

**AGENDA**  
**CITY OF GUNNISON**  
**PLANNING & ZONING COMMISSION**  
**REGULAR MEETING**  
Rev 8/5/11

**DATE:** WEDNESDAY, AUGUST 10, 2011  
**TIME:** 7:00 P.M.  
**PLACE:** CITY HALL, COUNCIL CHAMBERS, 201 WEST VIRGINIA AVE.

- 7:00pm
- I. CALL TO ORDER
  - II. PLEDGE OF ALLEGIANCE TO THE FLAG
  - III. UNSCHEDULED CITIZENS
  - VIII. COUNCIL UPDATE
  - IX. COMMISSIONER COMMENTS
  - X. PLANNING STAFF UPDATE
  - XI. ADJOURN INTO WORKSESSION

**WORKSESSION**

- I. **LAND DEVELOPMENT CODE UPDATE.** (Discussion will continue with Section 4.8 Signs)

Please note, a memo from Steve Westbay will be distributed the week of August 8<sup>th</sup> regarding electronic signs.

**TO COMPLY WITH ADA REGULATIONS, PEOPLE WITH SPECIAL  
NEEDS ARE REQUESTED TO CONTACT THE CITY OF GUNNISON  
COMMUNITY DEVELOPMENT DEPARTMENT AT 641.8090**

**This agenda is subject to change, including the addition or deletion of items at any time. Regular Meetings and Special Meetings are recorded and action can be taken. Minutes are posted at City Hall and on the City website at [www.cityofgunnison-co.gov](http://www.cityofgunnison-co.gov). Work sessions are not recorded and formal action cannot be taken. For further information, contact the Community Development Department at 641-8090.**

**ALL PLANNING & ZONING COMMISSION MEETINGS  
ARE USUALLY BROADCASTED LIVE ON LOCAL CABLE CHANNEL 15**

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## §4.8 SIGNS

### A. Purpose and Intent

The purpose of this Section is to provide information to the public; identify businesses, services and activities; and, establish uniform control of signs. It is the intent of the regulations set forth in this Section to:

1. recognize that signs are a necessary means of visual communication;
2. recognize and ensure the right of those concerned to identify businesses, services and other activities by use of signs;
3. ensure that signs are compatible with adjacent land uses and with the total visual environment of the community; and,
4. protect the public from hazardous conditions that result from signs which are structurally unsafe, obscure the vision of motorists and/or compete or conflict with necessary traffic signals and warning signs.

**B. Applicability.** The provisions of this Section shall apply to the display, construction, erection, alteration, use, location and maintenance of all signs, within the City, excluding traffic signage required by the Model Traffic Code, and it is unlawful hereafter to display, construct, erect, alter, use or maintain any sign except in conformance with the provisions of this Section. Signs that are issued a City Sign permit prior to the time of adoption of this LDC may be treated as Non-Conforming Signs (§10.5).

**C. Definitions.** As used in this Section, the following words and phrases are defined as follows:

1. *Area of sign* means the area of the smallest regular geometric symbol encompassing all the informative features of the sign, including copy, insignia, background and borders.
2. *Awning* means a movable shelter supported entirely from the exterior wall of a building and of a type which can be retracted, folded or collapsed against the face of the supporting building; or a covered space frame structure.
3. *Building Code* means the latest edition of the Building Code, as amended and adopted by the City.
4. *Building Official* means the officer or other person charged with the administration and enforcement of this Section, or his or her duly authorized deputy.
5. *Canopy* means a permanently roofed shelter covering a sidewalk, driveway or other similar area, which shelter may be wholly supported by a building or may be wholly or partially supported by columns, poles or braces extended from the ground.
6. *Face or wall of building* means the general outer surface of any main exterior wall or foundation wall of the building, including windows and storefront.
7. *Flag* means the flag, pennant or ensign of any nation, organization or nations, state, county,

- city, religious, civic, charitable or fraternal organization, or educational institution.
8. *Frontage, building* means the horizontal, linear dimension of that exterior side of a building which abuts a street, a parking area, a mall or other circulation area open to the general public; and has either a main window display of the enterprise or a public entrance to the building. Where more than one use occupies a building, each such use having an exterior public entrance or exterior main window display for its exclusive use shall be considered to have its own building frontage, which shall be the front width of the portion of the building occupied by that use.
  9. *Frontage, street* means the linear frontage (or frontages) of a lot or parcel abutting on a private or public street which provides principal access to, or visibility of, the premises.
  10. *Height* means the vertical distance measured from the elevation of the nearest sidewalk (or, in the absence of a sidewalk within 25 feet, then from the lowest point of finished grade on the lot upon which the sign is located and within 25 feet of the sign, to the uppermost point on the sign or sign structure.
  11. *Illumination, direct* means lighting by means of an unshielded light source (including fluorescent and neon tubing) which is effectively visible as a part of the sign, where light travels directly from the source to the viewer's eye.
  12. *Illumination, indirect* means lighting by means of a light source which is directed at a reflecting surface in such a way as to illuminate the sign from the front.
  13. *Illumination, internal* means a light source which is within a sign having a translucent background, silhouetting opaque letters or design, or which is within letters or designs which are themselves made of a translucent material.
  14. *Kiosk* means a small structure, typically located within a pedestrian walkway or similar circulation area, and intended for use as display space for posters, notices, exhibits, etc.
  15. *Liquid Crystal Display (LCD)*, means a method of displaying readings continuously using a liquid crystal film sealed between glass plates, which changes its optical properties when a voltage is applied.
  16. *Light Emitting Diode (LED)* means diodes that emit visible light when electricity is applied, much like a light bulb. When many LEDs are side-by-side, they can create pictures and images.
  17. *Light source* means and includes any device, or method of producing light, including neon, fluorescent or similar tube lighting, incandescent bulb and any reflecting surface which, by reason of its construction and/or placement, becomes in effect the light source.
  18. *Lighting, backlighted* means a concealed light source located behind the surface of the sign to highlight specific elements of the sign.
  19. *Lighting, neon* means any method of lighting using neon tubes in a manner in which the neon tube can be seen.
  20. *Lot* means a portion or parcel of land, whether part of a platted subdivision or otherwise,

occupied or intended to be occupied by a building or use and its accessories, together with such yards as are required under the provisions of this *LDC*. A lot must be an integral unit of land held under unified ownership in fee or in co-tenancy.

21. *Maintenance* means the replacing, repairing or repainting of a portion of a sign structure; periodic changing of bulletin board panels; or renewing of copy which has been made unusable by ordinary wear and tear, weather or accident.
22. *Marquee* means a permanently roofed structure attached to and supported by a building, and projecting from the building.
23. “*Nit*” means a unit of luminous intensity equal to one candela per square meter.
24. *Obscene sign* means a sign having those characteristics defined as obscene in the *Colorado Revised Statutes*, as amended.
25. *Roof* means the cover of any building, including the eaves and similar projections.
26. *Roof line* means the highest point on any building where an exterior wall encloses usable floor space, including floor area for housing mechanical equipment. Roof line also includes the highest point of any parapet wall, provided that the parapet wall extends around the entire perimeter of the building.
27. *Sign* means any writing, pictorial representation, decoration (including any material used to differentiate sign copy from its background), form, emblem or trademark, flag or banner, or mural to attract business, or any other display of similar character which:
  - a. Is a structure or any part thereof (including the roof or wall of a building);
  - b. Is written, printed, projected, painted, constructed or otherwise placed or displayed upon or designed into a building, board, plate, canopy, awning, vehicle or upon any material object or device whatsoever; and
  - c. By reason of its form, color, wording, symbol, design, illumination, motion or other feature attracts or is designed to attract attention to the subject thereof or is used as a means of identification, advertisement or announcement.
28. *Sign face* means the surface of a sign upon, against or through which the message is displayed or illustrated.
29. *Sign Types*
  - a. *Awning sign* means a sign painted, printed or attached flat against the surface of an awning. For the purposes of determining the maximum permitted sign area, only the area encompassing the graphic representation of the message shall be counted.
  - b. *Bulletin board sign* means a sign used for the purpose of notification to the public of an event or occurrence of public interest, such as a church service, political rally, civic meeting or other similar event.

- c. *Canopy fascia sign* means signs which are mounted to the front or side fascia of a canopy and contained completely within that fascia.
- d. *Above canopy sign* means signs which are mounted partially or entirely above the front fascia of a canopy and oriented parallel to the building wall surface.
- e. *Under canopy signs* means signs which are suspended under a canopy, perpendicular to the building façade.
- f. *Changeable copy sign* means a sign on which the message changes, either manually or automatically, on a lamp bank or through the mechanical or electronic means.
- g. *Construction sign* means a temporary sign announcing subdivision, development, construction or other improvement of a property by a builder, contractor or other person furnishing services, materials or labor to the premises. For the purposes of this Section, a construction sign shall not be construed to be a real estate sign as defined in this Section.
- h. *Directional sign* means a sign erected by the City of other governmental agencies, or a sign erected by permission of the City, directing vehicular or pedestrian traffic.
- i. *Double-face sign* means a sign where two sides are separated by not more than 18 inches and are parallel to each other. Such signs shall be considered as one sign.
- j. *Freestanding sign* means a sign which is supported by one or more columns, uprights, poles or braces extended from the ground or from an object on the ground, or a sign which is erected on the ground, provided that no part of the sign is attached to any part of any building, structure or other sign. Freestanding sign includes pole signs, pedestal signs and ground signs.
- k. *Historical sign* means a sign designated as such by City Council that has been in place for at least 20 years and contains historic and/or community significance. The sign may have relevance because of its unique mechanical features, its relevance to a building's design, or possesses other traits may be worthy for such designation. **Historical signs must be maintained in both appearance and structure.**
- l. *Identification sign* means and includes any of the following:
  - i. A nameplate which establishes the identity of an occupant by listing his or her name and business or professional title;
  - ii. A sign which establishes the identity of a building or building complex by name or symbol only;
  - iii. A sign which indicates street address or combines nameplate and street address;
  - iv. A sign which identifies an area in the City which, by reason of development, natural features, historical occurrences or common references, has or will become a landmark in the City; and
  - v. A commemorative sign, such as a cornerstone, memorial or plaque, when such is cut into a masonry surface or constructed of bronze or other incombustible material and

is made an integral part of the structure.

- m.** *Joint identification sign* means a sign which serves as common or collective identification for two or more uses on the same lot.
- n.** *Marquee sign* means a sign depicted upon, attached to or supported by a marquee as defined in this Section.
- o.** *Moving or flashing sign* means a sign which contains an intermittent or sequential flashing light source used primarily to attract attention, excluding changeable copy signs.
- p.** *Off-premises advertising sign* means any off-premises sign, including a billboard or general outdoor advertising device, which advertises or directs attention to a business, commodity, service or activity conducted, sold or offered else-where than on the same lot or within the same building upon which such sign is located.
- q.** *Portable sign* means a sign which is not attached to the ground, a building or other structure, but does not include a vehicle-mounted sign or sandwich board sign as defined in this Section.
- r.** *Projecting sign* means a sign attached to a building or extending in whole or in part greater than 12 inches or more horizontally beyond the surface of the building to which the sign is attached, but does not include a marquee sign as defined in this Section.
- s.** *Real estate sign* means a sign indicating the availability for sale, rent or lease of the specific lot, building or portion of a building or lot upon which the sign is erected or displayed.
- t.** *Roof sign* means a sign painted on the roof of a building; supported by poles, uprights or braces extending from the roof of a building or projecting above the roof line of a building, but does not include a sign projecting from or attached to a wall as permitted by this Section (see wall sign).
- u.** *Sandwich board sign* means a sign not exceeding two feet in width to three and one half feet in height located on a sidewalk/grass strip of a public right-of-way or on private property.
- v.** *Suspended sign* means a sign suspended from the ceiling of an arcade, marquee or canopy.
- w.** *Temporary sign* means a sign which is intended for a temporary period of display for the purpose of announcing a special event, advertising or directing persons to a subdivision or other land or building development, advertising personal property for sale, or promoting a political campaign or special election.
- x.** *Vehicle-mounted sign* means a sign displayed upon a trailer, van, truck, automobile, bus, railroad car, tractor, semi-trailer or other vehicle, whether or not such vehicle is in operating condition.
- y.** *Vending machine sign* means a sign that is incorporated into and designed as a part of a

vending machine.

- z.** *Wall sign* means a sign displayed upon or against the wall of an enclosed building or structure where the exposed face of the sign is in a plane parallel to the plane of the wall and extends not more than 12 inches horizontally from the face of the wall. A sign erected against the side of a roof (on the same plane) having a 6:12 pitch or less, is considered to be a wall sign, and shall be regulated as such.
  - aa.** *Wind sign* means a sign consisting of one or more banners, pennants, ribbons, spinners, streamers or captive balloons, or other objects or materials fastened in such a manner as to move upon being subjected to pressure by wind or breeze, but does not include flags as defined in C 7.
  - bb.** *Off-premise window display* means a display in the window of a vacant building advertising a business at another location.
  - cc.** *Window sign* means a sign which is painted on, applied or attached to, or located within three feet of, the interior of a window, which sign can be seen through the window from the exterior of the structure. Illuminated window signs and merchandise which is included in a window display shall not be included as part of a window sign.
- 30.** *Sign structure* means any supports, uprights, braces or framework of a sign.
- 31.** *Signs, number of.* For the purpose of determining the number of signs, a sign shall be considered to be a single display surface or display device containing elements clearly organized, related and composed to form a unit. Where sign elements are displayed in an unrelated or random manner, each element shall be considered to be a single sign.
- D. Exemptions.** Except as specifically provided, the following may be erected without a sign permit. All signs shall meet all applicable setback, sign area, construction, illumination and safety standards excluding government directional and safety signs.
1. Signs which are not visible beyond the boundaries of the lot or parcel upon which they are located and/or from any public thoroughfare or right-of-way.
  2. Official governmental notices and notices posted by governmental officers in the performance of their duties, and governmental signs to control traffic or for other regulatory purposes, to identify streets or to warn of danger.
  3. Flags, limited to three flags per lot. The maximum individual size of a permanently displayed flag shall be 40 square feet.
  4. Temporary decorations or displays, when such are clearly incidental to and are customarily and commonly associated with any national, state, local or religious holiday, celebration or event.
  5. *Temporary inflatable or “air dancer” signs to advertise events not lasting longer than three days.*
  6. Temporary or permanent signs erected by the City, public utility companies or construction companies to warn of danger or hazardous conditions, including signs indicating the presence

of underground cables, gas lines and similar devices.

7. Merchandise, pictures or models of projects or services which are incorporated as an integral part of a window display, where all such items displayed are located within the interior of the building where the business is located.
8. Signs displayed on trucks, buses, trailers or other vehicles which are being operated or stored in the normal course of a business, such as signs indicating the name of the owner or business which are located on moving vans, delivery trucks, rental trucks and trailers and the like, provided that the primary purpose of such vehicles is not for the display of signs, and provide that they are parked or stored in areas appropriate to their use as vehicles.
9. All “open,” “vacancy” and “no vacancy” signs and signs designated to indicate vacancy, such as “yes,” “no,” and “sorry,” whether they are nonilluminated, internally illuminated, indirectly illuminated or directly illuminated signs, provided that the area of the sign does not exceed two and one-half square feet per face.
10. Displays of string lights, provided that they are decorative displays which only outline or highlight landscaping or architectural features of a building.
11. Signs displayed on motor vehicles providing public transportation, provided that they conform to the following requirements:
  - a. The signs are flat and do not project more than four inches from the surface of the motor vehicle.
  - b. The signs shall not be prohibited signs as more specifically set forth in §4.8 E.
  - c. Motor vehicle providing public transportation is a motor vehicle operated pursuant to a certificate of public convenience and necessity to operate as a common carrier for hire for the transportation of passengers and their baggage, on schedule, issued by the Public Utilities Commission of the State. Vehicles which are exempt from regulation as public utilities pursuant to §40-15-101, *C.R.S.*, are not eligible for an exemption from the sign code pursuant to this Section.
12. Identification signs which do not exceed two square feet per face or four square feet in total surface area; limited to six feet in height and limited to one such sign per use or per building, whichever is the greater number.
13. Temporary nonilluminated real estate signs which do not exceed eight square feet in total area and six feet in height, limited to one such sign per street frontage. Such signs are restricted to the subject property and shall not remain in place more than seven days after the sale, lease or rental of the subject property.
14. Signs in the nature of cornerstones and commemorative tablets which do not exceed four square feet per face in area and six feet in height, and which are nonilluminated or indirectly illuminated.
15. Private traffic directional signs guiding or directing vehicular or pedestrian traffic onto or off of a lot or within a lot when such do not exceed three square feet per sign per face in area and

- eight feet in height, and do not contain any advertising or trade name identification. Private traffic control signs which conform to the standards of the *Colorado Manual of Uniform Traffic Control Devices* may exceed three square feet per face in area, but shall not exceed seven square feet per face. Such signs shall not exceed eight feet in height.
16. Signs required or specifically authorized for a public purpose by any law, statute, ordinance or resolution.
  17. Illuminated and nonilluminated window signs, when the total area of such signs:
    - a. does not exceed 25 percent of the total window area at a maximum of 12 square feet, whichever is less, and are located at the ground floor level; and
    - b. does not exceed 25 percent of the total allowable sign area for the premises.
    - c. Such signs shall not exceed four square feet in total surface area per sign when placed in windows above the ground floor level, and no signs shall be placed in windows above the second floor level.
  18. Signs commonly associated with, and limited to information and directions related to the permitted use on the lot on which the sign is located, provided that each such sign does not exceed 150 square inches in total area. (This category shall be interpreted to include such signs as “no smoking,” “restroom,” “no solicitors,” “self-service” and similar informational signs.)
  19. Signs which identify items such as credit cards, menus or prices; limited to one such sign for each use, not to exceed four square feet per face or eight square feet in total area. Such signs may be attached to the building, as projecting or wall signs, or included as an integral part of a freestanding sign.
  20. Regulatory signs erected on private property, such as “no trespassing” signs, which do not exceed two square feet per face or four square feet in total surface area, limited to four such signs per use or per building.
  21. A sign, or component area thereof, that is used exclusively to announce or describe public holidays, special community events, or seasonal promotion of interest to the entire community and bearing no commercial statements are exempt. Signs used for such purposes shall not exceed 16 square feet per face or 32 square feet in total surface area, and is limited to one sign per lot.
  22. Vending machine signs, provided that such signs are limited to the product being vended.
  23. Kiosks or similar structures and the display thereon of signs, posters, notices, etc. when such structures are located in pedestrian-oriented circulation areas. Such structures shall only be permitted in the Commercial district, CBD, Industrial, or a PUD.
  24. Signs for placement upon publicly owned athletic field fences, scoreboards, ice rink boards, and rodeo arenas which meet the following criteria:
    - a. Such signs shall be securely fastened, constructed and continuously maintained in such a

manner as to prevent damage from the natural elements.

- b. Such signs shall be located only upon fences or boards which encircle playing fields or rinks, and in such a manner so as to minimize visual impacts to areas located outside of the park facilities.
  - c. Such signs shall be permitted for the sole purpose of generating funds for government-sponsored programs and facilities. In all cases, the overall aesthetics of the surrounding area shall be significant considerations in the placement and design of the signs.
  - d. In the case of City facilities, an agreement between the City and the sign sponsor shall be executed specifying annual or one-time fees and a maintenance schedule. This agreement may be reviewed annually.
25. Signs designated by passage of a City Council resolution establishing a pre-existing sign as a historical sign.
26. Suspended signs, as long as they comply with the provisions of §4.8 J.5.

**E. Prohibited Signs.** The following signs shall not be permitted, erected or maintained in the City:

- 1. obscene signs;
- 2. any sign which is hand-held, installed or erected in or projects onto or over any public right-of-way, except in the case of a sign which meets the standards of this Section and is granted under a license agreement by the City;
- 3. inflatable signs or “air dancers” except at temporary events not lasting longer than three days;
- 4. any sign or sign structure which:
  - a. is structurally unsafe, or
  - b. constitutes a hazard to safety or health by reason of inadequate maintenance or dilapidation, or
  - c. is capable of causing electrical shocks to persons likely to come in contact with it;
- 5. any sign or sign structure which:
  - a. obstructs the view of, may be confused with or purports to be an official traffic sign, signal or device or any other official sign, or
  - b. creates an unsafe distraction for motor vehicle operators, or
  - c. obstructs the view of motor vehicle operators entering a public roadway from any parking area, service drive, private driveway, alley or other thoroughfare.

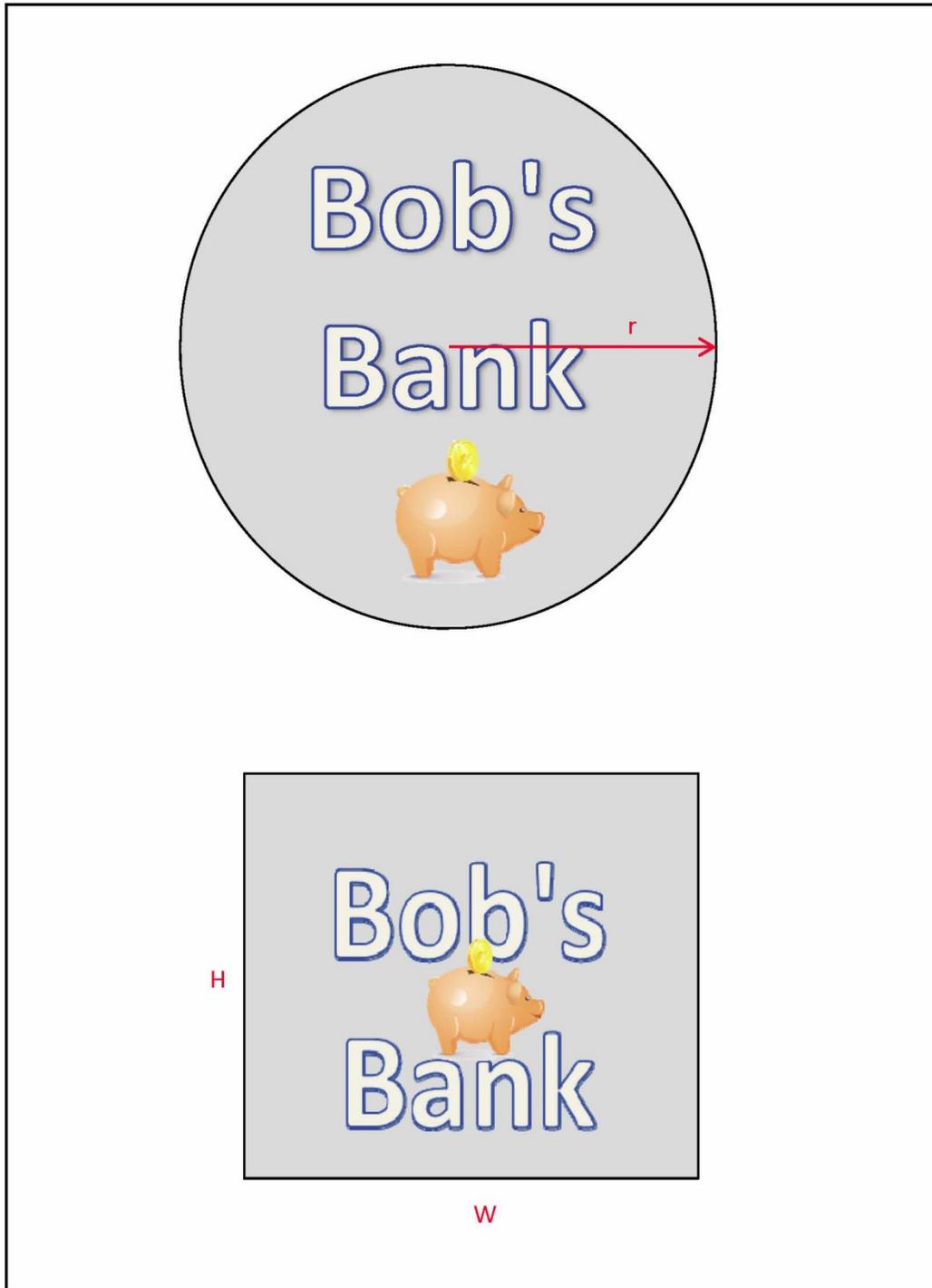
6. any sign which obstructs free ingress to or egress from a required door, window, fire escape or other required exit way;
7. roof signs, except as specifically permitted by §4.8 J;
8. off-premises advertising signs, except as specifically permitted by Section 7 (Conditional Use), off-premise advertising signs shall not be permitted in the right-of-way;
9. except as provided in §4.8 .D.9, any sign having direct illumination, including but not limited to visible neon tubing.

**F. Temporary Signs.** Temporary signs in all zoning districts shall be subject to the following specific requirements:

1. **Construction Signs.** Signs advertising subdivision, development, construction or other improvements of a property shall be permitted in any zoning district and shall comply with the following:
  - a. Such signs shall be limited to free-standing or wall signs shall not exceed 36 square feet per face, and shall not exceed 12 feet in height. No riders or attachments to such signs shall be permitted. For residential developments consisting of five dwelling units or less, the maximum area permitted for a construction sign shall be three square feet per face for each dwelling unit being constructed.
  - b. Construction signs shall be displayed only on the property to which the sign pertains. One such sign shall be permitted for each street upon which the property either has frontage or has an entrance from a major thoroughfare; provided that the minimum distance between signs on any single development shall be 1,000 feet.
  - c. In case of a subdivision, construction signs shall not be displayed prior to the date of official filing of the subdivision plat.
  - d. In other cases, such signs may be displayed for the duration of construction until issuance of a certificate of occupancy.
2. **Election Signs.** Those signs concerning issues and candidates in forthcoming elections shall be removed by the person placing or erecting them or by the occupier of the premises on which they are located within 10 days following the election to which they pertain unless the sign conveys some other or further ideological message or has some other or further ideological significance. Election signs shall be restricted to a maximum size of four square feet in all residential districts and a maximum size of 150 square feet in all other districts.

**G. Computation of Sign Area.** The area of a sign shall be measured with the following regulations:

1. For signs whose shape is a regular geometric figure (square, rectangle, circle, oval, etc.), the area shall be calculated using standard formulas ( $H \times W$ ;  $A = \pi r^2$ ; etc).



**FIGURE 16 GEOMETRIC SIGNS**

2. In the case of an irregularly shaped sign or a sign with letters and/or symbols directly affixed to or painted on the wall of a building, the area of the sign shall be the entire area within a single continuous perimeter of not more than eight straight or radial lines enclosing the extreme limits of writing, representation, emblem or any figure of similar character, together with any material or color forming an integral part or background of the display or used to differentiate such sign from the backdrop or structure against which it is placed.

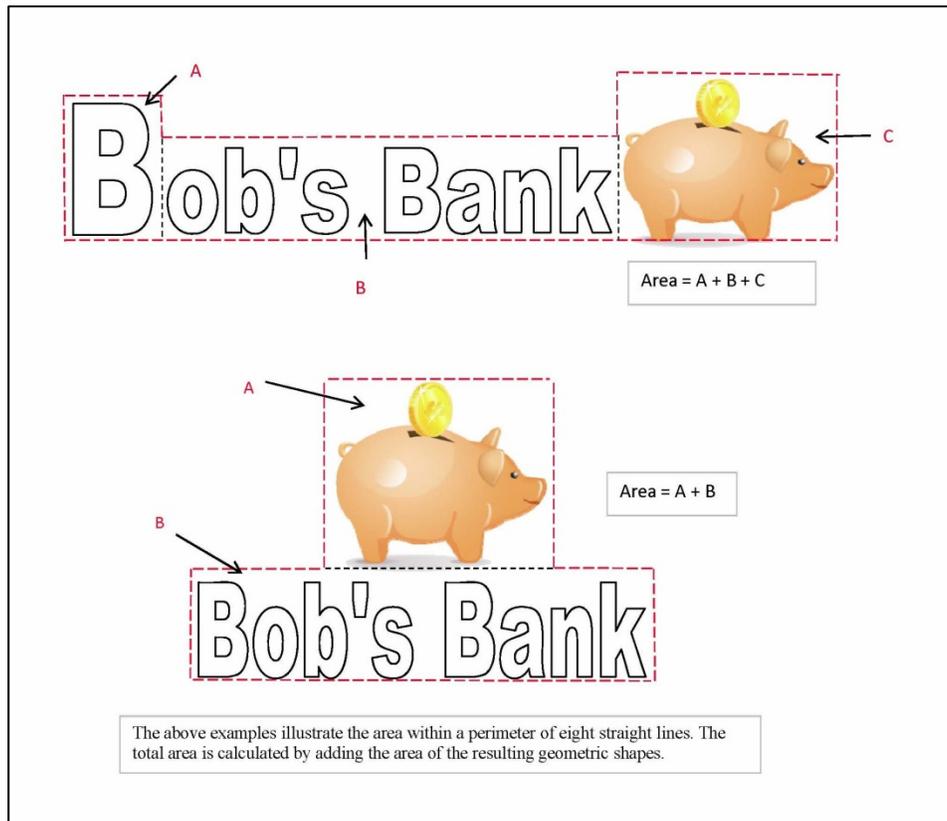


FIGURE 17 IRREGULARLY SHAPED SIGN

3. Where a sign contains a frame, background, or other material used to differentiate the sign from the background on which it is placed, the sign area shall be measured to include the entire frame, background, or other material.
4. Where a sign has two or more display faces and is not a double-faced sign, the area of all faces shall be included in determining sign area.
5. The following standards shall be used to determine the area of signs containing multiple elements. Figure 18 illustrates these measurement methods.
  - a. Regardless of their spacing, the letters forming a word or name shall be considered a single sign.
  - b. When two or more separate items in a sign (such as a word and a logo) are separated horizontally or vertically by less than twice the width or height of the largest item, the items shall be considered a single sign, and the area shall be determined by measuring the area enclosed by a perimeter enclosing all of the items.
  - c. When two or more separate items (such as a word and a logo) are separated horizontally or vertically by more than twice the width or height of the largest item, the items shall be considered two signs, and the area of each item shall be determined individually.
  - d. Where three-dimensional figures are used as signs, the area shall be the total area, as projected on a vertical plane (elevation view), of each side of the figure which is visible by the public beyond the boundaries of the lot upon which the figure is located. For purposes of this regulation, a figure shall be considered to have not less than one or more than four sides.

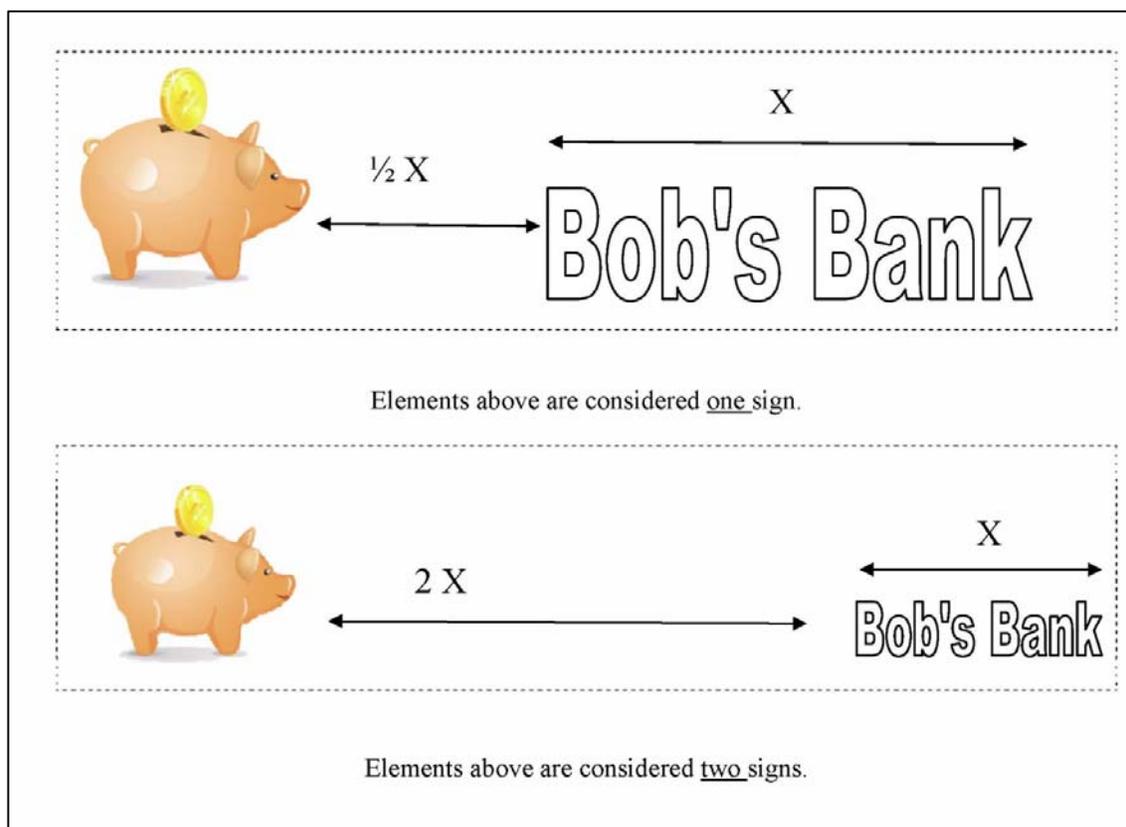


FIGURE 18 SIGNS WITH MULTIPLE ELEMENTS

6. Lot frontage used as the basis of determining permitted sign area for one use shall not be used again as the basis for determining the permitted sign area for a different use. Nothing in this Subsection shall be construed to prohibit the additional lot, building or use from erecting a sign which would otherwise be authorized by the provisions of this Section.
7. All riders or attachments to signs or sign structures (whether temporary or permanent) shall be included as part of the total sign area for the sign to which they are attached.

**H. General Regulations**

1. **Signs at Street Intersections and Driveways.** Other than a pole 12 square inches or less in cross-sectional area, sign placements shall conform to Site Visibility Standards (§4.3.J.4.a.).
2. **Illumination.** Illuminated signs shall be subject to the following conditions:
  - a. Signs may be indirectly or internally illuminated.
  - b. Any light used for the illumination of a sign shall be shielded so that the beams or rays of light will not shine directly beyond the lot upon which the sign is located.
  - c. Neither the direct nor the reflected light from any light source shall create a traffic hazard

or distraction to operators of motor vehicles on public thoroughfares.

**3. Light Emitting Diode (LED) or Liquid Crystal Display (LCD) Signs**

- a. Freestanding and wall signs may have up to 80 percent of the actual sign area devoted to changeable copy, if the copy is changed no more than one time per 12 hours.
- b. Signs may have up to 25 percent of the sign area devoted to changeable copy.
- c. Except for changeable copy signs which are exempt because they are used exclusively to promote community activities and events, the commercial message/statement shall not change more than one time per 20 seconds. Any animation, streaming video, flashing, scrolling, fading and other illusions of motion are prohibited.
- d. No sign shall exceed 5,000 nits during the day and 500 nits during nighttime hours. Prior to issuance of a sign permit the applicant shall provide written certification from the sign manufacturer that the light intensity has been factory pre-set not to exceed 5,000 nits and that the intensity level is protected from end-user manipulation by password-protected software or other method determined appropriate by the Community Development Director.
- e. No sign may display light of such intensity or brilliance to cause glare or otherwise impair the vision of the driver or result in a nuisance to a driver.
- f. No sign may be of such intensity or brilliance that it interferes with the effectiveness of an official traffic sign, device, or signal.
- g. All signs must be equipped with both a dimmer control and a photocell that automatically adjusts the display's intensity according to natural ambient light conditions.

**4. Signs on Fences and Freestanding Walls.** Signs on fences or freestanding walls shall be erected or mounted in a plane parallel to the fence or wall, and shall not extend above the top of the fence or wall nor project more than 12 inches from the face of the fence or wall. Such signs shall be subject to all regulations of this Section applicable to free-standing signs, including but not limited to maximum area per sign, maximum sign height, minimum setback from property lines and number of signs permitted per lot or per premises.

**5. Window Signs.** The area of all window signs less than 25 percent of the total window area or 12 square feet maximum, at ground floor level will not be included in the total permitted sign area. Illuminated window signs shall be included in the total window area calculation, unless the sign is exempt pursuant to §4.8 D.9.

**6. Subdivision Identification Signs.** Signs which identify lands which have been subdivided in accordance with this *LDC* shall be subject to the following regulations:

- a. The sign may be located within public street right-of-way where such sign is approved as an integral feature of the street construction plans at the time of final plat approval. Otherwise, the sign shall be located a minimum of 10 feet from the street curb or does not intrude into the right-of-way.

- b. Such signs shall conform to the sign requirements relating to the site distances at intersections under the provisions of §4.3.J.4.
  - c. The maximum size for a subdivision identification sign shall be 36 square feet per face.
  - d. The signs shall only contain the name of the subdivision.
7. **Signs in the Public Right-of-Way.** Any sign in the public right-of-way is subject to an administrative license agreement and shall be compliant with all sign standards. The staff may defer the application to City Council for any reason. The City Manager or their designee may issue an administrative license agreement to allow the sign in accordance with Chapter 9.40.030 of the City of Gunnison Municipal Code as long as:
- a. the City is carried as “additionally insured” on a current insurance policy; and,
  - b. proof of coverage is provided to the City Clerk and remains in effect for the duration of the permit issued.

Ended 7/27/2011

8. **Sandwich Board Sign.** One sign not exceeding two feet in width and three and one half feet in height may be permitted within the sidewalk/grass strip of a public right-of-way or on private property provided the following requirements are met:
- a. the sign is located in front of, and within 12 feet of the main entrance to the establishment it advertises;
  - b. placement of the sign allows a minimum of five feet of unobstructed sidewalk/accessway clearance between it and any building, adjacent parking space or other obstruction;
  - c. the sign must be free-standing and shall not be permanently affixed, chained, anchored, or otherwise secured to the ground or to any pole, parking meter, tree, tree grate, fire hydrant, railing, or other structure;
  - d. the sign must be internally weighted so that it is stable and windproof;
  - e. the sign is placed within the public right-of-way only during the hours of the establishment’s operation;
  - f. no sign shall be placed in a public right-of-way for the duration of a declared snow emergency; and
  - g. Sandwich Board signs shall not count toward the permitted sign area of the premise.
9. **Free Standing Sign Height.** The free standing sign height shall be based on the distance the sign is setback from the back of the curb or edge of pavement where no curb exists. Signs setback zero to 20 feet shall have a maximum height of 15 feet; signs setback greater than 20 feet may increase the sign height six inches for every one foot of additional setback, to a maximum of 25 feet.

**I. District Sign Regulations**

- 1. Use Districts (Zoning Districts).** The use districts, as set forth in this Section and amendments hereto, shall apply to this Section. The boundaries of these districts shall be determined by reference to the zoning map of the City of Gunnison.
- 2. Establishment of District Regulations.** The type of signs permitted and the regulation of the number, placement, area and use of signs is established herein. No sign shall be erected except as provided in this Section and in the district in which it is permitted, nor shall any sign be used for any purpose or in any manner except as allowed by the regulations for the district in which such sign is proposed or maintained.
- 3. Schedule of Requirements.** The following schedule of “class of sign permitted,” “type of sign permitted,” “maximum sign area permitted per lot,” “maximum area per sign face,” “maximum number of signs permitted” and “maximum height of freestanding signs” regulations for the various zoning districts is adopted.
- 4. Total Allowable Permitted Sign Area.** The total Permitted Sign Area (PSA) for any street frontage shall be calculated by using the formula below; provided that the maximum permitted sign area, which is the sum of all signs, shall not exceed a total of 150 square feet per ownership parcel ~~per frontage~~.

Formula:  $(LF \times 2) + 20$  square feet = PSA

Where: LF = Lineal feet of street frontage of the property and

PSA = Permitted Sign Area in square feet.

TABLE 4-12: SCHEDULE OF REQUIREMENTS FOR NONRESIDENTIAL ZONE DISTRICTS (CBD, I, COMMERCIAL)			
Prohibited Signs	Maximum sign Area by Permitted Type	Maximum Number of Signs Permitted	Maximum Height of Signs
See Section §4.8 E. Prohibited Signs	<b>Free Standing:</b> Calculated PSA or 60 square feet	<b>Freestanding:</b> 2 per Lot	25 feet; see §4.8 H.9 for additional standards associated with freestanding signs.
	<b>Projecting:</b> 15 square feet	<b>Projecting:</b> 1 per frontage or 2 allowed on corner lots	<b>Projecting:</b> See §4.8 J.4
	<b>Suspended:</b> 5 square feet per face (10' total)	<b>Suspended:</b> 1 per business occupying the building	
	<b>Wall Sign:</b> Calculated PSA or 150 square feet		
	<b>Temporary Signs:</b> 36 square feet	<b>Temporary Signs:</b> 1 per street	12 feet

TABLE 4-13: SCHEDULE OF REQUIREMENTS FOR RESIDENTIAL MULTI-FAMILY AND B-1 DISTRICTS (RMU, R-3 AND B-1)			
Prohibited Signs	Maximum sign Area Permitted per Business	Maximum Number of Signs Permitted	Maximum Height of Signs
Bulletin Board Signs §4.8 C. 29. a Marquee Signs §4.8 .C. 22 Portable Sign §4.8 .C.29.q Roof Signs §4.8 C. 29. t Vending Machine Signs §4.8 C. 29. y.	<b>Free standing:</b> Calculated PSA or 60 square feet max.  <b>Projecting:</b> 15 square feet  <b>Suspended:</b> 5 square feet per face (10' total)  <b>Wall Sign:</b> Calculated PSA or 75 square feet max.	<b>Freestanding:</b> 1 per general assess point.	<b>Free Standing:</b> 15 feet <b>Projecting:</b> See §4.8 J.4

TABLE 4-14: SCHEDULE OF REQUIREMENTS FOR SINGLE-FAMILY AND DUPLEX DISTRICTS (R-1, R-1M, R-2)				
Prohibited Signs	Maximum sign Area Permitted per Business	Maximum Area per Sign Face	Maximum Number of Signs Permitted	Maximum Height of Signs
Marquee signs §4.8 C. 22 Portable sign §4.8 C.29.q Roof signs §4.8 C. 29. t Window signs §4.8 C. 29. cc Joint Identification sign §4.8 C. 29. m Vending Machine sign §4.8 . C. 29. y. Changeable Copy Signs §4.8 29. f.	4 square feet – identification only §4.8 D	All signs: 2 square feet	1 per building	6 feet

**J. Sign Regulations in Nonresidential Zones.** The following regulations shall apply to all uses in nonresidential zoning districts.

**1. Total Allowable Sign Area**

- a. The total area of all signs is calculated pursuant to 4.8.I 4, with a maximum sign area not to exceed 150 square feet.
- b. Signs or uses with multiple frontage. The total area of all signs on any face of a building shall not exceed one and one-half square feet per lineal foot of building frontage at ground level.
- c. The maximum permitted sign area shall not include non-illuminated suspended signs with a maximum area of five square feet per face, and non-illuminated window signs that comply with §4.8 D.17 of this *LDC*.

**2. Freestanding Signs**

- a. Maximum height: shall comply with § 4.8 H.9.
- b. Number: One freestanding sign per street frontage, not to exceed two per lot.

- c. Maximum area: No freestanding sign shall be larger than 60 square feet. Only one face of a two-faced sign shall count for the aggregate size, provided both sides are identical. Each face of a multi-faced sign shall count towards the aggregate area.

### 3. Signs on Canopies, Awnings and Architectural Projections

- a. **Maximum area:** The total area of such signs shall not exceed 30 percent of the width multiplied by the vertical height of the projection.
- b. **Projection**
  - i. The face of any such sign shall not project above or below the face of the canopy, awning or architectural projection. Signs may project horizontally beyond the face of a canopy or architectural projection the distance necessary to accommodate the thickness of the letters, but no more than 12 inches.
  - ii. Signs displayed on architectural projections which extend 15 inches or less from the face of a building may be considered wall signs, and are subject to those provisions.

### 4. Projecting Signs

- a. Four feet from street property line in the CBD zone district, or eight feet from property lines in all other zoning districts.
- b. Minimum clearance: nine feet from the ground to the bottom edge of the sign.
- c. Maximum height: 18 feet or to the eave line or top of parapet wall of the building to which it is affixed.
- d. Maximum size: 12 square feet per sign face.
- e. Maximum projection: five feet.
- f. Maximum number: one per building face or per business storefront.

### 5. Suspended Signs

- a. Maximum area: ~~five~~1.5 square feet per face, ~~403~~ square feet total surface area.
- b. Minimum clearance: nine?? feet from the ground to the bottom edge of the sign.
- c. Minimum horizontal separation: 15 feet between suspended signs.
- d. Projection: shall not project beyond the outside limits of the arcade, canopy or marquee to which they are attached.
- e. Suspended signs shall not count towards the total PSA.

## 6. Wall Signs

- a. Maximum area: the total area of all wall signs on any face of a building shall not exceed one and one-half square feet per lineal foot of building frontage at ground level, subject to §4.8.J.6.
- b. Maximum height: 25 feet above the ground.
- c. Maximum projection
  - i. a wall sign may project above the ~~roofline~~ eave line or parapet wall of a building no more than 24 inches;
  - ii. wall signs may extend a maximum of 12 inches from the face of the building;
  - iii. any sign erected upon the plane of a roof having a 6:12 roof pitch or less from vertical shall be considered a wall sign, and shall be subject to the size and height limitations noted under this Subsection.
- d. Maximum number: one wall sign for each face of a business, or building storefront.

## 7. Joint Identification Signs

- a. Type: may be freestanding, projecting, or wall.
- b. Number: Where a freestanding joint identification sign is used, there shall be no other freestanding signs permitted on the premises.

**8. Time/Temperature/Community Announcement Signs.** The display area of less than ~~50~~16 square feet shall not be included in the allowable sign area; provided, however, any identification or advertising attached to or incorporated in such signs shall be included in the total allowable sign area.

**9. Standard Brand-name Signs.** Not more than 20 percent of the total allowable sign area for any permitted use shall be devoted to the advertising of any standard brand-name commodities or services which are not the principal commodity or service being sold or rendered on the premises, or area not a part of the name of the business concern involved.

## K. Structural Requirements

### 1. Construction

- a. General. Signs and sign structures shall be securely built, constructed and erected in conformance with the requirements of the *International Building Code*.
- b. Location. Supports for signs or sign structures shall not be placed in or upon public rights-of-way or public easements unless a license agreement is granted by the City Council.
- c. **Anchorage.** Anchors and supports shall be guarded and protected when near driveways,

parking lots or similar locations where they could be damaged by moving vehicles. Signs attached to masonry, concrete or steel shall be safely and securely fastened thereto by means of metal anchors, bolts or approved expansion screws of sufficient size and anchorage to support safely the loads applied. No anchor or support of any sign, except flat wall signs, shall be connected to or supported by an unbraced parapet wall.

2. **Clearance.** Signs shall not be located with less than six feet horizontal clearance or 12 feet vertical clearance from overhead electric conductors which are energized in excess of 750 volts.
3. **Freestanding Signs.** Where such signs are located in vehicular parking and circulation areas, a base or barrier of concrete, steel or other effective barrier not less than 30 inches high, shall be provided to protect the base of the sign from possible damage by vehicles. Where any freestanding sign has a clearance of less than nine feet from the ground, there shall be provided a barrier or other adequate protection to prevent hazard to pedestrians and motorists.
4. **Electric Signs.** Electric signs shall be constructed in accordance with the provisions of the *International Electrical Code*.

#### L. Permits

1. **Sign Permit Required.** Except as provided in §4.8 D., it is unlawful to display, erect, relocate or alter any sign without first filing with the Building Official an application in writing and obtaining a sign permit. When a sign permit has been issued by the Building Official, it is unlawful to change, modify, alter or otherwise deviate from the terms or conditions of the permit without prior approval of the building official. A written record of such approval shall be entered upon the original permit application and maintained in the files of the building official.
2. **Application for Permit.** The application for a sign permit shall be made by the owner or tenant of the property on which the sign is to be located, or his or her authorized agent. Such applications shall be made in writing on forms furnished by the Building Official and shall be signed by the applicant. The Building Official shall, within seven working days of the date of the application, either approve or deny the application or refer the application back to the applicant in any instance where insufficient information has been furnished.
3. **Revocation of Permits.** If the Building Official finds that work under any permit issued is not in accordance with the information supplied in the permit application and/or is in violation of this Section or any other pertinent ordinance of the City, or should he or she find that there has been any misrepresentation in connection with the application for the permit, he or she shall notify the sign owner or erector of such findings and that the violations must be corrected without delay. If such correction is not made forthwith, the Building Official shall revoke the permit and serve written notice thereof upon the sign owner or erector. No person shall proceed with any part of such work after such notice is received.
4. **Revocation of Permits for Nonuse**
  - a. If actual work whether on-site or off-site is not commenced under any permit issued within 60 days from the date of such permit, and/or if substantial building operations under any permit issued under this Section are suspended for a period of 60 consecutive

