

## Chapter 18.50

### SIGNS

#### Sections:

<b>18.50.010</b>	<b>Purpose.</b>
<b>18.50.020</b>	<b>Definitions.</b>
<b>18.50.030</b>	<b>General sign regulations in all zones.</b>
<b>18.50.040</b>	<b>Measurement of sign dimensions in all zones.</b>
<b>18.50.050</b>	<b>Signs not subject to permit-Exempt signs.</b>
<b>18.50.060</b>	<b>Prohibited signs.</b>
<b>18.50.070</b>	<b>Temporary signs.</b>
<b>18.50.075</b>	<b>Business vehicle identification signs.</b>
<b>18.50.080</b>	<b>Residential, commercial and industrial project identification signs.</b>
<b>18.50.085</b>	<b>Project marketing signs.</b>
<b>18.50.090</b>	<b>Sign regulations for nonresidential uses in a residential zone.</b>
<b>18.50.095</b>	<b>Sign setback from adjacent residentially zoned land.</b>
<b>18.50.100</b>	<b>Sign regulations in nonresidential zones.</b>
<b>18.50.110</b>	<b>Sign regulations for structures with minimal building setback along a street right-of-way or in the Downtown Sign District.</b>
<b>18.50.115</b>	<b>Portable Signs – Downtown Sign District</b>
<b>18.50.120</b>	<b>I-25 corridor.</b>
<b>18.50.130</b>	<b>Sign regulations for signs in the Highway 34 corridor.</b>
<b>18.50.135</b>	<b>Sign regulations for convenience stores.</b>
<b>18.50.140</b>	<b>Maintenance.</b>
<b>18.50.145</b>	<b>Abandoned/obsolete signs.</b>
<b>18.50.150</b>	<b>Nonconforming signs.</b>
<b>18.50.160</b>	<b>Approval procedures.</b>
<b>18.50.170</b>	<b>Enforcement, legal procedures and penalties.</b>
<b>18.50.180</b>	<b>Variances.</b>
<b>18.50.190</b>	<b>Appeals.</b>

#### **18.50.010 Purpose.**

The purpose of this chapter is to promote and protect the public health, safety and welfare which includes traffic safety and the public's right to an aesthetic environment by regulating existing and proposed signs of all types within the city in order to assure that:

- A. For the public convenience, businesses, services and activities have the right to identify themselves by using signs;
  - B. Signs enhance the economic, cultural and social viability of the community;
  - C. Signs are legible in the circumstances in which they are seen;
  - D. Signs are expressive of the identity of individual properties or of the community as a whole;
  - E. Signs are well designed and compatible with their surroundings and with the uses to which they are an accessory;
  - F. Signs preserve and enhance property values in the community;
  - G. Hazardous and unsafe sign conditions are eliminated;
  - H. There is a reasonable balance between the right of individuals to identify their own businesses and the right of the public to be protected from the unrestricted proliferation of signs; and
  - I. Signs are compatible with adjacent land uses and the total visual environment of the community.
- (Ord. 3609 § 1 (part), 1989)

### **18.50.020 Definitions.**

As used in this chapter, the following words and phrases shall have the meanings set out in this section:

“Animated or flashing sign” means any sign or part of a sign which changes physical position by any movement or rotation or which gives the visual impression of such movement by use of lighting, or which exhibits intermittent or sequential flashing of natural or artificial light or color effects by any means whatsoever.

“Awning” means a framed exterior architectural feature which is attached to and supported from the wall of a building and/or held up by its own supports, and which is covered with canvas, fabric, or other similar material as its primary surface, and which provides or has the appearance of providing shelter from the elements to pedestrians, vehicles, property, or buildings.

“Awning sign” means a sign that is painted on or otherwise attached to an awning that is otherwise permitted by ordinance.

“Banner” means a sign which is constructed of cloth, canvas, or other type of natural or man made fabric, or other similar light material which can be easily folded or rolled, but not including paper or cardboard.

“Billboard, bench sign” or “off-premises sign” means a sign which directs attention to a business, product, service or entertainment conducted, sold or offered at a location other than on the premises on which the sign is located, but shall not include bus stop signs.

“Building frontage” means the side of the building which aligns with a street or parking lot.

“Building mounted sign” means any permanent sign fastened to or painted on any part of a building or structure in such a manner that the building is the supporting structure for or forms the background surface for the sign, including, but not limited to, wall signs, projecting signs, awning signs, and roof signs.

“Bus signs” means signs placed upon transit buses owned or operated by, or on behalf of the city pursuant to a written agreement with the city which sets forth the regulations for the size, content, placement, design and materials used for such signs. Bus signs shall not be considered “portable signs” as defined in subsection P.1. of this section.

“Bus stop signs” means signs located on benches or shelters placed in the public rights-of-way or in private property adjacent to public rights-of-way at a bus stop pursuant to a written agreement with the city which sets forth the regulations for the size, content, placement, design and materials used in the construction of said signs, benches and shelters.

“Business” means an activity concerned with the supplying and distribution of goods and services.

“Business premises” means the land, site, or lot at which, or from which, a business is principally conducted, including off-street satellite parking areas or vehicle storage areas which are approved by the City as an accessory use for the business.

“Business vehicle identification sign” means a sign which is permanently mounted or otherwise permanently affixed to a vehicle, trailer or semi-trailer and which identifies the business,

products or services with which the vehicle, trailer or semi-trailer is related. For purposes of this definition, magnetic and adhesive signs shall be considered as being permanently affixed. Bumper stickers and similar size adhesive decals shall not be considered business vehicle identification signs.

“Canopy” means a framed accessory structure or exterior architectural feature which is attached to and supported from a wall or held up by its own supports, which provides shelter from the elements to persons, vehicles, or property.

“Canopy sign” means a wall sign that is located on the roof, fascia, soffit, or ceiling of a canopy, and that is otherwise permitted by ordinance.

“Changeable copy sign” means a sign which displays words, lines, logos or symbols which can change to provide different information. Changeable copy signs include computer signs, reader boards with changeable letters and time and temperature units.

“Commemorative or memorial sign” means a sign, tablet or plaque commemorating or memorializing a person, event, structure or site.

“Construction sign” means a temporary sign erected on the premises on which construction, alteration or repair is taking place, during the period of active continuous construction, displaying the name and other relevant information about the project, and may include the names of the architects, engineers, landscape architects, contractors or similar artisans, and the owners, financial supporters, sponsors, and similar individuals or firms having a role or interest with respect to the structure or project. (Ord. 5207 § 12, 2007)

“Freestanding sign” means any non-movable sign not affixed to a building, and is not a portable sign.

“Governmental sign” means a sign erected and maintained by or on behalf of the United States, the state, the county or the city for the purpose of regulating traffic or for civic purposes.

“Hazardous sign” means a sign which by reason of inadequate maintenance, dilapidation, or obsolescence creates a hazard to public health, safety or welfare.

“Historic sign” means a sign which has been designated as historic as provided in subsection D of Section 18.50.150.

“Holiday decoration sign” means a temporary sign, in the nature of decorations, clearly customary and commonly associated with federal, state, local or religious holidays and contains no commercial message.

“Identification sign” means a sign giving only the nature, logo, trademark or other identifying symbol, address, or any combination of the name, symbol and address of a building, business, development or establishment.

“Illegal sign” means any sign which was erected without a sign permit in violation of any of the ordinances of the city governing the same at the time of its erection and which sign has not been in conformance with such ordinances, including this code, and which shall include signs which are posted, nailed or otherwise fastened or attached to or painted upon structures, utility poles, trees, fences or other signs.

“Indirect lighting” means a source of external illumination of any sign.

“Information Sign” means a sign which directs or regulates pedestrians or vehicle traffic within private property and includes information of a general directive or informational nature such as no parking, disabled parking, loading area, self-service, and rest rooms; which bears no advertising matter, and does not exceed two square feet of sign area per face.

“Joint identification sign” means a sign which serves as a common or collective identification for two or more uses on the same premises.

“Leading edge” means the point of a sign, including the sign support structure, closest to the public right-of-way.

“Legal nonconforming sign” means any sign for which a sign permit was issued and said sign was lawfully erected and maintained prior to the enactment of this chapter and any amendments thereto and which does not conform to all the applicable regulations and restrictions of this code and any amendments thereto.

“Light bulbs” means incandescent bulbs used on a business or commercial premise and not a residential premise. This does not include holiday decorative lights.

“Logo” means, for the purposes of this chapter only, a symbol, image, insignia, word, word abbreviation, or initials which is designed for easy recognition, and which represents or identifies in graphic form, a nation or organization of nations, states or cities, or fraternal, religious and civic organizations or any educational institutions, irrespective of whether they are made of permanent, semi-permanent, or temporary materials.

“Menu board sign” means a wall or freestanding sign which lists the foods or other products available at drive-through facilities.

“Module” means a self-contained message component which is an integral part of a sign.

“Multi-tenant center” means one or more buildings, located on a single premise, containing two or more separate and distinct businesses or activities which occupy separate portions of the building with separate points of entrance, and which are physically separated from each other by walls, partitions, floors or ceilings.

“Nameplate sign” means a sign, located on the premises, giving only the name or address, or both, of the owner or occupant of a building or premises.

“Nonbacked or individual letter sign” means a wall sign consisting of individual letters, script or symbols without background other than a wall of a building or other structure.

“Noncommercial sign” means a sign which has no commercial content.

“Off-premises Sign.” See “Billboard, bench sign.”

“Portable sign” means a sign that is designed to be easily transportable, including but not limited to signs designed to be displayed while mounted or affixed to the trailer by which it is transported, or with wheels remaining otherwise attached during display; signs mounted on

transportable frames with wheels removed; signs attached or affixed to a chassis or other moveable support constructed without wheels; signs designed as, or converted to, A-frame or T-frame signs; signs attached temporarily to the ground, a structure, or other signs; signs mounted on a vehicle and visible from the public right-of-way, including business vehicle identification signs; sandwich boards; and hot air or gas filled balloons which are not designed or approved for navigable flight.

“Premises” means an area of land occupied by the buildings or other physical uses which are an integral part of the activity conducted upon the land and such open spaces as are arranged and designed to be used in conjunction with that activity.

“Private sale or event sign” means a sign advertising a private sale of personal property such as a house sale, garage sale, rummage sale and the like.

“Project marketing sign” means a sign that is placed at one or more key locations within a project, which identifies the project and offers for sale, as part of the original marketing of the project, the lots, tracts, structures or units within the project.

“Projecting sign” means a sign that is wholly or partly dependent upon a building for support and which projects horizontally more than fifteen inches from such building.

“Real estate sign” means a sign indicating only the availability for sale, rent or lease of a specific parcel, building or portion of a building and name, address and telephone number of owner or listing of real estate broker.

“Residential, commercial and industrial development identification sign” means a sign identifying only the name of a residential, commercial or industrial complex.

“Residential premise” means a lot or parcel of land containing a home or building used for dwelling purposes provided that the land is zoned for such use.

“Roof sign” means a sign any portion of which projects above the top of the wall of a building, or is mounted on the roof of a building.

“Searchlight.” See “Animated or flashing sign.”

“Sign” means any object, device, or structure, or part thereof, situated outdoors or indoors, which is visible beyond the boundaries of the premises upon which it is located, and which advertises, identifies, directs or attracts the attention of the public to a business, institution, product, organization, event or location by any means, including, but not limited to, words, letters, graphics, fixtures, symbols, colors, motion, illumination and projected images.

“Sign face” means the area of a sign upon or through which the message is displayed.

“Sign structure” means and includes all supports, braces or other framework of a sign.

“Signable wall” means a wall of a building which is visible from a street, parking area or other public or private way.

“Street frontage” means a property line which abuts a public right-of-way that provides public access to or visibility to the premises.

“Temporary sign” means a sign which, due to the materials used; the method, manner or location of display; or the method of operation for display; is suited only for brief display, including, but not limited to, those signs regulated under section 18.50.070 of this title.

“Top of wall” means the uppermost point of the vertical exterior surface of a building wall, excluding parapet wall in which case the top of wall shall be the top of the parapet wall or three feet above the roof, whichever is less.

“Vehicular Sign.” See “Portable sign.”

“Wall sign” means a sign fastened to or painted on a wall of a building or structure in such a manner that the wall is the supporting structure for, or forms the background surface of the sign and which does not project more than fifteen inches from such building or structure.

“Window sign” means a sign that is applied to or attached to the exterior or interior of a window or located in such manner within a building that it is visible from the exterior of the building through a window, but excludes merchandise in a window display. (Ord. 5283 § 1, 2008; Ord. 4779 § 4, 2003; Ord. 4254 § 1 (part), 1997; Ord. 4219 § 1 (part), 1996; Ord. 4185 § 1 (part), 1996; Ord. 4089 §§ 1, 2, 1995; Ord. 3711 § 2, 1991; Ord. 3631 § 1, 1989; Ord. 3609 § 1 (part), 1989)

#### **18.50.030 General sign regulations in all zones.**

- A. Applies To All Signs. The provisions in this chapter shall apply to all signs, except governmental signs and bus stop signs, but including signs not requiring a permit.
- B. Right-of-way. No sign shall be allowed in any public right-of-way except for projecting and wall signs which meet all the requirements under Section 18.50.100.
- C. Location. No sign shall be located on any premises other than the premise on which is located the use to which the sign applies.
- D. Sight Distance Triangle. All signs located within the sight distance triangle as specified and illustrated in Section 3.03 of the City of Loveland site Development Performance Standards and Guidelines shall be of pole construction with a twelve-inch maximum diameter of a pole, and a minimum distance from grade to the bottom of the sign of ten feet.
- E. Unimpaired Traffic Visibility. No sign shall be located to impair traffic visibility or the health, safety and welfare of the public. The direct or reflected light illuminating any sign shall not create a traffic hazard or otherwise be detrimental to public health, safety and welfare.
- F. More Restrictive Conditions May Apply For Uses By Special Review. For uses subject to special review pursuant to Chapter 18.40 of this code, the city may apply conditions on signs which are more restrictive than this chapter. However, in the approval of a use by special review, the provisions of this chapter shall be met and any request for deviation from the provisions as contained in this chapter shall be required to go through the variance process as specified in Chapter 18.60 of this code. (Ord. 4254 § 1 (part), 1997; Ord. 4185 § 1 (part), 1996; Ord. 3609 § 1 (part), 1989)

#### **18.50.040 Measurement of sign dimensions in all zones.**

- A. Sign Area (Face) Measurement. The sign area (face) shall be measured by including within a single continuous rectilinear perimeter of not more than eight straight lines which enclose the extreme limits of writing, representation, lines, emblems, or figures contained within all modules together with any air space, materials or colors forming an integral part or background of the display or materials used to differentiate such sign from the structure against which the sign is placed. Architectural features, structural supports and landscape elements shall not be included

within the sign area. For the purpose of determining sign area and the allowable number of wall signs, a module, word, logo, or similar media of communication, which by itself identifies a product, manufacturer, business, or service, or conveys a complete thought or message, constitutes a sign, and the surface area between such signs is not considered to be an integrated part of the sign.

- B. Freestanding Base Measurement. The sign area of a freestanding sign shall include, in addition to the sign face area, any portion of the freestanding sign structure which exceeds one and one-half times the area of the sign face. The base shall be any structural component of the sign, including raised landscape planter boxes.
- C. All Sign Faces Counted. All sign faces shall be counted and considered part of the maximum total sign area allowance.
- D. Freestanding Sign Setback Measurement. The required setback for freestanding signs shall be the distance between the sign's leading edge and the closest ultimate face of curb or edge of pavement.
- E. Sign Height Measurement. The height of a sign is the vertical distance measured from either the elevation of the nearest public or private sidewalk within twenty-five feet of the sign, to the upper most point of the sign structure, including architectural appendages, or from the lowest grade within twenty-five feet of the sign to the upper most point of the sign structure, including architectural appendages, whichever is lower.
- F. Awning Sign Measurement. All writing, representations, emblems, or figures forming an integral part of a display used to identify, direct, or attract the attention of the public shall be considered to be a sign for purposes of measurement. (Ord. 4185 § 1 (part), 1996; Ord. 3609 § 1 (part), 1989)

#### **18.50.050 Signs not subject to permit-Exempt signs.**

Due to their small size, temporary nature, limited time duration, limited aesthetic impact and strong community interest in identifying land uses, locations and historic structures, the following signs may be erected without a sign permit so long as they meet all applicable standards of this chapter, and construction and safety standards of the city:

- A. Business Vehicle Identification Signs.
- B. Nameplate Signs. Nameplate signs, which do not exceed a total of two square feet in area. Only one sign per street frontage shall be exempt.
- C. Commemorative Signs. Sign, tablet or plaque which does not exceed a total of two square feet. Only one sign per premises shall be exempt.
- D. Construction Signs. One construction sign per street frontage per premises and shall not exceed sixteen square feet in residential districts, or thirty-two square feet in nonresidential districts.
- E. Noncommercial Signs. Noncommercial signs which do not exceed one per premises and are not more than six square feet of sign area per face and six feet in height.
- F. Flags:
  - 1. Flags of the United States;
  - 2. Flags and insignias of the state of Colorado, the city of Loveland, Larimer County and nonprofit organizations exempt from federal tax, when displayed on premise, and where no single side exceeds forty-eight square feet in area;
  - 3. No more than three flags shall be exempt for each premise.
- G. Holiday Decoration Signs. As defined in Section 18.50.020.
- H. Information Signs. As defined in Section 18.50.020.
- I. Logos. As defined in Section 18.50.020, provided they are not used in connection with a commercial promotion or as an advertising device.
- J. Private Sale Signs. One on-premises private sale sign per street frontage which does not exceed four square feet per face. Signs shall be displayed only during the sale or event specified.

- K. Real Estate Signs. One sign is permitted per street frontage on the property being advertised. Real estate signs in residentially zoned districts shall not exceed eight square feet of sign area per face and six feet in height. Real estate signs in non-residentially zoned districts shall not exceed thirty-two square feet of sign area per face and seven feet in height. All surfaces incorporated into the sign and sign structure including, but not limited to, pole covers, monument style sign bases, and background surfaces shall be counted in the allowable sign area.
- L. Window Signs. Except as provided in Section 18.50.060.
- M. Works of Art. Fine art which in no way identifies a product, business or enterprise and which is not displayed in conjunction with a commercial enterprise, which enterprise may realize direct commercial gain from such display. (Ord. 5283 § 2, 2008; Ord. 4254 § 1 (part), 1997; Ord. 4219 § 1 (part), 1996; Ord. 4185 § 1 (part), 1996; Ord. 4124 § 2, 1995; Ord. 4089 §§ 3, 4, 1995; Ord. 3710 § 1, 1991; Ord. 3609 § 1 (part), 1989)

**18.50.060 Prohibited signs.**

The following signs are not permitted in any zoning district except as provided in Section 18.50.070:

- A. Animated and Flashing Signs. Signs either inside or outside a building and which are visible from a public right-of-way, except for automatic time and temperature signs and electronic message boards which do not change copy more frequently than every five seconds, and traditional barber poles, and searchlights as provided in Section 18.50.070;
- B. Roof Signs. Except as part of a planned sign program as provided for in Section 18.50.100 B;
- C. Off-premises signs;
- D. Portable signs, except for signs that comply with the provisions of Sections 18.50.070 and 18.50.075;
- E. Light Bulbs. Except as part of a planned sign program as provided for in Section 18.50.100 B or temporary signs as provided for in Section 18.50.070;
- F. Freestanding Signs Made of Paper or Other Impermanent Material. Signs of a nonpermanent nature such as cardboard, paper, cloth, plastic or similar material except as provided in Section 18.50.070;
- G. Signs in the public rights-of-way, except as provided in Section 18.50.030(B). (Ord. 4254 § 1 (part), 1997; Ord. 4219 § 1 (part), 1996; Ord. 3609 § 1 (part), 1989)

**18.50.070 Temporary signs.**

- A. The following objects and devices are hereby declared to be temporary signs, subject to the following requirements and limitations. Only the following temporary signs are allowed:
  1. Portable Signs: The following portable signs are allowed when used in conjunction with a legal business provided that not more than two types of portable sign may be used at one time and that the cumulative total time for all portable signs for each business does not exceed 60 days per calendar year:
    - a. Balloons and other types of lighter than air objects, which have no linear dimension greater than 2 feet.
    - b. Pennants, valances, or wind powered devices.
    - c. Banner or banners which do not cumulatively exceed 100 square feet in total sign area.
  2. Light bulbs: Light bulbs are allowed when used in conjunction with a temporary use and their use does not exceed 60 days per calendar year.
  3. Large Balloons: Balloons and other types of lighter than air objects which have a dimension greater than 2 feet and are secured to the property shall only be allowed for a maximum of 7 days for special events such as circuses, carnivals, festivals, grand openings and other similar events. Large balloons for special events are allowed provided that they are used only once every six months.
  4. Searchlights: Searchlights shall be allowed for a maximum of 3 days per calendar year.

- B. Location. All temporary signs allowed pursuant to Section 18.50.070 A.1.a. through c. shall be located only on a signable wall which adjoins the portion of the building occupied by the business with which the temporary sign is associated and shall not extend more than 20 feet from the front of the building or over any vehicular way or parking area. Any temporary sign located over a public walk-way shall have a minimum clearance of 8 feet. Balloons as defined in this Section 18.50.070 are allowed to extend a maximum of 8 feet over the top of a wall or parapet.
- C. Maintenance: All temporary signs shall be kept neatly finished and repaired, including all parts and supports. The Building Official and/or an authorized representative shall inspect and shall have authority to order the painting, repair, alteration or removal of a sign which constitutes a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation or obsolescence.
- D. Permits: All portable signs as defined in Section 18.50.070 A.1.a through c. and 18.50.070 A.3. and A.4. shall require a permit issued by the Building Division. Permit cards shall be displayed at the business with which the sign is associated until the permit expires or the temporary sign is removed. (Ord. 4254 § 1 (part), 1997; Ord. 4221 § 1 (part), 1996; Ord. 4185 § 1 (part), 1996; Ord. 4089 § 5, 1995; Ord. 3776 § 2, 1991; Ord. 3703 § 1, 1990; Ord. 3609 § 1 (part), 1989)

**18.50.075 Business vehicle identification signs.**

- A. Due to their aesthetic and economic impact, especially along business corridors and other major streets and highways, the following specific regulations for signs on business vehicles are necessary to carry out the purposes of this chapter. The following specific regulations shall not be applicable to signs on government and emergency vehicles. Business vehicle identification signs shall comply with the following standards:
  - 1. The vehicle, trailer, or semi-trailer (vehicle) to which a business vehicle identification sign is mounted, painted or otherwise affixed; (i) must be regularly used to provide the services or products offered by the business with which the sign is related; (ii) must be used for the regular operation of the business; and (iii) must not be primarily used to display signage.
  - 2. The vehicle to which a business vehicle identification sign is mounted, painted or otherwise affixed must be parked on the business premises with which the sign is related and in no case any closer than 50 feet to the public right-of-way; provided that if there is no parking on the business premises, the vehicle shall be legally parked.
  - 3. A business vehicle identification sign shall not project more than one (1) foot above the roofline of the vehicle to which it is mounted, painted, or otherwise affixed.
  - 4. It shall not be a violation of this Section 18.50.075 if the vehicle to which a business vehicle sign is mounted, painted or otherwise affixed is being used to travel home from work and is temporarily parked at or near the vehicle operator's residence or is otherwise temporarily parked way from the business premises while being used to provide the business' services or products or as personal transportation for the vehicle operator. (Ord. 4219 § 1 (part), 1996)

**18.50.080 Residential, commercial and industrial project identification signs.**

- A. Sign Area. The maximum sign area of a residential, commercial or industrial project identification sign shall be thirty-five square feet. The sign area shall only include the extreme limits of lettering, except when the surface area of the structure to which the sign is attached or affixed exceeds one and one-half times the area of the sign face, in which case all additional surface area will be included in the sign area measurement. The foregoing notwithstanding, this limitation shall not be applied when the sign is attached or affixed to a landscape planter bed constructed with quality design and materials such as masonry, timbers, or natural stone which has been approved by the Planning Division for the site, and meets the intent of the City of Loveland Site Development Standards. This limitation shall also not be applied when the sign is attached or affixed to a building which has been approved for the site by the Planning Division.

Logos of residential, commercial, or industrial projects up to four square feet in size shall not be counted as part of the sign area.

- B. Number. There shall be no more than two signs per project entry from an arterial or collector street as defined in the city's master street plan. Commercial and industrial project identification signs shall be counted as a freestanding sign for the premises on which it is located.
- C. Design. Wall signs shall be designed to present a unified and coordinated appearance, and be integrated into the overall design of the wall. The following sign characteristics shall be considered when identifying unity, coordination and integration: material, color, height, shape, and location on the wall.
- D. Height. Freestanding signs shall be a maximum of six feet in height.
- E. Lighting. Any lighting shall be indirect.
- F. Maintenance. All applicants shall provide adequate assurance acceptable to the city that the sign and the lot on which it is located will be maintained. (Ord. 4185 § 1 (part), 1996; Ord. 3609 § 1 (part), 1989)

**18.50.085 Project marketing signs.**

- A. Sign Area. The maximum sign area for a project marketing sign in residential zones and residential PUDs shall be fifty square feet. The maximum sign area for a project marketing sign in non-residential zones and non-residential PUDs shall be seventy-five square feet. The sign area shall include only the extreme limits of lettering and depictions, except when the surface area of any structure to which the sign is affixed exceeds fifty per cent of the area of the sign face, in which case all additional surface area will be included in the sign area measurement. Monument style sign bases and pole covers shall be included in calculating all such additional surfaces which are subject to the fifty per cent limitation.
- B. Number. There shall be no more than one sign per project entry from any adjacent street and no more than two signs per project or phase of a project.
- C. Height. Project marketing signs shall be no more than 12 feet in height.
- D. Lighting. Any lighting shall be indirect. All lighting shall be aimed and/or shielded to insure that no direct light is seen upon the driving surface of any streets or upon any nearby residential properties.
- E. Duration. Signs shall be allowed to remain for no more than 2 years following commencement of construction of the public improvements within the project or until such time that a permanent project identification sign, as defined in subsection 18.50.020, is installed, whichever is less.
- F. Maintenance. All applicants shall provide adequate assurance acceptable to the City that the sign and the lot or tract upon which it is located will be maintained in good condition at all times. (Ord. 5283 § 3, 2008 ;Ord. 4185 § 1 (part), 1996)

**18.50.090 Sign regulations for nonresidential uses in a residential zone.**

- A. General. Except as provided for in this section, all signs for nonresidential uses in residential zoning districts shall be limited to twenty square feet in size per face, unless otherwise approved in conjunction with a special review for the primary use. All such signs shall be unlit or indirectly lit. All lighting shall be aimed and/or shielded to insure that no direct light is seen upon any nearby street or upon any nearby residential property.
- B. Subdivision sales office. A subdivision sales office shall be entitled to one illuminated sign not to exceed ten square feet in size.
- C. Project Marketing Sign. A residential development shall be entitled to at least one project marketing sign, in accordance with the provisions of 18.50.085 of this title.
- D. Home Occupation Sign. No signs are allowed in conjunction with any home occupation. (Ord. 4185 § 1 (part), 1996)

**18.50.095 Sign setback from adjacent residentially zoned land.**

Any sign which requires a permit and which is accessory to a non-residential use adjacent to a residentially zoned property, shall be located at a point that is furthest from the residential property unless such sign is not visible from the residentially zoned property, provided that the sign is also located in a yard that is adjacent to any abutting streets. (Ord. 4185 § 1 (part), 1996)

**18.50.100 Sign regulations in nonresidential zones.**

The following regulations shall apply to all uses in nonresidential zoning districts. Included are districts Be, B, F, I and DR. In addition, within the downtown development authority boundary all signs shall comply with Section 18.50.110, and along Interstate Highway-25 (I-25), all signs shall comply with Section 18.50.120. All signs allowed pursuant to this section shall have their sign area applied to the total allowable sign area.

A. Basic Sign Regulations. Every business desiring signs as allowed by right in this code may apply for a sign permit and a permit shall be issued if all the provisions in this section are met.

1. Total Allowable Sign Area.

- a. The total sign area for all permitted signs shall not exceed two square feet per linear foot of building frontage for the first two hundred linear feet of building frontage, plus one square foot per linear foot of building frontage thereafter. No more than two sides of a building may be counted as building frontage. The total sign area for all sign faces shall be deducted from the total allowable sign area.
- b. However, each premises shall be at a minimum entitled to one freestanding sign per street frontage of fifty square feet per face and one wall sign per street frontage of thirty-two square feet in size so long as all other requirements of the sign code are met. Each business within a multi-tenant center shall be entitled to one wall sign per street frontage of thirty-two square feet in size.
- c. If permits are approved by the City for signs based on the minimum provisions of subsection b. above, the allowable sign area based on the building frontage as set forth in subsection a. above shall not be recognized by the City as allowable sign area.

2. Freestanding signs.

- a. Number: one per street frontage per premise located on each street frontage except with an approved planned sign program;
- b. Sign area: all freestanding signs which are setback eight feet or less from face of curb or edge of pavement shall be entitled to twenty-seven square feet of sign area. All freestanding signs setback more than eight feet from face of curb or edge of pavement shall be allowed 3.3 square feet of sign area per foot of setback up to a maximum of one hundred square feet per face. The maximum sign area of all faces of a freestanding sign shall be two times the maximum sign area per face allowed based on setback;
- c. Height: eight feet in height for the first eight feet of setback from face of curb or edge of pavement then one foot of height for each foot of setback thereafter up to a maximum height of twenty-five feet. However, should it be adequately demonstrated that the only feasible location for a freestanding sign is within the clear vision triangle due to the location of existing buildings, entrances and parking, or shallowness of the lot, staff may allow a freestanding sign up to a maximum height of fourteen feet;
- d. Setback: for purposes of determining the allowable sign area and height of a freestanding sign, the setback of a freestanding sign shall be measured from the face of curb or edge of pavement;
- e. Location: all freestanding signs shall be located on the premises so as to be compatible with required landscaping, including street trees at maturity, so that the public's view of the sign will not be obstructed;
- f. Sign modules: maximum of three;
- g. Changeable copy: if an electric or electronic message board is used, any message displayed must remain for a period of not less than five seconds;

- h. Freestanding sign area bonus: to encourage design excellence, the maximum sign area for freestanding signs if the freestanding sign is located entirely within a landscaped area. There shall be a maximum bonus of twenty percent for freestanding signs:
  - i. Integration with building structure: a ten percent bonus shall be provided if the freestanding sign is designed to integrate with the building structure. The sign will be considered integrated if the same or similar building materials and colors are used. If discrepancy occurs, the chief planner shall make the final decision,
  - ii. Landscaping: A ten percent (10%) bonus shall be provided if the freestanding sign is located entirely within a landscaped area. The bonus shall be granted if a minimum of four square feet of landscaping is provided for every one square foot of sign face. Only one face of the sign shall be counted. The portion of the sign on the ground shall not count toward landscaped square footage. To count as landscaping, seventy-five percent of the sign area landscaping shall be live plant cover within three years of normal plant growth. The percentage of live plant cover may be reduced to fifty percent when used in conjunction with a rock mulch of river cobbles of varying sizes; or forty percent when used in conjunction with flagstone, patterned concrete, brick pavers, or exposed aggregate concrete. If the freestanding sign is integrated into a raised planter box, the landscape area may be reduced to one square foot of landscaping for every one square foot of sign area to qualify for the bonus.
- 3. Building Mounted Signs. Each business shall be entitled to no more than one building mounted sign per signable wall. Building mounted signs may only be installed on a signable wall which adjoins that portion of the building occupied by the business or use with which the sign is associated;
  - a. Wall Signs.
    - 1. Size: no wall sign shall exceed one hundred square feet in sign area;
    - 2. Height: no wall sign or sign support shall extend above the top of wall or parapet wall of the building to which the wall sign is attached. Wall signs shall be allowed on a mansard-style roof, provided the roof is constructed at an angle of not less than forty-five degrees, as measured from the horizontal plane, and in such a manner that the sign is not silhouetted against the sky as viewed five feet above grade at the property line;
    - 3. Wall sign bonus: a ten percent sign area bonus shall be provided if all wall signs within a single or multi-tenant center are individual lettered signs.
  - b. Projecting signs.
    - 1. Location: No projecting sign is allowed to be located on the same street frontage as a freestanding sign;
    - 2. Sign area: projecting signs shall not exceed fifteen square feet in sign area per face with a maximum of thirty square feet for all faces;
    - 3. Projection: projecting signs shall not extend more than five feet from a building nor extend beyond the curblineline of any street or off-street parking area;
    - 4. Clearance: projecting signs shall provide a minimum of eight feet of clearance from the ground to the bottom edge of the sign when located over a public or private sidewalk;
    - 5. Height: the maximum height of projecting signs shall be twenty-five feet and shall not extend above the roof peak or parapet wall of the building to which it is attached.
  - c. Awning Signs.
    - 1. Location: awning signs shall not be allowed above the first story of a building;
    - 2. Sign area: the maximum amount of sign area allowed on an awning per street frontage shall be fifty square feet excluding banding and striping;
    - 3. Clearance: when extended over either a private or a public sidewalk, the minimum clearance from the lowest point of the awning to the top of pavement shall be eight

feet. No awning sign shall be allowed to project over a private or public vehicular way.

- B. Planned Sign Program Regulations. Owners or tenants of a premise desiring signs which vary from the basic sign regulations as contained in Section 18.50.100 A, may apply for approval of a planned sign program for the entire premises.
1. Total Allowable Sign Area. The total allowable sign area for all signs shall be based upon the requirements contained in subsection A1 of this section.
  2. Freestanding Signs.
    - a. Number: one per street frontage per premise. For a premise with more than five hundred feet of street frontage, one additional freestanding sign shall be allowed;
    - b. Sign area: 3.3 square feet of sign area per foot of setback up to a maximum of one hundred square feet per face. The maximum sign area of all faces of a freestanding sign shall be two times the maximum sign area per face allowed based on setback;
    - c. Height: one foot of height for each foot of setback up to a maximum height of twenty-five feet;
    - d. Setback: for purposes of determining the allowable sign area and height of a freestanding sign, the setback of a freestanding sign shall be measured from the face of curb or edge of pavement;
    - e. Location: all freestanding signs shall be located on the premises so as to be compatible with required landscaping, including street trees at maturity, so that the public's view of the sign will not be obstructed;
    - f. Freestanding sign area bonus: to encourage design excellence, the maximum sign area for freestanding signs for all nonresidential uses as set forth in this section may be increased by the percentages shown in this section if the criteria are met. There shall be a maximum bonus of twenty percent for freestanding signs:
      - i. Integration with building structure: a ten percent bonus shall be provided if the freestanding sign is designed to integrate with the building structure. The sign will be considered well integrated if the same or similar building materials and colors are used. If discrepancy occurs, the chief planner shall make the final decision,
      - ii. Landscaping: A ten percent (10%) bonus shall be provided if the freestanding sign is located entirely within a landscaped area. The bonus shall be granted if a minimum of four square feet of landscaping is provided for every one square foot of sign face. Only one face of the sign shall be counted. The portion of the sign on the ground shall not count toward landscaped square footage. To count as landscaping, seventy-five percent of the sign area landscaping shall be live plant cover within three years of normal plant growth. The percentage of live plant cover may be reduced to fifty percent when used in conjunction with a rock mulch of river cobbles of varying sizes; or reduced forty percent when used in conjunction with flagstone, patterned concrete, brick pavers, or exposed aggregate concrete. If the freestanding sign is integrated into a raised planter box, the landscape area may be reduced to two square feet of landscaping for every one square foot of sign area to qualify for the bonus;
    - g. Separation: minimum seventy-five linear feet between any two freestanding signs;
    - h. Sign modules: a maximum of three;
    - i. Changeable copy: changeable copy signs may be allowed as part of a freestanding sign if the changeable copy sign is designed to be an integral part of the sign. If an electric or electronic message board is used, any message displayed must remain for a period of not less than five seconds.
  3. Building Mounted signs. The maximum sign area per signable wall for all combined building mounted signs shall be fifteen percent of the wall surface area, including only the first story of the building. Building mounted signs may only be installed on a signable wall

which adjoins that portion of the building occupied by the business or use with which the sign is associated.

- a. Wall Sign.
  - i. Number: no limit with approval of a planned sign program;
  - ii. Size: a maximum of one hundred fifty square feet per signable wall for each business;
  - iii. Height: no wall sign or sign support shall extend more than one-third the width of the sign above a roof peak or above a parapet wall of a building to which the wall sign is attached. No sign shall be allowed on a roof with an angle less than forty-five degrees, as measured from the horizontal plane, or in such a manner as to be silhouetted against the sky as seen from the nearest street except as provided in this section;
  - iv. Wall sign bonus: a ten percent bonus in sign area shall be provided if all wall signs within a single or multi-tenant center are individual lettered signs.
- b. Projecting Sign.
  - i. Number: one projecting sign per wall per business with approval of planned sign program;
  - ii. Size: projecting signs shall not exceed 50 square feet per face with a maximum total of 100 square feet for all faces;
  - iii. Projection: projecting signs shall not extend more than ten feet from the building nor extend beyond the curblines of any street or off-street parking area;
  - iv. Clearance: projecting signs shall provide a minimum of eight feet of clearance from the ground to the bottom edge of the sign when located over a public or private sidewalk;
  - v. Height: the maximum height of projecting signs shall not extend above the top of the wall or parapet wall of the building to which it is attached.
- c. Awning Signs.
  - i. Location: awning signs shall not be allowed above the first story of a building;
  - ii. Sign-area: all signs on awnings shall be integrated into the overall design of the awning so as to present a unified appearance,
  - iii. Design: whenever a sign is placed on an awning, the awning shall be integrated into the overall design of the building to present a unified architectural theme
4. Freestanding Directory Signs. Freestanding directory signs are allowed on premises with more than four uses and provided that each of the following are met:
  - a. Number: one directory sign shall be allowed per pedestrian entry, not to exceed two directory signs per project;
  - b. Sign area: the maximum sign area shall be twelve square feet per sign face, with a maximum of twenty-four square feet for all faces;
  - c. Height: directory signs shall not exceed six feet in height;
  - d. Setback: directory signs shall be setback a minimum of fifty feet from a public right-of-way and shall be located to best serve its intended function.
5. Menu Boards. Both freestanding and wall menu board signs are allowed in conjunction with restaurant drive through, under the following restrictions:
  - a. Number: the maximum number of menu board signs allowed per site shall be two;
  - b. Sign area: the maximum sign area of a menu board shall be twenty-five square feet. For wall-mounted menu board signs, this area shall be in addition to all other wall-mounted signs;
  - c. Height: the maximum height of a menu board sign shall be six feet.
6. Entry/Exit Signs. Entry/exit signs which contain advertising material provided the entry/exit sign does not exceed four square feet and the area in advertising is included in the allowable square footage for freestanding signs.

7. Flags or pennants may be located on the tops of walls of a building so long as they are fixed to permanent poles no more than three feet in height and are architecturally integrated into the design of the building and into the sign program. No more than four such flags or pennants may be displayed on each wall of the building. All faces of such flags or pennants will be counted as part of the allowable sign area.
8. Planned Sign Program Requirements. An application form for a planned sign program shall include allowable square footage, sign locations, sizes, materials, colors, lighting, lettering type and structural support, and such other information as may be requested by the planning division. The application shall be signed by the property owner or the authorized representative of the property owner of the premise for which the application has been submitted. The sign program shall be designed to show unity and coordinate all signs within the project to a building and all other signs on the premise. The following sign characteristics shall be considered when identifying unity and coordination: material, color, height, lettering style, sign type, shape, lighting and location on a building.
9. Review Procedure. The planning division shall review the planned sign program and shall approve the application if it meets the findings required in subsection B11 of this section.
10. Findings Required. A planned sign program shall not be approved unless the planning division finds that the proposed signs are unified and coordinated with:
  - a. Other signs included in the planned sign program. This shall be accomplished by incorporating four common visual design elements chosen by the applicant such as material, letter style, colors, illumination, sign type, sign shape, or location on a building;
  - b. The buildings they identify. This may be accomplished by utilizing materials, colors, or design motif included in the building being identified.
  - c. When awning signs are used as part of a planned sign program, color must be incorporated as one of the approved four visual design elements.
11. Appeal of a Planning Division Decision. Should the applicant for a planned sign program not be satisfied with the decision of the planning division, the applicant shall have the right to request that the planning commission review and approve the proposed planned sign program. The planning division shall place the proposed sign program on the planning commission agenda no later than thirty days from the date of the request for planning commission review and approval.

The decision of the planning division shall be upheld unless the planning commission finds that the planning division findings are clearly erroneous, arbitrary or capricious. (Ord. 4185 § 1 (part), 1996; Ord. 3776 § 3, 1991; Ord. 3609 § 1 (part), 1989)

**18.50.110 Sign regulations for structures with minimal building setback along a street right-of-way or in the Downtown Sign District.**

This section shall apply when a building or structure is setback fifteen feet or less from face of curb or edge of pavement and/or within the boundary of the Downtown Sign District, which boundary is identified on Appendix A to this Chapter 18.50.

- A. Number of Signs. Except as otherwise specified in this section, a premises with a structure which is setback fifteen feet or less from face of curb or edge of pavement shall be allowed one wall sign per street frontage pursuant to Section 18.50.100 A. In addition to the allowance for one wall sign, such premise shall also be allowed to display sign messages on the front and/or side valance flap of an awning (Figure 18.50.110 -1) provided the total wall and awning sign area does not exceed the total sign area limitations of this section. Such awning signs shall be coordinated with the display of wall signs to provide easy readability of signs for both pedestrians and vehicles and shall comply with other standards of this section. The color of an awning sign shall be compatible with and complementary to the color and material of the building to which it is attached. Additionally, a planned sign program pursuant to Section 18.50.100 B, may be allowed with no specific limit on the

number of signs so long as the cumulative total of area in signs does not exceed the total area allowed pursuant to this section.

- B. Area of Signs. Except as otherwise specified in this section, the total cumulative sign area for a structure which is setback fifteen feet or less from face of curb or edge of pavement shall be ten percent of the first floor facade area, or thirty-two square feet, whichever is greater. For multistory buildings, only the facade area for the first story shall be used to calculate the allowed sign area.
- C. Downtown Signs. All signs within the boundary of the Downtown Sign District shall also comply with the provisions of this section.
  - 1. Historical Context and Pedestrian Scale. All signs allowed pursuant to this section shall be designed and integrated into the architecture of a building and street so as to enhance and preserve the historic character of the downtown area. Through appropriate design, signs can help recapture a sense of time and place in the downtown. Signs shall be designed at two levels to be most effective: (a) from the vantage point of a driver of an automobile traveling at ten mph, and (b) from the sidewalk at pedestrian scale.
  - 2. Architectural Compatibility of Signs. All signs allowed pursuant to this section shall be compatible and harmonious with the architectural style of a building and adjacent signs. For purposes of interpretation, a harmonious sign shall mean a sign which lends itself in character, material, color, design and style to a building and environment in which it is located.
  - 3. Downtown Sign Design Guidelines. The design guidelines for downtown Loveland shall be used when approving any sign within the Downtown Sign District. (Ord. 5230 § 1, 2007; Ord. 3609 § 1 (part), 1989)

**18.50.115 Portable Signs – Downtown Sign District.**

A. Portable Signs Allowed: For properties located within the boundaries of the Downtown Sign District, one portable sign shall be allowed. Such portable signs are intended to be directed at pedestrian traffic, shall minimize disruption of vehicular and pedestrian traffic and shall be located and designed to meet all requirements of this Section. For the purposes of this Section, a portable sign is any sign or advertising device, which rests on the ground and is not designed to be permanently attached to a building or permanently anchored to the ground.

B. Permit: No sign permit shall be required for portable signs permitted under this Section.

C. Size: The area of the portable sign shall not exceed (6) square feet. In measuring the area of the sign, the entire face of the sign (one side) shall be counted, irrespective of the area devoted to the sign message. Signs are permitted to have advertising on two faces of the sign. The maximum height of the sign shall be (4) four feet.

D. Removal: Portable signs permitted by this Chapter shall be allowed on display only during regular business hours of the business and shall be removed during non-business hours.

E. Placement:

1. Such signs may be located on private property or within the public right-of-way adjacent to the property (excluding any vehicular travel lane), provided the placement of the portable sign shall not interfere with vehicle access, pedestrian movement or wheelchair access to, through, and around the site.

2. A minimum unobstructed access width of five (5) feet shall be maintained along all sidewalks and building entrances accessible to the public. This measurement shall be made from the edge of the sidewalk or pedestrian passage to the nearest point of the sign.

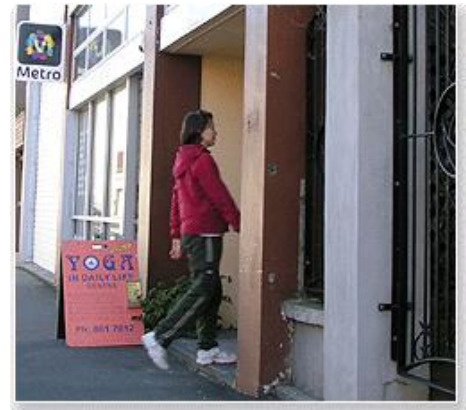
3. Such signs shall not be located in off-street parking areas, public roadways, a public landscape planter or landscape bed and may not be arranged so as to create sight distance conflicts at road intersections or driveways.

F. Material and Appearance:

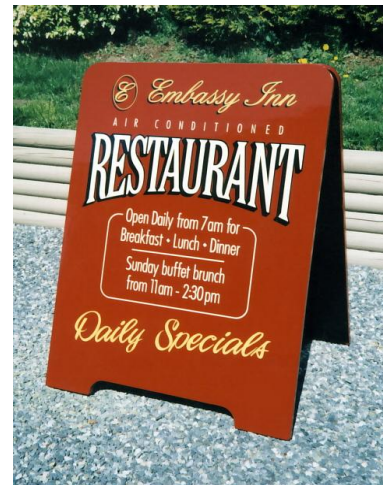
1. Portable signs shall be constructed of materials that are of a permanent nature and not subject to fading or damage from weather. The use of paper or cloth is not permitted unless located within a glass (safety glass) or plastic enclosure.

2. Portable signs shall be designed in an attractive manner to present an image of quality and creativity for downtown. Signs shall be maintained in a neat, orderly fashion so as not to constitute a public nuisance or hazard.

3. Portable signs shall not have electrical moving parts. Decorative or ornamental features related to the business may be permitted, but shall be maintained in good condition. (Ord. 5230 § 2, 2007)

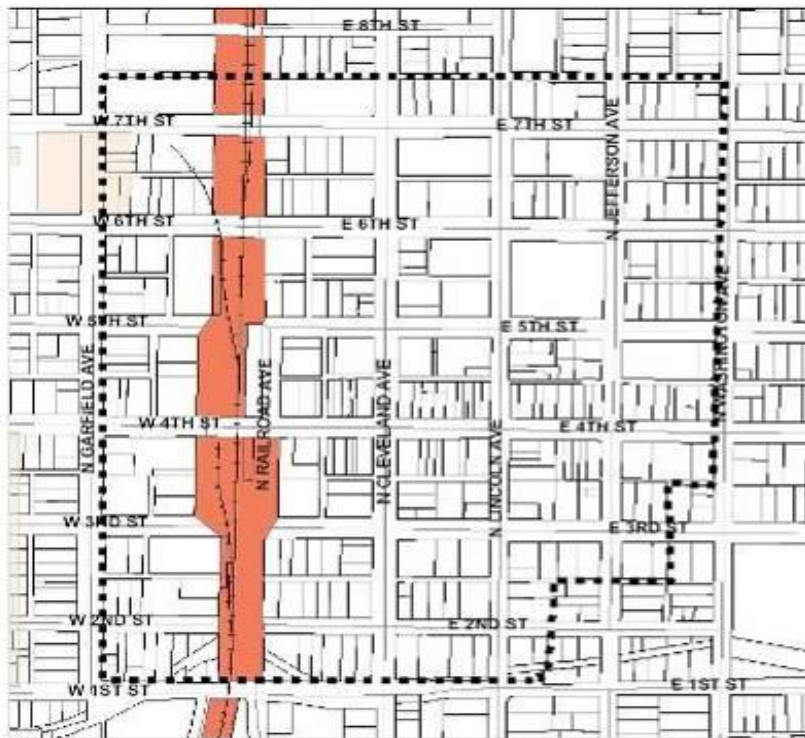


**Appropriate Placement of Portable Sign**



**Desirable Materials and Design**

## Appendix A



Former Downtown Development Authority Boundary



### 18.50.120 I-25 corridor.

The I-25 corridor shall apply to any premises in a nonresidential district which directly abuts or is within six hundred fifty feet of the right-of-way of I-25. This section applies only to freestanding signs.

- A. Sign area: the maximum sign area of a freestanding sign shall be one hundred fifty square feet per face before bonuses are applied as specified in Section 18.50.100;
- B. Height: the maximum height for freestanding signs shall be thirty feet;
- C. Setback: none;
- D. Number: one freestanding sign shall be allowed for properties with five hundred feet or less abutting I-25. Any property abutting I-25 for more than five hundred feet shall be allowed a maximum of two freestanding signs.
- E. Items of information: all freestanding signs established under this section shall be limited to ten items of information. An item of information is a word, an initial, a logo, an abbreviation, a number, a symbol, or a geometric shape;
- F. All other sign regulations: all other sign regulations in this chapter shall be applied within this I-25 corridor area. (Ord. 3609 § 1 (part), 1989)

### 18.50.130 Sign regulations for signs in the Highway 34 corridor.

All signs which require a permit and which are accessory to a building or use located within the Highway 34 Corridor, as it is described in the City of Loveland 1994 Comprehensive Master Plan, shall comply with the design guidelines for signs as contained in the Highway 34 Corridor Plan incorporated into the City of Loveland 1994 Comprehensive Master Plan. Any variance or deviation from these

guidelines shall be allowed only if approved through the variance process, as set forth in Chapter 18.60 of this Title. (Ord. 4185 § 1 (part), 1996)

**18.50.135 Sign regulations for convenience stores.**

In addition to all other provisions of this chapter, the following additional regulations shall be applicable to all signs located on a premise developed as a convenience store:

- A. All signs on convenience store sites must conform to the requirements and limitations of a planned sign program as described in Section 18.50.100.B. of this chapter.
- B. Freestanding signs: all freestanding signs or price reader boards shall not exceed eight feet in total height, shall have a monument style base, and shall not exceed thirty-two square feet in sign area per face.
- C. Canopy signs: signs located on the canopy may be located only on the canopy fascia and shall be limited to one corporate or business logo, of the principal use only, on each side of the canopy which is visible from a public or private street. Such logos shall have a vertical dimension no greater than seventy-five per cent of the vertical dimension of the canopy fascia and shall be no greater than twelve square feet in sign area per logo.
- D. Amortization: all legal non-conforming signs installed on premises developed as convenience store sites before October 9, 1989 shall be subject to the provisions of Section 18.50.150.C. (Ord. 4221 § 1 (part), 1996)

**18.50.140 Maintenance.**

All signs shall be maintained in good condition at all times. All signs shall be kept neatly finished and repaired, including all parts and supports. The building official or his or her authorized representative shall inspect and shall have authority to order the painting, repair, alteration or removal of a sign which constitutes a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation or obsolescence. (Ord. 3609 § 1 (part), 1989)

**18.50.145 Abandoned/obsolete signs.**

Any sign which is associated with a business which is no longer being conducted, or a product no longer being offered, from the premises on which the sign is located, shall have the sign face altered so that the message is no longer visible to the public within ninety days upon the cessation of such business or sale of such product. (Ord. 3609 § 1 (part), 1989)

**18.50.150 Nonconforming signs.**

- A. Termination of Legal Nonconforming Signs. A legal nonconforming sign shall either be amortized as prescribed in Section 18.50.150 C or comply with this chapter or be removed if any one of the following conditions occur:
  - 1. If a change of use occurs as defined in this title or the type of use terminates for ninety days or longer;
  - 2. The nonconforming sign becomes a hazard or a danger as defined in Section 3.02 of the Uniform Code for the Abatement of Dangerous Buildings and is not brought into compliance pursuant to subsection B1b of this section;
  - 3. The use or building with which the nonconforming sign is associated expands either singularly or cumulatively, its building gross floor area, outdoor retail/display area, or outdoor storage area by at least twenty-five percent of the gross floor area at the time of this code's adoption;
  - 4. The structural support of a nonconforming sign is altered to the extent that a building permit is required;
  - 5. The nonconforming sign structural support is modified or the original support materials are replaced to the extent that a building permit is required or a nonconforming sign module is substantially modified to the extent that a building permit is required;

6. The nonconforming sign is relocated on the same or different premises and will still be in noncompliance with this chapter;
  7. The nonconforming sign is damaged or destroyed and the cost of reconstruction or repair is sixty percent or more of its depreciated value at the time it is damaged or destroyed;
  8. The principal building or use with which the sign is associated is demolished or destroyed.
- B. Prohibited, illegal, nonconforming, abandoned or hazardous signs are declared nuisances and shall not be allowed within the city nor continued by variance. If any person fails to comply with the provisions of this chapter, in addition to the penalty provided therefore, a written order may be served upon the owner or agent in charge of such property, such order to be served personally or by mail, requiring the abatement of the nuisance within fifteen days, excluding weekends and official holidays, after mailing such notice. Such notice shall also advise the owner or agent of his or her right to appeal pursuant to Section 18.60.030. If the abatement has not occurred within the stated time and an appeal has not been filed pursuant to the provisions of Section 18.60.030, then the city may remove said sign, provided that the sign is either an off-premise sign, portable sign, free standing sign made of paper, balloons, pennants or banners, and charge the direct cost incurred by the city for removal of the sign, including five percent for inspection and other incidental costs in connection therewith, upon the land and such assessment is a lien until paid. In addition to any other means provided by law for collection, if any such assessment is not paid within thirty days after it is made and notice thereof is mailed, the same may be certified by the city clerk to the county treasurer and by him placed upon the tax list for the current year, and thereby collected in the same manner as other taxes are collected, with ten percent penalty thereon to defray the cost of collection.
- C. Amortization. The right to keep, own, use, maintain or display a sign prohibited by the terms of this chapter as a nonconforming sign shall cease and terminate in accordance with the following schedule:
1. Any existing nonconforming sign for which a sign permit has been issued pursuant to a previously adopted code, excluding prohibited signs, which exceeds only the maximum sign area for each sign or maximum height limitations of this code, as specified in Section 18.50.100, by twenty percent or less shall be considered a conforming sign and shall not need to be removed or altered. However, should said sign structure be replaced or renovated, excluding routine maintenance, said sign shall lose its conforming status and shall comply with all requirements of this code.
  2. All signs illegally erected and all signs regulated under Section 18.50.060, except roof signs, shall be brought into conformity with this chapter on or before January 7, 1990. Signs erected more than three years before the effective date of the ordinance codified in this chapter are not presumed to be illegal merely because a sign permit is not on file with the building division. Other factors including the size, setback, height and applicable regulations on the date of erection or installation of the sign will be considered in determining whether or not a sign was illegal when erected or installed.
  3. All nonconforming signs which have been approved by the city through the variance or special review processes, or issued a sign permit which do not meet the requirements of this chapter, shall be considered legal nonconforming signs and shall comply with the provisions of the sign code as required in this section, and be subject to amortization.
  4. All existing nonconforming signs, including roof signs, but excluding those signs specified in subsections 1 and 2 of this subsection C, shall be brought into compliance with the requirements of this sign code on or before November 1, 1998.
  5. All nonconforming signs located on property annexed into the city after adoption of this code shall comply with all the provisions of this chapter, including this section. The amortization period shall commence on the effective date of the annexation. The amortization period for such signs shall be three years, unless otherwise determined by the City Council as a condition of annexation.

6. Any existing sign which is brought into compliance with this chapter within four years from the date of adoption of this chapter, shall be entitled to a ten percent sign area bonus.
- D. Historic Signs. Notwithstanding any other provisions in this title, an historic sign may be kept, used, owned, maintained and displayed, subject to the following conditions:
1. The sign and the use has been at its present location since 1956;
  2. The sign is not an off-premises sign;
  3. The sign is structurally safe or capable of being made structurally safe without substantially altering its historic character. All structural repairs and restoration of the sign to its original condition shall be made within sixty days of approval of the application for designation as an historic sign;
  4. The sign is representative of signs from the era in which it was constructed and provides evidence of the historic use of the building or premises;
  5. A permit for such sign has been issued designating the sign as an historic sign.
- E. All signs which have been designated as historic signs shall be exempt from subsection B. of Section 18.50.150 relating to abandoned signs so long as the sign continues to meet all the requirements of this section. (Ord. 4185 § 1 (part), 1996; Ord. 3897 §§ 1, 2, 1993; Ord. 3788 § 1, 1991; Ord. 3776 § 4, 1991; Ord. 3631 § 2, 1989; Ord. 3609 § 1 (part), 1989)

### **18.50.160 Approval procedures.**

- A. Sign Permit Required.
1. Except as provided in Section 18.50.050, it shall be unlawful to display, erect, relocate, or alter any sign without first filing with the city an application in writing and obtaining a sign permit.
  2. When a sign permit has been issued by the city, it shall be unlawful to change, modify, alter, or otherwise deviate from the terms or conditions of said permit without prior approval of the city. A written record of such approval shall be entered upon the original permit application and maintained in the building permit files of the building division.
- B. Application for Permit.
1. 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, or a sign contractor licensed by the city. Such application shall be made in writing on forms furnished by the city and shall be signed by the applicant.
  2. The city shall, within five 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.
- C. Plans, Specifications and Other Data. The application for a sign permit shall be accompanied by the following plans and other information:
1. The name, address, and telephone number of the owner or persons entitled to possession of the sign and of the sign contractor or erector;
  2. The location by street address of the proposed sign structure;
  3. Complete information as required upon the application forms provided by the city including but not limited to:
    - a. Elevation drawings of the proposed sign showing the dimensions of the sign and, where applicable, the dimensions of the wall surface of the building to which it is to be attached,
    - b. The dimensions of the sign's supporting members,
    - c. The maximum and minimum height of the sign,
    - d. The proposed location of the sign in relation to the face of a building, in front of which it is to be erected,
    - e. A site plan showing the proposed location of the sign in relation to the boundaries of the lot upon which it is to be situated and other building improvements,

- f. Where the sign is to be attached to an existing building, a current photograph of the face of the building to which the sign is to be attached,
  - g. A sign elevation indicating overall the letter/figure/design dimensions, colors, materials proposed, copy/wording/verbiage and illumination/lighting/beam method to be used;
  - 4. Plans indicating the scope and structural detail of the work to be done, including details of all connections, guidelines, supports and footings, and materials to be used;
  - 5. Application for, and required information for such application, and electrical permit for all electric signs if the person building the sign is to make the electrical connection;
  - 6. A statement of valuation.
- D. Interpretation.
- 1. The provisions of this chapter are not intended to abrogate any easements, covenants, or other existing agreements which are more restrictive than the provisions of this chapter;
  - 2. Whenever the application of this chapter is uncertain due to ambiguity of its provisions, the question shall be referred to the planning commission for determination. The planning commission shall then authorize signing which best fulfills the intent of this chapter.
  - 3. If any section, subsection, sentence, clause, phrase or portion of this code is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions hereof.
- E. Fee Required. The application for a sign permit under this section shall be accompanied by a fee established by resolution of the city council to cover the cost of handling the application as prescribed by this chapter. (Ord. 3609 § 1 (part), 1989)

**18.50.170 Enforcement, legal procedures and penalties.**

It shall be unlawful for any person to erect, maintain, or allow upon any property over which they own, manage, lease or control, any sign which is not permitted pursuant to the provisions of this sign code. Enforcement, legal procedures and penalties shall be in accordance with Chapter 18.68 of this title. Additionally, unauthorized signs on public property may be confiscated by the city and held pending notification of the owner by the city. The owner may obtain said signs from the city manager upon payment of a confiscation and storage charge in an amount established by the city council. For the purposes of the enforcement of this chapter, the Building Official and his or her designee is authorized and duly appointed to issue summonses and complaints and penalty assessment notices for a violation of this chapter only. (Ord. 4089 § 6, 1995; Ord. 3788 § 2, 1991)

**18.50.180 Variances.**

Applications for a variance from the terms of this chapter shall be reviewed by the zoning board of adjustment according to Chapter 18.60 of this title. (Ord. 3609 § 1 (part), 1989)

**18.50.190 Appeals.**

A decision of the current planning manager relative to the provisions of this chapter may be appealed to the zoning board of adjustment according to Chapter 18.60 of this code. (Ord. 4185 § 1 (part), 1996)