

**DATE:** August 14, 2018

**STAFF:** Noah Beals, Senior City Planner/Zoning

## **WORK SESSION ITEM**

### **City Council**

#### **SUBJECT FOR DISCUSSION**

---

Sign Code Update Phase 2.

#### **EXECUTIVE SUMMARY**

---

The purpose of this item is to present a draft of the proposed Sign Code amendments.

#### **GENERAL DIRECTION SOUGHT AND SPECIFIC QUESTIONS TO BE ANSWERED**

---

1. Does Council have additional direction for digital billboard replacement, Section 3.8.7.6 of the draft?
2. Is there any other feedback on the draft of the Sign Code amendments?

#### **BACKGROUND / DISCUSSION**

---

At a work session in March 2018 Council provided feedback on Phase 2 of the Sign Code Update. During this meeting, it was confirmed that any Sign Code changes should continue the general purposes the Sign Code to prevent the proliferation of signs and to maintain a high-quality, aesthetic environment.

The purposes of Phase 2 of the Sign Code update have been:

- Improve overall legibility of the Sign Code Section and address common requests
- Implement action items from the adopted Downtown Plan
  - *Restore existing historic signs and allow for the reconstruction of historically significant signs that previously existed*
  - *Develop Land Use Code regulations that identify performance standards for design elements that activate buildings and private outdoor spaces along public streets. Amend the Sign Code to require pedestrian-oriented signs.*
- Discuss sign standards for new technology
- Provide an option for consideration of digital billboards

Since the March meeting, a draft of the Sign Code was created and released for review and input from the public. The draft was presented at a public meeting in May. This meeting consisted of an open house with boards highlighting the updates and then followed by a simple presentation. Following the public meeting, the draft was available on the Sign Code web site and a questionnaire was available through June to provide any feedback.

In June the draft Code language was presented four other times. Upon request from a local business owner, the draft was presented to Economic Advisory Committee (EAC). The EAC in general was favorable of the draft and decided to provide a written statement that would be reviewed and approved at its next meeting. At the time of this report, the subsequent EAC meeting has not occurred.

As an action item from the adopted Downtown Plan the Sign Code update looked at the process for reviewing historic signs. The drafted Code language for historic signs was presented to the Landmark Preservation Committee (LPC) for a recommendation. Members of the LPC raised concerns that the language was confusing and did not provide the clarity to the process. In general, the confusion was between what the LPC currently reviews and the relationship to the proposed Sign Code review. This section has since be written to remove the confusion and provide the additional clarity to the process.

The entire draft was also presented to the Planning and Zoning (P&Z) Board for a recommendation. At the public hearing of the P&Z Board, members had questions that were clarifying in nature. Discussion also focused on the number of digital billboards the City would receive. The drafted language stated a maximum of 5 new digital billboards; however, if Larimer County approved a digital billboard and later the City annexed the property, there could be more than 5. A motion to recommend approval of the Sign Code update was adopted 6 - 1. The dissenting vote objected to the section concerning digital billboard reduction. It was stated if the Code did not include this section, there would be no objection to the rest of the Sign Code update.

Additionally, the Chamber of Commerce requested City staff to make a presentation to its Local Legislative Affairs Committee (LLAC). The same presentation given to P&Z meeting was presented to the LLAC. During this meeting staff also received clarifying questions and, in general, received positive feedback on the draft.

Highlights of section 3.8.7.6 the Digital Billboard Replacement are below;

- To place a digital billboard an applicant needs to remove the greater of 8 static faces or 2,200 square feet. of sign face currently found in the Growth Management Area.
- Digital message may be displayed for 60 seconds or more, unless along I-25 then the message may be displayed for 24 seconds or more.
- The maximum size (sign face) of a Digital billboard is 90sf. or if along I-25 then the size can be 250sf.
- A digital billboard cannot be within a 2miles measured in a straight line of any other billboard
- Prohibited zone districts of a Digital Billboard include D; R-L; R-C; P-O-L; U-E; R-U-L; R-F; N-C-L and N-C-M
- The application for a Digital Billboard will be reviewed through a Type 2 process, where the Planning and Zoning Board is the decision maker.

The proposed Code amendment will be presented for Council consideration in September or October.

---

## ATTACHMENTS

1. Sign Code Update - Draft (PDF)
2. Lamar Comments re Draft Sign Code (PDF)
3. PowerPoint Presentation (PDF)

### 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:

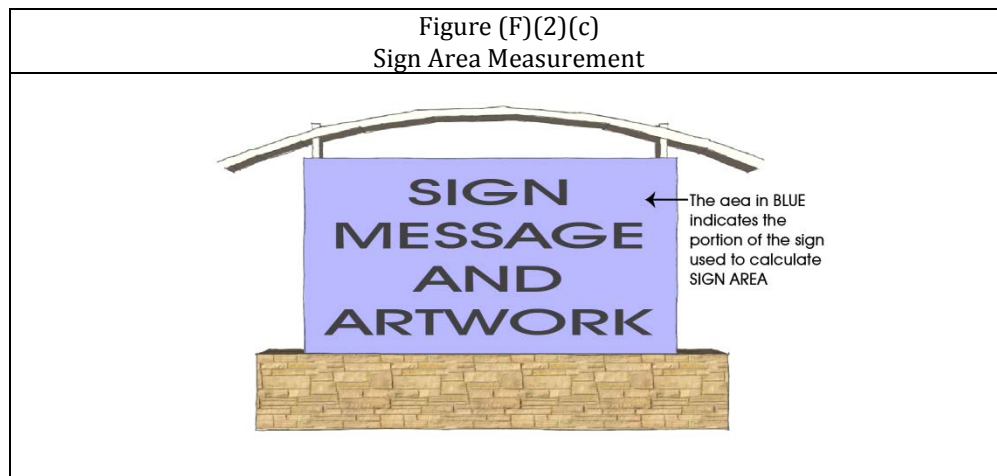
- (a) One optional residential sign per street-facing building elevation of a residential building not exceeding four square feet in area;
- (b) Flags that are hung from not more than three rigid, straight, building-mounted or ground-mounted flagpoles per 100 feet of property frontage or fraction thereof, 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.***

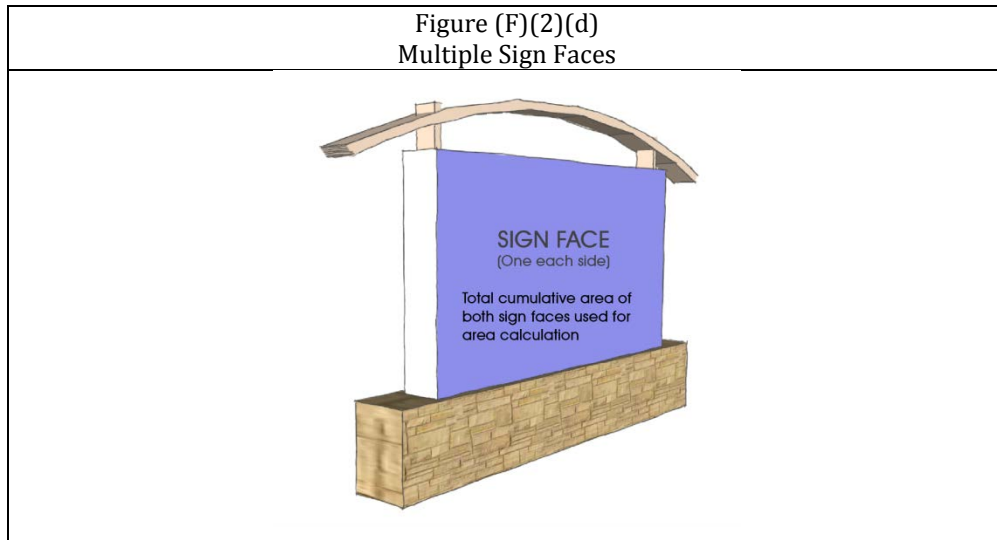
- (1) In addition to the regulations set out in the Sign Code, signs may also be subject to applicable State laws and regulations (*e.g.*, State of Colorado, Department of Highways, “Rules and Regulations Pertaining to Outdoor Advertising,” effective January 1, 1984, as may be amended from time to time), 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.***

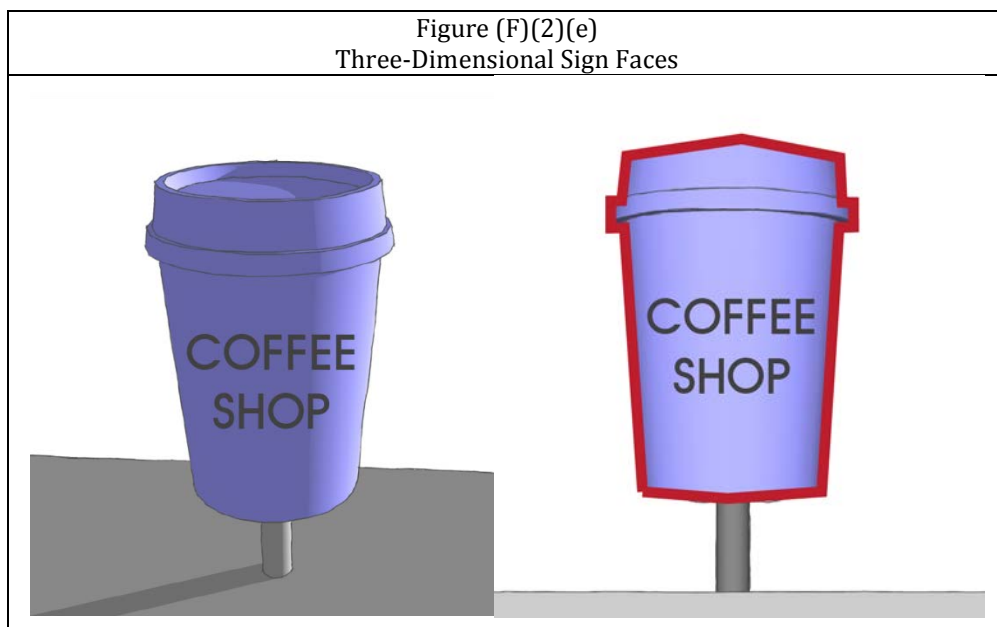
- (1) *Property Frontage.* Property frontage is measured as the length of each property boundary that abuts a public street right-of-way.
- (2) *Sign Area.*
- (a) *Generally.* In general, sign area is the area within a continuous polygon with up to eight straight sides that completely encloses the limits 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 ( $1\frac{1}{2}$ ) 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.



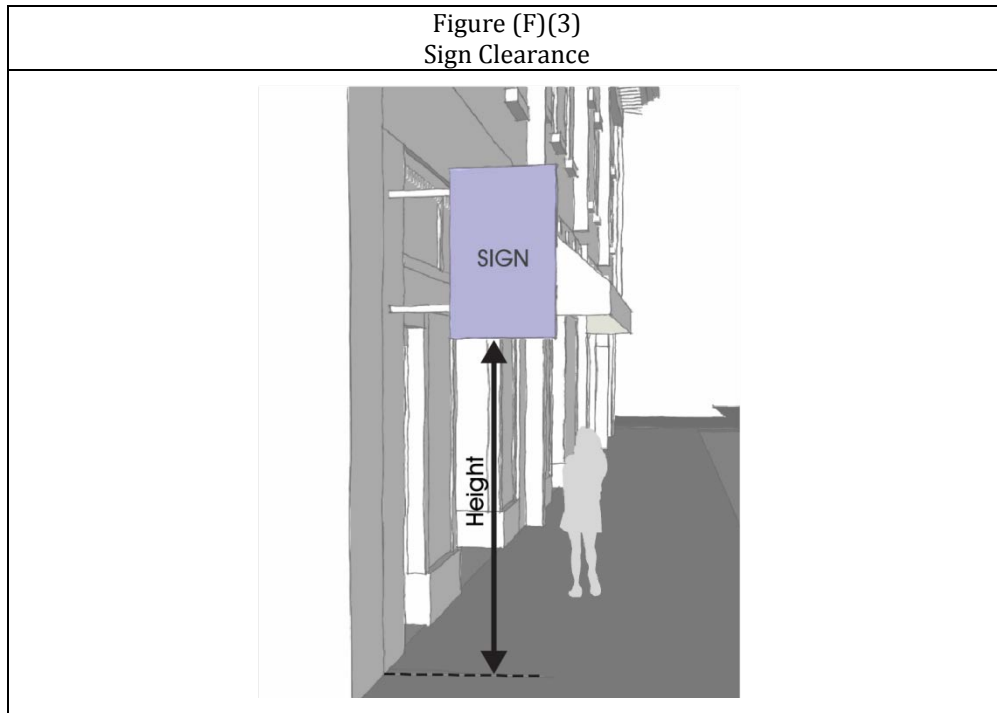
- (d) *Multiple Sign Faces.* Freestanding temporary signs may have multiple faces. The area of such signs is measured using the vertical cross-section that represents the sign's maximum projection upon a vertical plane (*e.g.*, for a sign with two (2) opposite faces on the same plane, the total cumulative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



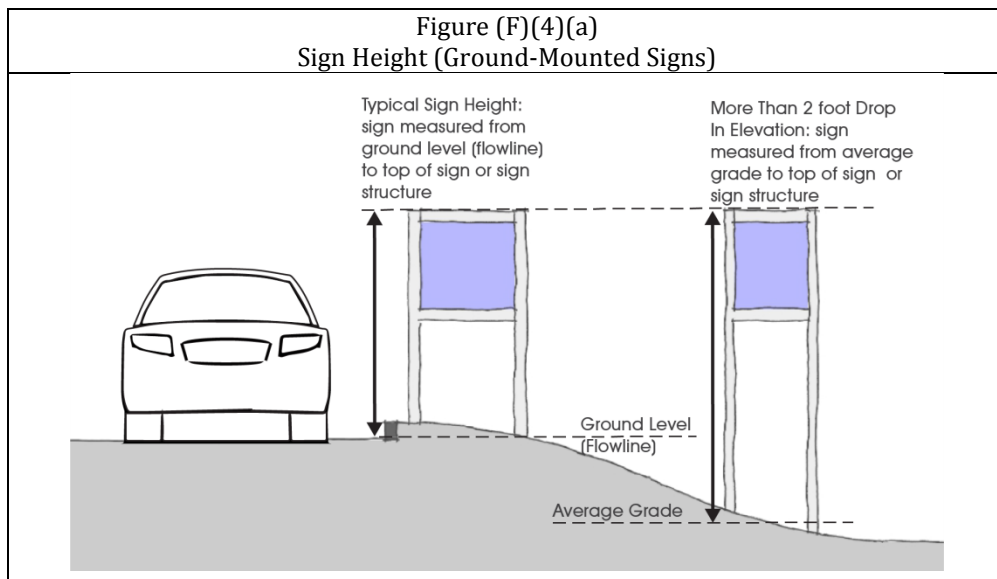
- (3) *Sign Clearance.* Sign clearance is the distance between the bottom of a sign or related structural element that is not affixed to the ground and the nearest point on the ground-level surface under it.



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

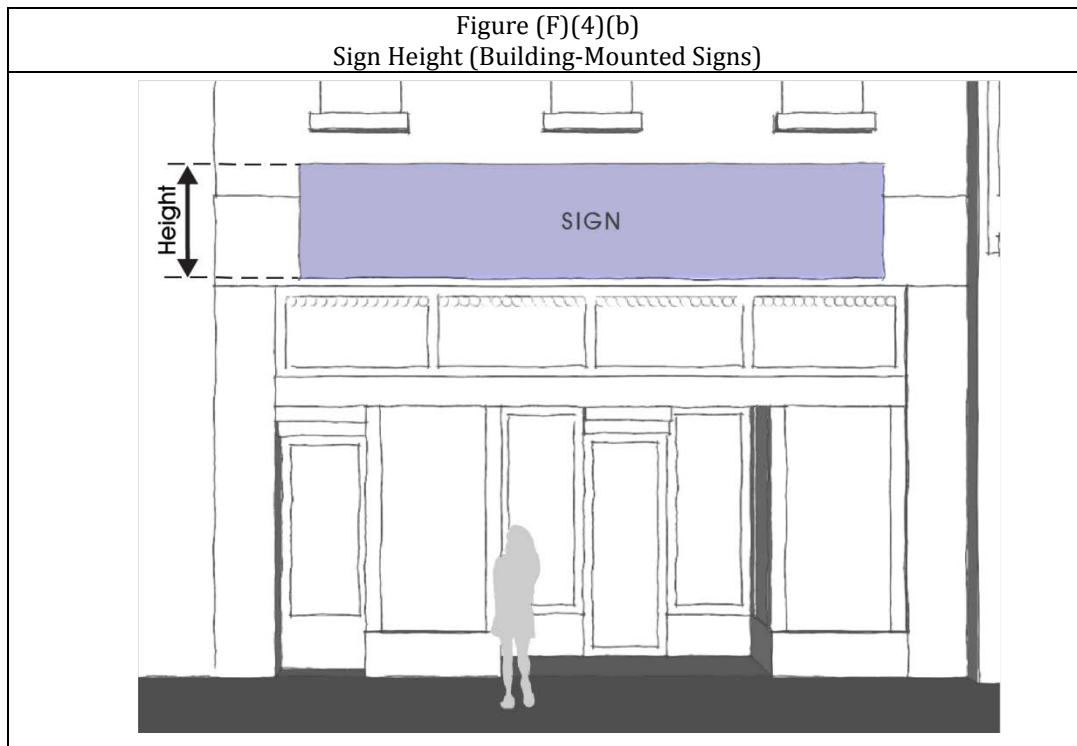
(a) For ground-mounted signs:

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.

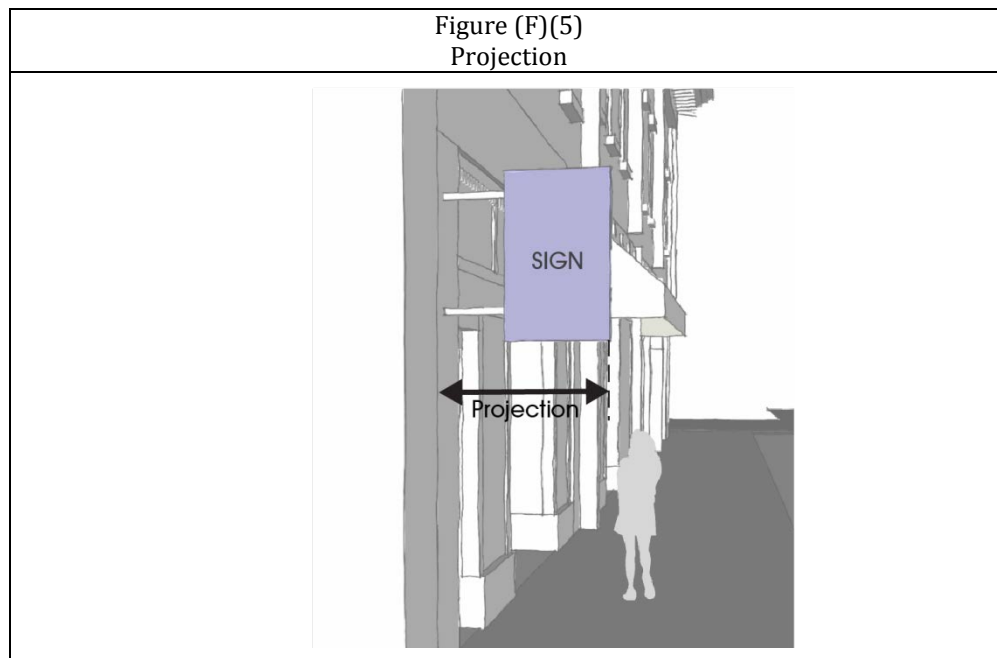




- (b) For building-mounted signs, the greatest distance between the lowest part of the sign or sign structure and the highest part of the sign or sign structure.



- (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.

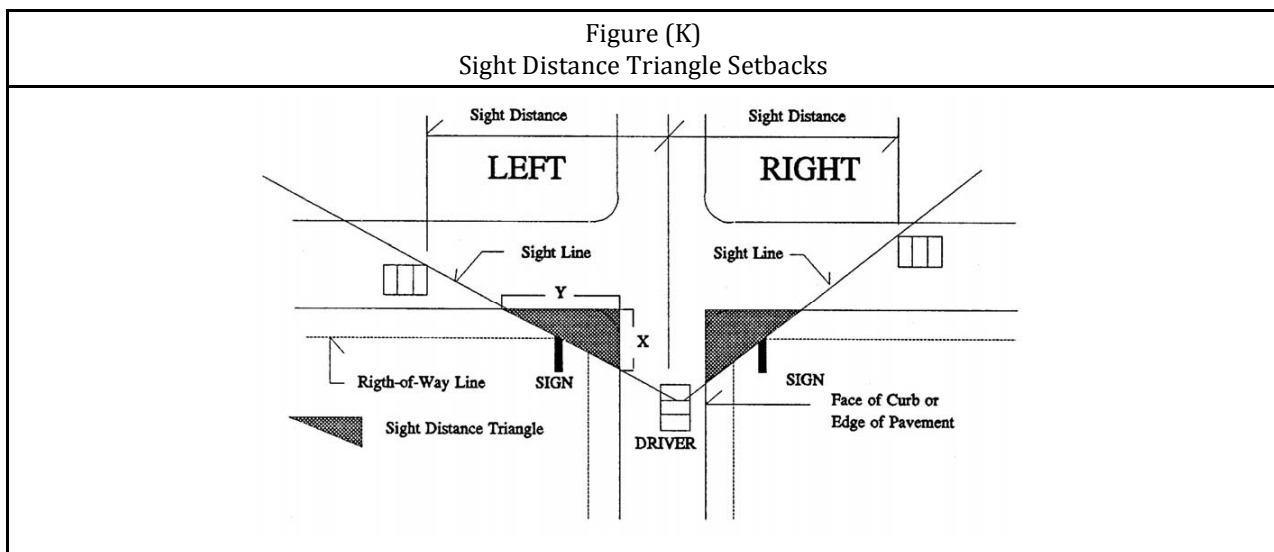
(c) *Operations.*

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		
<b>Table Notes:</b> <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

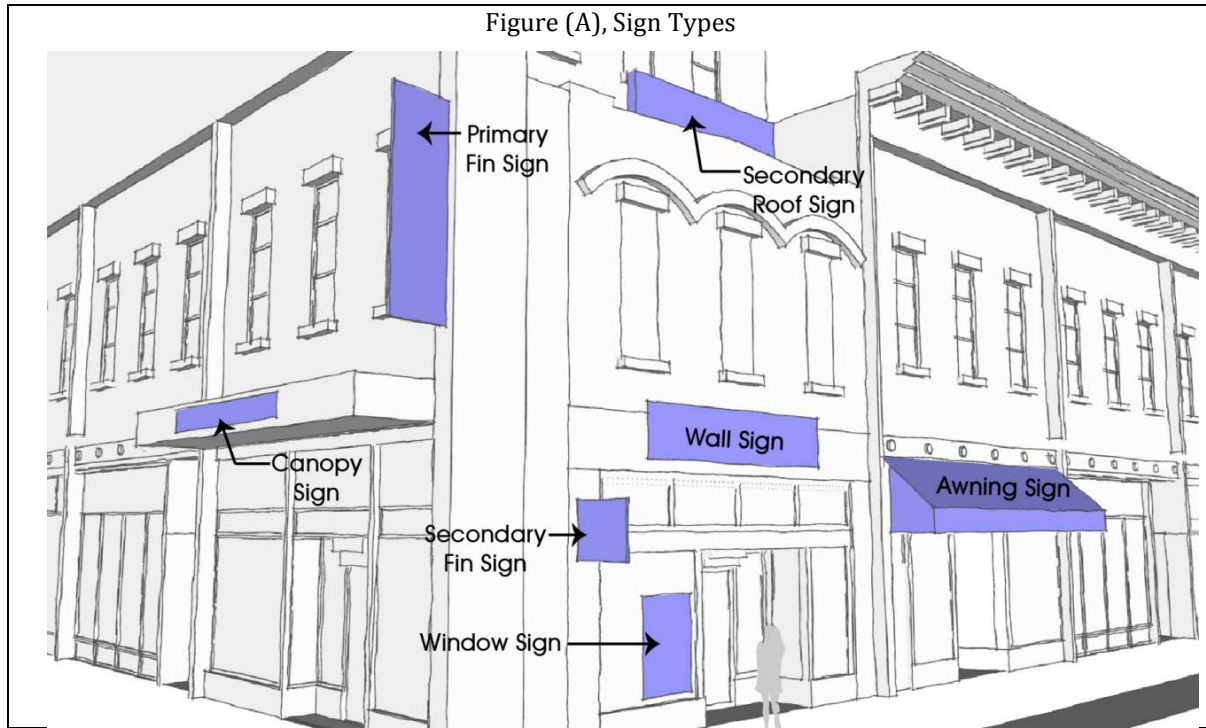
(A) **Sign Area Allowance.**

- (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.*
- 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.
  - 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.

Table (B) Wall Signs						
Type of Sign Standards	Sign District					Within Residential Neighborhood Sign District <sup>1</sup>
	Outside of Residential Neighborhood Sign District <sup>1</sup>					
	Downtown	Commercial/Industrial	Mixed-Use	Multifamily	Single-Family	
Applied or Painted Wall Signs						
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
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.

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 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.

Figure (B)[(1)  
Applied or Painted Wall Signs



Applied or Painted Wall Signs – Vertically Oriented						
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
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' of 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

Figure (B)(2)  
Applied or Painted Wall Signs – Vertically Oriented



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
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

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	
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

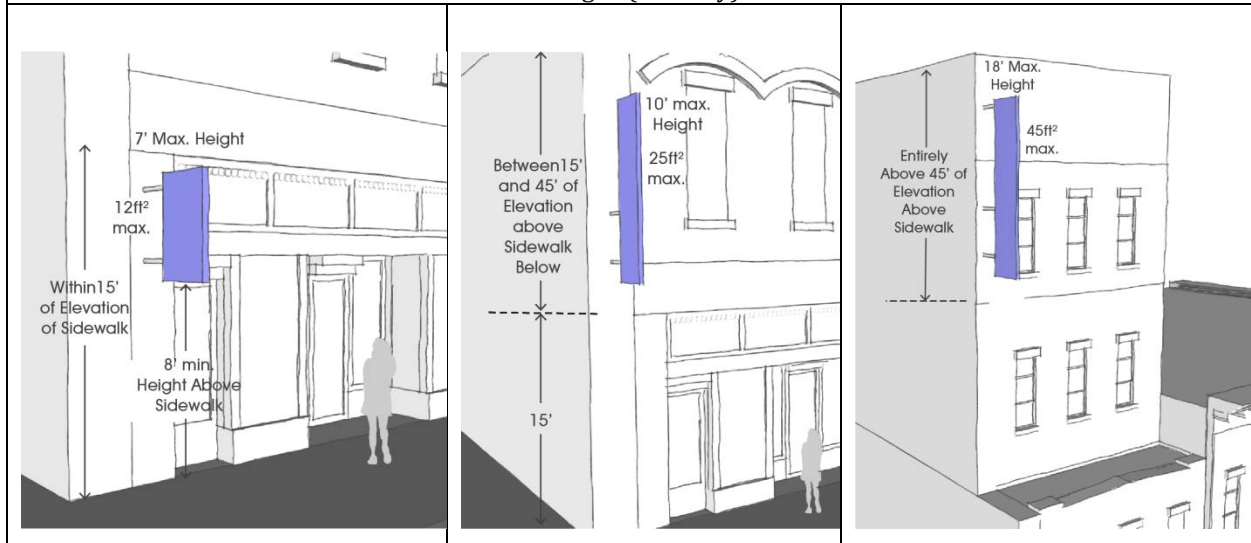
- (D) **Projecting Signs.** Projecting signs include awning signs, marquee signs, under-canopy signs, and fin signs. Projecting signs are allowed according to the standards in Table (D), *Projecting Signs*. Projecting signs shall not extend into the public right-of-way, except that the City may grant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

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	
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.
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 facade; 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 facade; 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 facade; 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

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	
Fin Signs (Primary)						
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
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.	

Figure (D)  
Fin Signs (Primary)



Fin Signs (Secondary)						
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
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

**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. 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

**Figure (F)**  
**Secondary Roof Sign**



(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	
Primary Detached Signs						
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
Secondary Detached Signs						
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
Drive-Thru Lane Signs						
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> A Drive-Thru Lane EMC may be 100% of the sign area if the display changes no more than three times in a 24hr. period. <sup>4</sup> For a Drive-Thru Lane Sign 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;
  - 4. Shall not project onto safety or traffic signage (e.g., crosswalk markings, bicycle dismount signs, etc.); and
  - 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.
- (I) ***Restoration or Reconstruction of Historic Signs.*** The provisions of this subsection apply to buildings in the Downtown sign district that are 50 years or older, 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) A sign on a designated property, or a property determined to be eligible for designation on the National Register of Historic Places, the State Register of Historic Properties, or as a Fort Collins Landmark, that may not otherwise comply with the strict provisions of this Sign Code and has been approved by the Landmark Preservation Commission through a review of Chapter 14 of the Municipal Code shall be permitted and shall not be counted in sign area allowance for the property.
  - (2) A sign on a property which is not designated or individually eligible for designation on the National Register of Historic Places, the State Register of Historic Properties, or as a Fort Collins Landmark, that may not otherwise comply with the strict provisions of this Sign Code and is inspired by a historic sign on the property and does not require a review through Chapter 14 of the Municipal Code by the Landmark Preservation Commission shall be reviewed by the Director. In approving such signs, the Director shall not condition approval on changes in content and find the following:
    - (a) The sign is not detrimental to the public good;
    - (b) The size and location of the sign are comparable to a historic sign of the property and the deviation from the provisions of this Sign Code are nominal and inconsequential with the context of the neighborhood;
    - (d) The sign is comparable to the quality, character and design of a historic sign of the property;
    - (e) The sign shall not degrade the historic character of the neighborhood or convey a false sense of history.

The Director may deny any sign application that does not meet all the standards of this section. All signs approved through this section shall count towards the sign area allowance for the property.

### 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
Yard Signs				
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
<b>Table Notes:</b>						
<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.

Additionally, a sign shall be considered historic if the Landmark Preservation Commission through a review of Chapter 14 of the Municipal Code as approved the historic nature of the sign.

(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) 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.
- (E) **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.
- (F) **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.
- (G) **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.
- (H) **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.

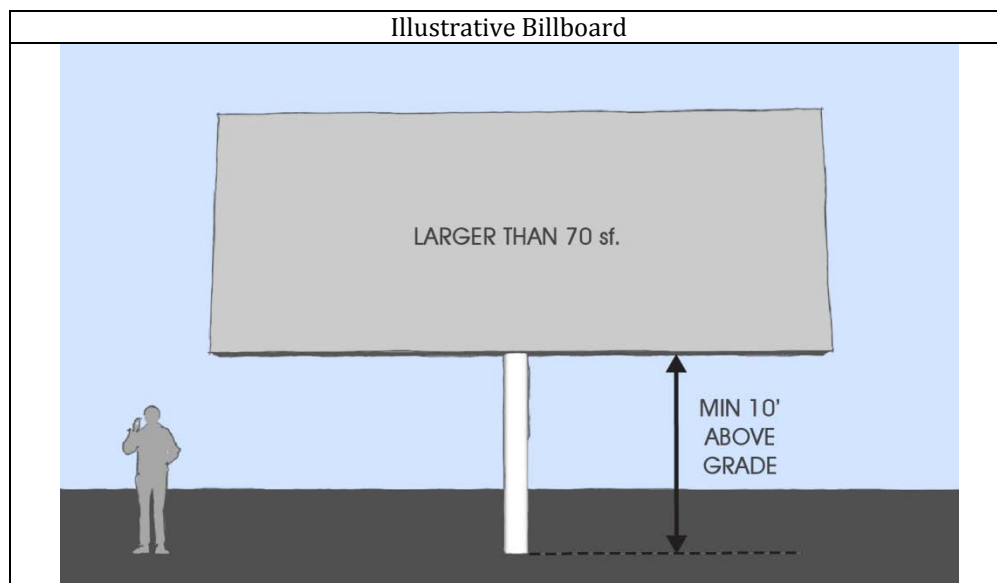
<sup>1</sup> These definitions should be alphabetically interleaved with the existing definitions in Section 5.1.2 of the Land Use Code.



**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.

**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.

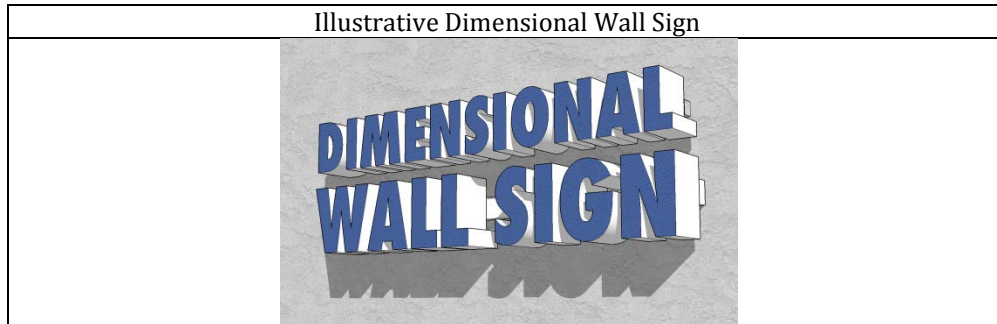
**Detached sign** means a sign that is not attached to or located inside of a building.

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

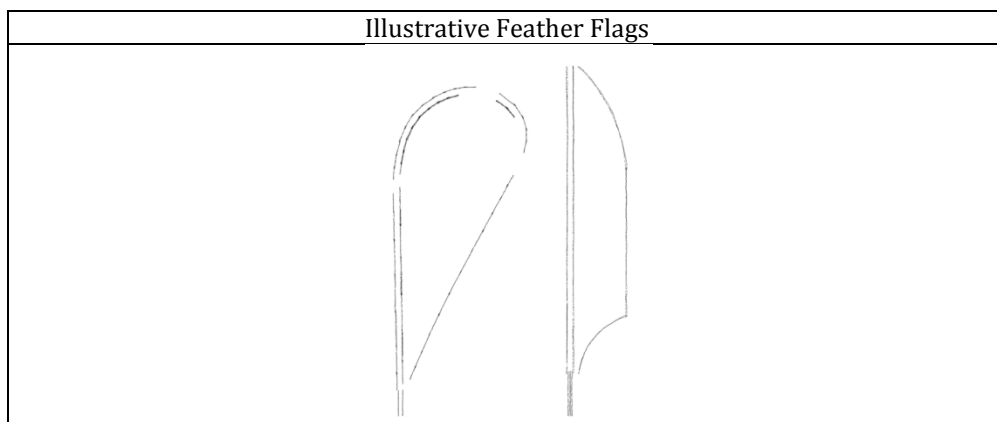
**Digital billboard replacement** means the replacement of all or part of a static sign face of an existing billboard with a digital electronic message center or a new billboard with an electronic message center that replaces existing billboards without electronic message centers, according to the provisions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

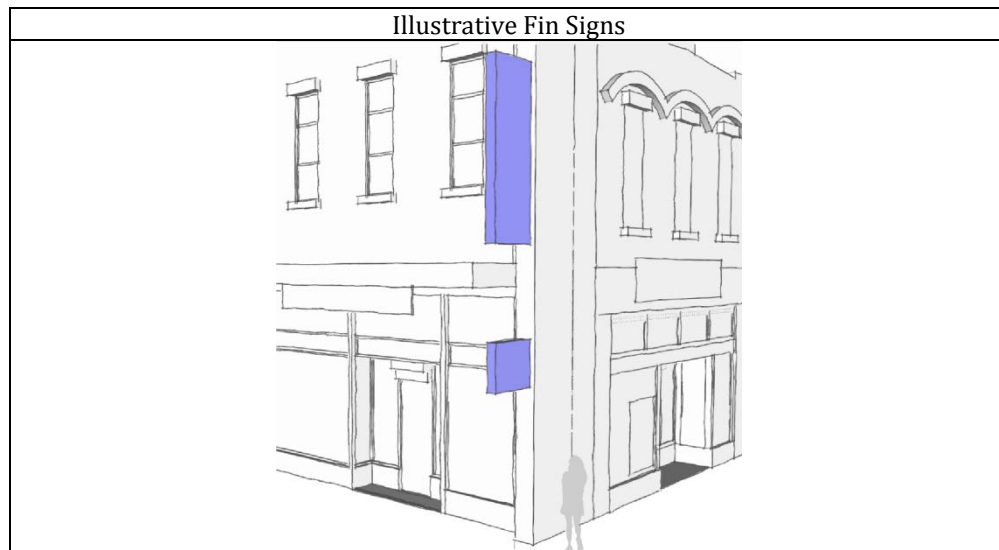
**Dimensional wall sign** means a three-dimensional sign that is attached to building wall, such that the elements of the sign do not extend more than eight inches from the building wall. Dimensional wall signs include but are not limited to channel lettering.



**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 programmed 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.

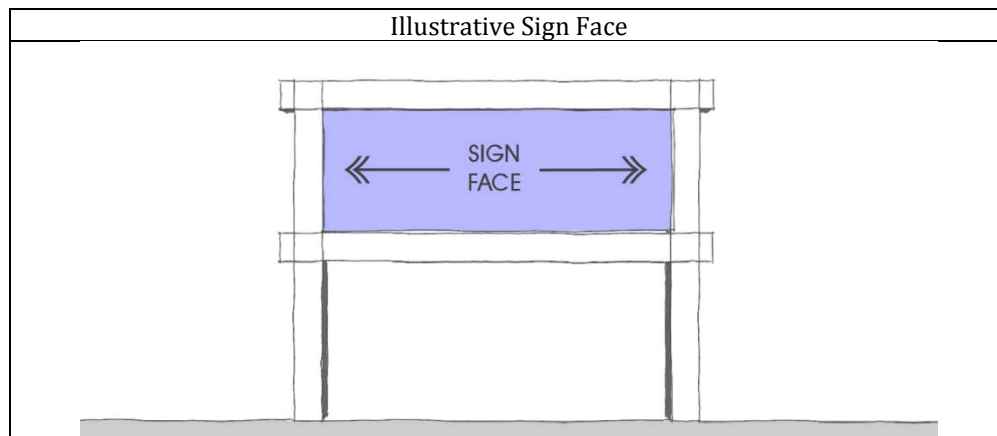
**Secondary fin sign** means a fin sign that is subordinate to a primary fin sign in terms of height and / or sign area.

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

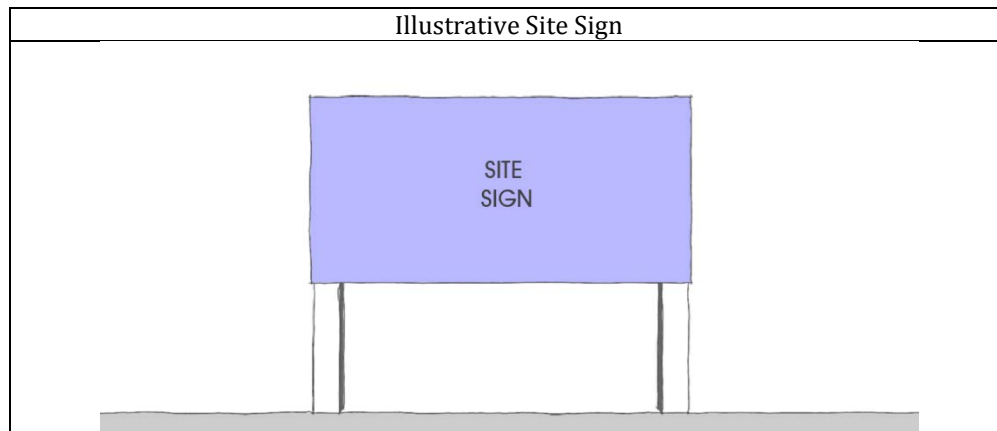
**Secondary roof sign** means a sign that is mounted upon the horizontal plane of a flat roof structure of secondary roof of a building, which may include the roof of a canopy or porte-cochère that is attached to a building.

**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.

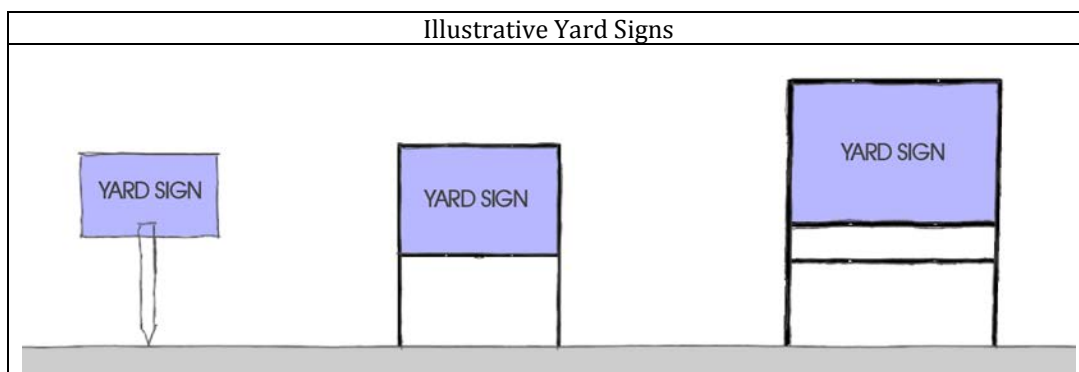
**Temporary sign cover** means a type of temporary sign that is constructed of flexible material, designed to fit over a permanent sign face or mount.

**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.







July 24, 2018

Sarah M. Mercer  
Senior Policy Advisor & Counsel  
303.223.1139 tel  
303.710.9667 cell  
smercerc@bhfs.com

**VIA E-MAIL**

Mayor and Councilmembers  
City of Fort Collins  
300 LaPorte Avenue  
Fort Collins, Colorado

RE: City Council Work Session - Sign Code Update Phase 2

Dear Mayor and Councilmembers,

This evening, Council will be hearing an item for Work Session regarding Phase 2 of the City's Sign Code Update. One of the specific questions Staff has asked Council to answer is whether Council has any additional direction on Section 3.8.7.6 of the draft regarding the digital billboard replacement program. I am writing to you on behalf of my client Lamar, which currently owns a majority of the billboards in the City.

We have met with Staff several times to provide feedback on earlier drafts and appreciate Staff's collaboration in devising a program reduce the number of billboards in the City in order to improve aesthetics and provide community and public messaging. In addition, the digital billboard replacement program will become an integrated part of the City's emergency alert system, supported by Lamar's National Operating Center.

Lamar's NOC is a 24/7 team dedicated to overseeing the deployment of community messaging during emergencies – such as floods, fires and public safety issues like amber alerts and fugitive flights – and will provide the City's residents with immediate information and instructions faster than any other system available, creating a safer community. We are excited about these possibilities and look forward to implementing a workable program to see that these goals are achieved.

Regarding the draft before you, Lamar is supportive of the pixel pitch, brightness, adjustable dimming, and pole cover requirements, as well as the prohibition on animation and dissolve and fade transitions, recommended by Staff. Lamar is also supportive of the case-by-case Type 2 review process and the zoning restrictions.

However, there remain certain aspects of the program as conceived by Staff in the current draft that require modification in order for the program to be economically viable for Lamar. Without these modifications, Lamar will be unable to make the business case for removing any static billboards under the program and the program will not come to fruition.

**Replacement Ratio.** Subsection (B) requires the applicant to remove the greater of eight static billboard faces or 2,200 square feet of static billboard sign face in order to receive credit for a digital billboard replacement. Dividing 2,220 square feet by eight sign faces equals an exchange ratio of eight 275-square-

410 Seventeenth Street, Suite 2200  
Denver, CO 80202-4432  
main 303.223.1100



foot static signs for one 90-square-foot digital replacement. This ratio does not make business sense. As we have discussed with Staff, Lamar has run the numbers internally and has determined that a 4:1 replacement ratio, whether measured by number of sign faces or by square footage, is a reasonable and doable exchange rate from a business perspective.

**Sign Face Area.** Subsection (E) restricts the sign face area to 90 square feet, or 250 square feet if directed at an interstate highway. However, as Lamar discussed with Staff, a 90-square-foot digital is not a feasible digital product because advertisers will not buy digital advertising on a billboard that small. In Lamar's experience, the smallest feasible digital billboard is the size that Lamar has recommended for the program, an 11' x 23' "poster" size board, which amounts to 253 square feet as shown in the video linked to below.

**Sign Height.** Subsection (F) restricts the sign height to 18 feet, or 26 feet if directed at an interstate highway. Lamar has found that in order to avoid vandalism the minimum height a digital sign needs to be off the ground is 15 feet, placing the overall sign height at 26 feet no matter its location. This is the height of the sign shown in the video.

**Dwell Time.** Subsection (G)(2) restricts the amount of time an advertisement can stay on the digital sign to 60 or 45 seconds depending on the speed limit of the road the sign faces, even though CDOT allows for a 4 second dwell time. We believe there may be a misunderstanding by Staff as to how the advertising works on digital signage. It is not the case that Lamar can sell an unlimited number of advertisements at any one time on a digital sign. If, for example, Lamar tried to sell 100 advertisement slots at a time, there would be no buyers because each advertisement would not get enough airtime. For that reason, Lamar sells six slots at a time based on a 10 second dwell time. This formula insures each advertisement is seen each minute. A 45 or 60 second dwell time does not fit that formula and greatly increases the ROI on a digital sign and makes the business case for exchanging static to digital more difficult. For that reason, we request a dwell time of 10 seconds as shown in the video.

**Distance Between Signs.** Subsection (D)(2) requires that each digital sign be separated by a two-mile radius. We are concerned that this restriction inadvertently frustrates the intent of the program by removing large areas that would be appropriate for digital signs from the program, and thus unnecessarily and arbitrarily restricting sign locations, when a case-by-case, site-by-site Type 2 review is the most appropriate way to determine where a digital sign should be placed.

**Five Digital Sign Maximum.** Like the two-mile distance restriction in Subsection (D)(2), the five digital sign maximum in Subsection (D)(1) unnecessarily and arbitrarily restricts the program when the Type 2 review is the appropriate mechanism to determine digital sign location.

**Setbacks.** Similarly, we are concerned that the setback restrictions in Subsection (D)(3) requiring 100 feet from "traffic control devices and driver decision and action points" and 1,000 feet from "interchanges with limited access highways" are vague, undefined, and unnecessary given the appropriate 25-foot setback from public rights of way. It is possible these other setbacks may very well prevent any location from being suitable for a digital sign because they are vague and undefined.

**Vegetation.** One of the most important criteria for Lamar in choosing a location for a digital replacement is its ability to be sure that vegetation does not and will not obscure the sign. If a sign becomes obscured, it becomes unusable. Thus, Lamar needs assurances that there is a mechanism by which it can replace overgrown trees with shrubs and bushes if the trees are obscuring a sign to maintain the vegetation and the visibility of the sign.

**Credits.** The program as drafted is silent regarding how Lamar trades in its static billboards for digital replacements. Because static billboards will be identified for removal and leases will be allowed to expire

rather than be renewed, Lamar proposes making clear that it may earn credits for each static billboard removed over time and may then redeem those credits for a digital billboard replacement when enough are accumulated to meet the replacement ratio.

As indicated, we have included a link below to a video showing the size, height, and dwell time of the digital replacements as we have proposed here. We have also attached a redline of the draft indicating these changes. We thank you for your consideration of these concerns and believe that with these minor changes this program will be a win-win for the City and Lamar.

Sincerely,



Sarah M. Mercer

Attached: Redline of draft code; link to video showing similar digital replacement:

[https://drive.google.com/file/d/1pUzydMbmsdoHnVldXnfbZsFhLljH-I\\_A/view?usp=sharing](https://drive.google.com/file/d/1pUzydMbmsdoHnVldXnfbZsFhLljH-I_A/view?usp=sharing)

With copy to:

Noah Beals, City of Fort Collins  
Chris Van Hall, City of Fort Collins  
Steve Cecil, Lamar

- (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 <sup>four</sup> ~~the greater of eight~~ static sign faces or ~~2,200 sq. ft.~~ 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.
- 4 sq. ft.  
1 sq. ft.
- (C) **Review Procedures.** <sup>have been or</sup>
- (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.~~
- (E) **Sign Face Area.** No sign face of a digital billboard replacement shall exceed ~~90 sf.~~ <sup>255 sf.</sup> in area, ~~unless it is directed at an interstate highway, in which case it shall not exceed 250 sf. in area.~~
- (F) **Sign Height.** No DRC shall exceed ~~18 ft.~~ <sup>26 ft.</sup> 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.~~ <sup>26 ft.</sup> in height.
- (G) **Design and Operation.** With respect to digital billboard replacements:
  - (1) <sup>DRCs</sup> EMCs shall not have a pixel pitch that is greater than 16 mm.
  - (2) The message displayed on an <sup>DRC</sup> 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 <sup>10 seconds</sup>
More than 50 m.p.h.	24 seconds <sup>10 seconds</sup>

- (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.
- (H) **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.

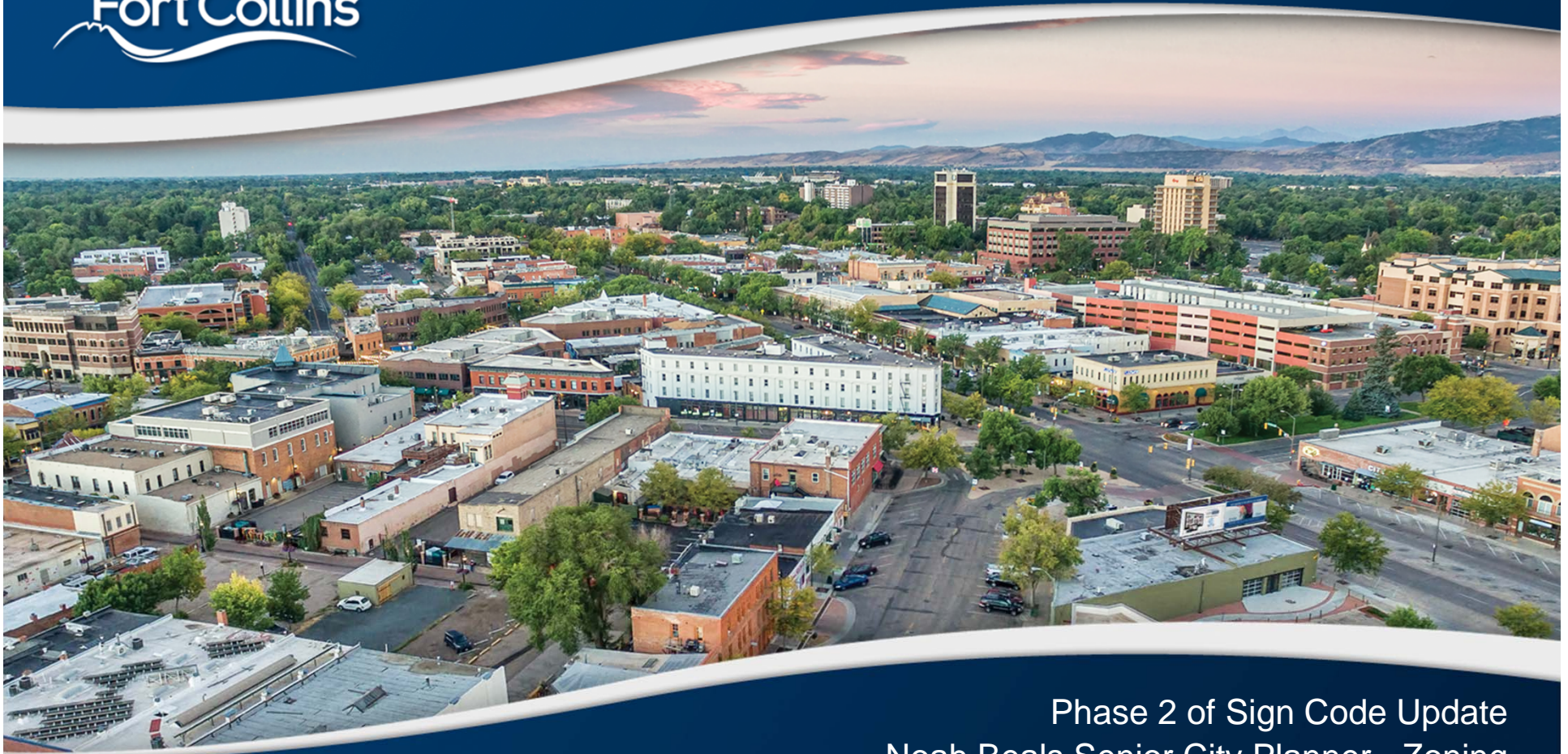
**Awning sign** means a sign that is painted on, integrated into, or attached to an awning. For the purposes of this definition, an awning is a projection from the building that is supported entirely from the exterior wall of the building, and that gives shelter from the sun or weather over doors, windows,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

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





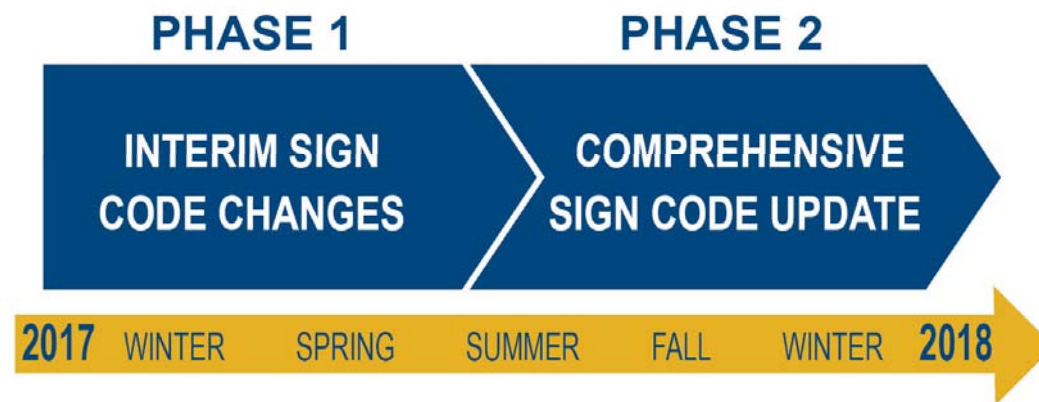
August 14<sup>th</sup>, 2018



Phase 2 of Sign Code Update  
Noah Beals Senior City Planner - Zoning

1. Does Council have additional direction for digital billboard replacement, section 3.8.7.6 of the draft?
2. Is there any other feedback on the draft of the sign code update?

### SIGN CODE UPDATE



1. Improve the overall legibility of the Sign Code Section
2. Implement action items for the adopted Downtown Plan
3. Discuss sign standards for new technology and common requests
4. Provide an option for consideration of Digital Billboards



## Presented the Draft sign code in May

# Welcome

## SIGN CODE UPDATE PUBLIC MEETING

Aztlan Community Center      Thursday, May 24, 2018  
Community Room                      5:30 – 7:30 PM  
112 E Willow Street, Fort Collins      \*Brief orientation at 6:00 PM\*



### WHAT IS THE SIGN CODE AND WHY UPDATE IT?

Fort Collins has been regulating signs since the 1970's. At the time, it was in response to rapid growth and a trend toward exaggerated signage and commercial marketing that was overshadowing the character and identity of the City. The existing sign regulations generally protect community aesthetics, preserve and enhance property values, and protect public safety. Additionally, the U.S. Supreme Court recognizes that "signs take up space and may obstruct views, distract motorists, displace alternative uses for land, and pose other problems that legitimately call for regulation."



Like many jurisdictions across the nation, the City of Fort Collins began updating their sign code in response to the 2015 U.S. Supreme Court case, *Reed v. Town of Gilbert*. This ruling clarified that sign codes must be content neutral. This means that sign regulations cannot vary standards such as size, location, and duration based on the message of the sign (e.g. "political sign" or "for sale sign"). Some existing City codes are based on the type or message of the regulated sign.

This sign code update is also an opportunity to do the following:

1. Reconfirm that the sign standards achieve the City's aesthetic values and goals;
2. Focus on enhancements to the overall legibility and use of the code;
3. Implement of the recently adopted Downtown Plan; and
4. Explore new technology

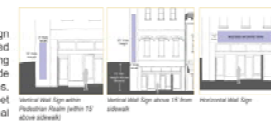
Sign Code Update



### DOWNTOWN SIGNS - WALL SIGNS

#### Wall Signs

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.



	What does the Code allow today?	What does the Code Update change?
Max. Height	7'	<ul style="list-style-type: none"> <li>• 4.5 ft. if within 15 ft. of elevation of sidewalk below</li> <li>• 7 ft. if above 15 ft. of elevation of sidewalk below but any portion below fourth story</li> <li>• 9 ft. if entirely above fourth story</li> <li>• No max. width for horizontally oriented signs</li> </ul>
Max. Width	NA	
Max Projection from Wall	12"	(No change)
Length	<75% of width of tenant storefront	(No change)
Vertical Orientation: Dimensions Added for For Applied or Painted Signs		
Max. Height	NA	25 ft.
Max. Width	NA	2 ft.

Sign Code Update: Phase 2



### Presented the Draft to Boards and Commissions

- Economic Advisory Commission
- Landmark Preservation Commission
- Planning and Zoning Board

# Types of Signs



## Wall Signs



Vertical Wall Sign within Pedestrian Realm (within 15' above sidewalk)

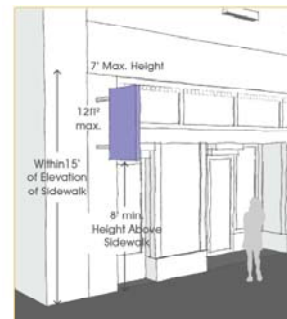


Vertical Wall Sign above 15' from sidewalk

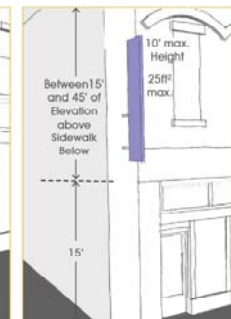


Horizontal Wall Sign

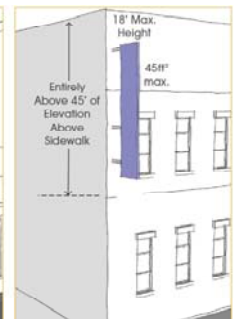
## Projecting (Fin) Signs



Fin Sign within Pedestrian Realm (within 15' above sidewalk)



Fin Signs above 15' from sidewalk



## Highlights of the Code update

### Secondary Roof Signs



### Electronic Message Centers



## Highlights of the Code update

### Light Projected Signs



Horizontal

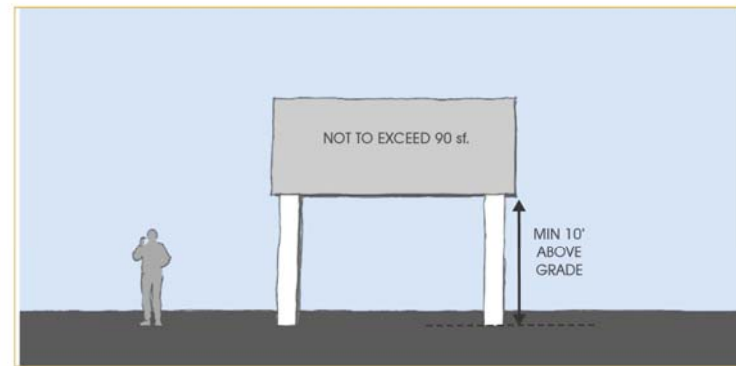


*Image for reference only, size does not reflect max. allowable size*

Vertical

## Digital Billboard Replacement

	What does the Code Update include?
<b>Max Size</b>	Not to exceed 90 sf. in area, unless it is directed at an interstate highway, in which case it shall not exceed 250 sf. in area
<b>Max Height</b>	Not to exceed 18 ft. in height, unless it is directed at an interstate highway, in which case it shall not exceed 26 ft. in height
<b>Resolution</b>	EMC's shall not have pixel pitch that is greater than 16 mm.
<b>Dwell Time</b>	Messages can change based on the speed limit of the street the EMC faces: <ul style="list-style-type: none"> <li>• 50 mph or less: 60 seconds</li> <li>• More than 50 mph: 24 seconds</li> </ul>
<b>Other Standards</b>	The message displayed on an EMC shall be a single static message (not a split screen with more than one message)



Maximum of 5 new locations



## Digital Billboard Replacement

	What does the Code Update include?
<b>Replacement Ratio</b>	The greater of 8 static sign faces or 2,200 sf. of static sign face from existing billboards within the City limits or Growth Management Area Will be permanently removed for each sign face that is the subject of a digital board replacement
<b>Spacing</b>	Separated from each other by not less than two miles, measured in a straight line between the Billboards
<b>Setbacks</b>	<ul style="list-style-type: none"> <li>• From public rights-of-way: 25ft</li> <li>• From traffic control devices and driver decision points: 100ft</li> <li>• Downtown Zone district, designated historic districts or landmarks, natural areas or parks, or property that is used or zoned for single-family, duplex, or sing-family attached residential uses: 500ft.</li> <li>• From interchanges with limited access highways: 1,000ft</li> </ul>
<b>Locations</b>	The maximum of 5 new Digital Billboard Locations



*From Lamar.com*



## Digital Billboard Replacement

- There are 70-80 static billboard faces within the City and Growth Management Area (this about 36 different locations).



- There is 1 digital Billboard in the Growth Management Area.

- Based on Council Feedback Refine the Draft
- Bring an Ordinance of the Sign Code Update to Council for consideration in September/October of 2018

1. Does Council have additional direction for digital billboard replacement, section 3.8.7.6 of the draft?
2. Is there any other feedback on the draft of the sign code update?