

**ORDINANCE NO. 2011- \_\_\_\_**

**A BILL**

**FOR AN ORDINANCE REPEALING AND REENACTING ARTICLE 16 OF CHAPTER 146 OF  
THE CITY CODE OF THE CITY OF AURORA, COLORADO, REGULATING SIGNS,  
AMENDING SECTION 2-765 RELATING TO THE CREATIVE SIGN DESIGN REVIEW  
BOARD, AND REPEALING SECTION 110-97 AND CERTAIN SECTIONS AND DEFINITIONS  
IN CHAPTER 146 RELATING TO SIGNS**

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**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AURORA, COLORADO:**

**Section 1.** That Article 16 of Chapter 146 of the City Code of the City of Aurora is hereby repealed and reenacted to read as follows:

**ARTICLE 16. SIGNS.**

**Division 1. Purpose and Intent.**

**Sec. 146-1600. Purpose and Intent.**

The purposes and intent of this article are:

- (A) To protect the right to free speech by the display of protected message(s) on a sign, while balancing this right against public interests of preserving and protecting the public, health, safety and welfare within the City of Aurora;
- (B) To reduce hazards that may be caused or worsened by driver and pedestrian distraction caused by signs, especially those projecting along public rights-of-way or near roadway intersections;
- (C) To promote the effectiveness of signs by preventing their over concentration, visual clutter, improper placement, deterioration, excessive size and number;
- (D) To preserve and enhance the aesthetic and environmental values of the community, while at the same time providing adequate channels of communication to the public;
- (E) To increase the economic value of commercial areas through use of quality design; and
- (F) To regulate signs in accordance with the City's policy and intent in a manner consistent with the U.S. and Colorado Constitutions, and which is content-neutral.

**Division 2. Administration and Enforcement.**

**Sec. 146-1601. Permits.**

- (A) Required. No person shall erect, move, re-erect, construct, alter, enlarge, maintain, or allow the erection of any sign without first obtaining a sign permit or registering such sign

as provided in this chapter. No permit is required for copy (i.e., text changes on sign) if no structural, physical design, sign area, or other changes are made.

- (B) *Applications.* Application for a sign permit, and shall include all information and fees required. No person other than a sign contractor licensed with the city shall obtain any sign permit or install any sign for which a permit is required under this chapter. Temporary signs are excluded from this requirement. Application shall be made to the City Manager or designee, who shall render a decision, without regard to content, within 10 business days. If the proposed sign conforms to this article, the permit shall be approved. If the proposed sign fails to conform to the provisions of this article, the permit shall be denied and the applicant shall be informed of the reasons for denial. The applicant may seek prompt judicial review of the denial pursuant to Rule 106 of the Colorado Rules of Civil Procedure.
- (C) *Revocation.* The City Manager shall have the authority to revoke any permit which has been granted when it has been determined that the permit has been issued in error, or the sign authorized by the permit has been constructed or is being maintained in violation of the provisions of this code.
1. Notice of the decision to revoke a sign permit shall be served on the holder of the permit by:
    - a. Delivering a copy of the notice to the holder of the permit, mail return receipt requested, to the last-known post office address of the holder of the permit; and
    - b. Leaving a copy of the notice with any person in charge of the premises and a copy mailed to the property owner; or
    - c. In the event no such person can be found on the premises, by affixing a copy of the notice in a conspicuous position at or near the entrance to the premises.
  2. The holder of the permit may appeal the decision of the City Manager and to the Board of Adjustment. This appeal must be made within thirty (30) days from the date when the notice was served. During the pendency of review or appeal, the status quo of the subject sign(s) shall be maintained. This does not apply whenever a sign, by virtue of its physical condition, constitutes a threat to public safety.
  3. If no appeal has been filed by the end of the thirty-day appeal period, then the permit is revoked and the sign is illegal. The City Manager shall then initiate the procedure for the removal of the illegal sign.
- (D) *Pending Violations.* A sign permit will not be issued to an individual business where any illegal signs are currently displayed in violation of this code, except to replace an illegal sign with a legal sign.
- (E) *Expiration.* If construction of a sign is not completed within 180 calendar days of permit issuance, the permit shall expire.

- (F) *Penalty.* If construction or erection of a sign is performed without the required permit, the penalty for such a violation shall be twice the applicable sign permit fee.
- (G) *Message substitution.* Subject to a property owner's consent, a noncommercial message of any type may be substituted for any duly permitted or allowed commercial message or any duly permitted or allowed noncommercial message, provided that the sign structure or mounting device is legal, without consideration of the message content. Such substitution or message may be made without any additional approval or permitting. This provision prevails over any more specific provision to the contrary within this Article. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over noncommercial speech, or favoring of any particular noncommercial message. This provision does not create a right to increase the total amount of signage on a parcel of land use, nor does it affect the requirement that a sign structure or mounting device be properly permitted. No provision of this article shall prohibit an ideological, political, or other noncommercial message on a sign otherwise permitted by this division.

#### **Sec. 146-1602. Enforcement.**

The city manager or designee is authorized and directed to enforce all provisions of this article including the authority to review and approve or deny sign permits. For such purpose, the city manager or designee shall have the powers of a police officer. Upon presentation of proper credentials, the city manager or designee may enter at reasonable times any building, structure, or premises in the city to perform any duty imposed upon him or her by this article.

#### **Sec. 146-1603. Violations.**

- (A) *Failure to comply.* A failure to comply with the provisions of this article shall be unlawful, and subject to the penalties in section 1-13 of this Code. Any person violating or failing to comply with any of the provisions of this article shall, upon conviction thereof, be punished as provided in section 1-13 of this Code. Such penalty shall not relieve any person from fully complying with the requirements of this chapter or from any other penalties prescribed in this chapter.
- (B) *Remedies.* If any sign or sign structure is erected, constructed, displayed, maintained or used in violation of this chapter, the city manager or designee may institute any appropriate action or proceedings to correct such violation. The imposition of any penalty under this section shall not preclude the city manager or designee from instituting any appropriate action or proceeding to require compliance with the provisions of this chapter and with administrative orders and determinations made under this chapter.
- (C) *Removal.* Any sign in violation of this chapter may be removed in accordance with this chapter. When removal of a sign is required, the entire sign and all supporting structures shall be removed. Signs painted directly on an exposed brick, stone, or concrete wall shall be removed by a process that strips the entire sign from the wall, not by painting over the sign. Placement of signs in medians, parks, open space areas, on any traffic control device, in any rights-of-way without authorization, or in a manner impairing traffic or pedestrian visibility is prohibited, such signs being subject to immediate removal.
- (D) *Notice to Repair or Remove and Creation of Lien.* In addition to any other violation or penalty provided for in this chapter, the city manager or designee shall give notice to the owner or to any person occupying such property that the sign on his or her premises is in

violation of the provisions of this chapter. The party receiving notice from the city may request a hearing before the city manager. Upon an adverse decision after such a hearing, the city manager shall, upon determination of costs incurred by the city, certify the costs for collection to the county treasurer.

1. The city manager or designee shall notify the owner or occupant of the premises of the total costs incurred for such repair or removal of the sign. If the owner or occupant shall fail within 30 days after the notification to pay the entire costs and expenses of such repair or removal, such costs and expenses shall become a lien against the property. The city manager shall certify the costs and expenses to the treasurer of the appropriate county for collection in the same manner as general property taxes are collected.
2. The amount certified by the director of finance to the county treasurer for collection shall include the actual cost of repair or removal of the sign, plus any costs associated with any penalty and interest for the cost of collection.

#### **Sec. 146-1604. Existing Signs.**

- (A) *Generally.* Existing signs that do not conform to the provisions of this chapter shall not be re-erected when removed from their supporting structure. They may be re-erected if the location and the erection thereof are made to conform to the provisions of this chapter or any other ordinance or regulation.
- (B) *Discontinued Business.* Any existing sign that advertises a defunct business or an unavailable product or service shall be removed by the owner, agent or person having the control of the premises upon which such sign may be found. Such removal shall be pursuant to written notice from the city manager. Upon failure to comply with such notice within the time specified in such order, the city manager is authorized to cause removal of such sign. Any incidental expense shall be paid by the owner of the premises upon which such sign is located.

#### **Sec. 146-1605. Nonconforming Signs.**

The right to operate and maintain any nonconforming sign shall terminate upon the occurrence of any one of the following conditions, unless such sign is brought into conformance:

1. Any change is made to the structure or physical characteristics of the sign;
2. A request is made for a permit to change the sign; or
3. Application and approval of a site plan or site plan amendment requiring a public hearing.

#### **Sec. 146-1606. Waivers.**

- (A) *Administrative Waivers.* The planning director may administratively waive sign code requirements as described in this subsection. All other sign code requirements may only be waived by the planning and zoning commission after a public hearing, unless otherwise provided in the Code.

1. *Number.* A waiver from the limitation on number of signs may be granted upon a determination that increased sign numbers will have minimal visual impact due to such conditions as size of site, appearance of signage, and purpose of signage. However, such waiver shall not allow more than eight (8) signs.
  2. *Setbacks.* A waiver of setback requirements from the minimum allowed setback may be granted based on a determination of inequitable impairment of sign visibility due to such factors as degree of street frontage curve, placement of existing structures, and traffic flow. Under no circumstance shall public safety be compromised by the placement of a sign.
  3. *Size.* A waiver of sign area may be granted, provided that such waiver shall not allow for any increase in sign area in excess of 10%.
  4. *Location.* Slight adjustments may be made in the location of signs to accommodate unusual or special circumstances.
- (B) *Planning and Zoning Commission Waivers.* The Planning and Zoning Commission may grant waivers at a public hearing from sign code requirements beyond the jurisdiction of administrative waivers upon compliance with either of the following criteria:
1. The Planning and Zoning Commission finds that the requirements impose an unreasonable hardship on the applicant given the characteristics of the subject site; or
  2. The requested waiver achieves a superior quality of design by demonstrating:
    - a. The size, setback, number, and height of the proposed sign are compatible with the development size and scale of the immediate area;
    - b. The scale of the proposed waiver is compatible with the scale of the sign environment of the surrounding area; and
    - c. The sign material, design, and illumination are compatible with the existing or proposed development.

**Sec. 146-1607. Prohibited Signs.**

<b>Table. 16.1 Prohibited Signs</b>			
	<b>(A) Type</b>	<b>(B) Standard</b>	<b>(C) Prohibited</b>
1.	<b>Vehicle mounted signs</b>	Vehicle mounted signs that are not integrated into body of the vehicle are not permitted, including mobile billboards.	Yes
2.	<b>Home Occupation</b>	As per the regulations for home occupation as defined within Article 20	Yes

3.	<b>Signs extending over or within the right-of-way</b>	n/a	Yes, except as authorized within this chapter and approved through a revocable license
4.	<b>Sign on Utility Poles</b>	n/a	Yes
5.	<b>Roof signs</b>	Signs placed on or above the roof line or parapet of a building	Yes
6.	<b>Temporary signs displaying off-premise commercial message</b>	n/a	Yes
7.	<b>Internally illuminated awnings</b>	n/a	Yes
8.	<b>Strobe or flashing lights</b>	n/a	Yes

#### **Sec. 146-1608. Sign Definitions.**

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Awning.* A framed architectural feature which is attached to and supported from the wall of a building and which is covered with canvas fabric, or other material as its primary surface, and which, provided or has the appearance of shielding a doorway or window from the elements.

*Blade.* Small scale sign hanging or projecting perpendicular to building face.

*Canopy Sign.* A sign on a framed architectural feature which is attached to and supported from the wall of a building.

*Collection Kiosks.* A small free-standing structure used for collection of donations.

*Commercial Message.* A message which is primarily concerned with the marketplace of goods and services, or the economic interests of the speaker and/or the audience, or which proposes a commercial transaction. Contrast: "noncommercial message."

*Community Event (non-commercial) Fabric Sign.* Banners and other signs of a temporary nature designed to promote community festivals and community events or to otherwise promote the identity of a particular neighborhood or district.

*Directional Sign.* A private traffic directional sign guiding or directing vehicular or pedestrian traffic onto or off of a property or within a property.

*Electronic Message Board (EMB).* A sign that is capable of displaying words, symbols, figures or images that can be changed by remote or automatic means.

*Fabric Sign.* Any sign, banner, valance or advertising display constructed of cloth, canvas, fabric, or other light material, with or without frames.

*Flag Pole.* A pole physically anchored to the ground with an underground foundation.

*Frame Effect / Transition.* A visual effect of an electronic message display applied to a single frame to transition from one message to the next which may include but not limited to dissolve, fade, scroll, etc.

*Governmental/Public Service Sign.* Governmental, legal notices, traffic, danger, emergency, aids to public service or safety, and trespassing signs shall not require a sign permit or signs of public utilities companies, airports or contractors indicating aids to public service or safety.

*Ground Fabric Sign.* Any sign with a structure that is mounted on the ground, intended to be displayed for a limited time period and is temporary in nature.

*Individual Letter.* A sign system of individual letters sometimes referred to channel letters. Such letters shall have a minimum depth of 1 inch and shall not be associated with a cabinet sign type system.

*Individual Letter Sign.* A type of sign consisting of independent letters respective of each other, text or symbols with no background material other than the wall of the building or a common structure known as a "raceway" to which they are affixed, with a minimum depth of one-inch. If the individual letters are attached to a "raceway." The "raceway" must be painted to match the color of the wall and must be limited to a height of no more than one-half (½) of the height of the tallest letter.

*Institutional Use.* Community or civic uses, or the like, devoted to the promotion of a particular cause or program, especially one of a public, educational, or religious character which are often permitted within all zoning classification such as schools, recreation centers, and churches.

*Joint Tenant and Project Identification Signs.* An onsite sign identifying or advertising two or more tenants in the same development or signs identifying developments or projects, including building or development names.

*Median.* A paved or landscaped strip dividing a highway/street into lanes according to direction of travel.

*Mobile Billboard.* Any wheeled vehicle used primarily for the display of general advertising or general advertising for hire, by means of traversing upon any public street or parking on any public street in a manner that the advertising image(s) on the vehicle are visible from any portion of the public right-of-way. Also known as "sign truck" or "billboard truck." This definition does not apply to vehicles displaying images related to the same business or establishment of which the vehicle is an operating instrument, such as, by way of example and not limitation, an advertisement for a grocery store on a truck delivering merchandise to that store. Also, it does not apply to vehicles which are on the public road for the primary purpose of transportation, such as taxis and buses, even if such vehicles display general advertising.

*Monument Sign/ Ground.* A detached, freestanding sign supported by a permanent base, where the entire bottom of the sign is affixed to the ground.

*Noncommercial message.* A message which pertains primarily to debate in the marketplace of ideas. Such messages typically cover subjects such as politics, religion, philosophy, social policy, as well as commentary on sports, arts and entertainments, etc. There is no on-site/off-site distinction as to noncommercial messages.

*Off-Site Home Builder Sign.* Any temporary sign located to be visible from the public right-of-way and used or intended to be used to aid and direct the movement of the public to residential developments offering dwelling units for sale at premises other than those upon which the sign is located, and to public amenities and facilities associated therewith. No such sign shall advertise sale of individual lots or dwelling units.

*Off-Premises Site Sign.* A sign including billboards or general outdoor advertising devices, which advertises or directs attention to a business, profession, commodity, entertainment, service, religious, charitable or nonprofit organization, or an activity or product not located upon or available upon the premises whereon the sign is located.

*On-Site Home Builder Sign.* A temporary sign which advertises a home building development located within the lots lines of such development.

*Pennant.* Any lightweight material, whether or not containing a message of any kind, suspended from a rope, wire, string or other contrivance usually in a series, designed to move in the wind.

*Project Identification Sign.* A sign giving the nature, logo, trademark, or other identifying symbol; address; or any combination of the name, symbol and address of a building, business, development, or establishment on the premises where it is located.

*Projecting Sign.* Any sign which projects perpendicular to and is supported by a building.

*Reader Board.* A sign which displays words, lines, logos or symbols which can change to provide varying information. The letters associated with reader boards are changed manually.

*Roof Sign.* A sign erected upon or projects above any portion of the roof or parapet of the building or structure.

*Separate Tenant.* A single use that either has a separate business license; a separate lease within the site; or has a separate space and payment area within the site.

*Sign.* Any medium, including its structure and the component parts, which is used or intended to be used to attract attention to the subject matter for advertising or identifying purposes. The term "sign" shall not include design features of an architectural nature which do not employ words or prices.

*Temporary Development Sign.* A sign naming the contractors engaged in the construction or proposed construction on the property where the sign is located.

*Temporary Sign.* Any sign or other advertising device or display constructed of cloth, canvas, cardboard, wall board, plywood, or other light temporary material, with or without

structural frame, intended for a temporary display for a limited period of time only. Such signs include real estate "for sale," "for rent", and "open house" signs, garage sale signs, temporary signs identifying the architect, engineer or contractor for work currently under construction, on-site commercial messages, or temporary noncommercial messages including political, election, or ideological signs.

*Wall Sign.* Any sign attached to or painted on the wall of a building or structure with the exposed face of the sign in a plane parallel to the plane of the wall.

*Window Awning Sign.* A sign depicted or placed upon, attached to, constructed in, or supported by an awning extending over functional or faux windows.

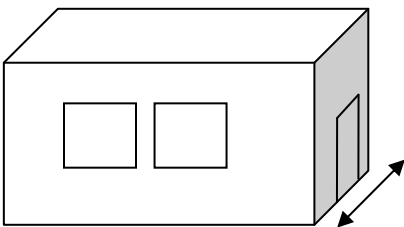
*Window Pane.* A plate glass surrounded by a framework.

*Window Sign.* Any sign which is applied, painted or otherwise attached to the interior or exterior of a window surface or is otherwise clearly visible from the exterior of the structure.

### **Division 3. Permitted Signs.**

#### **Sec. 146-1609. Signs for Residential Uses.**

<b>Table 16.2. Permitted Signs for Residential Uses</b>				
	<b>Sign Category</b>	<b>(A) Sign Type</b>	<b>(B) Maximum Number</b>	<b>(C) Maximum Area</b>
1.	<b>Small Multifamily Dwellings</b>	Wall, Monument	One per street frontage	36 sq. feet
2.	<b>Large Multifamily Dwellings (more than 24 units)</b>	Wall, Monument	One per street frontage	96 sq. feet

Table 16.3 Permitted Signs for Commercial, Industrial and Institutional Uses	
Wall, Projecting, Blade, and Monument Signs	
<p><i>Total Square Footage Calculation for all Permitted Signs:</i> A total of five (5) development signs with a total of 80 square feet minimum are permitted per use.</p>	
OR	
<p><i>Arterial Streets:</i> Two (2) square feet of sign area for each linear foot of building frontage for the first 100 feet. Then one-half square feet of sign area for each linear foot of building frontage thereafter as measured along the building frontage (the longest building frontage with a public entrance).</p>	
<p><i>All other streets:</i> One (1) square feet of sign area for each linear foot of building frontage for the first 200 feet of building frontage; then one-half square feet of sign area for each linear foot of building frontage thereafter as measured along the building frontage (the longest building frontage with a public entrance).</p>	
<p><i>Maximums:</i> Maximum sign area not to exceed 600 square feet. Not one sign can be larger than 200 square feet.</p>	
<p><i>Applicability:</i> The standards shall be used unless otherwise specified in this Code, Site or Contextual Site Plan, General Development Plan, Master Plan, or Framework Development Plan or Administrative Waiver.</p>	
<p><i>Blade Sign:</i> Each tenant may have one (1) blade sign limited to 6 square feet.</p>	
<p><i>Large Scale Retail Single Tenant Use (over 50,000 sq. ft.):</i></p> <p><i>Sign Area:</i> Two (2) square feet per lineal feet of building frontage to maximum sign area of 800 square feet.</p> <p><i>Number of signs:</i> May be extended to 8 signs with Administrative waiver.</p>	
<p><i>Motor Vehicle Dispensing Uses:</i> Choose either the primary linear frontage of the canopy or store for calculating the sign area, but not both. Accessory car wash buildings may not be used to calculate sign area.</p>	
<p><i>Collection Kiosks</i> may have two (2) kiosk mounted signs limited to 6 square feet each.</p>	
<p><i>Small Recycling Centers</i> may have a single sign limited to 20 square feet.</p>	

Monument Sign Standards
<p><i>General:</i> Monument signage is considered as one of the five (5) development signs allowed and is included in the total allowable square footage as calculated above. A monument sign must be located on the site plan showing size of sign face, setback and site triangle. If any monument sign is located in an easement a revocable license must be obtained prior to permit issuance.</p> <p><i>Height:</i> The maximum height of monument signs shall be determined by the location as follows:</p> <p>Along <i>arterial streets</i>: 12' maximum.</p> <p>Along <i>all other streets</i>: 8' maximum.</p> <p><i>Note:</i> Electronic message boards are permitted and shall not exceed 50% of the monument sign face. (See Electronic Message Board, Sec. 146-1612)</p> <p><i>Maximums:</i> The maximum size of a monument sign face is 100 square feet, unless otherwise noted in this article.</p>
<p><i>Large Scale Retail Single Tenant Use (over 50,000 square feet):</i></p> <p><i>Monument Signs:</i> One monument sign per street frontage for those retail single uses that have more 150' of street frontage, one (1) additional sign is permitted provided that a separation of 150' is maintained.</p>
<p><i>Location:</i> Setbacks: 4' from back of sidewalk or 21' from flow line and cannot be placed within the 30 foot site triangle.</p>
Joint Tenant and Project Identification for Wall and Monument Signs
<p>In addition to the calculations above for multi tenant developments, one (1) Joint Tenant or Project Identification wall or monument sign for each public street or highway abutting the project is permitted.</p> <p><i>Size and Location:</i> The maximum size shall equal 100 sq. feet per sign face with a maximum height of 14 feet.</p>

**Sec. 146-1610. Miscellaneous Signs.**

<b>Table 16.4. Miscellaneous Signs</b>					
	<b>(A) Type</b>	<b>(B) Standards</b>	<b>(C) Size/ Quantity</b>	<b>(D) Permit</b>	<b>(E) Zoning Districts Permitted</b>
1.	<b>Neighborhood District Identification</b>	At entrances only on an arterial or collector streets	96 sq. ft. and 6' max height/ 2 per entrance	Yes	All Residential and Mixed Use
2.	<b>Business District Identification</b>	Only on an arterial or collector streets	96 sq. ft. total/ 8' max height	Yes	Commercial and Mixed Use
3.	<b>Business District Markers</b>	Only on arterial or collector streets/ pillar or column design	20 sq. ft./ 6' max height	No	Commercial and Mixed Use
4.	<b>Bus Benches and bus shelter advertising</b>	Permitted on the city right-of-way pursuant to a bus bench or advertising bus shelter franchise agreement with City.	As per agreement	Yes	All Districts
5.	<b>Collection Kiosks</b>	See standards in Article 12	Two (2) kiosk mounted signs limited to 6 square feet each	No	Commercial and Mixed Use
6.	<b>Flags on flag poles with or without advertising</b>	The number of poles per property applies to all flags with or without advertising. Flags with advertising will count against the total allocated square footage of sign area. If pole is	3 poles/ 240 total area / 35' max height	Yes	Commercial and large scale multifamily

		over 25 feet tall a building permit is required. In no instance shall a flag extend beyond the property line.			
7.	<b>Public Service/ Governmental</b>	Governmental, legal notices, traffic, danger, emergency, aids to public service or safety.	n/a	No	All Districts
8.	<b>Menu/ Order Boards, Gas Station Pump Island</b>	Not calculated in business sign area	n/a	Yes	Commercial and Mixed Use
9.	<b>Window</b>	No flashing or blinking permitted. Calculated with all window signs (temporary and permanent) and includes "open" signs	May not exceed 50% of window pane. Max. total of 200 sq. ft. / May not exceed 25% of the window pane within the Pedestrian Sub-District of the Colfax Mainstreet Overlay District	No	Commercial and Mixed Use  Refer to Colfax sign standards Table 16.15
10.	<b>Directional (Commercial)</b>	No business identification permitted.	3 sq. ft. and 6' max height	Yes	Commercial and Mixed Use
11.	<b>Pennants, streamers, or similar decorative devices</b>	30 consecutive days per year	n/a	Yes	All Districts

**Sec. 146-1611. Electronic Message Boards.**

- (A) An electronic message board is limited to monument signs only and must be integral or a part of the overall sign face.
- (B) The area of the electronic message board shall not exceed fifty (50) percent of the total area of the sign face.
- (C) The electronic message display must be programmed so it does not change more frequently than once every 8 seconds, and the message change occurs instantaneously, without use of scrolling, flashing, fading, blinking, or other similar transitions. The board shall contain static messages only, changed only through dissolve or fade transitions, but which may otherwise not have movement, or the appearance or optical illusion of movement varying light intensity, of any part of the board, design or pictorial segment of the board. The change of message using dissolve or fade transition shall not exceed one (1) second of time between each message displayed on the board.
- (D) No electronic message board shall exceed a brightness level of 0.3 foot candles above ambient light as measured using a footcandle (lux) meter at a preset distance from the face of the sign to the light meter depending on sign area, measured as follows:

Area of Sign (sq. ft.)	Measurement Distance (ft.)
10	32
20	45
30	55
40	63
50	71
60	77
70	84
80	89
90	95
100	100
150	122
200	141
250	158
300	173
350	187
400	200
Measurement Distance = square root of (Area of Sign sq. ft. X 100)	

- (A) The message display must be provided with automatic dimming software or solar sensors to control brightness for nighttime viewing and varying daytime lighting conditions.

- (B) The message displayed on the sign shall only direct attention to a business, product, service or entertainment conducted, sold or offered on the premises on which the sign is located. Community emergency alerts such as inclement weather, or amber alerts, are exempt.
- (C) All existing electronic signs that contain an electronic changeable copy which does not comply with the provisions of the section shall conform to the brightness of copy provisions and animation restrictions within 180 days of the adoption of this article.
- (D) Within the areas designated as the Special Commercial Sign Overlay Districts (Havana, Parker and Roadside Overlay District of Colfax) see Sec. 146-1613 ), electronic message boards may be integrated into either a wall or monument sign, but is limited to 50% of the overall sign square footage.

**Sec. 146-1612. Signs in Special Commercial Sign Overlay District.**

- (A) *Purpose.* The City Council determines that there are certain commercial areas in the city that warrant the designation as special commercial sign overlay districts to permit a taller or larger ground sign because:
  1. Such areas are characterized by intense commercial activity along major streets;
  2. The uses to which such signs pertain have long street frontages;
  3. Sign locations are buffered from residential areas; and
  4. Areas may be coterminous with other governmental jurisdictions that have less restrictive sign regulations.
- (B) *Application.* An application for a sign in a special commercial sign overlay district shall be made to the Planning Director on a form provided by the Director. In addition to submittal requirements established by the Director, the application shall provide detailed renderings of style, size, height, location, design, and color samples appropriate to the function and architectural character of the development to which the sign relates. The application shall address design elements such as landscaping, water features, architectural detailing, and special design treatment. The Director shall refer the application to the Planning and Zoning Commission for consideration at a public hearing.
- (C) *Approval criteria.* The Planning and Zoning Commission, after holding a public hearing thereon, within 45 days, and shall approve the proposed sign, deny the sign, or approve the sign with conditions. The Planning Commission shall consider the following in making its determination:
  1. Whether any negative offsite effects of the proposed sign are mitigated.
  2. The extent to which the sign conforms to the associated design character of the development.
- (D) *Appeal; call-up to City Council.* An applicant may appeal the decision. City Council shall hold a hearing on the application in within 45 days and shall approve the proposed sign,

deny the sign, or approve the sign with conditions. The City Council shall consider the following in making its determination:

1. Whether any negative offsite effects of the proposed sign are mitigated.
2. The extent to which the sign conforms to the associated design character of the development.

In the event of a denial of the application, the applicant may seek prompt judicial review of the denial pursuant to Rule 106 of the Colorado Rules of Civil Procedure.

(E) *Large, integrated development.* The City Council may approve a sign that exceeds the height, area, or location limitations in this section if it finds such increase is appropriate because the sign relates to a large integrated development or regional activity center.

(F) *Designation.* The City Council hereby designates special commercial sign overlay districts along the frontage of the following streets for qualifying businesses having the requisite minimum frontage on such named streets:

1. Havana Street (South of Sixth Avenue).
2. Colfax Avenue (Outside of Pedestrian Overlay District).
3. Parker Road.

(G) *Signs permitted.* The following signs are allowed:

<b>Table 16.6. Permitted Signs in Special Commercial Overlay District</b>					
<b>Sign Category</b>	<b>(A) Sign Type</b>	<b>(B) Maximum Number</b>	<b>(C) Maximum Area</b>	<b>(D) Maximum Height Above Grade</b>	<b>(E) Minimum Frontage</b>
<b>1. Special Commercial Sign Overlay District</b>	Ground	One in addition to the maximum number permitted elsewhere in the Code	800 sq. ft. for any use including all other signs permitted by this article	20 ft.	The proposed use the sign advertises has a single street frontage of not less than 300 ft.

(H) *Installation.* The supports for such sign shall appear as an architectural and/or integral part of the sign.

(I) *Design.* The Planning Director is authorized to adopt design guidelines to be applied in the evaluation of the proposed sign. Prior to their application, the design guidelines shall be reviewed and approved by the city council.

**Sec. 146-1613. Sign Regulations in FBAD, City Center, TOD, RAC, SUN, and Mixed Use Main Streets.**

<b>Table 16.7. Urban Centers/ Special District Regulations</b>			
	<b>(A) Standard</b>	<b>(B) Applies to</b>	<b>(C) Description</b>
<b>(1)</b>	<b>Permitted building sign types:</b>		
<b>(A)</b>	<b>Individual tenants/business signs</b>	Wall signs	Each tenant is allowed one wall sign for each street and parking lot frontage. One square foot per linear foot of building frontage with a maximum of 70 square feet of sign area. Individual tenants are allowed a minimum of 25 square feet.
<b>(B)</b>	<b>Individual buildings five stories or greater</b>	High wall sign	One high wall sign is permitted on individual building(s) of five stories or greater in height. Two square feet per linear foot of building frontage with a maximum of 200 square feet in area. The sign must be located in the area between the bottom of the top floor and the top of the parapet wall. Signs above the parapet wall will be considered roof signs.
<b>(C)</b>	<b>Individual tenants/business signs</b>	Grand projecting	One permitted per development on a building located on a corner lot with a street-facing open plaza. Grand projecting signs may not be a joint identification or multi-tenant sign. Sign must have a minimum clearance of ten feet above grade, and cannot project more than five feet beyond the face of the building. Sign shall be permitted upon an approved site plan review.
<b>(D)</b>	<b>Individual tenant/business signs</b>	Canopy sign	Each tenant is allowed one canopy sign over a public entrance. Only one canopy sign per business, with a maximum sign area of ten square feet. Letter height shall not exceed 18 inches.
<b>(E)</b>	<b>Individual tenant/business signs</b>	Awning sign	Each tenant is allowed a maximum of three square feet placed on the vertical flap of the fabric awning. Backlit or internally lit awning signs are not permitted.

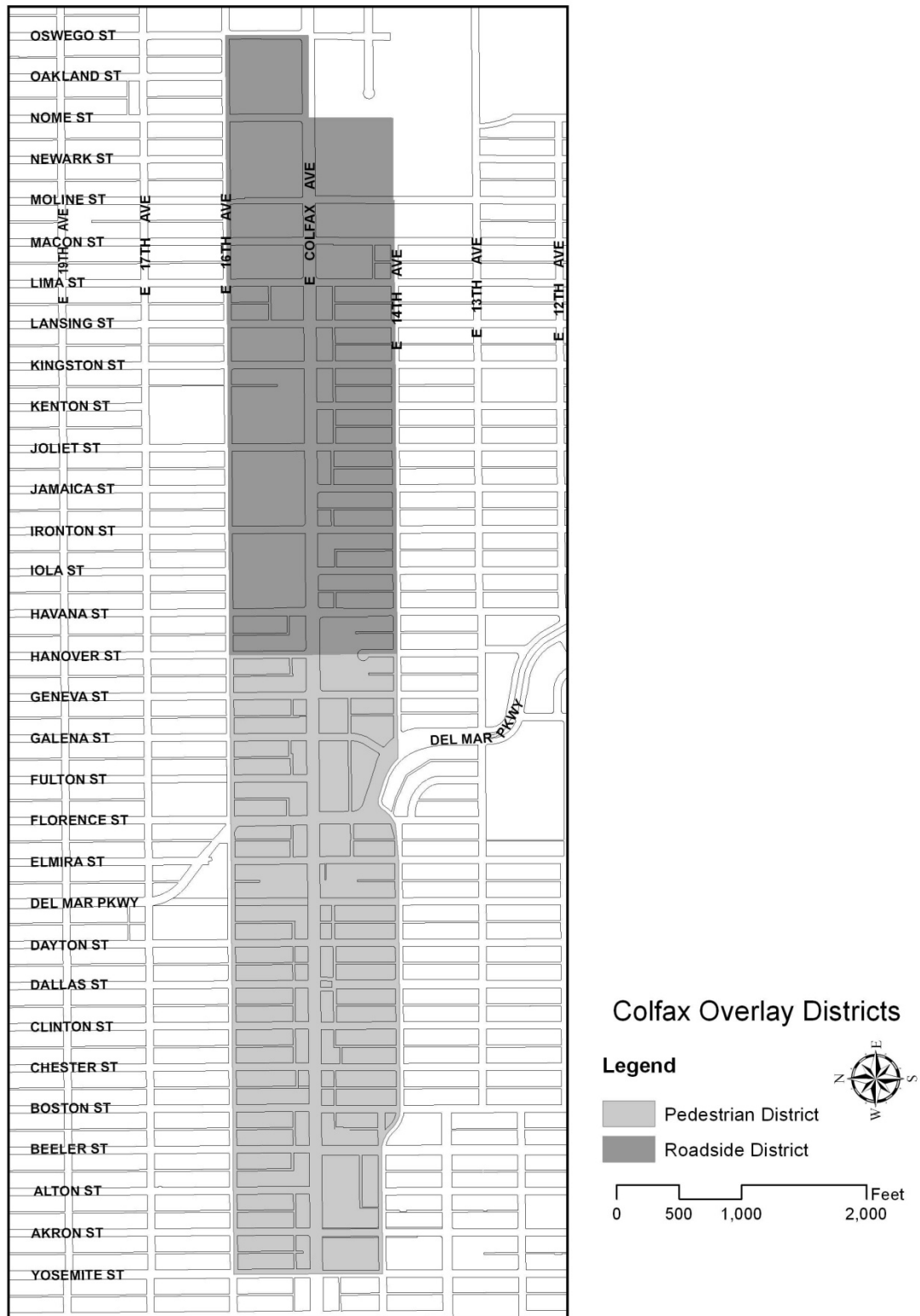
(F)	<b>Individual tenant/business signs</b>	Pedestrian blade sign	Each tenant is allowed one blade sign per pedestrian entrance, with a maximum size of six square feet. The sign must be placed within the occupied elevation leased and entirely between nine and 12 feet above grade.
2.	<b>Permitted monument sign types:</b>		
(A)	<b>Individual tenant/business signs</b>	Monument signs	Only monument-style ground signs are permitted, with a maximum of 40 square feet per face for a total of 80 square feet for two-sided signs with an eight (8) foot maximum height. Fabric, pole-mounted, and other types of permanent signs are not allowed.
(B)	<b>Joint identification and project identification site signs</b>	Joint identification wall and ground signs	Only wall and ground signs are permitted and must be integrated architecturally, with a maximum of 40 square feet per face for a total of 80 square feet for two sided signs. Fabric, pole-mounted, and other types of permanent signs are not allowed. Multiple project identification/joint identification signs are permitted for an approved master plan for arterial street frontages provided they have a minimum separation of 150 feet apart.
(C)	<b>Sidewalk Sign</b>	One sidewalk sign may be placed in front of the business that it advertises. Such signs shall maintain a clear 6 foot wide pathway for pedestrians.	3 x 4 feet
3.	<b>Design</b>	Sign design and color criteria	(1) All monument style signs shall include a base constructed from the same "primary" materials as used on the main building; (2) All letters on a sign shall be individual 3-D, engraved, or projecting can type. Cabinet signs are not allowed;

			(3) All colors used on a sign background shall match the colors used on the main building. All colors and materials used on structures and frames containing the sign face shall match materials and colors used on the main building.
4.	<b>Illumination</b>	Sign illumination	If a sign is to be illuminated, all letters on a sign shall be individually illuminated from an internal source, with the exception that wall signs are permitted to be illuminated entirely from downcast architectural lighting fixtures. A uniformly backlighted sign face is not permitted on any sign.
5.	<b>Sign type not permitted:</b>	Commercial Sign Overlay District (Section 146-1613)	The Commercial Sign Overlay District shall not apply to the Fitzsimons Boundary Area District.

**Sec. 146-1614. Signs in the Colfax Mainstreet Overlay.**

- (A) *In General.* Where district regulations conflict with the requirements of Article 16, the district regulations shall govern. Different district sign regulations shall apply to the pedestrian and roadside sub-districts.

**Figure 16.1**



- (B) *Sign Lettering.* Except for projecting signs, all sign text shall consist of three-dimensional individual letters of a material distinctive from the background to which it is attached. Cabinet type signs are not allowed.
- (C) *Sign Lighting.* If a sign is to be internally illuminated, each sign letter shall be individually illuminated or "back-lit" from a shielded internal source. Signs with letters applied to an internally lit sign face or translucent internally lit awning shall not be allowed. Neon of any color on lettering and logos or neon accents are allowed. Wall, window awning and projecting signs with opaque style lettering may be externally illuminated from adjacent downcast architectural lighting fixtures. Canopy signs may be "up-lighted" or "halo-lighted" if the light source is not open to the sky or visible from the ground. LED (light emitting diode) lighting shall not be allowed for sign illumination.

Table 16.8. Colfax Mainstreet Sign Standards				
(A) Item			(B) Standards	(C)Size/ Quantity
1.	Wall	Pedestrian	Individual channel letters only. A wall or canopy sign, not both.	1 per tenant per building street frontage up to 30 square feet. For those properties that exceed 60 linear feet of building frontage: ½ square foot per linear foot: Not to exceed 60 square feet.
2.		Roadside	Individual channel letters only.	As per general sign standards.
3.	Projecting	Pedestrian	Such signs may be attached or suspended by a metal bracket or placed beneath a projecting canopy or arcade. A ground clearance of 9 feet in height is required.	1 building mounted per tenant per each street/alley frontage, not to exceed 12 square feet per sign face.
4.		Roadside	Not Permitted	n/a
5.	Monument	Pedestrian	Not permitted. A waiver may only be granted if the proposed monument sign meets all the following design criteria:  a. There is sufficient plaza or other landscaped area outside of required rights-of-way on the applicants property to accommodate the sign;	n/a

			<p>b. The sign is designed with a solid base composed of brick or stone matching the materials on its associated building; and</p> <p>c. The height of the sign does not exceed eight feet.</p>	
6.		Roadside	All monument signs shall be placed on a sign base constructed of materials similar to the main building. All letters shall be individual channel letters and distinctive from the background.	As per general sign standards. Refer to Section 146-1612 for electronic message display standards
7.	<b>Canopy</b>	Pedestrian	A canopy or wall sign, not both. The backlighting illumination of canopies is not permitted.	Total area not to exceed 25 square feet.
8.		Roadside	In addition to the overall size and number permitted.	Total area not to exceed 25 square feet.
9.	<b>Window Awning</b>	Pedestrian	All awnings shall be constructed from an opaque fabric material and the backlighting of the awning is not permitted. Letter height may not exceed 8" and may only be placed on the vertical front portion only. Logos a maximum of 3 square feet may be placed on the slanted portion of the awning.	
10.		Roadside	Same as Pedestrian. In addition to the overall size and number permitted.	
11.	<b>Grand Projecting</b>		Pedestrian District only. A single grand projecting sign is allowed for buildings located at street corners, buildings facing an open public plaza, or buildings occupying at least one-half block. Canopy type signage at the base of the grand projecting sign is permitted to identify individual tenants. Such sign shall not extend more than five feet above roof peak or parapet, (2) it may not extend more than five feet beyond the face of its building, and (3) it shall maintain a minimum of ten feet clear distance from sidewalk to bottom of the sign.	The canopy signage portion of the grand projecting sign shall not exceed 20 square feet.

12.	<b>Sidewalk Sign</b>	Pedestrian District only. One sidewalk sign may be placed in front of the business that it advertises. Such signs shall maintain a clear 6 foot wide pathway for pedestrians.	3 x 4 feet
13.	<b>Alley Wall Sign Pedestrian District Only</b>	Pedestrian District only.	10 square feet
14.	<b>Community Banners</b>	Pedestrian District only.	Community event and identification banners attached to street lights only. Banners may remain in place for extended periods of time, but shall be kept in good repair and rotated on a seasonal basis or as appropriate for individual events.
15.	<b>Temporary Banners</b>	Prohibited in the Pedestrian District Only	n/a

(D) *Colfax Avenue Sign Preservation.*

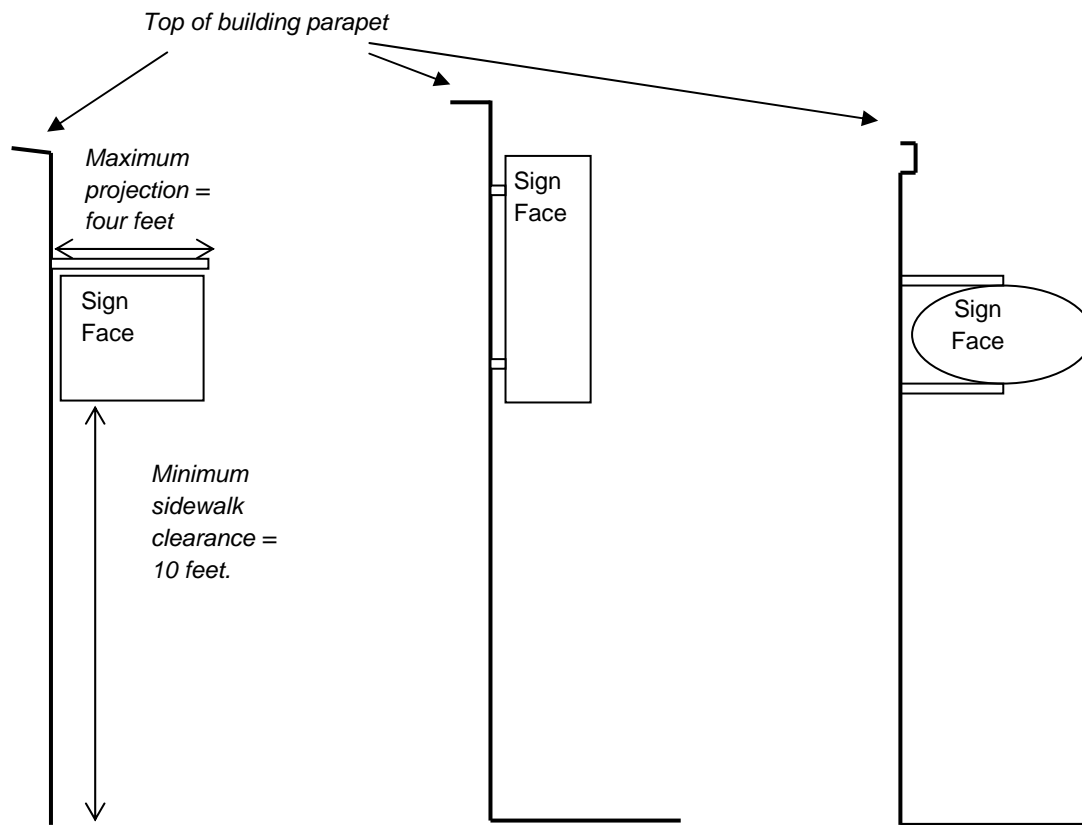
1. *Purpose.* The purpose of this subsection is to permit the preservation of signs which are illustrative of the city's history in the Post-World War II Era and which comply with the requirements provided in this subsection. The term "Post-World War II Era" refers to a popular style of design from that time, also known as exaggerated modern. The style is characterized by the use of exaggerated geometry, streamlined curves, and fanciful literal elements and lighting, particularly in its use of shapes reminiscent of amoebas, stars, atoms, rockets, and flying saucers.
2. *Display.* Notwithstanding the provisions of this article to the contrary relating to height, area, and setback, the city council hereby permits the continued display of signs it has designated based upon the finding that each sign complies with the following requirements:
  - a. The sign is a least 25 years old.
  - b. The sign is of design representative of the Post-World War II Era.

A list of council-designated signs shall be kept on file in the office of the Director of Planning.

3. *Removal, Alteration, and Maintenance.* All designated signs shall be maintained in good structural condition at all times and shall be subject to the provisions of section 146-1620 regarding maintenance. Signs designated pursuant to this section may be removed or repaired at any time. Any alteration of such sign shall be in the same style, color and materials as the original sign.
4. *Compliance.* Signs designated by the city council in this section are granted exceptions to the provisions of this article regulating sign height, area, and setbacks. All other provisions, including permitted maximum number, shall apply. Nothing in this section shall exempt any sign not designated in this section from compliance with this Code, including other signs on the same premises as a designated sign.
5. *Termination of Exemption.* The exemptions from the otherwise applicable sign code provisions granted in this section shall cease if:
  - a. The designated sign is not maintained in the same style;
  - b. The designated sign is not maintained in good condition;
  - c. The lighting, including neon signage, is inoperative; or
  - d. The sign becomes unsightly due to paint peeling.

The wording of these signs may be changed so long as all of the criteria and conditions of this section are complied with.
6. *Board of adjustment and appeals review.* The signs designated in this section shall not be eligible for variances or exceptions granted by the board of adjustment and appeals.

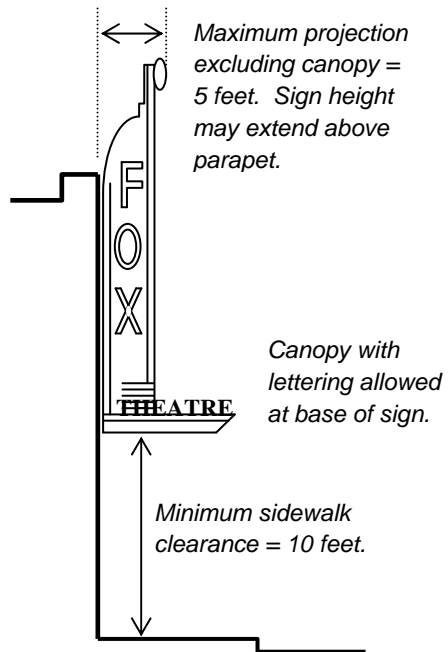
**Figure 16.2: Examples of Projecting Signs**



A “projecting sign” means a sign with one or more faces projecting in a perpendicular fashion away from the face of the building to which it is suspended or otherwise attached.



**Figure 16.3: Grand Projecting Signs**



**Figure 16.4: Canopy Sign Examples**



**Figure 16.5: Awning Signs and Graphics**

Example of window awning with graphic symbol with projecting sign.



Example of a window awning with lettering on the vertical panel.

## **Sec. 146-1615. Creative Sign Program.**

- (A) *Purpose.* The Creative Sign Program provides for property owners and businesses within the city to propose creatively designed signs. The intent of this process is:

1. To encourage signs of high quality materials and workmanship;
2. To encourage signs of unique design that exhibit a high degree of imagination, inventiveness; and
3. To provide a process for the application of creatively designed signs that make a positive visual contribution to the overall image of the city, while mitigating the impacts of large or unusually designed signs.

Additionally, the Creative Sign Program may provide for increased allowance to the maximum sign area permitted and to allow changeable copy in association with theater marquees signs identifying films or performances.

- (B) *Application.* Any property owner or business owner in the City that is not otherwise subject to an approved privately-enforced sign program is eligible to apply for a Creative Sign permit. Such application shall be made on the form(s) prescribed by the City Manager or designee and shall be accompanied by any required fees.

- (C) *Review Procedures.* At each level of review or appeal, the decision shall be rendered within the time limits set forth herein. The time period begins running when the application is deemed complete.

1. *General.*

- a. Notwithstanding any of the time limits contained in this Chapter, the Creative Sign Design Review Board shall endeavor to render decisions in a timely manner.
- b. Notwithstanding the time limits contained in this Section, the city manager or designee and the applicant may mutually agree to an extension of the time limits.

2. *Completeness Review.*

- a. Upon receipt of a complete Creative Sign permit application, a review for completeness shall be performed.

3. *Review of the application.*

- a. A Creative Sign permit application shall be subject to review and approval by the city manager or designee where the cumulative area of the proposed sign(s) does not exceed the square footage allocation. For those proposed sign(s) exceeding this allotment, such sign(s) shall be subject to review and approval by the Creative Sign Design Review Board. The burden is on the applicant to demonstrate substantial

compliance with the applicable Creative Sign Design Standards as set forth herein.

- b. The city manager or Board shall issue a written finding of approval or denial of the application within ten (10) calendar days of the final review.
4. *Hearings.* All hearings of the Creative Sign Design Review Board shall be open to the public. Notice of a meeting shall be posted as for council meetings, and mailed to abutting property owners at not less than 10 days prior to the day of the hearing.
5. *Decision.* The decisions of the Creative Sign Design Review Board shall be based upon the application and the evidence received at the hearing, using the criteria provided in subsection D herein. Any person may appear at the hearing and present information or comment to the Board.
6. *Appeal.* A decision of the Board may be appealed to City Council by the applicant or an abutting property owner. Such appeal must be filed within 10 days of a decision by the Board. City Council may call up a decision of the Board for a hearing before City Council by a motion passed by Council within two meetings of the date of the Board's decision.

(D) *Creative Design Criteria.*

1. *Architectural Criteria.*
  - a. The sign(s) should utilize or enhance the architectural elements of the building;
  - b. The sign(s) should be placed in a logical location in relation to the overall composition of the building façade;
  - c. The sign(s) should be integrated within and not cover any key architectural features and details of the building façade; and
  - d. In no event shall a sign be larger than 100 square feet.
2. *Wall Signs.* Wall signs should be centered within an area uninterrupted by doors, windows, or architectural details.
  - a. *Architectural Style.* Each sign should be designed to be compatible with and relate to the architectural style of the main building or buildings upon the site where such sign is located.
  - b. *Color.* The color(s) of a sign should be harmonious and complementary to the colors of the building on or near which it is to be located.
3. *Contextual Criteria.* The sign(s) should contain at least one (1) of the following elements:
  - a. Historic design style;

- b. Positive and creative image reflecting current character of the business;
  - c. Inventive representation of the use, name, or products of the business.
- 4. *Design Quality.* The sign(s) should:
  - a. Constitute a substantial aesthetic improvement to the site and should have a positive visual impact on the surrounding area;
  - b. Be of unique design, and exhibit imagination, inventiveness;
  - c. Provide strong graphic character through the imaginative use of graphics, color, texture, quality materials, scale, proportion and form; and
  - d. Contribute to the image of the city by conveying a distinctive character that conveys a strong sense of place.
- 5. *Illumination.* To convey a subtle appearance, the use of back-lit or reverse channel letters with halo illumination rather than internally-lit signs are encouraged.
- 6. *Multiple Signs.* Where more than one sign is proposed, all signs should have designs that incorporate the following design elements in a compatible and coordinated fashion:
  - a. Letter style of copy; components;
  - b. Type of construction materials;
  - c. Lighting; and
  - d. Method used for supporting sign (e.g., wall or ground base).
- 7. *Neighborhood Impacts.* The sign(s) should:
  - a. Be located and designed not to create adverse impacts on neighboring uses;
  - b. Constitute a substantial aesthetic improvement to the site and should have a positive visual impact on the surrounding area; and
  - c. Provide strong graphic character through the imaginative use of graphics, color, texture, quality materials, scale, and proportion.
- 8. *Sign Materials.* The goal of sign design is to maintain attractive and compatible styling so as not to conflict or distract from the architectural character of the area. The choice of materials and the workmanship in the use of the materials should convey both a sense of quality and creativity.

**Sec. 146-1616. Temporary Signs.**

<b>Table 16.9. Temporary Signs Requiring Permits</b>					
	<b>(A)Type/Description</b>	<b>(B)Standards</b>	<b>(C)Size/Quantity</b>	<b>(D)Permit</b>	<b>(E)Zoning Districts Permitted</b>
1.	<b>On-site Home Builder</b>	Monument sign/ 12 consecutive calendar months/ 2 per residential development under construction	Total sign area 200 sq. ft. or 100 sq. ft. per side/12' max height	Yes	E-470 and Northeast Plains
2.	<b>Off-site Home Builder</b>	Monument sign in public right-of-way/ 8 per builder/ 600 feet from another sign/ 120 feet from intersection/ 12 consecutive months/ Requires notification of adjacent property owner	16 sq. ft. per side for total of 32 sq. ft / 12' max height	Yes	E-470 and Northeast Plains

**Table 16.10. TEMPORARY SIGNS NOT REQUIRING A PERMIT**

	<b>(A)Type</b>	<b>(B)Time Limitation</b>	<b>(C)Size/ Quantity</b>	<b>(D)Zoning Districts Permitted</b>
1.	<b>Temporary Development Signs</b> such as those associated with the construction or proposed construction on a property or for advertising available tenant space for multi-tenant centers	These shall be removed after issuance of a certificate of occupancy.	Residential - 6 sq. ft. max / 4' max height Commercial - 48 sq. ft. max / 8' max height / 1 per street frontage	All Districts
2.	<b>Temporary Signs associated with an short term event</b> such as an open house or garage sale, for rent or for sale	One day prior to event only, and must be removed by the day after event.	6 sq. ft. per side/12 sq. ft. max 4 maximum/ 4' max height	All Districts
3.	<b>Temporary signs associated with a non-commercial event</b> such as a community fair or election * *Note: Pursuant to Section 146-1601 "Message Substitution," an election message is permitted on any otherwise duly permitted or allowed sign under this Article, provided it conforms to the size and height limitations of such sign.	Shall be removed within 7 days after the event.	6 sq. ft. per side 12 sq. ft max/ 4' max height	All Districts
4.	<b>Temporary Window Signs</b>	90 day limitation per sign/ May not exceed 50% of window pane / May not exceed 25% of the window pane within the Pedestrian Sub-District of the Colfax Mainstreet Overlay District	200 sq. ft. total per individual business	Commercial and Mixed Use Districts

	(A)Type	(B)Time Limitation	(C)Size/ Quantity	(D)Zoning District Permitted
5.	<b>Community Event (non-commercial) Fabric Sign</b> Promotes events such as community festivals and events or the identity of a particular neighborhood or district	30 day limitation per event	200 sq. ft.	All Districts
6.	<b>Fabric Sign (wall only)</b>	15 day limitation/ 6 times per year	1 per business/ 200 sq. ft./ Total square footage for both fabric signs and ground fabric signs is 200 sq. ft.	Commercial, Mixed Use, Large Scale Multifamily(not permitted in the Colfax Pedestrian District)
7.	<b>Ground Fabric Sign or Sidewalk Sign</b>	15 day limitation/ 4 times per year	1 per business with up to 3 for those single use properties with over 150' of arterial street frontage/100 sq. ft. max each/ 10' max height/ Total square footage for both fabric and ground fabric signs is 200 sq. ft. <i>Sidewalk Sign: 3'x4'</i>	Commercial, Mixed Use, Large Scale Multifamily (ground fabric sign not permitted in the Colfax Pedestrian District)
8.	<b>Inflatables, balloons or other similar devices</b>	72 hours/ once per year	Applies to individuals or those tied together that exceed 20" in diameter.	All Districts

**Sec. 146-1617. Sign Programs for Multi-Tenant Developments or Master Plans.**

- (A) *Applicability.* A uniform sign program shall be required for shopping centers, or for multi-use or multi-building business, commercial, or industrial developments.
- (B) *Purposes.* The purposes of a uniform sign program are to:
1. Achieve a reasonable degree of sign uniformity and coordination.
  2. Enhance the visual quality of the area through compatibility of the signs in color, shape, and materials.
  3. Provide clarity and legibility for visitors to the project.
  4. Meet or exceed sign design standards.
- (C) *Large Scale Master Planned Communities.* For those master planned developments that exceed 90 acres located adjacent to a limited access roadway, one large scale multi-tenant or project identification sign is permitted. These signs may not exceed 400 square feet per sign face, may not exceed 30 feet in height.

**Sec. 146-1618. Off-Premises Signs.**

- (A) *Off-Premises Signs.* Off-premises signs, including billboards, shall be permitted in the B-3, M-2, and M-3 zones, and for non-residential areas of PD zones, providing the following conditions are met:
1. *Type of Advertisement.* Advertises or directs attention to a business, profession, commodity, or an activity, product, by displaying a commercial message for goods or services not located upon or available upon the premises whereon the sign is located.
  2. *Signs permitted.* The following signs are allowed:

Table 16.12. Permitted Off-Premises Signs						
	Sign Category	(A) Sign Type	(B) Maximum Number	(C) Maximum Area	(D) Maximum Height above Grade	(E) Permitted Illumination
1.	Off-premises	Ground	One; provided that no sign of this category shall be less than 600 feet from another sign in this category.	200 square feet on single-faced signs	25 feet	If abutting a residential use, shall not be illuminated between the hours of 11:00 p.m. and 6:00 a.m.

2.				100 square feet per face on double-faced signs		
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3. *Authorization.* Written permission from the property owner on which the sign is to be erected must accompany the original application and any renewal application.
4. *Visibility.* No sign shall be allowed to be visible from any freeway or interstate highway, or residential zones.
5. *Site plan exists.* Where a sign is to be located on a site which has a site plan, approved under any provision of this Code, all tenants within the area covered by the site plan shall be notified of the application. The notice shall include the nature of the application and shall describe the rights of tenants to direct comments on the application to the city manager.
6. *No site plan exists.* Where a sign is to be located on a site where no approved planned building group or other site plan exists, a plan showing the property boundary, and the size, height, location, and orientation of the proposed sign shall be submitted to the planning department.
7. *Application required.* The plan shall be accompanied by an application for approval by the owner of the property.
8. *Review.* The planning director shall review and shall approve the sign in accordance with the following criteria:
  - a. The sign shall conform with all other applicable or potentially applicable requirements of this article and the Aurora City Code;
  - b. The sign shall not obstruct the view of other signs or uses; and
  - c. The sign shall not be located within the potential future location of streets, drives or easements.
9. *Approval period.* Approval for signs under this subsection shall be for a period of five years, at which time application for renewal for an additional five-year period may be made.
10. *Precedence.* Nothing in this subsection shall allow a sign to be within the location of any future streets, alleys, easements, fire lanes, access easements, or other requirements imposed during site plan review. Approval for a sign under this subsection may be terminated by the city upon submittal of a site plan to the city, if such termination is necessary to comply with the criteria for review set forth in this chapter.
11. *Appeal.* Denial of the application by the city manager may be appealed to the planning and zoning commission, provided that such appeal is filed with the city manager or his or her designee within ten calendar days following the denial.

## **Division 4. Standards.**

### **Sec. 146-1619. Identification and Marking.**

Each sign erected or remodeled shall bear in a prominent position thereon a clearly legible identification plate, stating the name of the person responsible for its construction and erection. Electrical signs shall be marked with input amperes at full load input.

### **Sec. 146-1620. Standards, Design Quality and Measurement.**

- (A) *Generally.* Signs may be erected, altered, and maintained only for those uses permitted in the zone in which the signs are located, and shall be located on the same lot as the permitted use unless otherwise permitted by this Code.
- (B) *Repairing.* Painting, repainting, or cleaning of an advertising structure or the changing of the advertising copy or the message shall not require a sign permit, unless it is located within the Colfax Overlay District, or a structural change is made or unless the sign is a nonconforming sign.
- (C) *Maintenance.* Every sign, including those specifically exempt from this chapter in respect to permits and permit fees, shall be maintained in good structural condition at all times. Fabric signs shall be maintained in a taut and unsoiled condition. The city manager or designee shall inspect and shall have the authority to order the painting, repair, alteration, or removal of a sign that shall constitute a visual blight or hazard to safety, health, or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, or abandonment.
- (D) *Standards.*
  - 1. *Setback.* All signs on private property must be setback 4 feet from back of sidewalk and may not be placed in street medians, corner sight triangles or within a parking space. In the absence of a sidewalk, such sign shall be located 21 feet from the flowline of the street.
  - 2. *Revocable Permit.* Signs requiring permits to be installed in the public right-of-way or easement shall only be allowed upon execution of a revocable permit with the city.
  - 3. *Landscaping.* Signs shall not be attached to or disturb landscape materials.
  - 4. *Building Permit.* Permanent signs higher than 6 feet in height shall require a building permit.
  - 5. *Prohibited Location.* Signs shall not be located in the public right-of-way, unless duly authorized by this article.
  - 6. *Sight Triangle.* No private sign may be located within the 30 foot sight triangle.
  - 7. *Interior Signs.* Signs setback 4 feet within a building shall not be regulated by these standards.

8. *Wall Signs.* Wall signs will be permitted to the maximum height of the wall structure. Signs on buildings with a flat roof will be permitted to the top of the parapet wall. Structures with peaked roofs may have wall signs to the height of the lowest point of the roof structure. Wall signs may project into the public right-of-way to a maximum depth of 18 inches.
9. *Letter Height.* The average height of letters shall be restricted to a maximum of 48 inches.
10. *Animation.* No sign shall flash, blink, rotate or fluctuate.

(E) *Design Quality.*

1. *Architectural and visual compatibility.* There shall be architectural harmony and unity of signs within a development. Sign type, scheme, size, and illumination within a development shall be coordinated and compatible with the site's architectural character.
2. *Informational signage.* Within each development, information signage and way-finding systems shall be of a unified graphical system. They shall be placed in consistent locations near site entries, key points on the internal automobile circulation system, building entries, seating areas, and sidewalk intersections.
3. *Sign shape.* The silhouette of signs shall be simple and compatible with the building or facade they relate to. Signs of excessively complicated design, composed of many different connected shapes, or that disrupt the architectural order and composition of a building shall not be allowed.
4. *Illumination.* Illumination shall be shielded so there is no glare in the public right-of-way and adjacent properties, and directed so light does not stray above the light source horizontally. All lighting elements shall be kept in working condition.
5. *Materials.* Materials and textures of signs shall be consistent with the architectural character of the site and building. Supporting sign structures of monument signs shall match the primary finish and colors of the associated building(s). *Sign materials not permitted include:* plywood, fabric/paper (except temporary), wall siding, fencing or roofing material, plain concrete masonry units.
6. *Placement.* Attached signs shall not disrupt the architectural composition of the building facade. Attached signs shall not overlap or cover features of the building such as cornices, eaves, window and doorframes, columns and other decorative elements.
7. *Views.* Ground or freestanding signs shall not be placed where they obscure important architectural features such as entrances, display windows, or decorative elements when viewed from the public right-of-way.

(F) *Measurement.*

1. *Area to Be Measured.* The area of a sign shall be measured in conformance with this section. The following are general rules pertaining to sign area measurement:
  - a. The structure or bracing of a sign shall be omitted from measurement unless such structure or bracing is made part of the message or face of the sign.
  - b. Where a sign has two or more display faces, the area of all faces shall be included in determining the area of the sign.

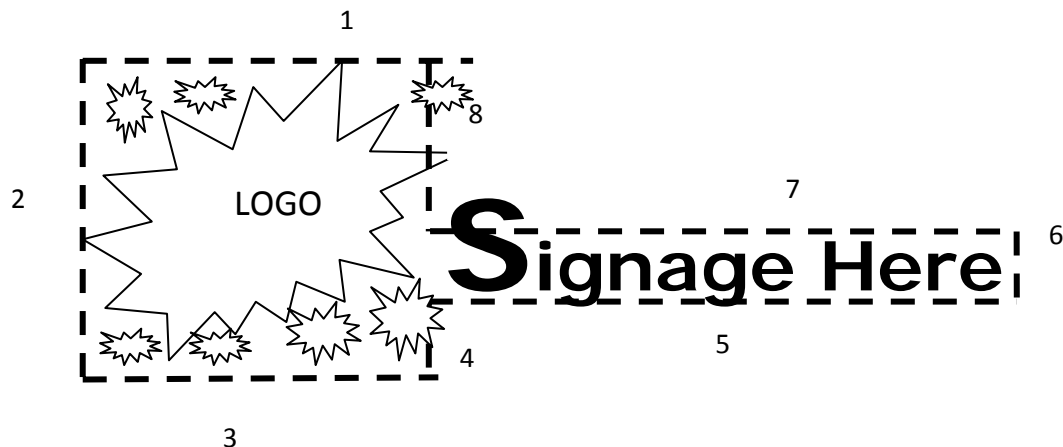
**Figure 16.6 Measurement**

### Wall Signs

**For channel letters in the Colfax Overlay district signs are measured as follows:**



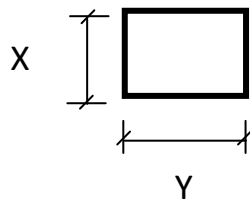
All other districts Channel Letters/Logos the area of any sign displaying individual letters on a background (façade, wall, divisional wall, awning or canopy) shall be measured by encompassing all the letters and graphics in a geometric form consisting of no more than eight (8) rectilinear lines at right angles to each other. NOTE: Two (2) capital and two (2) lower case extensions may be exempted from being included in the area of measurement. Capital letters and lower case extensions may not exceed twice the height of lower case letters.



The example above shows the area to be measured for individual letters displayed on a background. Two capital letters (extending above other letters) and two lower case extensions (below other letters) are allowed to be exempt from the measurement area.

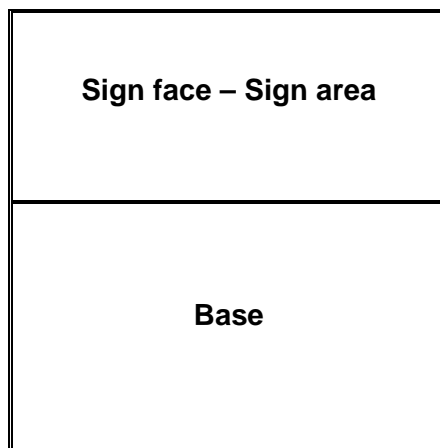
### **Cabinet wall signs or wall signs with backing:**

$X \times Y = \text{Sign area of display face backing}$



### **Monument Signs**

Must calculate both the front and back sign faces



## **Division 5. Creative Sign Design Review Board.**

### **Sec. 146-1621. Created; composition.**

There is created and established the Creative Sign Design Review Board. The composition of the board shall be five (5) voting members, appointed by the City Council pursuant to Charter section 9-1, consisting of two local business owners, an architect or other design professional, and two neighborhood residents who shall be registered electors. Terms of appointment shall be for three years.

### **Sec.146-1622. Authority and purpose.**

The Creative Sign Design Review Board shall be the review and approval board for applications as provided in Section 146-1615 regarding the Creative Sign Program.

## **Division 6. Miscellaneous.**

### **Sec. 146-1623. Severability.**

If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this article is declared invalid, such invalidity shall not affect the validity or enforceability of the remaining provisions of this article.

**Section 2.** That Section 2-765 of the City Code of the City of Aurora, Colorado is hereby amended by adding a board as follows:

### **Sec. 2-765. Enumeration.**

The following table sets out the various authorities, boards, commissions, and committees for the city by their titles, and their location in the code:

Title	Location
CREATIVE SIGN DESIGN REVIEW BOARD	CHAP 146, ARTICLE 16

**Section 3.** That Section 110-97 of the City Code of the City of Aurora, Colorado, relating to garage sale advertising is hereby repealed.

**Section 4.** That the following sections, tables, and figures in Chapter 146 of the City Code of the City of Aurora, Colorado, relating to signs are hereby repealed:

146-712(c) and Table 7.8  
146-858 and Definitions 146-850 (F),(G),(H),and( I)  
146-916 and Figure 9.6  
146-1013 and Figure 10.2  
146-706(7)  
146-728(J)

**Section 5.** That the following terms in Section 146-2001 of the City Code of the City of Aurora, Colorado, are hereby deleted:

Awning	Sign, fabric	Sign, project identification
Billboard	Sign, floodlighted	Sign, roof
Display Face	Sign, free-standing	Sign, temporary
Mural	Sign, ground	Sign, temporary window
Pennant	Sign, monument	Sign, wall
Sign	Sign, off premises	Sign, window
Sign, animated	Sign, off site development	
Sign, awning	directional	
Sign, display window	Sign, pennant	
Sign, electric	Sign, portable	

**Section 6.** All ordinances or parts of ordinances of the City Code of the City of Aurora, Colorado, in conflict herewith are expressly repealed.

**Section 7.** Pursuant to Section 5-5 of the Charter of the City of Aurora, Colorado, the second publication of this ordinance shall be by reference utilizing the ordinance title. Copies of this ordinance are available at the office of the City Clerk.

**INTRODUCED, READ, AND ORDERED PUBLISHED** this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

**PASSED AND ORDERED PUBLISHED BY REFERENCE** this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
**EDWARD J. TAUER, Mayor**

ATTEST:

\_\_\_\_\_  
**JANICE NAPPER, Interim City Clerk**

APPROVED AS TO FORM:

\_\_\_\_\_  
CA/ ORD/ New Sign Code 7\_18.1 Y version