

**ORDINANCE NO. 01-18**

**AN ORDINANCE AMENDING THE ESTES PARK MUNICIPAL CODE REGARDING  
CHAPTER 17.66 SIGNS**

**WHEREAS**, on November 21, 2017, the Estes Valley Planning Commission conducted public hearings on proposed text amendments to the Estes Park Municipal Code, Chapter 17.66 Signs; and

**WHEREAS**, on November 21, 2017, the Estes Valley Planning Commission voted to recommend approval of the text amendment; and

**WHEREAS**, the Board of Trustees of the Town of Estes Park finds the text amendment complies with requirements of Colorado Revised Statutes, and has determined that it is in the best interest of the Town that the amendment to the Estes Park Municipal Code, as set forth on Exhibit A, be approved; and

**WHEREAS**, said amendment to the Estes Park Municipal Code is set forth on Exhibit A, attached hereto and incorporated herein by this reference:

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF  
THE TOWN OF ESTES PARK, COLORADO:**

Section 1: The Estes Park Municipal Code shall be amended as more fully set forth on Exhibit A.

Section 2: This Ordinance shall take effect and be enforced thirty (30) days after its adoption and publication.

**PASSED AND ADOPTED** by the Board of Trustees of the Town of Estes Park, Colorado, this 23<sup>rd</sup> day of January, 2018.

TOWN OF ESTES PARK  
/s/Todd Jirsa, Mayor

ATTEST:  
/s/Jackie Williamson, Town Clerk

I hereby certify that the above Ordinance was introduced and read at a regular meeting of the Board of Trustees on the 23<sup>rd</sup> day of January, 2018 and published in a newspaper of general circulation in the Town of Estes Park, Colorado, on the 26<sup>th</sup> day of January, 2018, all as required by the Statutes of the State of Colorado.

/s/Jackie Williamson, Town Clerk

## EXHIBIT A

### Estes Park Town Board of Trustees

[January 23, 2018]

#### Chapter 17.66 Signs

##### Chapter 17.66.010 Title.

This Chapter shall be known and cited as the “Town of Estes Park Sign Code.”

##### 17. 66.020 Intent and Purpose

The purpose of this Chapter is to protect the health, safety and welfare of the citizens by providing for uniform control of signs. It is the intent of the regulations set forth in this Chapter to:

- (1) Encourage the effective use of signs as a means of communication in the Town;
- (2) Enhance economic development opportunities for the community;
- (3) Provide for a safe and efficient transportation network;
- (4) Ensure that pedestrians, motorists, travelers, and other citizens are protected from damage or injury caused or attributable to the distractions and obstructions which are caused by improperly situated signs;
- (5) Minimize the adverse effect of signs on nearby public and private property;
- (6) Preserve Estes Park area’s natural scenic beauty;
- (7) Improve the aesthetic appearance of Estes Park.

The Town intends to provide a reasonable balance between the right of an individual to convey a message, and the right of the public to be protected from the visual discord that results from unrestricted proliferation and uncoordinated placement of signs.

This Chapter is not intended to and shall not regulate: (a) building design, exclusive of sign regulatory elements; or (b) the content and message of signs.

##### 17.66.040 Definitions

For the purposes of this Chapter, the following words and terms shall have the meanings set forth in this Definitions subsection. Other words and phrases shall be given their common, ordinary meaning, unless the context clearly requires otherwise.

“Abandoned sign” means a sign that no longer identifies or advertises a bona fide business, service, or product. An abandoned sign is not defined as a nonconforming sign.

“Animated sign” means any sign that uses movement or change of lighting to depict action or create a special effect. An animated sign is not defined as a changeable copy sign for purposes of this Section.

“Area, sign” See “Sign display area”

“Banner” means any wall sign made of fabric, plastic, or other non-rigid material with no enclosing framework. A banner is deemed to be a type of temporary sign.

“Beacon” means any light with one or more beams directed into the atmosphere or directed at one or more points not on the same lot as the light source; also, any light with one or more beams that rotate or move.

“Billboard” means an off-premise sign on a permanent structure on which the copy may be periodically changed, typically designed for viewing from interstate or primary arterial corridors. An off-premise sign on a permanent structure with sign display area of two hundred (200) square feet or more is deemed to be a billboard for purposes of this Chapter.

“Building marker” means any sign indicating the name of a building and date and incidental information about its construction, which sign is an integral part of a masonry surface or made of bronze or other permanent material.

“Building frontage, street” means the width of a building parallel to the street frontage. In a shopping center or mall where buildings do not have direct access or frontage on a street, the building frontage is defined as the width of the building parallel to the public parking lot frontage.

“Canopy sign” means any sign that is a part of or attached to an awning, canopy, marquee or other fabric, plastic, or structural protective cover over a door, entrance, window, sidewalk or outdoor service area.



Canopy Sign

“Changeable copy sign” means a sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged without altering the face or the surface of the sign, either manually through the use of attachable letters or panels, or electronically using incandescent bulbs, liquid crystal displays (LCDs), light emitting diodes (LEDs), or similar technologies. An off-premise sign on which the message changes more than seventy-two (72) times in any given twenty-four (24) hour day is defined as an animated sign and not a changeable copy sign for purposes of this Chapter.

“Commercial message” means any sign wording, logo, or other representation that names, advertises, or calls attention to a business, product, service, or other commercial activity.

“Commemorative sign” means a sign, tablet, cornerstone or plaque less than ten (10) square feet memorializing a person, event, structure or landmark.

“Construction sign” means a temporary sign placed in advance of occupancy of a building or structure indicating the name of the building or structure, the contractor, and other information regarding the building or structure.

“Directional sign” See “Off-premise directional sign” or “On-premise directional sign”.

“Electronic message center (EMC)” means a sign which meets the definition herein of either an “On-premise Electronic Message Center (EMC)” or an “Off-premise Electronic Message Center (EMC)”.



“Electronic message center (EMC), monochrome” means a sign which meets the definition herein of either an “On-premise Electronic Message Center (EMC)” or an “Off-premise Electronic Message Center (EMC) and displays only one color within any given eight (8) second period of time, excluding black and white.

sign which meets

“Electronic message center (EMC), multicolor” means a sign which meets the definition herein of either an “On-premise Electronic Message Center (EMC)” or an “Off-premise Electronic Message Center (EMC) and displays more than one color at any given time, excluding black and white.

“Festoon” means a string of ribbons, tinsel, pennants, or pinwheels.

“Flag” means any fabric or bunting containing distinctive colors, patterns, or symbols, used as a symbol of a government, political subdivision, or other entity, or displaying a noncommercial message.

“Freestanding sign” means any sign supported by structures or supports that are placed in, or anchored in, the ground and that are independent from any building or other structure. Freestanding signs as defined herein are deemed to include monument signs and pole signs.

“Fuel price sign” means an on-premise sign, located on property whose primary use is retail dispensing of fuel and fuel products, and that displays any or all of the following elements: (a) the name or logo of the business on which premises the fuel dispensing activity occurs; (b) the per-unit price(s) of fuel(s) to be dispensed on the premises.

“Governmental sign” means a sign installed by a unit of federal, state or local government whose purpose and function is control of traffic or other regulatory purposes, including government facility identification signs, street signs, detour signs, danger signs, railroad crossing signs, and temporary or permanent signs erected by or on the order of a public officer in the performance of his public duty. This term is deemed to include signs of public service entities whose purpose and function is control of traffic or other regulatory purposes, including hazard or danger warning signs and similar aids

to service safety.

“Holiday decorations” means noncommercial signs, graphics, or other materials that are temporarily displayed during civic, patriotic, cultural, and/or religious holidays.

“Home occupation” means a business, profession, occupation or trade that is conducted for gain as an accessory use within a dwelling unit, or an accessory building by a resident of the dwelling unit.

“Incidental sign” means a sign, generally informational, that has a purpose secondary to the use of the lot on which it is located, such as "no parking," "loading only," "telephone," and other similar directives. No sign with a commercial message legible from a position beyond the boundary of the lot on which the sign is located is deemed to be incidental. A sign that meets the definition of an on-premise directional sign is not defined as an incidental sign.

“Monument sign (low profile sign)” means a freestanding sign that is composed of a solid base structure between finished grade and the topmost point of the sign structure, such that the base length at grade equals seventy percent (70%) or more of the maximum sign length, measured parallel to the widest horizontal dimension of the sign face(s).



Monument sign

“Multi-tenant complex” means a lot or parcel that contains multiple business entities contiguous to a common parking lot.

“Neon-style sign” means a sign that utilizes electrically charged neon or other inert gas contained within a vacuum tube to generate light. “Neon-style sign” may also mean a sign that uses other technology to mimic or reproduce the visual appearance of gas-containing tubes, such as LED light source(s) within flexible light-diffusing tubes. The sign message is created by bending and forming the tubes into lettering and/or iconic graphical shapes.



Multi-tenant sign

“Nonconforming sign” means any sign that was lawfully established prior to the effective date of this Chapter or a subsequent amendment thereto, but does not conform to the requirements of this Chapter.

“Off-premise sign” means a stationary sign that advertises or displays commercial information about a commercial or business establishment, good, facility, service or product that is not sold, conducted or offered on the lot, property or premises on which the sign is located.



Off-premise sign

“Off-premise electronic message center (EMC)” means a changeable copy or animated sign that utilizes a computer or other electronic controlled means to change and control the message displayed, and that advertises or displays commercial information about any commercial or business establishment, good, facility, service or product that is not sold, conducted or offered on the lot, property or premises on which the sign is located. An off-premise EMC may use incandescent lamp, LCD, LED or other illuminated display technologies. An off-premise EMC whose copy changes more than seventy-two (72) times in any given twenty-four (24) hour day is defined as a type of animated sign; any other EMC is defined as a type of changeable copy sign. An off-premise EMC that also meets the definition of a billboard as defined herein is deemed to be a type of billboard for purposes of this Chapter.

“On-premise sign” means a sign that is located upon the lot, property, or premises of the activity to which it refers. To be classified as an on-premise directional sign, the subject sign shall display only a business name or logo and directional information.

“On-premise directional sign” means a sign located upon the lot, property, or premises of the activity to which it refers that directs the movement or placement of pedestrian or vehicular traffic.

“On-premise electronic message center (EMC) ” means a changeable copy or animated

sign that utilizes a computer or other electronic controlled means to change and control the message displayed, and that is located on the same lot, property or premises to which all sign messages refer. An on-premise EMC may use incandescent lamp, LCD, LED or other illuminated display technologies. An on-premise EMC whose copy changes more than seven and one-half (7.5) times in any given minute is defined as a type of animated sign; any other on-premise EMC is defined as a type of changeable copy sign.

“Pennant” means any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind.

“Pole (pole-style) sign” means a freestanding sign that is supported by one (1) or more columns, uprights, poles or braces extended from the ground or from an object on the ground.

“Portable sign” means any sign not permanently attached to the ground or other permanent structure and designed to be transported, including, but not limited to, signs designed to be transported by means of wheels or signs converted to A- or T-frames. For purposes of this Chapter, a portable sign shall be classified as either: (a) a temporary sign; or (b) a vehicle sign, as applicable.

“Principal building” means the building in which is conducted the principal use of the lot, on which it is located. Lots with multiple principal uses may have multiple principal buildings, but storage buildings, garages, and other clearly accessory uses are not deemed to be principal buildings.

“Principal street frontage” for properties with frontage on more than one public street, the property owner at his discretion shall designate the principal street frontage to be either: (a) the street with the longest frontage, or (b) the street with the highest functional use.

“Projecting sign” means any sign affixed to a building or wall in such a manner that its leading edge extends more than twelve (12) inches beyond the surface of such building or wall.



*Projecting sign*

“Revolving sign” means a sign that has the ability to turn at least 180 degrees. All or a portion of the revolving sign shall be capable of revolving under external or internal control.

“Roof sign” means any sign erected and constructed wholly on and c building, supported by the roof structure, and extending vertically above the highest portion of the roof, or any sign painted on the roof of a building.

“Sandwich board sign” means a portable self-supporting sign with one or more faces, typically designed with an A-frame (i.e., upside-down “V”) or similar shape.

“Setback” means the distance from the property line to the nearest part of the sign, measured perpendicularly to the property line or right-of-way.

“Sign, signage” means any device, fixture, placard, or structure that uses any color, form, graphic, illumination, symbol, or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public. The term “signage” is deemed to be identical to the term “sign”, whether singular, plural, or collective. A graphic display whose purpose and function is purely decorative or artistic in character, that is recognizable as such to a typical observer, and that is not intended to convey a particular message, is not deemed to be a sign for purposes of this Chapter.

“Sign display area (individual) ” means the area of a sign face (which is also the sign display area of a wall sign or other sign with only one face) shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof that will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework, bracing, or decorative fence or wall when such fence or wall otherwise meets zoning regulations and is clearly incidental to the display itself.

“Sign display area (multi-faced)” means the sign display area for a sign with more than one face shall be computed by adding together all individual sign display areas visible from any one point. When two identical sign faces are placed parallel (back-to-back), so

that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure and are not more than twelve (12) inches apart, the sign display area shall be computed by the measurement of the individual sign display area on one face.

“Sign height” means the height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign structure. Normal grade shall be construed to be the lower of: (1) existing grade prior to construction; or (2) the newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign.

“Suspended sign” means a sign that is suspended from the underside of a horizontal plane surface and is supported by such surface.

“Temporary sign” means any sign that is used only temporarily and is classified as either: (a) Special-Event Temporary Signs, (b) Supplemental Temporary Signs.

“Temporary sign (special-event temporary sign)” means any temporary sign that is displayed in association with a town approved event of limited duration that is of special importance to the greater Estes Park community. For purposes of this Chapter, temporary signage for a special event whose duration is two (2) consecutive weeks or longer shall not be classified as special-event temporary signage.

“Temporary sign (supplemental temporary sign)” means any temporary sign that is not classified as a special-event temporary sign.

“Time-temperature sign” means a sign that displays only an electronic or mechanical indication of time, temperature, or both. A time-temperature sign is exempt for purposes of this Chapter, without respect to frequency or duration of the changeable copy message.

“Total sign display area” means the total aggregate sign display area permitted to an individual or business, including all on-premise and off-premise signs.

“Vehicle sign” means any sign which is painted on, affixed to or otherwise mounted on any vehicle or on any object which is placed on, in or attached to a vehicle that is parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operations of a business. For the purposes of this definition, the term “vehicle” is deemed to include trucks, buses, vans, railroad cars, automobiles, tractors, trailers, motor homes, and semi-tractors.

“Wall sign” means any sign attached parallel to, and within twelve (12) inches of, a wall, painted on the wall surface, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, and which displays only one sign surface.



Wall sign

“Wayfinding sign” means an off-premise directional sign, located within a right-of-way or on public property that guides the traveling public to key noncommercial civic, cultural, visitor, or recreational destinations within Estes Park. A wayfinding sign is deemed to include an off-premise directional sign guiding the traveling public to a specific neighborhood or district within the Town of Estes Park.

“Window sign” means any sign, pictures, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale, or service, that is permanently affixed inside or upon a window and is visible from the exterior of the window.



Window sign

“Wind sign” means a sign consisting on one (1) or more 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, supplemental or special event temporary signs.

#### **17.66.041 General Requirements**

##### **(a) Sign Permit Requirements**

- (1) Unless otherwise provided by this chapter, all signs shall require a permit.
- (2) If a sign requiring a permit under the provision of this chapter is to be placed, constructed, erected, or modified on a lot, property or premise, the owner or designee of

the lot, property or premise shall secure a sign permit prior to the construction, placement, erection, or modification of such a sign.

- (3) A permit shall not be required for a modification to an existing sign that changes only the message content thereof and does not alter or affect the sign structure in any other way. Examples of such changes that do not require a permit include, but are not limited to: Repainting faded lettering or graphics; replacing visibly worn materials in the sign display area, such as plastic lettering; or changing the sign copy to reflect a change in message.
- (4) A permit shall not be required for changing the message content of an Electronic Message Center (EMC), provided that all requirements of Section 17.66.110(h) Electronic Message Center [EMC] Signs) are met.

#### **(b) Installation, Maintenance**

All signs shall comply with all applicable code provisions as adopted by the Town, in addition to the requirements of this Chapter. The Community Development Department shall have the right to order the repair or removal of any sign which is defective, damaged, or substantially deteriorated.

#### **(c) Illumination (Except Electronic Message Center signs)**

Illumination of a sign (except Electronic Message Center signs) shall be regulated as specified in this Section 17.66.110(h). Illumination of signage shall be allowed, with the following provisions:

- (1) No flashing lights, or rotating or revolving beams shall be used;
- (2) All direct light shall be directed toward the sign and away from any residential areas and public rights-of-way;
- (3) All lamps or luminance-generating fixtures for external, reflected illumination of signs shall be shielded such that the lamp or luminance-generating fixture is not directly visible from any residential property, from any public right-of-way, or from any point higher than the uppermost point of the subject sign;
- (4) Sign illumination shall generally be designed and directed such that the illuminated area lies at or below the horizontal plane corresponding to the topmost point of the sign structure, and any illumination of the area above the sign's topmost point shall be minimal and incidental;
- (5) Any illumination that is provided by artificial light shall be constant in direction, intensity, and color;
- (6) Signs shall not have exposed incandescent lamps exceeding fifteen (15) watts per bulb. Signs shall not have exposed neon or fluorescent lamps exceeding four hundred (400) lumens per foot.

#### **(d) On-Premise Directional Signs**

An on-premise directional sign shall contain no message(s) other than business name or logo and directional information.

#### **(e) Noncommercial Signage**

Signs containing noncommercial speech or messages shall be permitted anywhere that commercial, business or advertising signs are permitted under this Chapter, subject to the same regulations applicable to such signs.

#### **17.66.050 Exempt Signs**

The following signs may be erected without a sign permit. These exempt signs shall not be included in the determination of the total allowable number of signs or total allowable sign area for a business. All signs shall meet all applicable setback, construction, illumination and safety standards. Any signs larger in size or with any different standards than stated in this Section shall be required to obtain a sign permit.

- (1) Barber poles (whether revolving or stationary);
- (2) Building markers, plaques, or cornerstones;
- (3) Time-temperature signs that do not exceed thirty-two (32) square feet in sign display area;
- (4) Commemorative signs;

- (5) Construction signs that do not exceed thirty-two (32) square feet in sign display area and seven (7) feet in sign height;
- (6) Display of street addresses or numbers;
- (7) Flags of any governmental unit (nation, state, etc.), or flags with a noncommercial message;
- (8) Fuel price signs, provided the copy area devoted to displaying fuel pricing is 32 square feet or less per each price displayed, and provided that any fuel price sign that also meets the definition of an on-premise electronic message center (EMC) conforms to this Chapter's regulations governing same;
- (9) Governmental signs for control of traffic and other regulatory purposes, including street signs, detour signs, danger signs, and railroad crossing signs;
- (10) Signs of public service companies indicating danger or aids to service safety, erected by or on the order of a public officer in the performance of his public duty;
- (11) Holiday decorations;
- (12) Neon-style signs that do not display a commercial message (e.g. "Open");
- (13) Neon-style signs displaying a commercial message, provided that such sign:
  - a. is eight (8) square feet or less,
  - b. is located and displayed interior to a building, such as behind window glass, and
  - c. Shall comply with the frequency, duration, and operational standards for on-premise EMCs (Section 17.66110(h));
- (14) Incidental signs;
- (15) Gravestones or grave markers;
- (16) Nameplates in residential districts;
- (17) Pennants and festoons;
- (18) ~~Political~~ **Yard** signs that do not exceed thirty-two (32) square feet in sign display area and seven feet (7) in sign height, provided they are not located in any public right-of-way,
- (19) Product dispensers and point of purchase displays;
- (20) Signs on property being offered for sale or lease, provided that the sign:
  - a. is an on-premise sign;
  - b. does not exceed the following sign display area measurements: nine (9) square feet for residentially zoned property, or thirty two (32) square feet for non-residentially zoned property; and
  - c. is not artificially illuminated;
- (21) Traffic control signs, whether on public or private property (e.g., parking-lot stop signs), provided they conform to the standards of the Manual of Uniform Traffic Control Devices (MUTCD), and provided they do not contain any commercial message or logo;
- (22) Vehicle signs on properly licensed vehicles used to transport persons or property;
- (23) Sign not legible from a public right-of-way, with "not legible" defined as: Less than one inch (1") height for the largest letter or graphic element on the sign, measured vertically, for every twenty-five feet (25') of distance from the nearest point in the right-of-way to the nearest letter or graphic element in the sign;
- (24) Temporary window signs;
- (25) Messages and graphics transmitted and displayed that are primarily intended for interior view within a building, and only incidentally visible from outside;
- (26) Window signs that cumulatively constitute less than twenty five percent (25%) of the window area;
- (27) Signs that are held or carried by person(s) at all times when visible from a public right-of-way.

### **17.66.060 Prohibited Signs**

The following signs shall not be permitted, erected or maintained in the Town:

- (1) Beacon signs and displays;
- (2) Revolving signs;
- (3) Off-premise signs in public right-of-way;
- (4) Roof signs;
- (5) Signs located in or partially in or above the public right-of-way, whether temporary or permanent, except governmental, wayfinding signs and projecting and suspended signs pursuant to Section 17.66.110(e);
- (6) Portable signs except vehicle signs as defined in Section 17.66.050;
- (7) Billboard signs;
- (8) Wind signs

### **17.66.070 Temporary Signs**

Temporary signs shall be allowed under the provisions of this Section. Such signs shall be classified as either:

- (1) Special-Event Temporary Signs; or
- (2) Supplemental Temporary Signs.

The following regulations shall apply to each temporary sign so classified:

#### **a. Special-Event Temporary Signs**

Special-Event Temporary Signs shall not require sign permits when a Town of Estes Park Special-event permit is issued. A Special-Event Sign Plan must be submitted with the special-event permit application. Special-Event Temporary Signage shall be installed no earlier than one hundred and twenty (120) hours [i.e., five (5) days] before the commencement of the special event, and shall be removed no later than forty eight (48) hours after the special event's cessation.

#### **b. Temporary Off-Premise Signs**

Temporary signs associated **with** entities, not included in the special event sign plan, shall require sign permits. Any off-premise temporary sign shall require permission from the property owner. Temporary off-premise signs will be included in the overall total sign area for the property the sign is located on. Temporary off-premise signs shall not be erected more than 7 days prior to the event and shall be removed within 48 hours following the event. No more than one off-premise sign shall be allowed on each private property. No more than five off-premise signs shall be allowed per entity. Temporary off-premise signs shall adhere to all applicable sign code regulations.

#### **c. Supplemental Temporary Signs**

Supplemental Temporary Signs shall require sign permits. Any Supplemental Temporary Sign shall remain in place for a period not to exceed thirty (30) consecutive days. A maximum of four (4) Supplemental Temporary Sign permits shall be allowed per applicant, per calendar year.

### **17.66.071 Historical or Culturally Significant Signs**

Signs that have historical or cultural significance to the Town but do not conform to the provisions of this Chapter may be permitted by the Estes Park Board of Trustees, provided that the following regulations and procedures are followed:

- (1) Application for Historical or Culturally Significant Sign is completed and submitted.
- (2) The Board of Trustees holds a public hearing on the application.
- (3) The Town Board of Trustees may approve the request, adopting findings supporting historical or cultural significance of the sign, and directs the Community Development Department to issue a Historical or Culturally Significant Sign Permit.

Criteria to determine a finding of historical or cultural significance include, but are not limited

to: nostalgic significance; character, design, or materials that represent a particular historical period; landmark recognition; and character or design that are recognizably important to one or more cultures. Signs that are hand-painted directly on the surface of a building and include artistic work, in addition to a commercial message, may be eligible for a finding of cultural nature of the signage may be significant to society generally or in the context of the Estes Park community particularly.



*Historical sign*

Re-created historical or cultural signs shall be an identical replication of the original sign.

#### **17.66.110 Sign regulations in non-residential zoning districts (A, CD, CO, CH, O I-1)**

##### **(a) Total Sign Display Area per Lot or Business: Frontage on a Single Street**

- (1) Total sign display area for each lot, or for an individual business in the case of multi-tenant lots, with frontage on only one (1) public street;
  - a. Shall not exceed one and one-half (1.5) square feet per lineal foot of building frontage at ground level, and three-quarters (0.75) square foot per lineal foot of second story building frontage.
  - b. Shall not exceed two hundred fifty (250) square feet total sign display area per lot or individual business, except in the CD district where the maximum shall be one hundred fifty (150) square feet total sign display area.
  - c. Total sign display area shall include sign display area of all signs for which a permit is required under this Section, including any legally nonconforming signs, and including any off-premise directional signs on other properties that refer to the subject property or business.

##### **(b) Total Sign Display Area per Lot or Business: Frontage on Two or More Streets**

- (1) Shall not exceed one and one-half (1.5) square feet per lineal foot of building frontage at ground level, and three-quarters (0.75) square foot per lineal foot of second story building frontage.
- (2) The principal street frontage as defined herein shall be allocated two hundred fifty (250) square feet of total sign display area,
- (3) Each additional street frontage shall be allocated one hundred twenty five (125) square feet of sign display area.
- (4) Signage shall be oriented to and primarily visible from the respective street to which the sign display area is allocated.
- (5) Total sign display area shall include sign display area of all signs for which a permit is required under this Section, including any legally nonconforming signs.

##### **(c) Freestanding Signs**

- (1) One freestanding sign shall be permitted per property, irrespective of the number of individual businesses or tenants on said property. For purposes of this subsection, the term "property" shall refer to a single functional developmental site with common circulation and parking, irrespective of the number of recorded lots, parcels, deeds, or similar instruments comprising said property.
- (2) Freestanding signs shall not exceed one hundred and twenty (120) square feet in sign display area,
- (3) Freestanding signs shall have a minimum setback of five (5) feet.
- (4) Freestanding signs shall have a maximum sign height of twenty five (25) feet.
- (5) Exception: Freestanding Signs on Lots with Two or More Street Frontages
  - a. For properties with more than one (1) public street frontage, the principal street frontage as defined herein shall be allocated one (1) freestanding sign with size, height and setback standards as specified in the preceding subsection. In addition;
    1. One (1) freestanding sign per each additional street frontage shall be allowed;

2. Each such additional freestanding sign shall not exceed forty five (45) square feet in sign display area;
3. Shall have a minimum setback of five (5) feet;
4. Maximum sign height of twelve (12) feet.

**(6) Exception: Freestanding Signs on Corner Lots**

- a. A property with a corner location (i.e., with frontage at the point of intersection of two (2) public streets) may elect to combine its front and side street sign allocation into a single corner sign with a total of one hundred and eighty (180) square feet of sign display area, measured in accordance with the “sign display area (multi-faced)” definition herein, provided:
  1. The sign is a two-faced sign, oriented diagonally so as to be equally visible from both streets;
  2. The sign is set back at least five (5) feet from the nearest right-of-way; and
  3. The sign does not obstruct the vision of traffic from any direction

**(d) Projecting and Suspended Signs**

- (1) One (1) projecting or suspended sign per business or building tenant shall be permitted.
- (2) Projecting or suspended signs shall not exceed eight (8) square feet in sign display area.
- (3) Projecting or suspended signs shall not extend more than four (4) feet from the building.
- (4) Projecting or suspended signs shall provide a minimum clearance from grade of eight (8) vertical feet.

**(e) Right-of-Way Encroachment**

Any projecting or suspended sign shall be allowed within any public right-of-way, only when a right of way permit or encroachment agreement is issued by the Town.

**(f) On-premise Directional Signs**

- (1) The total number of on-premise direction signs per lot or business shall not be limited, and shall not be counted toward the total sign display area allocation.
- (2) Any individual on-premise directional sign shall not exceed six (6) square feet of sign display area
- (3) Any individual on-premise directional sign shall not exceed seven (7) feet in sign height.

**(g) Off-premise Signs**

- (1) Number: One (1) off-premise signs shall be permitted per lot (or per business, in the case of multi-tenant lots) to which the off-premise sign refers, provided that consent of the property owner on which the sign(s) are located is obtained. **Off-premise signs shall be included in the overall sign total for the property on which it is located.**
- (2) Size and Type: Each off-premise sign shall not exceed twenty-four (24) square feet in sign display area and shall not exceed sixteen (16) feet in sign height.

**(h) On-Premise Electronic Message Centers (EMCs): Number and Type of Signs Permitted**

- (1) Notwithstanding any other provision of this Chapter, the following limitations shall apply to on-premise EMCs:
- (2) No more than one (1) on-premise EMC sign shall be allowed per lot or parcel on which the sign is located. This limitation shall apply without regard to the number of businesses or tenants occupying the property or the property’s number of street frontages. This limitation shall not prevent the installation of both an EMC and fuel price digits on the same property or frontage for service stations.
- (3) No on-premise EMC shall be installed or used as:
  1. A temporary sign;
  2. A portable sign;
  3. A projecting sign;
  4. A suspended sign.

- (4) An on-premise EMC sign shall have a frame hold time of no less than eight (8) seconds per static graphic display, and the total number of transitions from one frame to another shall not exceed seven and one half (7.5) in any given one-minute period.
- (5) The following illumination standards shall apply to all EMCs:
- a. No Electronic Message Center sign installed after [effective date of Ordinance] shall be permitted to operate unless it is equipped with:
    1. A default mechanism that will freeze the sign display in one position as a static message if a malfunction occurs; and
    2. A mechanism that will automatically adjust the illuminative brightness of the display according to ambient light conditions by means of a light detector/photocell.
    3. Electronic Message Center sign installed after [effective date of Ordinance] shall not exceed four thousand (4,000) nits when measured from the sign's face at its maximum brightness during daylight hours and four hundred (400) nits when measured from the sign's face at its maximum brightness between dusk and dawn. The Town shall have the right to view the programmed specifications of the sign to determine compliance. Conformity with these illumination levels may be established by submittal of a manufacturer's certification that the sign is incapable of exceeding the stated limits, subject to approval of the Department.
- (6) The following operational standards shall apply to all EMCs:
- a. Entrance and exit effects may be used to transition from one static display to another, provided said entrance effects result in all of the text within the frame appearing at once.
  - b. Fading and dissolve transition effects may be used, provided the fade or dissolve effect results in all of the text within the frame appearing at once. Entrance and exit effects where all of the text within the frame does not appear at once are prohibited (including, but not limited to, scrolling from left to right, scrolling from top to bottom, and entrance effects referred to as slot machine, slots, splice, mesh, radar, kaleidoscope and spin).
  - c. Except for the transition effects permitted herein, each frame shall remain static with no additional frame or hold effects applied to text within the frame (including, but not limited to, the fading or flashing on any part of the message and hold effects referred to as flash, spin, twinkle, wavy and rumble).
  - d. The use of background animation shall be prohibited.
  - e. The use of streaming video or full-motion video on any EMC sign shall be prohibited

**17.66.120 Sign regulations in multi-family residential zones (RM, R-2, and A-1)**

**(a) For properties used for multi-family residential buildings or townhouse structures**

- (1) One (1) monument or wall sign per street frontage shall be permitted.
- (2) Each sign shall not exceed twenty-four (24) square feet in sign display area.
- (3) Monument signs shall not exceed five (5) feet in sign height.
- (4) Monument signs shall be set back at least five (5) feet from both the front and side property lines.

**(b) For properties used for multi-family residential buildings or townhouse structures that have more than one street frontage**

- (1) A two-faced monument sign oriented so as to be visible from either right-of-way (such as a diagonal sign on a corner lot) shall be allowed in accordance with the standards in the preceding subsection and other requirements of this Chapter,
- (2) Provided it meets the "sign display area (multi-faced)" definition herein.

**(c) For residential subdivisions consisting of more than four (4) residential units**

- (1) One (1) monument subdivision sign per development entrance shall be permitted.
- (2) Each sign shall not exceed twenty-four (24) square feet in sign display area

- (3) Each sign shall not exceed five (5) feet in sign height
- (4) Each sign shall be set back at least five (5) feet from any property line, unless designed and constructed as part of an entranceway architectural feature, such as a gate, decorative wall, archway, or similar element.

**17.66.130 Sign regulations in all single-family residential zones (R-1, R, E-1, E, RE, RE-1)**

**(a) Total allowable sign area**

- (1) The maximum allowable total display area for any one (1) single-family residential lot shall not exceed nine (9) square feet.
- (2) Home occupation signs shall not exceed four (4) square feet in cumulative area.
- (3) Freestanding signs
  - a. One (1) freestanding sign per lot shall be permitted.
  - b. Each sign shall not exceed a height of five (5) feet.
  - c. Each sign shall be set back at least five (5) feet from any property line.

**(b) For properties used for any use other than residential uses,** no signs shall be permitted except those reviewed and approved through the Temporary Use or Special Review process.

**(c) Sign Illumination**

- (1) Non-single-family use residential identification signs, if illuminated, shall be illuminated only from the exterior.
- (2) Single-family use home-occupation signs shall not be illuminated, except for such illumination as may result from general-purpose household exterior lighting (e.g., porch lights).

**(d) Animated signs and Electronic Message Centers shall not be permitted in these zoning districts, except:**

- (1) Electronic Message Center signage may be reviewed and approved as specifically provided through Temporary Use or Special Review process; provided:
- (2) Signage complies with Section 17.66.110(h) of this Title,
- (3) Signage shall not exceed sixteen (16) square feet in aggregate sign area.

**17.66.160 Application for Permits**

- (a)** Application for a sign permit shall be made to the Community Development Department upon a form provided by the Department, and shall provide all information.
- (b)** All applications for permits filed with the Department shall be accompanied by a payment of the sign permit fee, in the amount specified.
- (c)** The Department shall approve and issue a permit for the erection, structural alteration, or relocation of a sign within fourteen (14) days of receipt of a valid application, provided the sign complies with the provisions of this Chapter and with all applicable laws and regulations of the Town.
- (d)** All required building permits, including electrical permits, shall be duly applied for and obtained prior to installation of the subject sign, per Town and other code requirements. Issuance of a sign permit is not intended to and shall not serve as a substitute for any other required permit.
- (e) Issuance and Denial and Revocation**
  - (1) In all applications, where a matter of interpretation arises, the more specific definition or higher standard shall prevail.
  - (2) When a permit is denied, the Department shall within seven (7) days of the denial, provide a written notice to the applicant along with a brief statement of findings and reasons for the denial, citing code sections and interpretation of applicable nonconformity.
  - (3) The Department may suspend or revoke an issued permit for any false statement or misrepresentation of fact in the application.

- (4) The Department's decision on any sign permit may be appealed to the Town's Board of Adjustment, as provided by the Estes Park Municipal Code.

#### **17.66.220 Appeals, variances, and minor modifications**

- (a) **Appeals.** The owner of any sign who believes a decision, ruling or order of the Building Inspector is factually or legally contrary to the provisions of this Chapter may appeal the same to the Estes Park Board of Trustees. The appeal shall be in writing and filed with the Community Development Department. The appeal shall be filed within ten (10) days from the date of the decision, ruling or order of the Code Compliance Officer. The written appeal shall specify the decision, ruling or order of the Code Compliance Officer being appealed. The Estes Park Board of Trustees shall have no jurisdiction or hear any appeal not filed within ten (10) days from the date of the decision, ruling or order.
- (b) **Variances.** The owner of any sign may request a variance from the requirements of this Chapter. The request for variance shall be in writing and filed with the Community Development Department. The variance request shall specify the provisions of this Chapter to which the variance is being requested. There shall be no variance for maximum sign area on a lot or building. In granting any variance, the Estes Park Board of Trustees shall find that all of the following conditions exist:
- (1) There are special circumstances or conditions, such as the existence of buildings, topography, vegetation, sign structures or other matters on adjacent lots or within the adjacent public right-of-way, which would substantially restrict the effectiveness of the sign in question; provided, however, that such special circumstances or conditions must be particular to the particular business or enterprise to which the applicant desires to draw attention and do not apply generally to all businesses or enterprises.
  - (2) The variance is in general harmony with the purposes of this Chapter and specifically is not injurious to the neighborhood in which the business or enterprise is located.
  - (3) The variance is the minimum one necessary to permit the applicant to reasonably draw attention to the business or enterprise.
- (c) **Conditions.** The Estes Park Board of Trustees may grant an appeal or variance subject to any condition it deems necessary to make the granted appeal or variance compatible with the purpose of this Chapter.
- (d) **Procedure.** The Estes Park Board of Trustees shall adopt procedures for the review of appeals and variances pursuant to this Section.
- (e) **Staff authority to grant minor modifications.**

Staff may grant minor modifications up to a maximum of ten percent (10%) from the following general sign standards, provided that the staff finds that such modification advances the goals and purposes of this Code and results in reduction of visual clutter results in more effective signage, or relieves practical difficulties on the site:

- (1) Setback requirements;
- (2) Specific sign size restrictions, provided that the total sign display area remains in compliance; or
- (3) Other dimensional and temporal standards contained herein.

#### **17.66.230 Administration and Enforcement**

- (a) The Community Development Department is authorized to process and approve or disapprove application for permits, and to enforce and carry out all provisions of this Chapter. The Community Development Department is authorized to promulgate regulations and procedures consistent with this function.
- (b) The Community Development Department is empowered, upon presentation of proper credentials, to enter or inspect any building, structure, or premises in the Town for the purpose of inspection of a sign and its structural and electrical connections to ensure compliance with all applicable codes and ordinances. Such inspections shall be carried out during business hours unless the Community Development Department in its discretions finds that an emergency exists.
- (c) **Removal of Signs**
- (1) The Department may cause the removal and impoundment of any sign not permitted under the provisions of this Chapter in cases of emergency, or for failure to comply with

written orders of removal or repair. After removal or demolition of the sign, a notice shall be mailed to the sign owner stating the nature of the work, and the date on which it was performed and demanding payment of the costs as certified by the Department. The debt may be collected in accordance with the established debt collection procedures of the Town. The owner of the property upon which the sign is located shall be presumed to be the owner of all signs thereon unless facts to the contrary are brought to the attention of the Department, as in the case of a leased sign.

- (2) For purposes of removal, the definition of sign shall include all sign embellishments and structures designed specifically to support the sign.

**(d) Other Enforcement, Remedies and Penalties**

In addition to the foregoing section providing for removal of signs, all applicable provisions as specified in Section 1.20.010, Required conformance to Code and Section 1.20.020, Fines and Penalties, of this Title, shall pertain to in the case of signage compliance and violations.