

#### 4. Setbacks

- a. Outdoor storage that exceeds 8 feet in height shall not be located within the front and side yard setback, or 15 feet from the edge of the curb, whichever is greater.
- b. Outdoor storage shall comply with the Intersection and Driveway Visibility Standards found in §4.3 J.4.
- c. Outdoor storage may be located in the rear yard setback.
- d. Outdoor storage may be located to the side of a building, provided it is not located within the side yard setback.

### §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. ensure that signs are compatible with adjacent land uses and with the total visual environment of the community;
3. enhance property values and business opportunities;
4. assist in wayfinding;
5. provide fair and consistent permitting and enforcement; and,
6. 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 provisions in Chapter 5.20 (Traffic) of the *City of Gunnison Municipal Code* and other government signs placed in public rights-of-way. It is unlawful hereafter to display, construct, erect, alter, use or maintain any sign except in conformance with the provisions of this Section. Any sign in existence on the effective date of the adopted *Land Development Code* (Ordinance 1-1997) which was effective January 28, 1997, shall be allowed to remain and to be maintained, in conformance with §11.5 (Nonconforming signs) of the *Land Development Code*.

#### C. Definitions

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. *Banner* means a display placed in the public rights of way with permission of the City.
4. *Building Code* means the latest edition of the *Building Code*, as amended and adopted by the City.
5. *Building Official* means the officer or other person charged with the administration and enforcement of this Section, or his or her duly authorized deputy.
6. *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.
7. *Dissolve* means a mode of message transition on an Electronic Message Sign accomplished by varying the light intensity or pattern, in which the first message gradually appears to dissipate and lose legibility with the gradual appearance and legibility of the second message.
8. *Face or wall of building* means the general outer surface of any main exterior wall or foundation wall of the building, including windows and building front wall-plane.
9. *Flag* means a piece of canvas, fabric, paper, cloth, bunting, vinyl or other material attached to a staff or pole and which is designed to move in the wind (temporary or permanent).
10. *Foot Candle* is an English unit of measurement of the amount of light falling upon a surface (illuminance). One foot candle is equal to one lumen per square foot and can be measured by means of an illuminance meter.
11. *Frame* means a complete, static display screen on an Electronic Message Sign.
12. *Frame Effect* means a visual effect on an Electronic Message Sign applied to a single frame.
13. *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.
14. *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.
15. *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.
16. *Illuminance* is the amount of light falling upon a real or imaginary surface, commonly called “light level” or “illumination.” Illumination is measured in foot candles (lumens/square foot) in the English system and lux (lumens/square meter) in the SI (metric) system.
  17. *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.
  18. *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.
  19. *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.
  20. *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.
  21. *Lighting, backlighted* means a concealed light source located behind the surface of the sign to highlight specific elements of the sign.
  22. *Lighting, neon* means any method of lighting using neon tubes in a manner in which the neon tube can be seen.
  23. *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.
  24. *Luminance* is the light that is emitted by or reflected from a surface. Measured in units of luminous intensity (candelas) per unit area (square meters in SI measurement units or square feet in English measurement units.) Luminance is expressed in SI units as  $cd/m^2$ , and in English units as foot lamberts. Luminance is sometimes also expressed as “nits,” a colloquial reference to SI units. Luminance can be measured by means of a luminance meter.
  25. *Lux* is the SI (metric) unit for illuminance. One lux equals 0.093 foot candles.
  26. *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.
  27. *Mural* means a hand-produced work of visual art applied directly upon, or affixed directly to an exterior wall of a building.
  28. “*Nit*” is a photometric unit of measurement referring to luminance. One nit is equal to one candela per square meter ( $cd/m^2$ ).
  29. *Obscene sign* means a sign having those characteristics defined as obscene in the *Colorado*

*Revised Statutes*, as amended.

30. *Permitted Sign Area* means the total allowed sign for any street frontage, as calculated according to §4.8 G.1.
31. *Roof* means the cover of any building, including the eaves and similar projections.
32. *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.
33. *Scroll* is a mode of message transition on an Electronic Message Sign in which the message appears to move vertically across the display surface.
34. *Sequencing* is the display of two or more successive screens on an Electronic Message Center to convey a message.
35. SI (International System of Units) is the modern metric system of measurement; abbreviated SI for the French term “Le Systeme International d’Unites.”
36. *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 any other display of similar character placed in view of the general public, excluding murals 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.
37. *Sign face* means the surface of a sign upon, against or through which the message is displayed or illustrated.

**D. Sign Types**

1. *Abandoned sign* means a sign that no longer identifies or advertises an ongoing business, product, location, service, idea, or activity. Whether a sign has been abandoned or not shall be determined by the intent of the owner of the sign and shall be governed by applicable State Case Law and Statutory Law on abandoned structures.
2. *Animated sign* means a sign employing actual motion, the illusion of motion, or light and/or color changes achieved through mechanical, electrical, or electronic means. Animated signs, which are differentiated from changeable signs as defined and regulated by this Code, include the following types:
  - a. *Environmentally Activated sign* means animated signs or devices motivated by wind,

thermal changes, or other natural environmental input. Includes spinners, pinwheels, pennant strings, and/or other devices or displays that respond to naturally occurring external motivation.

- b.** *Mechanically Activated sign* means animated signs characterized by repetitive motion and/or rotation activated by a mechanical system powered by electric motors or other mechanically induced means.
  - c.** *Electrically Activated signs* are animated signs producing the illusion of movement by means of electronic, electrical, or electromechanical input and/or illumination capable of simulating movement through employment of the characteristics of one or both of the classifications noted below:

    - i.** *Flashing* means any sign that contains an intermittent or flashing light source, or includes the illusion of intermittent or flashing light by means of animated electronic function whose illumination is characterized by a repetitive cycle of illumination and non-illumination. For the purposes of this ordinance, flashing will not be defined as occurring if the frame static display period exceeds five seconds or more.
    - ii.** *Patterned Illusionary Movement* means animated signs or animated portions of signs whose illumination is characterized by simulated movement through alternate or sequential activation of various illuminated elements for the purpose of producing repetitive light patterns designed to appear in some form of constant motion. For the purposes of this Code, signs with Patterned Illusionary Movement of less than 2.5 square feet are permitted.
- 3.** *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.
- 4. Canopy Signs**
- a.** *Canopy Fascia sign* means signs which are mounted to the front or side fascia of a canopy and contained completely within that fascia.
  - b.** *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.
  - c.** *Under Canopy sign* means signs which are suspended under a canopy, perpendicular to the building façade. Such signs are also considered to be suspended signs.
- 5. Changeable sign** means a sign with the capability of content change by means of manual or remote input includes the following types:
- a.** *Manually Activated* means a *Changeable sign* whose message copy or content can be changed manually on a display surface.
  - b.** *Electrically Activated* means a *Changeable sign* whose message copy or content can be changed by means of remote electrically energized on-off switching combinations of alphabetic or pictographic components arranged on a display surface. Illumination may be integral to the components, such as characterized by lamps or other light-emitting devices;

or it may be from an external light source designed to reflect off the changeable component display. For the purposes of this *Code*, Electrically Activated Changeable Signs shall be classified as *Electronic Message Centers*.

6. *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.
7. *Electric sign* is any sign activated or illuminated by means of electrical energy.
8. *Electronic Message Center or Sign (EMC)* means an electrically activated changeable sign whose variable message and/or graphic presentation capability can be electronically programmed by computer from a remote location. EMCs typically use light emitting diodes (LED) or liquid crystal display (LCD) as a lighting source. Electronic Message Centers provide a static image frame display for a minimum five second interval.
9. *Electronic Reader Board* means a sign which contains a traveling message or a message that appears to be traveling, usually in a horizontal manner. The characteristics incorporated into any message remains constant and does not change in hue or intensity or appear to change in hue or intensity as they appear to travel across or through the automatic changing copy area. Electronic reader boards are only mono colored. Electronic Reader Boards shall be classified as *Electronic Message Centers*
10. *Flashing sign* - see *Animated Sign, Electrically Activated* (a.), above).
11. *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.
12. *Government or Safety sign* means any temporary or permanent sign erected and maintained by the city, county, state or federal government including signs required for public utility notification. Government sign size, location and material limitations are determined by the City.
13. *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, it's relevance to a building's design, or possesses other traits that may be worthy for such designation. Historical signs must be maintained in both appearance and structure.
14. *Illuminated sign* means a sign characterized by the use of artificial light, either projecting through its surface(s) (internally or trans-illuminated); or reflecting off its surface(s) (externally illuminated).
15. *Inflatable sign* means a sign that is intended to be expanded by air or other gas for its proper display or support.
16. *Monument sign* means a freestanding sign with the entire base of the sign structure affixed to the ground conforming with the standards of **§4.8 H. 11.**

17. *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.
18. *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.
19. *Revolving, Rotating or Spinning sign* is a sign that has the capability to revolve three hundred and sixty degrees (360°) about an axis. See also: *Animated Sign, Mechanically Activated Sign*.
20. *Sandwich Board sign* means a sign not exceeding 32 inches in width to 42 inches in height located on a sidewalk/grass strip of a public right-of-way or on private property.
21. *Suspended sign* means a sign suspended from the ceiling of an arcade, marquee or canopy.
22. *Temporary sign* means a sign to be displayed for a limited period of time and complies with the standards set forth in **§4.8 D. 4**.
23. *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.
24. *Wall sign* means a sign displayed upon or against the wall of a building or structure where the exposed face of the sign is in a plane parallel to the plane of the wall or parapet roof extension and extends not more than 12 inches horizontally from the face of the wall.
25. *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.9.
26. *Window sign* means a sign which is painted on, applied or attached to, the interior of a window, which can be seen through the window from the exterior of the structure. Merchandise included in a window display shall not be considered to be a sign.
27. *Sign structure* means any supports, uprights, braces or framework of a sign.
28. *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.
29. *Transition* is a visual effect used on an Electronic Message Center to change from one message to another.
30. *Travel* is a mode of message transition on an Electronic Message Center in which the message appears to move horizontally across the display surface.

**31. *Work of Art*** means art which in no way identifies a product, business, or enterprise and which is not displayed in conjunction with a commercial enterprise that would realize direct commercial gain from such a display.

**E. Exemptions.** Except as specifically provided, the following may be erected without a sign permit. All signs shall meet all applicable setbacks, number of signs, sign area (if applicable), construction, illumination and safety standards.

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. Flags, the maximum individual size of a permanently displayed flag shall be 40 square feet. (Ordinance 3, 2015)
3. Signs displayed on trucks, buses, trailers or other vehicles provided that they are parked or stored in areas appropriate to their use as vehicles.
4. Temporary signs that are found to be in compliance with the following standards:
  - a. **Owner Consent.** All temporary signs must be located on private property and only with the consent of the property owner.
  - b. **Size.** The size of a temporary sign is regulated according to Tables 4-12, 4-13, 4-14 and 4-15.
  - c. **Height.** Freestanding temporary signs shall not exceed 12 feet in height. Wall mounted temporary signs may be located on any portion of a building wall and shall not extend the top of any wall plane or parapet.
  - d. **Lighting.** No temporary sign shall be illuminated.
  - e. **Duration.** Temporary signs may be displayed up to 120 days per calendar year.
  - f. **Location.** No part of a temporary sign shall be placed within or protrude into any public rights-of-way.
5. Signs required or specifically authorized for a public purpose by any law, statute, ordinance or resolution.
6. 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. 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.

7. Signs designated by passage of a City Council resolution establishing a pre-existing sign as a historical sign.
8. Suspended signs, as long as they comply with the provisions of §4.8. I.

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

1. obscene signs;
2. Signs prohibited by the State of Colorado (i.e.: marijuana sign prohibitions);
3. 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;
4. inflatable signs;
5. 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.
6. any sign or sign structure which:
  - a. may be confused with, or obstruct the view of, any authorized traffic sign or signal, obstructs the sight-distance triangle at any road intersection or extends into the public right-of-way;
  - 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.
7. any sign which obstructs free ingress to or egress from a required door, window, fire escape, stand-pipe or other required exit way;
8. animated signs (§4.8 C.D.b.) except for Electronic Message Centers operated under the standards of this Code;
9. patterned illusionary movement signs;
10. any sign which adversely affects safety including signs which prevent free ingress or egress from any door, window, fire escape, or that prevent free access from one part of a roof to any

other part. No sign other than a safety sign shall be attached to a stand-pipe or fire escape.

11. revolving, rotating and spinning signs;
12. any sign which emits smoke, visible vapors, particles, sound or odor;
13. open flames used to attract public attention to a place of business or to an advertising sign;
14. no mirror device shall be used as part of a sign; and,
15. abandoned signs.

### G. Sign Area

1. **Total 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.

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.

2. **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.
3. **Multiple Tenant Buildings.** In the case of building occupied multiple tenant spaces with individual entrances directly to a public street frontage, the sign area shall be calculated using the lineal distance of each business space fronting the street. In such circumstances the total sign area for the entire building may exceed the total maximum area of 150 square feet.
4. **Computation of Sign Area.** The area of a sign shall be measured with the following regulations:
  - a. For signs whose shape is a regular geometric figure (square, rectangle, circle, oval, etc.), the area shall be calculated using standard formulas ( $H \times W$ ;  $\pi r^2$ ; etc.).
  - b. 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.

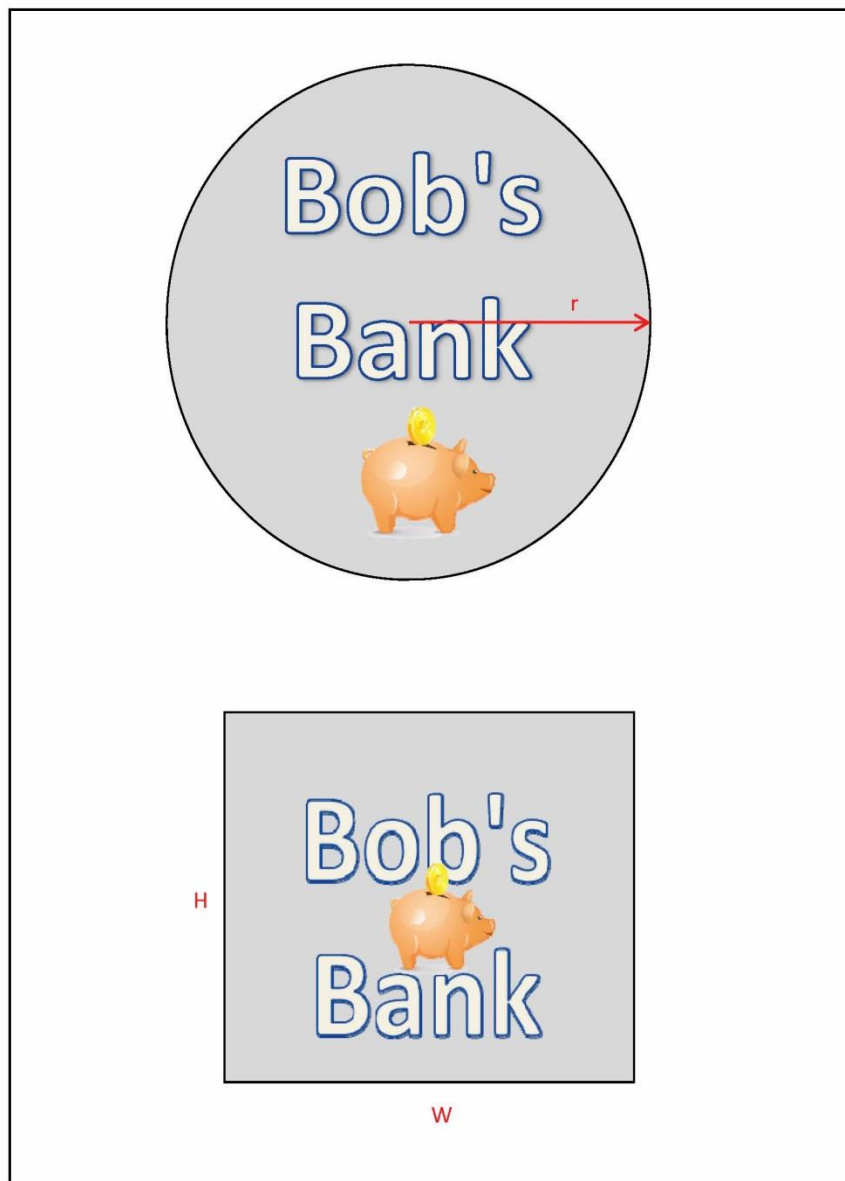


FIGURE 1 GEOMETRIC SIGNS

- c. 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.
- d. 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.
- e. The following standards shall be used to determine the area of signs containing multiple elements. Figure illustrates these measurement methods.
  - i. Regardless of their spacing, the letters forming a word or name shall be considered a single sign.

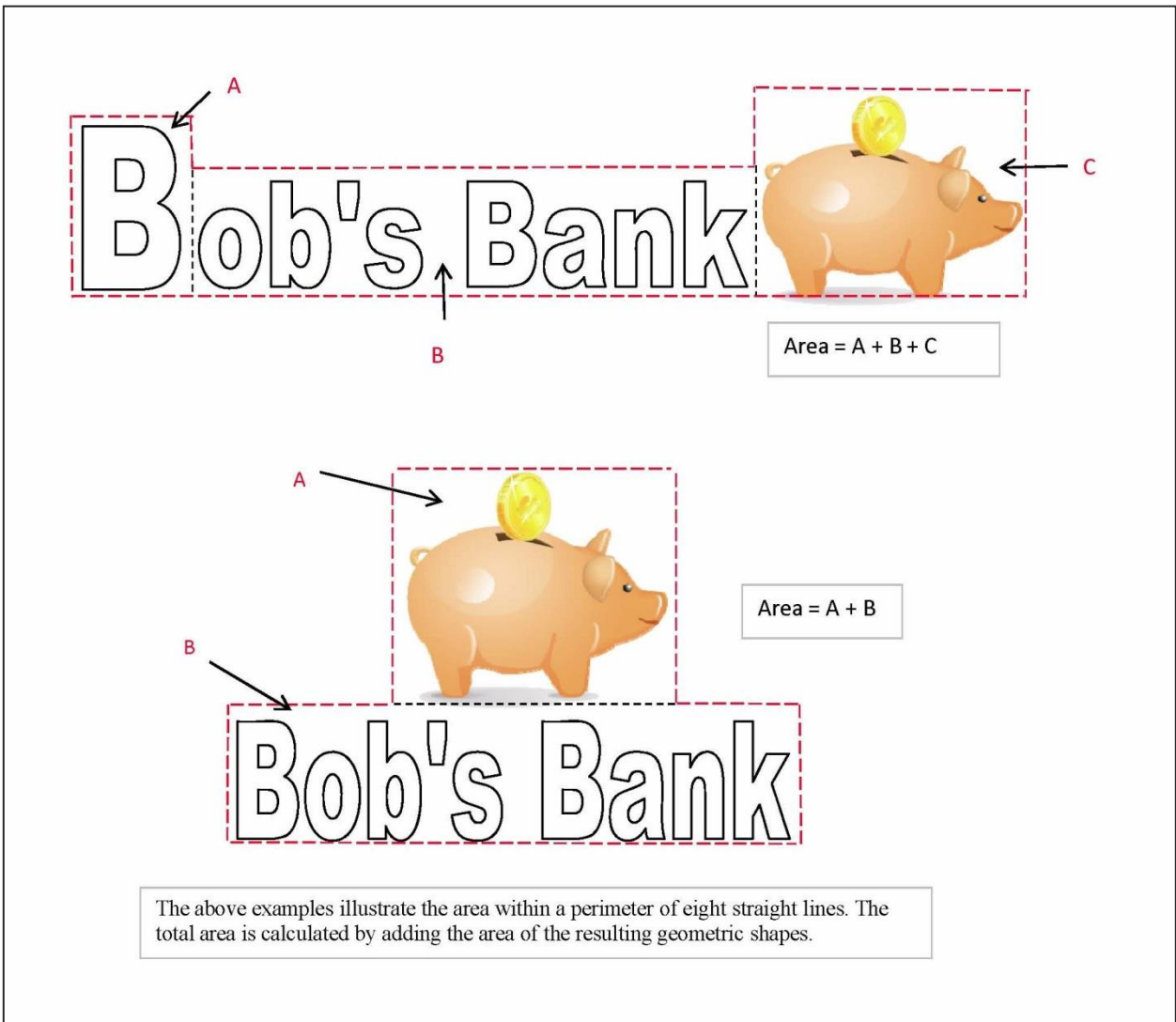


FIGURE 19 IRREGULARLY SHAPED SIGNS

- ii. 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.
- iii. 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.

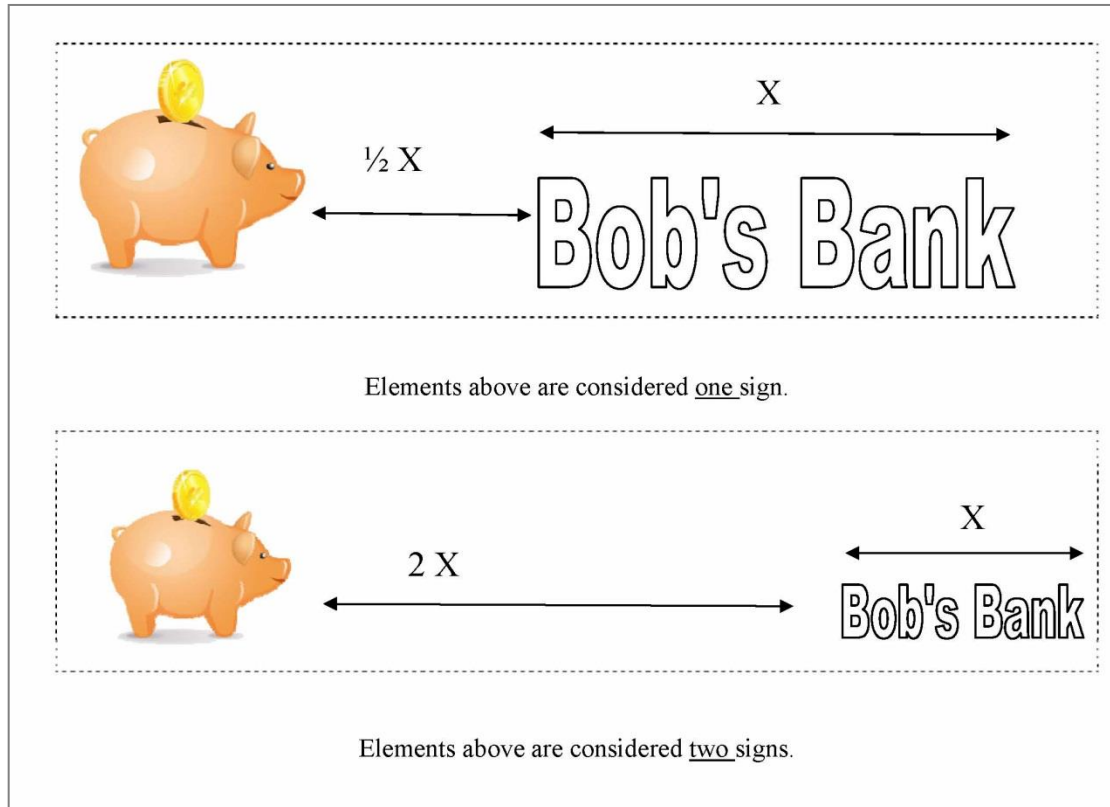


FIGURE 3 SIGNS WITH MULTIPLE ELEMENTS

- f. 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.
- g. 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.
- h. 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, signs that will obstruct vision between a height of three feet and 11 feet shall not be erected, placed or maintained within the sight visibility triangle formed by a straight

line starting at the point of intersection of the curb line and extending 30 feet from their point of intersections.

- 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;
  - 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.** all illuminated signs must comply with the maximum luminance level of 500 cd/m<sup>2</sup> or nits at least one-half hour before dusk. All illuminated signs must comply with this maximum luminance level throughout the night, if the sign is energized, until dawn, at which time the sign may resume luminance levels appropriate for daylight conditions, when required or appropriate.
  - f.** signs that have external illumination, whether the lighting is mounted above or below the sign face or panel, shall have lighting fixtures or luminaires that are fully shielded;
- 3. Electronic Message Centers (EMCs).** The following standards apply:
  - a.** The minimum static frame display time interval is five seconds.
  - b.** The transition time between messages or message frames will be one second.
- 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.** Window signs up to 12 square feet, at ground floor level will not be included in the total permitted sign area.
- 6. Signs in the Public Right-of-Way.** Any sign or banner in the public right-of-way is subject to an administrative license agreement and shall be compliant with all sign standards. The staff may refer the application to City Council for any reason. The City Manager or their designee

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- may issue an administrative license agreement to allow the sign in accordance with Chapter 9.40 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.
7. **Sandwich Board Signs.** One sign per property (parcel) not exceeding 32 inches in width and 42 inches 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 building owner has obtained a license agreement pursuant to **Error! Reference source not found.**, above;
  - b. placement of the sign within the public rights-of way shall be located and maintained in compliance with Section 9.40.080 of the *City of Gunnison Municipal Code.*;
  - 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. no sign shall be placed in a public right-of-way for the duration of a declared snow emergency; and,
  - f. *Sandwich Board* signs shall not count toward the permitted sign area of the premise.
8. **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.
9. **Monument Signs.** The following standards apply:
- a. One monument sign shall be allowed for a street frontage on a commercial development with three or more tenants or lots and with greater than 25,000 square feet of aggregate gross floor area, which are part of a common interest community as defined by State Statute.
  - b. Tenants allowed to display on the monument sign shall be a party to a recorded covenant or other legally binding document and the document terms shall address shared use and maintenance responsibility.
  - c. Monument signs shall conform to the free standing sign height provisions of 8., above;
  - d. The sign shall be subject to review in conjunction with Final Plat Subdivision review or development applications submitted and reviewed by the Community Development

Director.

- e. The maximum sign area is 150 square feet.
- f. Monument signs shall not count toward the permitted sign area of each business.

**10. Murals.** The following standards apply:

- a. Within the Central Business District murals are permitted only on non-street facing walls and street facing walls that are more than 15 feet from a property line.
- b. Within all other districts murals are permitted on any wall.
- c. Murals are permitted only on the flat plane of walls.
- d. Murals will not be painted on or obscure architectural features such as windows, egress doors, cornices or recessed or projecting wall features.

**I. Zone District Sign Regulations**

- 1. Zoning Districts.** The zoning districts, as set forth in Section 2 and amendments thereto, shall apply to this Section. The boundaries of these zone districts shall be determined by reference to the zoning map of the City of Gunnison.
- 2. Establishment of Zone 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 zone 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 zone 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. Maximum Sign Area** is calculated according to the provisions of §4.8 G.4.



**TABLE 4-122 SCHEDULE OF REQUIREMENTS FOR NONRESIDENTIAL ZONE DISTRICTS  
(CBD, I, C)**

Prohibited Signs	Maximum Sign Area by Permitted Type	Maximum Number of Signs Permitted	Maximum Height of Signs or other Restrictions
See Section §4.8 F. Prohibited Signs	<b>Awning signs</b> (§4.8 C.D.3.), <b>Canopy signs</b> (§4.8 C.D.4), or <b>signs on Architectural Projections:</b> 30% of the width multiplied by the vertical height of the projection	1 per building face or per business storefront	
	<b>Free Standing signs</b> (§4.8 C.D.11.): calculated PSA up to a maximum of 60 square feet. <b>EMC</b> (§4.8 D.8.): 25% of the permitted free standing sign area (maximum 15 square feet) in Commercial; 12 square feet in CBD and Industrial	2 per parcel	25 feet; see §4.8 H.8. for additional standards associated with freestanding signs. See §4.8 H.3. for additional standards associated with EMC's.
	<b>Wind signs</b> (§4.8 C..25.) – calculated PSA up to a maximum of 60 square feet	2 per building face or per business storefront	
	<b>Monument signs</b> (§4.8 B.16): Up to a maximum of 150 square feet; prohibited in CBD and Industrial.	1 per commercial development and located on either a designated collector or arterial street frontage	25 feet; see §4.8 H. 9.for additional standards associated with monument signs.
	<b>Projecting signs</b> (§4.8 C.18): 12 square feet per sign face EMC (§4.8 C.37.8): 25% of sign area.	1 per frontage or 2 allowed on corner parcels	4 feet from the property line in the CBD, 8 feet from property lines in all other zoning districts. Maximum height: 18 feet or to the eave line or top of parapet wall of the building to which it is affixed. Minimum clearance: 8 feet from the ground to the bottom edge of the sign Maximum projection: 5 feet
	<b>Suspended signs</b> (§4.8 C.21): 1.5 square feet per face (3' total). Does not count toward the total PSA.	1 per building face or per business storefront	8 feet from the ground to the bottom edge of the sign Minimum horizontal separation: 15 feet between suspended signs. Projection: shall not project beyond the outside limits of the arcade, canopy, or marquee to which they are attached.
	<b>Temporary signs</b> (§4.8 D.22. and §4.8 E.4)12 square feet	1 per street frontage	12 feet for a freestanding sign.
	<b>Wall signs</b> (§4.8 D.24): calculated PSA. <b>EMC</b> (§4.8 D.8): 25% of sign area in Commercial; 12 square feet in CBD and Industrial	1 per building face or per business storefront	Maximum height: 25 feet above the ground. Maximum projection: 24" above the eave line or parapet. 12" from the face of the building. See §4.8 H.3. for additional standards associated with EMC's.
	<b>Murals</b> (§4.8 H.10):		Minimum of 32 square feet. Setbacks in Central Business District

**TABLE 4-13 SCHEDULE OF REQUIREMENTS FOR THE B-1 DISTRICT (B-1)**

Prohibited Signs	Maximum Sign Area Permitted per Business	Maximum Number of Signs Permitted	Maximum Height of Signs or other Restrictions
<p>In addition to §4.8 F., the following signs are prohibited:</p> <p><b>Bulletin Board</b> signs</p> <p><b>Portable</b> signs (§4.8 D.17.)</p>	<p><b>Awning signs</b> (§4.8 C.D.3),  <b>Canopy signs</b> (§4.8 C.D.4), or <b>signs on architectural projections:</b>                      30% of the width multiplied by the vertical height of the projection</p>	1 per building face or per business storefront	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 the canopy or architectural projection the distance necessary to accommodate the thickness of the letters, but no more than 12 inches. 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 these provisions.
	<p><b>Free Standing signs</b> (§4.8 D.11.): calculated PSA or 12 square feet maximum.  <b>EMC</b> (§4.8 D.8): 15% of sign area</p>	1 per general access point	6 feet
	<p><b>Projecting signs</b> (§4.8 D.18.): 12 square feet per sign face  <b>EMC</b> (§4.8 D.8): 25% of sign area</p>	1 per building face or per business storefront	18' or to the eave line or top of parapet wall of the building to which it is affixed. 8 feet from the property line. Minimum clearance: 8 feet from the ground to the bottom edge of the sign. Maximum projection: 5 feet. See §4.8 H.3. for additional standards associated with EMC's.
	<p><b>Suspended signs</b> (§4.8 D.21): 1.5 square feet per face (3 feet total). Does not count toward the total PSA.  <b>EMC</b> (§4.8 D.8): 25% of sign area.</p>		8 feet from the ground to the bottom edge of the sign. Minimum horizontal separation: 15 feet between suspended signs.  Projection: shall not project beyond the outside limits of the arcade, canopy, or marquee to which they are attached. See §4.8 H.3. for additional standards associated with EMC's.
	<p><b>Temporary signs</b> (§4.8 D.22. and §4.8 E.4): 12 square feet</p>	1 per street frontage	12 feet for a freestanding sign.
	<p><b>Wall signs</b> (§4.8 D.24): calculated PSA up to 75 square feet maximum.  <b>EMC</b> (§4.8 D.8): 12 square feet of sign area.</p>		See §4.8 H.3. for additional standards associated with EMC's.
	<p><b>Murals</b> (§4.8 H.10):</p>		Minimum of 32 square feet.

TABLE 4-14 SCHEDULE OF REQUIREMENTS FOR SINGLE-FAMILY AND DUPLEX ZONE DISTRICTS (R-1, R-1M, R-2)			
Prohibited Signs	Maximum Sign Area Permitted per Business	Maximum Number of Signs Permitted	Maximum Height of Signs or other Restrictions
In addition to §4.8 F., the following signs are prohibited: <b>Awning</b> signs (§4.8 C.D.3.) <b>Canopy</b> signs (§4.8 C.D.4.)  <b>Changeable</b> signs (§4.8 D.5.)  <b>Electronic Message Centers</b> (§4.8 D.8. and §4.8 H.3.)  <b>Portable</b> signs (§4.8 D.17.)  <b>Wind</b> signs (§4.8 D.25.)	<b>Wall signs</b> (§4.8 D.24.): 12 square feet	1 per building	
	<b>Temporary Signs</b> (§4.8 D.22. and §4.8 E.4): 12 square feet	1 per street frontage	12 feet for a freestanding sign.
	<b>Freestanding signs</b> <sup>2</sup> (§4.8 C.D.11.): calculated PSA or 12 square feet maximum.	1 per street frontage	6 feet
	<b>Murals</b> (§4.8 H.10):		Minimum of 32 square feet.

TABLE 4-15 SCHEDULE OF REQUIREMENTS FOR RESIDENTIAL MULTI-FAMILY ZONE DISTRICTS (RMU AND R-3)			
Prohibited Signs	Maximum Sign Area Permitted per Business	Maximum Number of Signs Permitted	Maximum Height of Signs
In addition to §4.8 F., the following signs are prohibited:  <b>Awning</b> signs (§4.8 C.D.3)  <b>Bulletin Board</b> signs  <b>Canopy</b> signs (§4.8 C.D.4.)  <b>Electronic Message Centers</b> (§4.8 D.8. and §4.8 H.3.)  <b>Portable</b> sign (§4.8 D.17.)  <b>Wind</b> signs (§4.8 D.25.)	<b>Free Standing signs</b> (§4.8 C..D.11): 30 square feet	1 per general access point.	15 feet
	<b>Projecting signs</b> (§4.8 D.18.): 15 square feet		18 feet or to the eave line or top of parapet wall of the building to which it is affixed
	<b>Suspended signs</b> (§4.8 D.21.): 1.5 square feet per face (3' total)		
	<b>Wall signs</b> (§4.8 D.24): 30 square feet		
	<b>Temporary signs</b> (§4.8 D.22. and §4.8 E.4): 12 square feet	1 per street frontage	12 feet for a freestanding sign.
	<b>Murals</b> (§4.8 H.10):		Minimum of 32 square feet.

<sup>2</sup> Ordinance 3, 2015

## J. Structural Requirements

### 1. Construction

- a. The installation, repair or replacement of any sign is subject to possible required issuance of a building permit by the City of Gunnison Building Official.
- b. The City of Gunnison Building Official may require that building plans for any sign be stamped by an engineer licensed in the State of Colorado.
- c. Signs, sign structures, sign foundations and methods to attach and anchor signs must be designed and constructed in accordance with applicable provisions of the *International Building Code* as adopted by the City. All signs and their foundations and attachments must be designed for the appropriate dead load, wind load and snow load for the geographic area in question.
- d. The supports and foundations used in construction for all signs and sign structures must be located outside of any public rights-of-way.
- e. Welds of sign structures and sections of sign structures must be welded in accordance with the *International Building Code*.

### 2. Electrical and Fire Code Requirement

- a. *Electric signs* and *Electronic Message Centers* shall be manufactured and installed in compliance with National Fire Protection Association (NFPA) NFPA70e, or other code administered by the State of Colorado. Installation of any electronic sign is subject to obtaining an electrical permit.
- b. The listing label number for all signs shall be provided on the Sign Permit application, or, if the sign has not been manufactured yet, through Nationally Recognized Testing Laboratory (NRTL) validation: A NRTL file number from the sign manufacturer shall be provided for all electric signs on the Sign Permit application.

### 3. Dangerous Sign Structures and Equipment. Signs, sign structures or awnings that are dangerous must be taken down and removed or made safe as the Building Official deems necessary. Signs may be deemed dangerous for any specific reason including but not limited to:

- a. if a sign structure, its foundation, attachments to a building, or a building to which a sign is attached is damaged by fire, earthquake, wind, flood or by any other cause, to such an extent that the structural strength or stability is materially less than it was before the catastrophe;
- b. if any portion or member of a sign, sign structure or awning is likely to fail, or become detached or dislodged, or to collapse;
- c. if any portion or member of a sign, sign structure or awning is likely to partially or completely collapse as a result of any cause, including, dilapidation, deterioration, or decay; faulty construction or wiring; or removal, movement or instability of any portion of

the ground or building necessary for supporting such structure;

- d. if a sign, sign structure or awning is structurally or electrically unsafe or otherwise hazardous to human life or safety by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage or abandonment;

All signs, sign structures and awnings determined after inspection by the Code Officer to be dangerous must be abated by repair, rehabilitation, demolition or removal.

4. **Clearance.** Signs shall not be located with less than six feet horizontal clearance or 10 feet vertical clearance from overhead primary lines.
5. **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.

## K. Permits

1. **Sign Permit Required.** Except as provided in §4.8 E., 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 completed 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 days, the permit shall automatically become null and void.

- b.** The Building Official may grant an extension of time in which to start or resume operations. All requests for extension and approval thereof shall be in writing.
- 5. Plans, specifications and other data required.** The application for a sign permit shall be accompanied by the following plans and other information:
  - a.** the name, address and telephone number of the owner or person entitled to possession of the sign and of the sign contractor or erector;
  - b.** the location, by street address or other location identification acceptable to the building official, of the proposed sign structure;
  - c.** complete information as required on an application form provided by the Building Official, including a site plan and elevation drawings of the proposed sign, caption of the proposed sign, type of proposed illumination and such other data as is pertinent to the application;
  - d.** plans indicating the scope and structural details of the work to be done, including details of all connections, guy lines, supports and footings and materials to be used; and,
  - e.** if an electrical permit is required, verification of final electrical inspection approval shall be provided to the Building Official.
- 6. Inspections.** All signs shall be subject to inspection by the Building Official. Footing inspections may be required for all freestanding signs. The permit holder or his or her agent shall notify the Building Official when signs are complete and ready for final inspection.

(Multiple changes to § 4.8 per Ordinance No. 8, Series 2017)

#### **§4.9 OUTDOOR LIGHTING**

- A. Purpose.** The purpose of this Section is to protect the health, safety and welfare of citizens; provide security for businesses, services and other activities; and for the protection of night skies.
- B. Applicability.** All new development shall comply with the standards of this Section.
  - 1.** Buildings and structures lawfully existing as of the effective date of this section, may be redeveloped, renovated or repaired without modifying outdoor lighting in conformance with this Section, provided there is no increase in gross floor area in such building or structure or impervious area on the site.
  - 2.** Where a building or structure existed as of the effective date of this Section, and such building is enlarged in gross floor area or impervious area on the site by 10 percent or 2,000 square feet, whichever is less, outdoor lighting as specified in this Section shall be provided.
- C. Exemption.** The following shall be exempt from the Outdoor Lighting requirements of this section: