

ARTICLE X. - SIGNS¹ **[New]**

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Sec. 16-401. Purpose of article.

It is the purpose of this article to regulate signage within the county, including sign characteristics such as size, height, location, materials, illumination, movement, duration, manner of display, and condition. It is further declared to be the purpose of this article to:

- (a) Encourage the effective use of signs as a means of communication and way-finding;
- (b) Maintain and enhance the character and aesthetic environment of the community;
- (c) Ensure safety for all modes of transportation, including pedestrian, bicycle and vehicular;
- (d) Establish a balance between effective visual communication and an excess of visual information; and
- (e) Ensure content neutrality in the regulation of signage.

Sec. 16-402. Definitions.

In addition to the definitions found in section 16-9, and unless otherwise provided, the following terms are applicable within this article.

Animated sign means a sign employing actual motion, including balloons, spinners, pinwheels, pennant strings; the illusion of motion, including flashing lights or characters; or light and/or color changes achieved through mechanical, electrical, electronic or environmental means. Electronic message centers are excluded from this category of sign.

Awning means an architectural projection or shelter projecting from and supported by the exterior wall of a building and composed of a covering of rigid or non-rigid material and/or fabric on a supporting framework that may be either permanent or retractable.

Balloon signs. These signs include all inflatables and other 3-dimensional signs that give the appearance of having been inflated. Balloon signs are a type of animated sign.

Banner means a temporary sign of lightweight fabric or similar material that is mounted to a pole, structure or building.

Billboard means a sign with an area per sign face in excess of two square feet, owned by a person, corporation, or other entity that engages in the business of selling the space on that sign to other entities whose business or place of operation is not located on the same premises as that of the sign.

Blade/feather sign means a temporary sign made of flexible fabric typically mounted to a pole or other vertical structure. This type of sign includes Feather signs, Teardrop, Rectangle, Flag, and other shapes of two-sided fabric signs. Blade/feather signs are not considered animated signs.

District identification sign means a sign or sign structure used to identify a specific district within the county, and containing the name of the district and associated information such as a slogan, graphic icon, history, or sites and businesses contained within the district.

Dynamic frame effect means an electronic message center sign frame effect in which the illusion of motion and/or animation is used.

Electronic message center (EMC) means a sign that electronically displays moving or changing text or images.

Façade means that portion of any exterior elevation of a building extending vertically from grade to the top of a parapet wall or eaves and horizontally across the entire width of the building elevation.

Façade segment means a portion of a façade delineated by a structural or decorative element or defined by separate entities within the structure.

Flag means a pole-mounted or hanging fabric or paper banner or pennant.

Flag, governmental means a flag containing distinctive colors, patterns or symbols, used as a symbol of a recognized governmental entity.

Flush-mount means a type of building-mounted sign attached to a building wall and projecting no more than 12 inches out from the surface of the wall.

Foot candle means a unit of measurement of the amount of light falling upon a surface (illuminance). One foot candle is equal to one lumen per square foot. Can be measured by means of an illuminance, or light, meter.

Freestanding sign means a ground-based sign that is detached from any other structure or building, and includes monument and pole/pylon signs.

Hanging sign means a sign that hangs down from and is supported by or attached to the underside of a portal, ceiling, canopy, awning, marquee or a projection from or an extension of a structure.

Illumination means the method by which a sign structure, face, or message is illuminated by an artificial light source. Illumination may be internal or external to the sign. *Internally lit, or backlit signs* are those in which an indirect source of light illuminates a sign by shining through a translucent surface of a sign, including a plastic sign, from an internal light source. *Externally-lit, or indirect illumination signs* are those in which the sign whose light source is external to the sign and which casts light onto the sign from some distance. The light source for externally-lit signs must be shielded from view and the light must be directed only at the sign face and not spill over onto to other surfaces.

Interim sign means a temporary sign associated with required County approval of a development agreement, master plan, subdivision, site plan, special use permit, or active building permit.

Kiosk means a freestanding structure located within a pedestrian circulation area upon which temporary or permanent information, notices, and announcements are posted.

Minor or incidental sign means a sign, generally informational, whose purpose is secondary to the use of the zone on which it is located. Minor signs may be permanent or temporary. Permanent minor or incidental signs are often directional, instructional or warning signs. Temporary minor signs are typically associated with time-related activities or events, and may also be directional or warning signs.

Monument sign means a type of freestanding sign that is secured to a solid base resting on the ground with permanent structural footings.

Nonconforming sign means a sign that was legally installed by permit in conformance with all municipal sign regulations and ordinances in effect at the time of its installation, but which may no longer comply with subsequently enacted laws and ordinances having jurisdiction relative to the sign.

Off-premises sign means a sign that draws attention to or communicates information about any enterprise or activity that exists or is conducted, sold, offered, maintained, or provided at a location other than the premises on which the sign is located.

Permanent sign means a sign that is not tied to time-related activities or events and is permanently affixed in a given location.

Place-holder sign means a temporary sign that is in place until a permanent sign can be installed.

Projecting wall sign means a type of building-mounted sign attached to a building wall and projecting more than 12 inches out from the surface of the wall.

Roof-mounted sign means a sign erected and constructed on the main roof portion of a building or on the uppermost edge of a parapet wall of a building or any sign that has any portion of that sign projecting above the horizontal plan at the highest point of the structure to which it is attached. These signs are prohibited in the County. Signs mounted on mansard facades, pent eaves, and architectural projections such as canopies or marquees shall not be considered roof-mounted signs.

Scroll means a mode of message transition on an electronic message center sign in which the message appears to move vertically across the display surface.

Sidewalk/portable sign means any ground-based portable sign designed to be moved from place to place and having no permanent attachment to the ground upon which it stands. These are often in the form of an "A" or a tent-like shape, hinged or not hinged at the top, or an inverted "T", with a flat base perpendicular to the sign face.

Sign means any written, printed, electronic or symbolic device capable of visual communication or attraction, including any announcement, declaration, demonstration, display, illustration, insignia, structure or symbol, or architectural feature which serves no other purpose than communication, used to advertise or promote the interest of any person or to communicate any information. Works of art such as painting, murals and sculptures are not considered to be signs.

Sign Area means an approach to sign regulation based on geographical boundaries that differentiate allowable sign size, placement, and type based on factors such as road speeds, land uses, and proximity to residential, commercial, industrial or agricultural areas. See also Sec. 16-404.

Sign area means the square foot area of all graphics, including words, symbols or pictures. In the case of cutout or painted signs, sign area means the area of a simple geometric figure completely enclosing the letters, message or symbols. The supporting structure is not included in the calculation of *sign area*. See also Sec. 16-408.

Sign face means each side of a sign open to view is a separate sign face, except that the sign face for an awning shall be considered to be the total sign area located on the awning.

Temporary sign means a sign associated with a time-related activity or event and not permanently affixed.

Traffic control/public safety sign means a sign placed or required to be placed by a public entity including street signs, speed limit signs, warning signs, and signs directing motorists to public facilities or hospitals and schools.

Vehicle-mounted sign means a sign that is placed on, attached to, or is part of any type of vehicle or trailer. Flush-mounted vehicle signs include window signs, banners and painted signs flush with the surface

of the vehicle. Protruding signs include signs placed on a truck bed, or protruding from a roof or other area of the vehicle.

Wall sign means a sign that is attached, hanging or painted on a wall, which may be part of a structure or free-standing, or on a fence.

Way-finding sign means a sign that is part of the county's way-finding program to assist the public in efficiently navigating key destinations in the county. Way-finding signs, installed by the county, are exempt from regulations in this article.

Window sign means a sign posted, placed, affixed or painted on the interior or the exterior of a window or glass area of a door or a sign placed inside a window within two feet of the glass surface. A window sign does not include merchandise, models or products incorporated in a window display.

Sec. 16-403. Authority.

- (a) *Responsibility.* This article will be administered, interpreted, and enforced by the community development department director or designee as provided in this chapter.
- (b) *Administration.* The community development department director will administer this article as set forth herein. The director may implement procedures, forms and written policies for administering and enforcing the provisions of this article.
- (c) *Similar Use.* Sign types that are different but similar to the types identified in this article shall be regulated as those of similar use.

Sec. 16-404. Sign Areas; location of signs.

- (a) Sign Areas. Sign regulation in the county is context based. "Sign Areas" are hereby created based on geographical boundaries that differentiate allowable sign size, placement, and type based on factors such as road speeds, land uses, and proximity to residential, commercial, industrial or agricultural areas. The following are the designated county sign areas:
 - 1. Sign Area 1 (SA1) is intended for areas of predominantly residential land uses with accompanying lower speeds of vehicular traffic. This area includes larger residential parcels, which may include some accessory land uses. It also includes non-residential uses that either pre-date adoption of the development code or have been approved by Special Use Permit.
 - 2. Sign Area 2 (SA2) is intended for urban areas that have a pedestrian emphasis and lower speed vehicular traffic. An example of Sign Area 2 is Central Avenue.
 - 3. Sign Area 3 (SA3) is intended for urban areas that are primarily used by motor vehicles and have higher vehicle speeds. This area may include tourists and people who are unfamiliar with the area and who could benefit from directional or other information. Examples of Sign Area 3 include Trinity Drive and Diamond Drive.
 - 4. Sign Area 4 (SA4) is intended for urban areas that are primarily used by motor vehicles and have higher speeds, and may include areas that are frequented by tourists who could benefit from directional or other information. An example of Sign Area 4 is New Mexico Highway 4 (NM4).
- (b) In addition to regulation by "Sign Areas," signs are regulated as permanent versus temporary signs, although certain signs may be either.
- (c) Signs may be further regulated by their location on public versus private land.
- (d) All signs shall comply with the requirements and standards of this article and chapter, whether a permit is required or not. Where a permit is required, the applicant is responsible for obtaining and submitting all required permit applications.
- (e) All signs shall meet all other applicable code requirements including Chapter 10 requirements.

Sec. 16-405. Applicability.

- (a) *Applicability.* This article regulates the location, number, size, duration, manner of display and type of signs that may be placed within the county. Unless specifically listed as exempt herein, all signs, whether requiring a permit or not, shall meet the requirements and standards of this article. The placement of all non-traffic signs shall adhere to section 16-405, line-of-sight-obstructions, below.
- (b) *Interpretation and application.* When a Sign Area boundary crosses a parcel rather than following a property line, such that a single parcel or lot is covered by two separate Sign Areas, the respective Sign Area shall govern that portion of the lot encompassed by the Sign Area.
- (c) *Exceptions.* When any non-residential primary land use, multiple-family housing of five or more dwelling units on the same parcel, or county-owned property is located within Sign Area 1 the allowable signs shall be those of Sign Area 2.
- (d) *Permit required.* All signs shall require a permit prior to installation, modification, or replacement, unless exempt.
- (e) *Exempt signs.* The following signs or changes to existing signs shall not require a permit, provided that the sign conforms to all design, size, duration, setback, height and other requirements of this article and does not create a public nuisance, traffic, or pedestrian hazard as determined by the County Manager, County Engineer, or designee.
 - (1) A change in the text or graphics of any lawfully pre-existing sign where there is no change in the sign's size, location, structure, lighting, or other manner of display;
 - (2) The repair or maintenance of existing signs, including the repainting of existing messages and re-painting and repair of portions of a support structure. The entire replacement of a sign face or sign mounting shall not be considered a repair or maintenance item;
 - (3) Any public notice or warning placed pursuant to a valid and applicable federal, state or local law, regulation or ordinance;
 - (4) Any traffic-control, way-finding, or public safety signs on public or private property, such as stop, yield and similar signs, the faces of which meet the Manual of Uniform Traffic Control Devices (MUTCD) or similarly recognized standards;
 - (5) Any signs installed, owned or maintained by the state, federal or county governments, including any sign installed or authorized by the county as part of the Way-Finding program, except as may be restricted in this article;
 - (6) Any sign inside a building that is not attached to nor within two feet of the inside surface of a window or door;
 - (7) Holiday decoration signs. Temporary signs, in the nature of decorations, customary and commonly associated with federal, state, local, or religious holidays, and are only displayed during the holiday period with which they are associated;
 - (8) Flags, or other insignia, governmental, of the United States, the state, foreign nations, and any other flag adopted or sanctioned by an elected legislative body of competent jurisdiction. These flags must be flown in accordance with protocol established by the Congress of the United States for the Stars and Stripes. Any flag not meeting these conditions shall be considered a sign and shall be subject to regulations as such;
 - (9) Hours of Operation signs are exempt from regulation except that size shall be counted toward Window Sign standards if located in windows or glass doors;
 - (10) Scoreboards and other signs normally associated with public athletic facilities;
 - (11) Address signs in conformance with the standards of this article and with Chapter 34, Article IV.
 - (12) Home occupation or home business signs in conformance with the standards of this article;
 - (13) Temporary signs on residential property in Sign Area 1 and in conformance with the standards of this article;

- (14) Signs located at county or Los Alamos Public Schools sponsored events, such as *Sciencefest*, Rodeo, and the County Fair are exempt from the provisions of this article so long as they are in the same location as the event or on County owned land and are only posted during the event;
 - (15) Signs incorporated into machinery or equipment by a manufacturer or distributor, which identify or advertise only the product or service dispensed by the machine or equipment, such as signs customarily affixed to vending machines, newspaper racks, telephone booths, and gasoline pumps;
 - (16) Memorial signs or tablets, names of buildings and dates of erection when cut into any masonry surface or when constructed of bronze or other incombustible materials and attached to the surface of a building;
 - (17) Signs painted or attached to trucks or other vehicles for identification purposes;
 - (18) Any sign carried by a person; and
 - (19) Any sign in furtherance of a compelling government interest.
- (f) *Nonconforming signs.* Any and all signs that are found to be nonconforming to this article, shall be brought into conformance, or removed under the following circumstances:
- (1) When a primary structure on the same parcel is expanded by 25 percent (gross square footage); or
 - (2) When a primary structure on the same parcel is remodeled to the extent that the valuation of the remodel, as determined by an accurate building permit application, exceeds 25 percent of the valuation of the primary structure which is being remodeled. Valuation of existing structure shall be determined by either the valuation of the parcel improvement on the current tax records, or a property appraisal completed within 12 months of the application of the building permit; or
 - (3) When site plan approval is required for any development occurring on the same property; or
 - (4) When any proposed change, repair, or maintenance would constitute the lesser expense of more than 25 percent of the original value or replacement value of the sign.
- (g) *Prohibited Signs.* The following signs are prohibited in all Sign Areas:
- (1) Animated and flashing lights and signs, except as specifically authorized herein;
 - (2) Billboards;
 - (3) Off-premises signs, including in public right-of-way, except as specifically authorized herein;
 - (4) Beacons, pennants, strings of lights not permanently mounted to a rigid background, tethered balloons and all inflatable signs;
 - (5) Roof-mounted signs;
 - (6) Signs resembling traffic or other governmental signs related to safety or way-finding;
 - (7) Any sign maintained in conjunction with a use, event, service or activity that is not lawful;
 - (8) Any sign located so as to conflict with or obstruct the clear and open view of devices placed by a public agency for controlling traffic or a sign that obstructs a driver or pedestrian's clear view of an intersecting road, alley or major driveway, or as further restricted below; and
 - (a) Sight triangles. At the intersection of two or more streets, or a street and any driveway or alley controlled by a stop sign or a requirement to stop, no sign shall be located within the sight triangle unless the top of the sign face is three feet or less above curb level or the bottom of the sign face is seven feet or more above curb level; and
 - (b) The county's public works department director or designee may deny the placement of any sign located so as to conflict with the clear and open view of devices placed by a public agency

for controlling traffic, or a sign which obstructs a driver's or pedestrian's clear view of an intersecting road, alley or major driveway.

Sec. 16-406. Sign design, construction, maintenance, abandonment, and conformance.

All signs shall be designed, constructed and maintained in accordance with the following minimum standards:

- (a) All permanent signs shall be constructed of durable materials and shall be permanently attached to the ground, a building, or another structure by direct attachment to a rigid wall, frame or structure.
- (b) All temporary signs shall be kept in a state of good repair and shall be removed if tattered, torn, defaced, weathered or otherwise damaged.
- (c) All signs and all components thereof, including, without limitation, foundations, supports, braces, and anchors, shall be kept in a state of good repair, and in compliance with all currently adopted building or electrical codes, and in conformance with this chapter at all times.
- (d) The supports and foundations used in construction for all signs and sign structures must be located outside of any rights-of-way unless authorized in writing by the controlling public agency.
- (e) The owner of any property upon which an abandoned sign is found shall, within 90 days of notice by the county, remove the sign and any structure erected for the sole purpose of supporting it. A sign shall be considered abandoned upon the department's finding that the sign relates to a business that no longer exists on the site and that the owner of the property has not presented evidence that he or she is actively in the process of finding an alternate use for the sign consistent with the requirements of this article. Any such finding may be appealed to the planning and zoning commission according to the provisions of this chapter regarding appeals from determinations of the community development department director.

Sec. 16-407. Sign Illumination.

- (a) Internally illuminated signs are prohibited in Sign Area 1 except as allowed by section 16-405 (c) and 16-410 (a) (4) of this article.
- (b) External illumination of signs is limited to the face of the sign. All external sign light sources shall be shielded and aimed only at the sign. No direct source of light shall be visible from any public way or from any location off the site on which the sign is located.
- (c) Sign lighting may not blink, fluctuate or otherwise give indication of movement except as permitted for electronic messaging signs as provided in this article and chapter.
- (d) All sign lighting shall also be in conformance with the outdoor lighting requirements of this chapter.
- (e) Unless for the purpose of public safety, as determined by the public works department director, temporary signs shall not be illuminated.
- (f) Signs that are permitted to be illuminated shall not exceed 0.3 foot candles above ambient lighting.

Sec. 16-408. Sign size; dimensional computations.

The following shall be used to compute the total sign area and sign height:

- (a) *Computation of the area of individual sign faces.* The area of a sign face shall be computed as follows:
 - (1) Where the messages and images are mounted on a board or similar flat surface which is attached to a wall, the sign face shall be the total area of the board or surface.

- (2) Where the messages and images are mounted on a board or similar flat surface which is attached to a frame or other supporting structure, the sign face shall be the total area of the board or surface exclusive of the frame or supporting structure.
- (3) Where individual letters, words, or images are mounted directly on a wall or other existing surface, the sign face shall be computed by measuring the area of the smallest rectangle, triangle, circle, or combination thereof that will encompass the outermost limits of the message or images.
- (b) *Multi-faced signs and objects.* The sign face area for a sign with more than one side or a sign that is a three-dimensional object shall be computed by adding together the maximum areas of all faces or portions of the object that are simultaneously visible from a single point of view.
- (c) *Computation of sign height.* 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. 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 purposes of locating the sign.
- (d) *Approval.* The community development department director shall have the discretion to approve minor height variations along the top of the sign amounting to 12 inches or less when determining sign height.

Sec. 16-409. Permanent Signs location, placement and other standards.

- (a) *In general.* All permanent signs shall comply with this article, section and Table 16-410-T1. Table 16-410-T1 provides the types of permanent signs allowed, number of permanent signs, and maximum dimensions of each sign. This section provides additional regulations as to location, placement, and other standards as they apply to each sign type. These regulations shall apply to all permanent signs regardless of whether or not a permit is required. The following are additional regulations per type of sign:
 - (1) *Address.* Address signs shall be located on each primary dwelling or structure in compliance with Chapter 34, Article IV. Additional address signs, such as curb-painted, whether affixed to the primary dwelling or main structure, shall not conflict with, supersede, or distract from the primary address sign.
 - (2) *Awning/Canopy (per facade or facade segment).* In addition to allowable sign area for other types of building-mounted signs, buildings may incorporate signage areas on building awnings subject to the following conditions:
 - a. Awning signs shall be limited to awnings on the ground floor level only;
 - b. A facade or facade segment may have either one or more awning signs or a projecting sign, but not both;
 - c. Awning signs shall not be backlit; and
 - d. Awnings overhanging county sidewalks and rights-of-way shall require a county encroachment permit.
 - (3) *District identification.* District identification signs shall be allowed in all districts when approved, designed, and placed in accordance with this section. District identification signs, upon planning and zoning commission approval, may be used to mark entrances to the county itself, or special areas within the county, having or intending to have a unique character or purpose. Examples of such districts may include but are not limited to historic districts, special shopping districts, and special open space or recreation districts. District identification signs may be placed on public or private property

and, if approved, may be exempt from placement and dimensional and design regulations otherwise contained in this article. For the purposes of this article, all district identification signs shall be considered to be on-premises signs.

- a. *Planning and zoning commission approval.* The planning and zoning commission shall hear and act upon the sign application according to the same procedures for special use permits, including appeals.
- b. *Application information.* Applications shall include a justification of the significance of the district; the need for the district sign; a vicinity map indicating all buildings, rights-of-way and structures that may be affected by the proposal; as well as a site plan showing the proposed sign or signs including proposed dimensions, design, sign text and graphics, and proposed colors and proposed materials. If the sign will require a building permit, applicants shall also meet with the community development department prior to application submission to determine if any special building code issues need to be addressed. Applications shall indicate the entities responsible for the funding, construction, and future maintenance of the sign. Each district shall require a separate application, but a district application may include more than one sign.

(4) *Electronic Message Center (EMC) signs* are allowed as follows:

- a. Unless otherwise restricted or permitted in this section, an EMC shall follow Table 16-410-T1 standards for a freestanding or wall-mounted sign.
- b. Only one EMC sign is permitted per land parcel and each shall count towards the total freestanding or wall-mounted total sign area allowance.
- c. Schools may have one EMC sign per school location. The sign will count towards the total allowable freestanding sign standards.
- d. An EMC shall not be located within 100 feet of an intersection with an arterial road.
- e. The EMC message or copy must not change more than once every eight seconds.
- f. Dynamic frame effect EMC signs are not permitted.
- g. Transitions between displayed messages shall use fade, dissolve, or similar, but may not use scrolling, travel, or similar transition which creates a sense of motion.
- h. No EMC shall have the appearance of flashing.
- i. All EMCs are required to have automatic dimming capability that adjusts the brightness to no more than 0.3 foot candles of the ambient light at all times of the day and night.
- j. To the extent possible, an EMC shall be placed so that the message or copy is oriented away from areas or buildings used for residential purposes.
- k. Setbacks. All freestanding signs shall be set back from any adjacent property lines a minimum of five feet except that signs adjacent to a common line shared by a residentially zoned district or an approved residential use shall be set back from that lot line by a distance at least equal to the height of the freestanding sign.

(5) *Flags, governmental.* As specified in section 16-405 (e)(5) and (e)(8), and except per height restrictions in Table 410.T1, governmental flags are exempt from regulation under this article.

(6) *Flags, non-governmental.* Building-mounted flag poles and flags are allowed in all Sign Areas subject to the following conditions:

- a. The top of building-mounted flag poles shall not extend above the roof line of buildings to which they are attached; and
- b. The face area of the flag shall be counted toward the maximum sign number and area allowed for "projecting signs" on each facade or facade area; and
- c. Non-governmental flags shall not be permitted on freestanding flag poles; and

- d. Non-governmental flags shall not be illuminated.
- (7) *Freestanding signs.* Permanent freestanding signs include pole/pylon signs, and monument signs.
- a. *Monument signs* are permitted in Sign Area 1 on lots or parcels greater than three acres in size if the use is permitted within the applicable zone. Height shall not exceed six feet and total size area including frame shall not exceed 25 square feet.
 - b. *Number of signs allowed.* Permanent freestanding signs shall be limited to one per property held in single and separate ownership except for a property that has frontage on more than one street, in which case one such sign shall be permitted for each separate street frontage. If a property has frontage that exceeds 300 lineal feet on any given street, one additional freestanding sign shall be permitted for each additional 300 lineal feet.
 - c. *Minimum distance between freestanding signs.* The minimum distance between permanent freestanding signs shall be 50 feet. This standard applies to signs on the same lot and on separate lots. Some situations may prevent this standard from being strictly applied. See 16-51 (c)1. for authority to vary this standard.
 - d. *Setbacks.* All freestanding signs shall be set back from any adjacent property lines a minimum of five feet except that signs adjacent to a common line shared by a residentially zoned district or an approved residential use shall be set back from that lot line by a distance at least equal to the height of the sign. Setback is measured from the closest part of the sign or sign structure to the lot line.
- (8) *Hanging (per facade or facade segment).* In addition to the allowable sign areas for other types of building-mounted signs, buildings may incorporate signs hanging from the underside of canopies, marquees, portals, arcades, and other similar architectural features.
- (9) *Kiosks.* Kiosks shall be allowed as follows:
- a. The kiosk shall be permanently anchored.
 - b. The placement of the kiosk shall allow for unobstructed pedestrian passage of at least five feet on at least one side of the kiosk.
 - c. There shall be no internal, or backlit lighting. Lighting shall be fully shielded.
 - d. Allowable sign area. For cylindrical kiosks, sign area allowance shall be 24 square feet. For flat surface kiosks, area allowance shall be 16 square feet per face. Individually posted signs are not to exceed eight and one-half by 14 inches. Nor shall signs be arranged in a manner that creates the appearance of a sign larger than eight and one-half by 14 inches.
 - e. Allowable sign height. Areas designated for individual sign placement shall not exceed six feet in height. The kiosk structure itself shall not exceed ten feet in height.
 - f. The permit application shall include information on how the kiosk will be managed and maintained, enforceable as a condition of the permit.
 - g. There shall be no fees due for the posting of information on the kiosk.
 - h. Each person posting information may post up to two signs on each kiosk.
 - i. There shall be a minimum distance of 300 lineal feet between sign kiosks on the same side of the street.
- (10) *Minor, or incidental signs.* Permanent minor or incidental signs in all Sign Areas are limited per Table 16-410-T1. Such signs should be kept to a minimum. Minor or incidental signs may not be illuminated in Sign Area 1.
- (11) *Projecting (per facade or facade segment).* In addition to allowable sign area for other types of building-mounted signs, buildings may incorporate conventional projecting signs, subject to the following condition:
- a. The bottom of any projecting sign shall be at least eight feet above the adjacent finished grade. The top of the sign shall not extend above the parapet or eaves of the facade on

which it is located. Signs projecting into a public right-of-way or public land shall require an encroachment permit as a condition of approval.

- (12) *Vehicle-mounted signs.* Flush-mounted and protruding signs on vehicles shall be allowed as follows:
- a. The total number of vehicle mounted signs shall not exceed one sign per legal lot of record;
 - b. Vehicle-mounted protruding signs shall be measured from the ground to determine height;
 - c. Each sign shall be set back at least three feet from all adjacent property lines; and
 - d. Vehicle must be operable & in regular use. Must be moved at least once every 48 hours. May not be located on vacant land.
- (13) *Wall sign (flush mounted)/marquee (per facade or facade segment).* This type of sign is prohibited in Area 1 except for permitted Special uses, which are permitted with restrictions (see below). All other sign areas using this type of signage shall follow the standard below.
- a. For each building facade or facade segment, the combined total area of all flush-mounted building wall signs per building side shall not exceed one and one-fourth square foot of sign area for each one lineal foot of facade or facade segment width up to 100 lineal feet, plus one-half square foot for each additional one lineal foot of width. The maximum allowable combined area for all flush-mounted and marquee wall signs shall be in addition to the maximum area allowable for all other types of building-mounted signs as allowed by this section.
 - b. For permitted non-residential primary land use, multiple-family housing of five or more dwelling units on the same parcel, or county-owned property located within Sign Area 1, the total sign area allowed for wall signs shall be calculated as one-half of the above standard.
- (14) *Window.* Whether permanent or temporary, or in combination, not to exceed 50 percent of total window area, including glass doors. Individual signs not to exceed six square feet. Only Minor permanent window signs are permitted in Sign Area 1.

Sec. 16-409. T1. - Permanent Signs.(1)

The following are the allowable permanent signs.

Sign Type	Sign Areas				Is a Permit Required	See Sec. 16-409 for additional requirements
	Sign Area 1	Sign Area 2	Sign Area 3	Sign Area 4		
	Sign Area Examples:					
	Residential. See also Sec. 16-405 (c)	Central Ave.	Trinity/Diamond	White Rock State Road 4		
Address	Address signs shall be provided by property owners in compliance with Chapter 34, Article IV.				No	§ 16-409(a)(1)
Awning/Canopy	None in SA 1	25 sq. ft. max. One per façade or façade segment			Yes	§ 16-409(a)(2)
District Identification	Varies Per approval of P&Z See also 16-408 (b) (3)				Yes	§ 16-409(a)(3)
Electronic Message Center (EMC)	None in SA 1	See freestanding or wall requirements depending on type of sign			Yes	§ 16-409 (a)(4)
Flags Governmental	Max. ht. same as for structures in zoning district where flag is located; not to exceed 35 ft.				No	§ 16-405 (e)(8)
Flags Non-Governmental	May not be free-standing				No in SA1 Yes in SA2-4	§ 16-409 (a)(6)
	10 ft.max.ht. 20 sq. ft. max 5 max.		15 ft.max.ht. 20 sq. ft. max 5 max.	20 ft.max.ht. 20 sq. ft. max 5 max.		
Freestanding	Minor or monument only	Monument or pylon only	Monument, pole or pylon		Yes	§ 16-409 (a)(7)
			15 ft.max.ht. 50 sq. ft. max	20 ft.max.ht. 75 sq. ft. max		

	6 ft. max. ht. 25 sq. ft. max.	8 ft. max. ht. 25 sq. ft. max.					
	See 410(a)(7) for quantity, setbacks and min. distance between signs						
Hanging	None in SA1	Per façade or façade segment: 4 sq. ft. max. One			Yes	§ 16-409 (a)(8)	
Kiosks	None in SA1 except per 16-409 (b) (5)	See 410(a)(9) for details			Yes	§ 16-409 (a)(9)	
Minor/incidental*	3 sq. ft. max.; 4" letters max. 4 ft. max. ht. if freestanding 2 per lot max.	4 sq. ft. max. 4 ft. ht. max. 5 per site max.			No	§ 16-409 (a)(10)	
Projecting	None in SA1	16 sq. ft. max.; 15 ft. max. ht.; One per façade or façade segment			Yes	§ 16-409 (a)(11)	
Vehicle	See § 16-277 (1) e. & i. and 16-277 (2) e. & i.	Vehicle must be operable & in regular use. Must be moved at least once every 48 hours. May not be located on vacant land. 12 feet max. ht.			No	§ 16-409 (a)(12)	
Wall	Minor only	Per façade or façade segment: 1.25 sq. ft. per lineal ft. up to 100 lineal feet plus 0.5 sq. ft. for each additional lineal foot			Yes	§ 16-409 (a)(13)	
Window	Minor only	Up to 50% of any window or door			No	§ 16- 410(a)(14)	

(1) See Sec. 16-411. for all signs on county property and public right-of-way.

*Examples in SA 1: Beware of Dog; No Solicitation; No Trespassing; Home Occupation or Home Business name; and Warning signs related to specific dangers on a property

*Examples in SA 2, 3 and 4: No Parking; One-way; Entrance Arrow; Service; and Warning signs related to specific dangers on a property

Sec. 16-410. Temporary Signs duration, placement and other standards.

(a) *In general.* A property owner may place a temporary sign on their own property as provided here and in Table 16-410-T1. Table 16-410-T1 sets forth regulations governing the types of temporary signs, number, and maximum dimensions. This section provides additional regulations as to duration, location, and other standards as they apply to each temporary sign type and shall apply to all temporary signs regardless of whether or not a sign permit is required as provided in Table 16-410-T1:

- (1) *Banner Signs.* If attached to a building, banner signs shall not exceed the height of the building. Temporary banners shall follow the same size, height and quantity standards as for the same permanent sign type. Temporary banners are permitted in Sign Area 1 per Minor/Incidental sign standards. In other Sign Areas banners may be displayed for up to a total of 60 days, which may be intermittent, in any 12 month consecutive period. Time extensions, for “place-holder” signs only, may be granted by the community development department director for up to an additional 120 days upon written request and documented justification of need. See also temporary wall signs.
- (2) *Blade/Feather Signs.* This type of sign includes Feather signs, Teardrop, Rectangle, Flag, and other shapes of two-sided fabric signs. They are not permitted in Sign Area 1. Such signs shall be securely anchored or secured in a portable base. One Blade/Feather sign is permitted per 50 feet of street frontage, for a maximum duration of 14 days, up to three times per calendar year. The time allowance periods may be consecutive. Such signs shall be set back a distance that is not less than the height of the sign from all property lines and any overhead utilities. Holiday decorations are exempt from these provisions.
- (3) *Freestanding – Private Land Signs.* In Sign Area 1 temporary freestanding signs pertaining to matters of community and government interest may be posted for a maximum of 65 days. Other temporary freestanding signs in SA1 may be posted up to 14 days, twice per calendar year. In all other Sign Areas, temporary freestanding signs may be displayed for up to a total of 30 days, four times per calendar year, two of which may be consecutive. One time extension, for “place-holder” signs only, may be granted by the community development department director upon written request and documented justification of need. If longer time periods are needed, the applicant may apply for a temporary use permit. All freestanding yard signs shall be set back a distance of at least the height of the sign as measured from grade, from all property lines. Other restrictions to location may apply based on visibility at corners and driveways.
- (4) *Interim Signs.* Interim temporary signs associated with required county approval of a development agreement, master plan, subdivision, site plan, or special use permit shall be removed after six months of no permitted physical development occurring on site. Signs associated with an active building permit shall be removed upon issuance of a certificate of occupancy.
- (5) *Minor/incidental Signs.* These are signs associated with events or activities of a time-limited duration. They may be displayed immediately prior to the event or activity and must be removed as soon as possible following the event or activity. These signs are allowed in addition to permanent minor signs. No permit is required.
- (6) *Sidewalk/Portable Signs.* These signs are considered temporary as they are not permanently secured in place. However, there is no duration of time that limits their display, other than they may

only be displayed when the business or activity they represent is open or otherwise in active use. These signs are not permitted in Sign Area 1. These signs may not block or impede pedestrian passage. A minimum of four feet of clearance shall be maintained. These signs shall not obstruct the view of or entry to any other business. They shall not be located in a landscaped area. These signs shall not be illuminated.

(7) *Vehicle-mounted signs.* Flush-mounted and protruding signs on vehicles shall be allowed as follows:

- a. The total number of vehicle mounted signs shall not exceed one sign per legal lot of record;
- b. Vehicle-mounted protruding signs shall be measured from the ground to determine height;
- c. Each sign shall be set back at least three feet from all adjacent property lines; and
- d. Vehicle must be operable and in regular use. Must be moved at least once every 48 hours. May not be located on vacant land.

(8) *Wall Signs.* Temporary signs, wall or fence mounted, may be displayed for up to a total of 60 days, which may be intermittent, in any 12 month consecutive period. Time extensions, for "place-holder" signs only, may be granted by the CDD Director upon written request and documented justification of need. If longer time periods are needed, the applicant may apply for a temporary use permit. These signs may be banners.

(9) *Window Signs.* Whether permanent or temporary, or in combination, not to exceed 50 percent of total window area, including glass doors. Individual signs shall not exceed two square feet in Sign Area 1, or six square feet in any other Sign Area.

(b) Temporary signs shall not be secured to public buildings, structures, infrastructure, poles, signs, or traffic control equipment except in conformance with this article.

Sec. 16-410. T1. Temporary Signs⁽¹⁾

The following are the allowable temporary signs.

Sign Locations	Sign Area 1	Sign Area 2	Sign Area 3	Sign Area 4		
<i>Location Examples</i>	<i>Residential</i> <i>See also Sec. 16-405 (c)</i>	<i>Central Ave.</i>	<i>Trinity/Diamond</i>	<i>White Rock State Road 4</i>	Permit Required?	See Sec. 16-410 for additional requirements
Banner	Minor only	In all areas, same size per sign type as permitted in Permanent Signs			Yes if total is over 4 sq. ft.	§ 16-410 (a)(1)
Blade/Feather	None in SA 1	18 ft. max. ht. as measured from grade, and 3.5 ft. max. dimensions			Yes	§ 16-410 (a)(2)
Freestanding – Private Land	25 sq. ft. max. 6 ft. max. ht. Any #, not to exceed sq. ft. max.	25 sq. ft. max. 8 ft. max. ht. Any number, not to exceed sq. ft. max.	50 sq. ft. max. 15 ft. max. ht. Any number, not to exceed sq. ft. max.	75 sq. ft. max. 20 ft. max. ht. Any number, not to exceed sq. ft. max.	No, if 8 sq. ft., or less otherwise, Yes	§ 16-410 (a)(3)
Freestanding – Public Land <i>Designated areas only</i>	16 sq. ft. max. per sign 6 ft. max. ht. Max. 5 per permit Designated areas only				Yes	§16-411(b)1. & (b)2.
Interim – New Business or during construction	32 sq. ft. max. 10 ft. max. ht. One per business or lot				Yes	§ 16-410 (a)(4)
Minor/incidental*	Max. 4 sq. ft. Max. 4 ft. ht.	6 sq. ft. max. 6 ft. max. ht. One per lot or business	32 sq. ft. max. 10 ft. max. ht. if freestanding One per lot or business		No	§ 16-410 (a)(5)

	Any #, not to exceed sq. ft. max.				
Sidewalk/Portable	None in SA 1	6 sq. ft. max. per sign face. Two sides ok. One per business. Can only display when business is open.	No	§ 16-410 (a)(6)	
Vehicle	See Permanent Signs - Vehicle		No	§ 16-410 (a)(7)	
Wall	Minor only	Per façade or façade segment: 1.25 sq. ft. per lineal ft. up to 100 lineal feet plus 0.5 sq. ft. for each additional lineal foot	Yes	§ 16-410 (a)(8)	
Window	Up to 50% of any window or door		No	§ 16-410 (a)(9)	

(1) See Sec. 16-411. for all signs on county property and public right-of-way.

*Examples in SA 1: Real estate signs; Garage sales; Welcome Home; Election

*Examples in SA 2, 3 and 4: Real estate signs; Special Event signs; Parking/No Parking

Sec. 16-411. Signs on county property and public right-of-way.

Except as provided in Sec. 16-405, the county shall follow the requirements of this article. Signs may be placed on county property and public rights-of-way pursuant to the following:

(a) Permanent signs on public buildings, property, structures and public rights-of-way.

1. Permanent signs. All permanent signs on public buildings, property, structures or public rights-of-way shall only be placed pursuant to this chapter and article.

(b) Temporary signs on public buildings, property, structures and public rights-of-way.

1. Special temporary sign areas. The county council has identified certain areas of the county in which temporary freestanding signs may be located per the standards specified in Sec. 410. T1. Signs in these areas are further restricted as follows:
 - a. Such signs may be posted for a maximum of 65 days in any 12 month period.
 - b. Such signs shall not be illuminated.
 - c. Temporary signs in the special temporary sign areas are restricted to the areas established by the county council. Signs may be removed if not located in a designated area or deemed to constitute a traffic or public safety hazard.
2. Temporary signs on public land and public rights-of-way, non-designated areas. These are signs that may be placed on property owned by the county, and in the public right-of-way, and are intended to promote or advertise upcoming community events. Such signs are permitted in conformance with Sec. 16-410 T1. for Minor/incidental signs and the following:

- a. Such signs may be displayed for a period of two weeks prior to the event and one week thereafter, except that signs promoting recurring events shall be limited to two days prior to each event or activity and removed within one day thereafter. Other signs in these areas are regulated as Minor/incidental signs per Sec 16-410 (a)(5).
 - b. Such signs shall not be placed in a manner so as to become a safety hazard for vehicles, pedestrians and bicyclists;
 - c. Shall not be illuminated and shall meet Section 16-406 specifications;
 - d. Shall not be placed in medians.
 - e. No permit is required. However, the sign shall be removed in a timely manner and if the owner fails to do so the county is held harmless in removing and disposing of the sign and the owner may be responsible for costs incurred in removing and disposing of the sign;
- (c) County Open Space. No signs, except for exempt signs or as otherwise provided herein, shall be placed in any county open space.

Sec. 16-412. - Sign Areas maps.

As provided herein, the following are the four designated Sign Areas and the special temporary sign areas where signs may be lawfully placed in accordance with the terms of this article.

Secs. 16-413—16-450. - Reserved.