
- OS/P - PUBLIC (OPEN) SPACE (PARKS)
- PUD - PLANNED UNIT DEVELOPMENT, PER DEVELOPMENT ORD.
- R/SF/MF - RESIDENTIAL SINGLE FAMILY/MULTI FAMILY P.U.D.

## CASTLE VALLEY RANCH PUD LEGEND

- SF-1 - RESIDENTIAL LARGE LOT SINGLE-FAMILY
- SF-2 - RESIDENTIAL SMALL LOT SINGLE FAMILY
- MF-1 - RESIDENTIAL MULTI-FAMILY TOWNHOUSE & PATIO HOME
- MF-2 - RESIDENTIAL MULTI-FAMILY HIGHER DENSITY & APARTMENTS
- M/U - MIXED USE
- M/U1 - MIXED USE RESIDENTIAL & NONRESIDENTIAL
- M/U2 - MIXED USE RESIDENTIAL & LIGHT INDUSTRIAL
- OS/P - PUBLIC (OPEN) SPACE (PARKS)
- SCHOOLS - SCHOOLS

## ZONE DISTRICT BOUNDARIES

Except where otherwise necessary, zone district boundaries shall follow the Town's corporate limits, section or sectional lines, lot or block lines, right-of-way lines, or centerlines of streets, alleys or waterways. In unsubdivided territory or where a zone district boundary line divides a lot or parcel, the location of such line, unless indicated by dimension, shall be determined by the scale of the Zoning Map. Land which is not a part of a public railroad or utility right-of-way and which is not indicated as being in any zone district shall be considered to be included in the most restricted adjacent zone district, even when such district is separated from the land in question by a public railroad or utility right-of-way. (Section 17.16.020)



NOTE: THIS MAP MAY BE REDUCED FROM ITS ORIGINAL SCALE. VERIFY DISTANCE OF BAR SCALE.

MAP DATED March 2013, REVISED September 2022. THE LAST ZONING ORDINANCE INCORPORATED INTO THIS ZONING MAP IS 10 2019-4 FOR EAGLES RIDGE RANCH.

TOWN OF NEW CASTLE, CO. ZONING DISTRICT MAP

