

INCORPORATED COUNTY OF LOS ALAMOS, NEW MEXICO

CHAPTER 16. DEVELOPMENT CODE

ARTICLE X. - SIGNS

Sec. 16-401. - Purpose of article.

The purposes of this article are to:

- (1) Encourage the effective use of signs as a means of communication and way-finding in the county;
- (2) Maintain and enhance the aesthetic environment of the county and the county's ability to attract sources of economic development and growth;
- (3) Improve pedestrian and traffic safety on public rights-of-way;
- (4) Minimize the possible adverse effect of signs on nearby public and private property;
- (5) Establish a regulatory system to allow a wide and creative variety of signs types;
- (6) Allow certain signs that are small, unobtrusive and incidental to the principal use of the respective lots on which they are located to be placed without a permit, subject to the requirements of this chapter;
- (7) Enable the fair and consistent enforcement of the provisions of this article; and
- (8) Provide an approach to sign regulation that recognizes the need for context based standards. This includes "Sign Areas," which are geographical boundaries that differentiate locations based on factors such as road speeds, the built environment, and proximity to residential neighborhoods. The following are general descriptions of the designated sign areas:
 - a. Area 1 is intended for rural areas with larger residential parcels and which may include some accessory land uses.
 - b. Area 2 is intended for areas of residential land uses with accompanying lower speeds of vehicular traffic.
 - c. Area 3 is intended for urban areas, which have a pedestrian emphasis, and lower speed vehicular traffic. An example of Sign Area 3 would be Central Avenue.
 - d. Area 4 is intended for urban areas which are primarily used by motor vehicles and have higher vehicle speeds. This area may include tourists and people who are unfamiliar with the area who would benefit from commercial messages. Examples of Sign Area 4 would include Trinity Drive and Diamond Drive.
 - e. Area 5 is intended for urban areas which also are primarily used by motor vehicles and have higher speeds, and may include areas that are frequented by tourists whose destination may not have been Los Alamos but would benefit from commercial messages. An example of Sign Area 5 includes New Mexico Highway 4 (NM4).

(Ord. No. 02-227, § 2, 11-13-2012)

Sec. 16-402. - Applicability.

- (a) In general. This article regulates the location, number, size, duration, manner of display and type of sign 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 16-416, line-of-sight-obstructions.

- (b) 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) Church, school, non-residential primary land uses, multiple-family housing of five or more dwelling units on the same parcel and county signs. When a church, school, multiple-family housing of five or more dwellings units on the same parcel, or county-owned property is located within sign areas 1 and 2, the allowable signs shall be those of sign area 3, except that the only signs allowed are: Address, banners, building identification (commercial/industrial), canopy/awning, construction, directional, district identification, election, EMC (for schools only), garage sales, hanging (per facade or facade face), hours of operation, incidental-commercial, kiosk (public information), and freestanding sign (monument only).

(Ord. No. 02-227, § 2, 11-13-2012; Ord. No. 02-250, § 1, 9-30-2014)

Sec. 16-403. - Permit required.

- (a) *Permit required.* All signs shall require a permit prior to installation, modification, or replacement, unless Table 16-409t1 identifies the sign type as not requiring a permit.
- (b) Applicants for sign permits are encouraged to discuss plans with community development department staff members prior to application so that staff can assist applicants in determining whether the site of the proposed sign or other conditions will require submittals in addition to the sign permit.
- (c) *Exceptions.* In addition to those signs identified in Table 16-409t1, the following shall not require the issuance of a permit, provided that they conform to all design, size, duration, setback, height and other requirements of this article and do not create traffic or pedestrian hazards as determined by the traffic engineer.
 - (1) Any pre-existing sign conforming to the provisions of section 16-409t1.
 - (2) A change in the text or graphics of a lawfully existing sign where there is no change in the sign's size, location, structure, lighting, or other manner of display.
 - (3) 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.

(Ord. No. 02-227, § 2, 11-13-2012)

Sec. 16-404. - Exempt signs.

- (a) Signs exempt from regulation under this article. The following signs, as defined by section 16-409t1 herein, shall be exempt from regulations under this article and shall therefore require no permit:
 - (1) Any public notice or warning placed pursuant to a valid and applicable federal, state or local law, regulation or ordinance;
 - (2) Any traffic-control 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) standards and which contain no commercial message of any sort;

- (3) Any sign inside a building that is not attached to nor within two feet of the inside surface of a window or door;
- (4) Holiday decoration signs. Temporary signs, in the nature of decorations, clearly customary and commonly associated with federal, state, local, or religious holidays and which contain no commercial messages, and are only displayed during the holiday period with which they are associated;
- (5) Integral decorative or architectural features of buildings or works of art, so long as such features or works do not contain advertising, trademarks or moving parts;
- (6) Vehicle-mounted protruding signs where the vehicle is operating or legally parked on a street or other public right-of-way and flush-mounted vehicle signs in all locations;
- (7) Flags, 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;
- (8) Flags, decorative;
- (9) Lamp post banners. County sponsored signs that are located in the public right-of-way, which are seasonal and/or event related.

(Ord. No. 02-227, § 2, 11-13-2012)

Sec. 16-405. - Hierarchy of regulations.

Where there is a conflict between specific sign regulations or general sign regulations of this article, the specific sign regulations supersede the general sign regulations.

(Ord. No. 02-227, § 2, 11-13-2012)

Sec. 16-406. - Severability.

If any word, sentence, section, chapter or any other provision or portion of this article or rules adopted hereunder is invalidated by any court or competent jurisdiction, the remaining words, sentences, sections, chapters, provisions, or portions will not be affected and will continue to be in full force and effect.

(Ord. No. 02-227, § 2, 11-13-2012)

Sec. 16-407. - Authority.

- (a) *Responsibility.* This article will be administered and enforced by the community development department director or designee.
- (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 the provisions of this article.

(Ord. No. 02-227, § 2, 11-13-2012)

Sec. 16-408. - Request for sign code waivers.

- (a) *Criteria for the granting of a sign waiver.* In addition to the general waiver criteria listed in section 16-157, the board of adjustment or planning and zoning commission may issue a sign waiver when, by reason of topography, road location or elevation, or other exceptional difficulties or unique circumstance, the sign would not be visible or serve its intended purpose if the provisions of the sign code were strictly applied.
- (b) Nothing herein shall be construed as permitting waivers from any sign regulations governed by the building code.

(Ord. No. 02-227, § 2, 11-13-2012)

Sec. 16-409-t1. - Dimensional and placement standards (table).

Location Examples	Residential 1			WR Rural			Central Ave			Trin/Dia			WR SR 4				
Sign Locations	Area 1			Area 2			Area 3			Area 4			Area 5				
Area (square feet)/Height (feet)/Number (per sign)	A	H	N	A	H	N	A	H	N	A	H	N	A	H	N	Permit Required	Code Details
Address	3	*	1	3	*	1	10	*	2	10	*	2	10	*	2	No	16-409(a)(1)
Animated Sign and flashing lights	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	N/A	16-409(a)(2)
Banners (per facade or facade segment)	0	0	0	0	0	0	30	10	1	30	10	1	30	10	1	Yes	16-409(a)(3)
Billboards	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	N/A	16-409(a)(4)
Bldg. identification (residential only, not including mixed-use)	10	*	1	10	*	1	10	*	1	10	*	1	10	*	1	Yes	16-409(a)(5)
Bldg. identification (commercial and	2	*	1	4	*	1	15	*	*	20	*	*	20	*	*	Yes	16-409(a)(6)

industrial only)																	
Canopy/Awning (per façade or façade segment)	0	0	0	0	0	0	2 5	*	1	25	*	2	25	*	2	Yes	16- 409(a)(7)
Community event (public land)	24	5	1	2 4	5	1	2 4	5	1	48	5	2	48	5	2	Yes	16- 409(a)(8)
Community event (ROW)			*			*			*			*			*	Yes	16- 409(a)(9)
Community event (private land)	24	5	1	2 4	5	1	2 4	5	1	48	6	1	48	6	1	Yes	16- 409(a)(10)
Construction/Proper ty development (per building)	32	10	1	3 2	1 0	1	3 2	10	1	32	10	1	32	10	1	Yes	16- 409(a)(11)
Directional (private land)	2	4	1	2	4	1	4	4	4	4	4	4	4	4	4	Yes	16- 409(a)(12)
Directional (Public/ROW)*			*			*			*			*			*	Yes	16- 409(a)(13)
District identification			*			*			*			*			*	Yes	16- 409(a)(14)
Election (public land/ROW)**	16	6	5	1 6	6	5	1 6	6	5	16	6	5	16	6	5	Yes	16- 409(a)(15)
Election (private land)	9	6	na	9	6	n a	1 6	6	na	16	6	na	16	6	na	No	16- 409(a)(16)
Electronic message center (EMC)*	0	0	0	0	0	0	*	*	*	*	*	*	*	*	*	Yes	16- 409(a)(17)

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Flags, decorative	10	10	2	1 0	1 0	2	2 0	10	5	20	15	5	20	20	5	No	16- 409(a)(18)
Flags, commercial	0	0	0	0	0	0	*	*	*	*	*	*	*	*	*	Yes	16- 409(a)(19)
Freestanding sign*	*	*	*	*	*	*	2 5	10	*	50	15	*	75	20	*	Yes	16- 409(a)(20)
Garage sales	4	4	4	4	4	4	0	0	0	0	0	0	0	0	0	No	16- 409(a)(21)
Hanging (per façade or façade segment)	0	0	0	0	0	0	4	*	1	4	*	1	4	*	1	Yes	16- 409(a)(22)
Home occupation or home business*	3	4	1	3	4	1	3	4	1	3	4	1	3	4	1	Yes	16- 409(a)(23)
Hours of operation	0	0	0	0	0	0	2	N A	2	2	N A	2	2	N A	2	No	16- 409(a)(24)
Incidental commercial	0	0	0	4	5	1	4	N A	N A	4	N A	N A	4	N A	N A	No	16- 409(a)(25)
Incidental residential (single family and duplex bldgs.)	2	4	5	2	4	5	2	4	5	2	4	5	2	4	5	No	16- 409(a)(26)
Incidental residential (multi- family bldg.)	6	4	5	6	4	5	6	4	5	6	4	5	6	4	5	No	16- 409(a)(27)

Kiosks*	0	0	0	0	0	0	*	*	*	*	*	*	*	*	*	Yes	16-409(a)(28)
Menu boards*	0	0	0	0	0	0	*	6	*	*	6	*	*	6	*	Yes	16-409(a)(29)
Pennants, strings of lights, inflatable, and tethered balloons	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	N/A	16-409(a)(31)
Portable (per 50 feet of commercial frontage)	0	0	0	0	0	0	4	4	1	6	4	1	6	4	1	No	16-409(a)(32)
Project identification (1 per 250 feet of street frontage)*	0	0	0	0	0	0	50	10	1	100	15	1	100	15	1	Yes	16-409(a)(33)
Projecting (per façade or façade segment)***	0	0	0	0	0	0	16	15	1	16	15	2	16	15	2	Yes	16-409(a)(34)
Real estate, single family and duplex (sale, rent, or lease)	6	5	2	6	5	2	6	5	2	6	5	2	6	5	2	No	16-409(a)(35)
Real estate, commercial, industrial, and multi-family (sale/rent/lease) per building or commercial unit	20	5	1	20	5	1	20	10	1	32	10	1	32	10	1	No	16-409(a)(36)
Roof mounted	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	N/A	16-409(a)(37)

Sandwich board*	0	0	0	0	0	0	8	4	1	8	4	1	8	4	1	Yes	16-409(a)(38)
Subdivision identification*	20	6	2	20	6	2	20	6	2	20	6	2	20	6	2	Yes	16-409(a)(39)
Time and temp (per lot)	0	0	0	0	0	0	15	10	1	15	10	1	15	10	1	Yes	16-409(a)(40)
Transit shelters	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	Yes	16-409(a)(41)
Utility warning	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	Yes	16-409(a)(42)
Vehicle signs (per legal lot of record)*	0	0	0	0	0	0	25	8	1	25	8	1	25	8	1	Yes	16-409(a)(43)
Vending machines	0	0	0	0	0	0	12	6	3	12	6	5	12	6	5	No	16-409(a)(44)
Wall sign (flush mounted)/marquee (per façade or façade segment)*	0	0	0	0	0	0	*	*	*	*	*	*	*	*	*	Yes	16-409(a)(45)
Window (first story only, per façade or façade segment)*	0	0	0	0	0	0	*	*	*	*	*	*	*	*	*	No	16-409(a)(46)

* See section for additional information and/or restrictions.

** Only locations designated by the county council.

*** A single building façade or façade segment may have either a projecting sign or an awning sign, but not both.

(Ord. No. 02-227, § 2, 11-13-2012)

Sec. 16-409. - Dimensional and placement standards.

- (a) *In general.* This section and Table 16-409-t1 set forth regulations governing the types of signs, number, placement, and maximum dimensions for signs. These regulations shall apply to all signs regardless of whether or not a sign permit is required.
- (1) *Address.* Property identification signs shall list only the property's address, business name or name(s) of occupant(s), and shall only be wall mounted.
 - (2) *Animated sign and flashing lights.* Not permitted (see also, EMC).
 - (3) *Banners (allowed one sign per parcel and up to one additional sign per 300 feet of street frontage).* Banners, including "feather signs" vertical in design, may be displayed on buildings, tethered to existing private structures, or be self-supporting, freestanding signs subject to the following conditions:
 - a. Banners shall not be secured to public buildings and structures or to public utilities, public signs, or public traffic control equipment;
 - b. Banners that appear to be damaged, torn, or weathered shall be removed immediately; and
 - c. Banners may be displayed for up to a 30-consecutive day period. Two such permits may be issued during the calendar year.
 - (4) *Billboards.* Not permitted.
 - (5) *Building identification (residential building only, not including mixed use).* Single-family attached homes and multi-family residential buildings may have a building identification sign in addition to property address signs and residential subdivision sign. Each building (or row of single-family attached homes) may have a building identification sign as either a freestanding sign, building mounted sign, or fence or wall mounted sign subject to the following conditions:
 - a. In the case of a freestanding sign, the sign shall be set back at least two feet from any adjacent property line; and
 - b. Freestanding signs, including fence signs, shall not exceed four feet in height.
 - (6) *Building identification (commercial and industrial buildings only).* Commercial and industrial buildings may have a building identification sign in addition to property address signs. All building identification signs are subject to the following conditions:
 - a. Only one sign per street frontage is allowable;
 - b. Must be building mounted; and
 - c. Shall not be roof mounted.
 - (7) *Canopy/awning (per facade or faced 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 an encroachment permit.
- (8) *Community event (public land).* A temporary sign. These are signs that may be placed on property owned by the county, but not the public right-of-way, and are intended to promote or advertise upcoming community events. In general, the following are additional restrictions applied to signs that are allowed on public land (non-right-of-way):
- a. *Time of display.* Such signs and banners 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 one week prior to each event or activity and removed within two days thereafter.
 - b. *Location.* Temporary community event signs may be allowed on public land throughout the county but only in locations designated by the community development department in consultation with the public works department.
 - c. *Size and height.* Signs shall not exceed five feet in height, nor shall they be placed in a manner so as to become a safety hazard for vehicles, pedestrians and bicyclists.
 - d. *Permit issuing authority.* The community development department director shall be responsible for the issuance of permits for community event signs on public land (non-right-of-way) and shall determine if such signs are in accordance with appropriate regulations.
- (9) *Community event (public right-of-way).* A temporary sign. These are signs that may be placed in the public right-of-way and are intended to promote or advertise upcoming community events. These signs are regulated as part of a program operated by the county. Another program the county operates is the overpass banner program, which has its own standards. These programs have their own requirements and restrictions so it is advisable that a potential applicant contact the county to obtain this additional information. In general, the following are additional restrictions applied to signs that are in the public right-of-way:
- a. *Time of display.* Such signs and banners 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 one week prior to each event or activity and removed within two days thereafter.
 - b. *Location.* Temporary banners shall be allowed on overpasses over public rights-of-way, but only in the time, place and manner established by the county council. Other temporary community event signs may be allowed on public rights-of-way throughout the county but only in locations designated by the community development department in consultation with the traffic engineer.
 - c. *Size and height.* No banner spanning a public right-of-way shall exceed 12 feet in length and four feet in width. Non-banner signs shall not exceed five feet in height, nor shall they be placed in a manner so as to become a safety hazard for vehicles, pedestrians and bicyclists.
 - d. *Permit issuing authority.* The county manager shall assign responsibility for the issuance of temporary banners on overpasses over public rights-of-way. The community development department director shall be responsible for the issuance of permits for other types of community event signs.
- (10) *Community event (private land).* A temporary sign that may be placed on privately owned land with the following restrictions:

- a. *Time of display.* Such signs and banners may be displayed for a period of two weeks prior to the event and one week thereafter, except that recurring events shall be limited to one week prior to each event or activity and removed within two days thereafter.
 - b. *Location.* Signs are allowed on privately owned property to the extent that no sign shall be placed in a manner that would be a safety hazard for vehicles, pedestrians, and bicyclists. All signs must be set back a minimum of five feet from front, side and rear property lines.
- (11) *Construction/property development (per building).* A temporary sign advertising property development or improvement and construction signs shall be allowed as follows:
 - a. Signs advertising property development or improvements shall not be displayed prior to county approval of a site's development agreement with the county, a required master plan, subdivision, site plan, or special use permit, whichever comes first. Signs shall be removed after six months of no permitted physical development occurring on site.
 - b. Signs advertising construction may be displayed in conjunction with an active building permit and shall be removed upon issuance of a certificate of occupancy.
- (12) *Directional (private land).* See Table 16-409-t1.
- (13) *Directional (public/ROW-business directional signs).* In an effort to assist businesses and organizations that do not have street frontage on an arterial road or Central Avenue, it is the county's intent to implement a way-finding program that will provide signage in the public rights-of-way. This program will also benefit the cultural and historic areas of town.
 - a. *Fee required.* The county council will approve a fee structure for issuance and renewal of permits, as well as for replacement of damaged signs.
 - b. *Relationship to district identification signs.* Where more than three businesses or organizations request a public right-of-way directional sign at a particular location, the director of public works and the community development department director may direct the applicants to apply instead for a district identification sign as authorized by subsection (14) hereto.
- (14) *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 contain graphics and text including the names and logos of individual non-profit and for-profit organizations located within the district, but shall not contain specific commercial messages. 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.

- (15) *Election (public land/ROW)—Election campaign signs.* Election campaign signs on designated public rights-of-way and public property shall be subject to the following restrictions:
- a. *Applicant.* Election campaign signs permits may be applied for by the candidate, a political party or an interested person or group. The applicant shall be responsible for compliance with all regulations.
 - b. *Time of display.* The term of such a permit shall be for 60 days prior to any election, defined as the day of election. All such signs shall be removed within three days of the election.
 - c. *Locations.* Temporary signs will be allowed on public rights-of-way and public land, but only in the time, place and manner established by the county council. Signs may be removed if not located in a designated area or is deemed to constitute a traffic or public safety hazard.
- (16) *Election (private land).*
- (17) *EMC.* Electronic message center signs are allowed as follows:
- a. Signs displaying only time and/or temperature.
 - b. Electronic message center signage represents an emerging technology that can provide effective ways to convey messages. An EMC can reduce sign clutter by consolidating multiple messages into one sign face that relays multiple messages over a period of time. The EMC can also present a potential hazard and a potential nuisance to residential properties if not operated correctly. The following are conditions that an EMC must operate under:
 1. This EMC allowance shall only apply to freestanding signs.
 2. Unless otherwise restricted or permitted in this section, an EMC shall follow Table 16-409-t1 standards for a freestanding sign.
 3. Only one EMC sign is permitted per land parcel and shall count towards the total freestanding sign allowance.
 4. An EMC may only be a part of a freestanding sign that contains at least 50 percent non-EMC type signage.
 5. An EMC shall not exceed 50 percent of the area of a freestanding sign.
 6. Schools may have one EMC sign per school location. The sign will count towards the allowable freestanding sign standards for schools, and shall also not exceed 50 percent of the area of a freestanding sign.
 7. An EMC shall not be located within 100 feet of a road intersection.
 8. The EMC message or copy must not change more than once every eight seconds.
 9. Dynamic frame effect EMC signs are not permitted.

10. 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.
 11. No EMC shall have the appearance of flashing.
 12. All EMCs are required to have automatic dimming capability that adjusts the brightness to the ambient light at all times of the day and night.
 13. 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.
 14. 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 (not including a mixed-use zone) shall be set back from that lot line by a distance at least equal to the height of the sign.
- (18) *Flags, decorative.*
- (19) *Flags, commercial.* Building-mounted flag poles and flags are allowed, 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;
 - b. The area of a commercial message or logo shall be counted toward the maximum sign number and area allowed for "projecting signs" on each facade or facade area; and
 - c. Commercial flags shall not be permitted on freestanding flag poles.
- (20) *Freestanding signs.* This category includes pole/pylon signs and monument signs.
- a. *Sign type.* Pole and other types of freestanding signs are allowed in Sign areas 4 and 5. Only monument and pylons signs are allowed in Sign area 3.
 - b. *Churches, schools, non-residential primary land uses, multiple-family housing of five or more dwellings units on the same parcel and county-owned property.*
 1. Sign areas 1 and 2—May only be monument style in sign areas 1 and 2. Height shall not exceed six feet. Sign size shall not exceed 25 square feet.
 2. Sign area 3—May only be monument or pylon style in sign area 3. Height shall not exceed eight feet. Sign size shall not exceed 25 square feet.
 3. Sign areas 4 and 5—May be pole, pylon, or monument style in sign areas 4 and 5. Allowable heights shall follow Table 16-409-t1 for sign areas 4 and 5.
 - c. *Monument signs are permitted in sign areas 1 and 2 on lots or parcels greater than three acres in size if the land use is permitted within the applicable zone.* Height shall not exceed eight feet. Sign size shall not exceed 25 square feet.
 - d. *Number of signs allowed.* 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 each separate street frontage. If a property has frontage that exceeds 300 lineal feet on any given roadway, an additional freestanding sign shall be permitted for each additional 300 lineal feet.
 - e. *Minimum distance between freestanding signs.* The minimum distance between 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. Rather than referring the applicant to the planning and zoning commission or board of adjustment

to request a waiver from the standard, the applicant will present an administrative deviation application to the community development department director who may approve a sign that is closer than 50 feet, but only to the degree that allows the applicant to adequately erect a freestanding sign. The director may grant approval upon the subject property owner's written request and the director's written finding that granting such request will not result in any negative health, safety, or welfare impacts on the community or negatively impact a neighboring property. As with other decisions made by the director of CED, they are subject to appeal to the planning and zoning commission following article XI.

- f. *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 (not including a mixed-use zone) 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.
- (21) *Garage sales.* The standards for garage sale signs found in Table 16-409-t1 are for private property. Signs in the public right-of-way, while not expressly permitted, may be tolerated as long as signs are placed and taken down no more than one day before and after a garage sale. Signs may be removed at any time by the county if there is any obstruction or perceived danger to users of the public right-of-way. Garage sale signs shall not mimic any type of traffic management sign, e.g., stop sign, yield, etc. Signs shall not be affixed or hung from existing traffic sign posts, utility poles, or street light.
 - (22) *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.
 - (23) *Home occupation or home business.* A home occupation or home business approved in accordance with the provisions of this chapter shall be allowed subject to the following conditions:
 - a. No form of lighting is allowed.
 - b. Where such a sign is freestanding, the sign height shall not exceed four feet and shall be located at least two feet back from any adjacent property line.
 - (24) *Hours of operation.* See Table 16-409-t1.
 - (25) *Incidental commercial.* See Table 16-409-t1 and definitions. These signs shall not be roof-mounted or projecting. These types of signs require no permit, but must adhere to the standards set forth herein.
 - (26) *Incidental residential (single family and duplex buildings).* See Table 16-409-t1 and definitions. These signs shall not be roof-mounted or projecting. These types of signs require no permit, but must adhere to the standards set forth herein.
 - (27) *Incidental residential (multi-family building).* See Table 16-409-t1 and definitions. These signs shall not be roof-mounted or projecting. These types of signs require no permit, but must adhere to the standards set forth herein.
 - (28) *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 with non-commercial messages and one sign with a commercial message on each kiosk.
 - i. There shall be a minimum distance of 300 lineal feet between sign kiosks on the same side of the street.
- (29) *Menu boards.* Treated as an auto-oriented sign type, these signs are permitted as follows:
- a. Allowable sign size and number of signs permitted.
 - 1. In sign area 3, one sign per establishment is allowed. The sign shall not exceed six square feet.
 - 2. In sign area 4 and 5, if under nine square feet, the allowable number signs will be based on number of parking spaces designed for food-to-car service.
 - 3. In sign area 4 and 5, one sign shall be permitted per drive-through lane, and each sign shall not exceed 20 square feet.
- (30) *Off-premises.* Off-premises commercial signs are prohibited on private property, and are permitted on public property only as otherwise specified herein.
- (31) *Pennants, strings of lights, inflatable, and tethered balloons.* Not permitted in any sign area.
- (32) *Portable (per 50 feet of commercial frontage).* Must be kept in good repair, and must be designed, printed, and constructed in a professional manner.
- a. The total number of portable signs shall not exceed one sign for each 50 feet of commercial frontage;
 - b. Each sign shall be set back at least three feet from all adjacent property lines; and
 - c. Signs shall not be illuminated and shall not be placed on rooftops.
- (33) *Project identification (one per 250 feet of street frontage).*
- a. *Project identification signs.* A master-planned development may have one project identification sign per 250 feet of street frontage along which the sign is located.
 - b. *Monument style.* All project identification signs shall be of a monument style design.
 - c. *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 (not including mixed use zones) shall be set back from that lot line by a distance at least equal to the height of the sign.
- (34) *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 (figure 16-418-1f), 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.
- (35) *Real estate, single family and duplex (sale, rent, or lease).* Signs shall only be displayed during the period in which the rental lease or sale is actively being pursued. All for-rent, for-sale and for-lease signs shall be both portable and temporary.
- (36) *Real estate, commercial, industrial, and multi-family (sale, rent, or lease).* Sign shall only be displayed during the period in which the rental, lease, or sale is actively being pursued. All for-rent, for-sale and for-lease signs shall be both portable and temporary, subject to the following conditions:
 - a. May be wall mounted in areas 3, 4, and 5, and for any multi-family structure with three or more units (in all sign areas), but never roof mounted.
 - b. If freestanding, maximum height shall be per Table 16-409-t1.
- (37) *Roof mounted.* Prohibited.
- (38) *Sandwich board.* See table 16-409-t1. In areas where they are permitted, sandwich board signs may be allowed in the public right-of-way upon approval of the community development department director in consultation with the county traffic engineer. Permittees shall provide proof of insurance in an amount equal to that listed in the New Mexico Tort Claims Act and shall assume full responsibility for any and all damages incurred due to activities authorized by the permit. Where sidewalks are at least five feet wide, a five feet minimum clear path must be maintained from the nearest obstruction (e.g. street light, tree, etc.) Sandwich boards are not permitted where sidewalks are less than five feet wide. Sandwich boards must not be displayed during hours when a business is not open. Sandwich board signs may be placed a maximum distance of 15 feet from the main pedestrian entrance to the business the sign is associated with. However, in no case shall a business place a sandwich board sign in front of another business, including the entire facade.
- (39) *Subdivision identification.* Each residential subdivision may maintain permanent entry signs at each entry into the subdivision, subject to the following conditions:
 - a. Entry signs shall be of the monument sign type or mounted on a wall or fence;
 - b. Freestanding signs shall be set back at least two feet from any adjacent public right-of-way line; and
 - c. In the case of multiple property ownership within the subdivision, all such signs shall be maintained by a property owners association.
- (40) *Time and temperature (per lot).* These signs are in addition to the EMC standards.
- (41) *Transit shelters.* Signage shall not exceed 25 percent of any wall of a transit shelter. Signage may be located on both the inside and outside of any wall.
- (42) *Utility warning.* Standards are as needed by Los Alamos County.
- (43) *Vehicle signs and vehicle-mounted signs.* Vehicle-mounted protruding signs 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. Flush-mounted vehicle signs are exempt from regulation.
- (44) *Vending machines*. See Table 16-409-t1.
- (45) *Wall sign (flush mounted)/marquee (per facade or facade segment)*. This type of sign is prohibited in Areas 1 and 2 except for church and school land 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. (See figure in section 16-418). 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 church and school uses within areas 1 and 2, the total sign area allowed for wall signs shall be calculated as one-half of the above standard.
- (46) *Window (First story only, per facade or facade segment)*. Not to exceed 50 percent of total window area, including glass doors. Individual signs not to exceed six square feet.

(Ord. No. 02-227, § 2, 11-13-2012; Ord. No. 02-231, § 4, 7-26-2013; Ord. No. 02-250, § 2, 9-30-2014; Ord. No. 02-256, § 33, 7-7-2015)

Sec. 16-410. - Prohibited signs.

The following sign types and manners of display are prohibited in the county:

- (1) Billboards;
- (2) Off-premises signs, including public right-of-way (ROW), except as specifically authorized herein;
- (3) Animated and flashing lights, except as specifically authorized herein;
- (4) Roof-mounted signs;
- (5) Beacons, pennants, strings of lights not permanently mounted to a rigid background and inflatable signs and tethered balloon signs;
- (6) Any sign maintained in conjunction with a use, event, service or activity that is not lawful; and
- (7) 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 or pedestrian's clear view of an intersecting road, alley or major driveway as further defined in section 16-417 below.

(Ord. No. 02-227, § 2, 11-13-2012; Ord. No. 02-231, § 4, 7-26-2013)

Sec. 16-411. - Temporary signs.

- (a) *Permit, duration*. Except as otherwise provided herein, all temporary signs shall require a permit. Unless stated otherwise for a particular sign type, all temporary sign permits shall expire one year from the time of issuance. Temporary permits may be renewed, but each renewal shall require a new application and be subject to all the ordinances and regulations in force at the time of the renewal. Temporary signs not requiring a permit shall not be limited as to time of display, but shall only be

allowed to stay in place as long as they meet the current version of the requirements of this article or other applicable regulations and shall be removed immediately when and if they no longer do so.

(Ord. No. 02-227, § 2, 11-13-2012)

Sec. 16-412. - Lighting.

- (1) *Internally lit, or backlit signs.* An indirect source of light which illuminates a sign by shining through a translucent surface of a sign, including a plastic sign, lit from an internal light source.
- (2) *Externally-lit, or indirect illumination signs.* A 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. (See figure in section 16-418)
- (3) *New Mexico Night Sky Protection Act.* All lighting related to signage shall comply with the New Mexico Night Sky Protection Act.

(Ord. No. 02-227, § 2, 11-13-2012)

Sec. 16-413. - Signs in open space zoning districts W-1 and W-2.

- (a) *In general.* This section sets forth regulations governing the types of signs, number, placement, and maximum dimensions for signs that are allowed in open space zoning districts. Open space zoning districts shall be defined only as those designated by the symbols (W-1) indicating scenic open lands district and (W-2) indicating recreation wilderness district on the county's official zoning map.
- (b) *Prohibition on commercial messages.* To help maintain the natural and recreational ambiance of public land open space districts, signs in the district shall not contain commercial messages.
- (c) *Illumination.* Signs in the districts shall not be internally illuminated and shall not incorporate electronic text or images whether moving or static.
- (d) *Building-mounted signs.* Awning signs, flush-mounted signs, conventional projecting signs, suspended and window signs shall be allowed in public land open space districts but the total sign area of all such signs shall not exceed ½ square feet per façade or façade segment.
- (e) *District identification signs.* District identification signs shall be allowed in any open space district when approved, designed, and placed in accordance with the requirements of section 16-419 below.
- (f) *Equipment-mounted signs.* Equipment-mounted signs shall be allowed subject to either of the following conditions:
 - (1) Either the area of each sign face does not exceed six square feet; or
 - (2) Signs in excess of six square feet per face mounted on water towers or other large structures shall have received prior written approval of the planning and zoning commission. The planning and zoning commission shall hear and act upon the sign application according to the same procedures for special use permits, including appeals, and shall address the following criteria, in addition to the special use permit criteria:
 - a. The sign will meet a public purpose that cannot be easily met by other means; and
 - b. In the opinion of the commission the sign will be compatible with the area in which it is proposed to be located.

- (g) *Freestanding signs.* Freestanding signs including signs affixed to walls and fences shall be allowed in any number but shall not exceed six feet in height and no sign face shall exceed 32 square feet in area.
- (h) *Public information kiosks.* Public information kiosks shall be allowed in public land open space districts subject to the following conditions:
 - (1) The kiosk shall be permanently anchored and not exceed eight feet in height; and
 - (2) The permit application shall include information on how the kiosk will be managed and maintained, enforceable as a condition of the permit.
- (i) *Temporary and portable signs.* Temporary and portable signs shall be permitted according to the provisions of section 16-419, provided that the temporary or portable signs shall not include commercial messages.

(Ord. No. 02-227, § 2, 11-13-2012)

Sec. 16-414. - Design, construction, maintenance, abandonment, and conformance.

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

- (a) All signs other than portable signs shall be constructed of permanent 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 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.
- (c) The supports and foundations used in construction for all signs and sign structures must be located outside of any rights-of-way.
- (d) Welds of sign structures and sections of sign structures must be welded in accordance with currently adopted building codes.
- (e) 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 (area); 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(s), 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.
 - (4) When any proposed change, repair, or maintenance would constitute an expense of more than 25 percent of the original value or replacement value of the sign.
- (f) 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 chapter 16 of the Municipal Code regarding appeals from determinations of the community development department director.

- (g) The area at the base of any freestanding sign shall be landscaped, and the area within ten feet in all directions of any part of a freestanding sign shall be kept clear of all debris.

(Ord. No. 02-227, § 2, 11-13-2012; Ord. No. 02-231, § 5, 7-26-2013)

Sec. 16-415. - Dimensional computations.

The following principles shall control the computation of sign area and sign height (also see Figure 16-415-1f, 16-418-2fa and 16-418-2fb):



- (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 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 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 extreme 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.

In cases where the normal grade cannot be reasonably determined, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of the public street or the grade of the land, at the principal entrance to the principal structure on the same lot, whichever is lower.

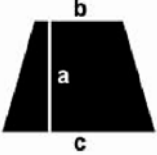

- (d) *Approval.* The community development department director shall have the discretion to approve minor height variations along the top of the sign amounting to 12 inches or less when determining sign height.

Figure 16-415-1f Common Geometric Shapes

Even the most complex sign backgrounds are simply combinations of various geometric shapes. Included here are useful formulae to assist in the computation of the areas of common shapes. Some of these formulae utilize the Greek letter pi, designated as the symbol π . The approximate numerical value of π is 3.1416.

	<p style="text-align: center;">CIRCLE</p> <p>The AREA of a circle is found by multiplying the square of its radius (radius is the distance from the center to the outer edge or circumference) by π (3.1416). Area = πr^2</p>
	<p style="text-align: center;">SQUARE, RECTANGLE, PARALLELOGRAM</p> <p>The AREA of a square, rectangle, or parallelogram (all four sided figures with two pair of parallel sides) is found by multiplying the length by the width. Area = L×W</p>

<div data-bbox="203 199 776 772" data-label="Image"> </div> <div data-bbox="406 772 568 903" data-label="Image"> </div>	<div data-bbox="1031 199 1193 241" data-label="Section-Header"> <h3>TRIANGLE</h3> </div> <div data-bbox="803 535 1429 651" data-label="Text"> <p>The AREA of a triangle (three sided figure) is found by multiplying one-half of the base times the height. Area = $\frac{1}{2}(bxh)$</p> </div>
<div data-bbox="203 955 776 1528" data-label="Image"> </div> <div data-bbox="406 1528 568 1654" data-label="Image"> </div>	<div data-bbox="1047 955 1177 987" data-label="Section-Header"> <h3>ELLIPSE</h3> </div> <div data-bbox="803 1260 1429 1417" data-label="Text"> <p>The AREA of an ellipse is found by multiplying half the length of the major axis by half the length of the minor axis, then multiplying the result by π (3.1416). Area = $\pi(axb)$</p> </div>
<div data-bbox="203 1701 776 1759" data-label="Image"> </div>	<div data-bbox="1023 1701 1201 1732" data-label="Section-Header"> <h3>TRAPEZOID</h3> </div>

	<p>A four sided figure with only one pair of parallel sides. The AREA equals one-half the product of its attitude (a) multiplied by the sum of its bases (the bases are the two parallel sides - b and c). Area = $\frac{1}{2}a(b+c)$</p>
<div data-bbox="203 436 776 1010" style="border: 1px solid black; height: 273px; width: 353px; margin-bottom: 20px;"></div> 	<p style="text-align: center;">REGULAR POLYGONS</p> <p>Polygons are figures bounded by straight lines called sides. The AREA of a polygon equals the number of triangles within it times the area of each triangle. See formula for triangle. Area = $\frac{1}{2}(bxh) \times \text{number of triangles}$</p>

(Ord. No. 02-227, § 2, 11-13-2012; Ord. No. 02-231, § 5, 7-26-2013)

Sec. 16-416. - Line-of-sight-obstructions.

To maintain line-of-sight safety for pedestrians and vehicles, the following criteria are to be used to determine the maximum sign sight-line encroachments for non-traffic signs at intersections:

- (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 either 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. Such sight triangle is defined in section 16-271(c), sight obstructions.
- (b) Section 16-271(c) notwithstanding, the traffic engineer 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.

(Ord. No. 02-227, § 2, 11-13-2012; Ord. No. 02-231, § 5, 7-26-2013)

Sec. 16-417. - Enforcement and remedies.

- (a) Any violation or attempted violation of this article or of any condition or requirement adopted pursuant hereto may be restrained, corrected or abated, as the case may be, by injunction or other appropriate proceedings pursuant to state or county law. A violation of this article shall be considered a violation of this article. The remedies of the county shall include the following:
 - (1) Issuing a stop work order for any and all work on any signs on the same parcel;
 - (2) Seeking an injunction or other order of restraint or abatement that requires the removal of the sign or the correction of the nonconformity;
 - (3) Imposing any penalties that can be imposed directly by the county;
 - (4) Seeking in court the imposition of any penalties that can be imposed; and
 - (5) In the case of a sign that poses an immediate danger to the public health or safety, taking such measures as is available to the county under the applicable provisions of this article and the building code for such circumstances.
- (b) Penalties for signs on public property that are placed illegally or left in place after permit expiration. Any sign installed or placed on public property, except in conformance with the requirements of this section, and any sign left in place after the expiration date of its permit shall be forfeited to the public and subject to confiscation. In addition to other remedies under this article, the county shall have the right to recover from the person placing such a sign the full cost of removal and disposal of the sign. Nevertheless, of the signs confiscated by the county, the owner of the sign will be allowed three business days from the time of confiscation to have the violating sign(s) surrendered to them. It will be the responsibility of the sign owner to locate and secure possession of the sign(s) confiscated by the county.
- (c) The county shall have such other remedies as are and as may from time to time be provided or allowed by state or county law for the violation of this article.
- (d) All such remedies provided in this section shall be cumulative. To the extent that state or county law may limit the availability of a particular remedy set forth in this section for a certain violation or a part of such violation, such remedy shall remain available for other violations or other parts of the same violation.

(Ord. No. 02-227, § 2, 11-13-2012)

Sec. 16-418. - Sign examples and illustrations.

Figure 16-418-1f through Figure 16-418-2fb below shall supplement the definitions listed in section 16-419 and further illustrate the requirements of this article.

Figure 16-418-1f Typical On-Premises Sign Types



Figure 16-418-2fa Sign Computational Methodology/Ground Signs

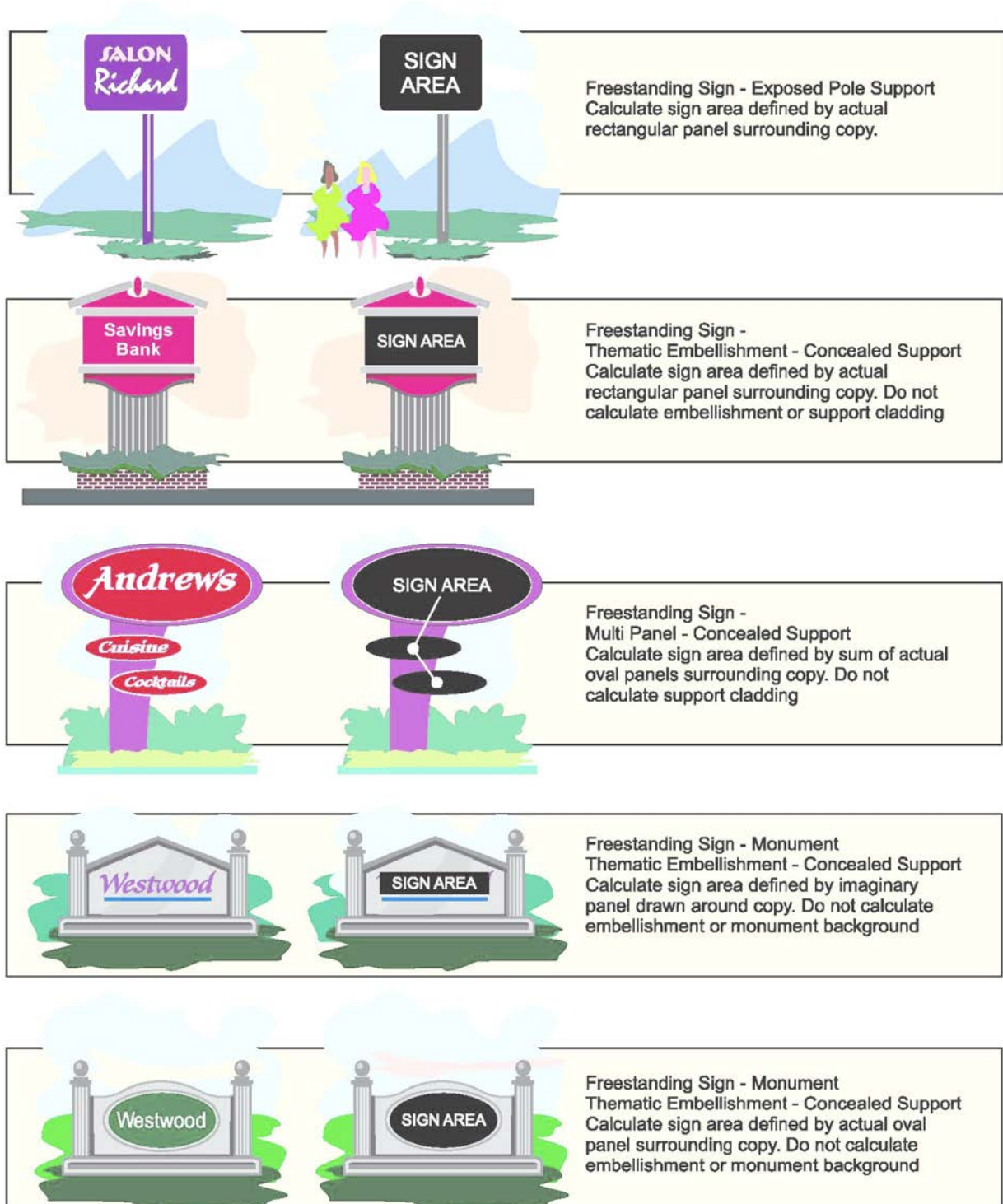
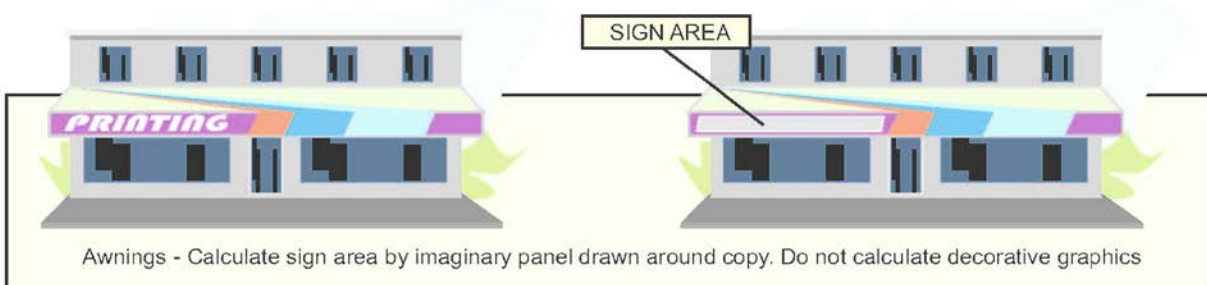
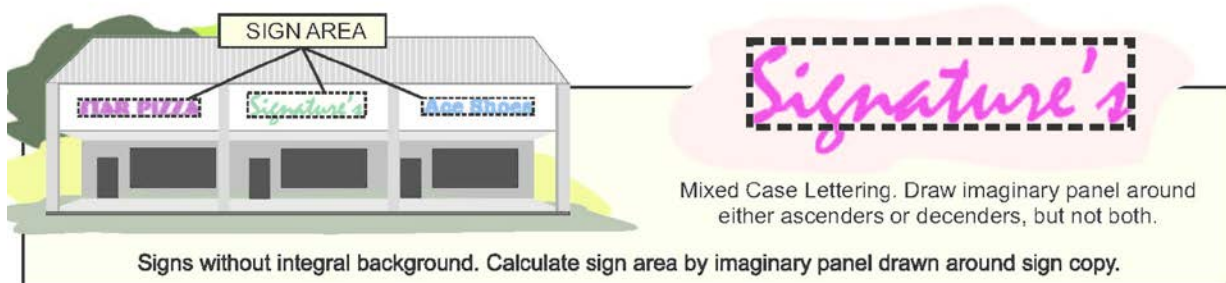


Figure 16-418-2fb Sign Computational Methodology/Ground Signs



Wall / Fascia Signs



(Ord. No. 02-227, § 2, 11-13-2012)

Sec. 16-419. - Definitions.

Animated/moving sign means a sign that moves or has parts that move mechanically.

Animated sign means a sign employing actual motion, the illusion of motion, or light and/or color changes achieved through mechanical, electrical, or electronic means. Animated signs, which are differentiated from changeable signs as defined and regulated by this article, include the following types:

- (1) *Environmentally activated*: Animated signs or devices motivated by wind, thermal changes, or other natural environmental influence. These signs include spinners, pinwheels, pennant strings and/or other devices or displays that respond to naturally occurring external motivation.
- (2) *Mechanically activated*: Animated signs characterized by repetitive motion and/or rotation activated by a mechanical system powered by electric motors or other mechanically induced means.
- (3) *Electrically activated*: Animated signs producing the illusion of movement by means of electronic, electrical, or electromechanical input and/or illumination capable of simulating movement through employment of the characteristics of one or both of the classifications noted below:
 - a. *Flashing*: Animated signs or animated portions of signs whose illumination is characterized by a repetitive cycle in which the period of illumination is either the same as or less than the period of non-illumination. For the purposes of this ordinance, flashing will not be defined as occurring if the cyclical period between on-off phases of illumination exceeds eight seconds.
 - b. *Patterned illusionary movement*: Animated signs or animated portions of signs whose illumination is characterized by simulated movement through alternate or sequential activation of various illuminated elements for the purpose of producing repetitive light patterns designed to appear in some form of constant motion.

Area of sign means the square foot area of all the sign facing on which the advertising message is located, including only that portion of the supporting structure or trim which carries any wording, symbols or pictures. Area of sign dimensional computations are specified in section 16-415.

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.

Banner means a 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 advertising 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.

Building façade/façade segment means any side (in orthographic projection) of an individual building. Where the interior of a single structure is vertically divided by party walls perpendicular to the façade, or the façade width at the ground floor contains separate businesses divided by demising walls perpendicular to the façade, each such segment may be considered as a separate façade segment for the purpose of calculating allowable sign area. A single undivided ground floor area containing more than one business shall not be considered as separate façade segments.

Building-mounted sign means a sign that is permanently mounted on a building or other existing structure.

Candela means the basic unit of measurement of light in SI (metric) units.

Candela per square meter (cd/m^2) means the SI (Metric) unit used to describe the luminance of a light source or of an illuminated surface that reflects light. Also referred to as "Nits."

Candle or candlepower means synonymous with Candela, but in English, not SI, terms.

Cladding means a non-structural covering designed to conceal the actual structural supports of a sign. See also pole or pylon cover.

Community event means any planned gathering on public or private property consisting of 50 or more people, such as pre-planned marches, demonstrations, parades, concerts in the park, fundraising events, etc.

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 or 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.

Fade means a mode of message transition on an electronic message center accomplished by varying the light intensity, where the first message gradually reduces intensity to the point of not being legible and the subsequent message gradually increases intensity to the point of legibility.

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

Flag, commercial means a flag containing a commercial message, either verbal or pictorial.

Flag, decorative means a flag without a commercial message and that is used solely for decorative or artistic effect.

Flag, governmental means a flag containing distinctive colors, patterns or symbols, used as a symbol of a government, political subdivision or other such 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 an English unit of measurement of the amount of light falling upon a surface (illuminance). One foot candle is equal to one lumen per square foot. Can be measured by means of an illuminance meter.

Foot lambert means an English unit of measurement of the amount of light emitted by or reflecting off a surface (luminance) equivalent to 3.4262591 candelas per square meter.

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

Freestanding sign, fence or wall means a sign supported on a fence or a freestanding wall or retaining wall. (Figure 16-418-1f).

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.

Illuminance means the amount of light falling upon a real or imaginary surface, commonly called "light level" or "illumination." Measured in foot candles (lumens/square foot) in the English system, and lux (lumens/square meter) in the SI (metric) system.

Incidental sign, commercial means an on-premise commercial sign used to direct pedestrian or vehicular traffic, warn of hazards, list parking requirements, indicate entrances or exits, identify or list instructions for use of vending machines and other equipment, or any other similar information clearly incidental to the operation of a particular business.

Incidental sign, residential means a sign, excluding commercial, home business and home occupation signs, typically associated with a residential use and not otherwise defined by this section, including but not limited to address signs, no-trespassing or no-parking signs, garage or yard sale signs, signs identifying contractors doing work on the premises and holiday lawn displays. Also, permanent incidental signs, per section 16-409(27), customarily associated with residential use posted on the private property to which they pertain and not of a commercial nature such as signs relating to private parking or warning the public against trespassing or danger from animals. Signs advertising home occupations or home businesses shall not be considered as incidental.

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

Luminance means the light that is emitted by or reflected from a surface. Measured in units of luminous intensity (candelas) per unit area (square meter in SI measurement units or square feet in English measurement units). Expressed in SI units as cd/m^2 , and in English units as foot lamberts. Sometimes also expressed as "nits," a colloquial reference to SI units. Can be measured by means of a luminance meter.

Lux means the SI (metric) unit for illuminance. One lux equals 0.093 foot candles.

Mansard means a roof-like façade comparable to an exterior building wall.

Marquee sign means a sign attached to a structure that is itself attached to, supported by and projecting from a building.

Menu boards mean a wall or freestanding sign that lists the foods of other products available at drive through facilities.

Monument sign means a type of freestanding sign that is secured to a solid base resting on the ground with permanent structural footings. (Figure 16-418 1f).

Nit means a photometric unit of measurement referring to luminance. One nit is equal to one cd/m^2 .

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 a business, service, commodity, accommodation, attraction or other 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.

On-premises sign means a sign that draws attention to or communicates information about a business, service, commodity, accommodation, attraction or other enterprise or activity that exists or is conducted, sold, offered, maintained, or provided on the premises where the sign is located.

Parcel means a contiguous quantity of land, in the possession of or owned by or recorded as the property of the same claimant or person.

Permanent sign means any sign that is not a portable sign.

Pole/pylon sign means a type of freestanding sign with the message area of the sign elevated above grade by means of one or more poles or pylons with permanent structural footings. (Figure 16-418-1f).

Pole cover or pylon cover means an enclosure designed to conceal poles and/or other structural supports of a sign. See also "cladding".

Political campaign sign means a sign relating to a specific local, state, or federal election including those signs advocating for a particular candidate or issue in the election or announcing the election itself.

Portable sign means any sign not permanently affixed to the ground, to a building, or to another permanent structure, including, but not limited to, banners, inflatable signs, folding ("sandwich") signs, signs supported by stakes driven into the ground, and other such freestanding, non-attached signs. (Figures in section 16-418).

Project identification sign means a sign or sign structure whether on private or public property and used to identify a single development premises and containing the name of the project or development and associated information such as a slogan, graphic icon, and names of tenants located within the development.

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. A projecting wall sign may be either "conventional" or "grand," as illustrated in Figure 16-418-1f.

Property identification sign means a sign listing the name, address, or owners of a building or property and without any commercial message.

Public right-of-way business directional sign means a small sign designed, fabricated and placed by the county on its right-of-way, either freestanding or equipment-mounted, of a standardized design and listing only a business's name along with a directional arrow indicating its general location and approximate distance.

Roof sign means a sign mounted on the main roof portion of a building or on the uppermost edge of a parapet wall of a building and which is wholly or partially supported by such building. Signs mounted on mansard facades, pent eaves, and architectural projections such as canopies or marquees shall not be considered to be roof signs.

Sandwich board means an advertising or business ground sign constructed in such a manner as to form an "A" or a tent-like shape, hinged or not hinged at the top; each angular face held at an appropriate distance by a supporting member.

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.

SI (International System of Units) means the modern metric system of measurement; abbreviated SI for the French term "Le Systeme International d'Unites."

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 conveying no commercial message are not considered to be signs.

Sign area means an approach to sign regulation that recognizes the need for context based standards. These "Sign Areas" are geographical boundaries which differentiate locations based on factors such as road speeds, the built environment, and proximity to residential neighborhoods.

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.

Sign illumination means the method by which a sign structure, face, or message is illuminated by an artificial light source. A "back-lit" sign is a sign whose face is composed of a clear or translucent material

behind which a light source is present and upon which opaque letters or graphics are displayed. "Internally-lit letters and graphics" are letters and graphics that are lit from inside or behind the letters or graphics, but do not illuminate the surrounding background. An "externally-lit" sign is a sign whose face and message is lit from an external source, either attached or detached from the sign structure itself. (Figure in section 16-418).

Temporary sign means a sign intended to display either commercial or non-commercial messages of a transitory or temporary nature.

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.

Transition means a visual effect used on an electronic message center sign to change from one message to another.

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

Tethered sign means a sign or inflatable structure, including but not limited to banners, inflatable objects and pennants, with a logo or commercial message and that is temporarily tied to an existing structure.

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.

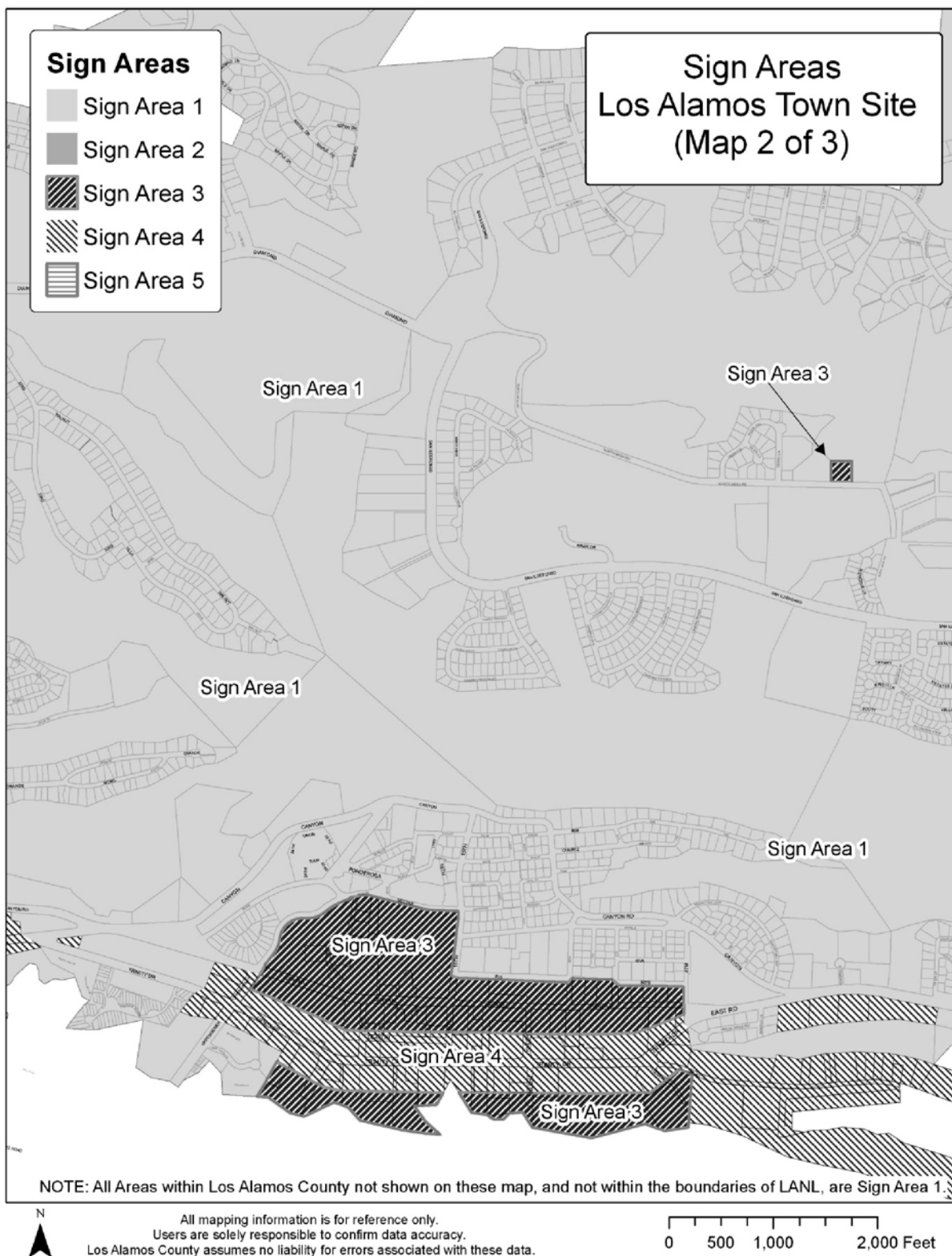
Window sign means a sign posted, placed, affixed or painted on the interior or the exterior of a window or glass area of a door or a sign placed inside a window within two feet of the glass surface. A window sign does not include merchandise, models, products or services incorporated in a window display.

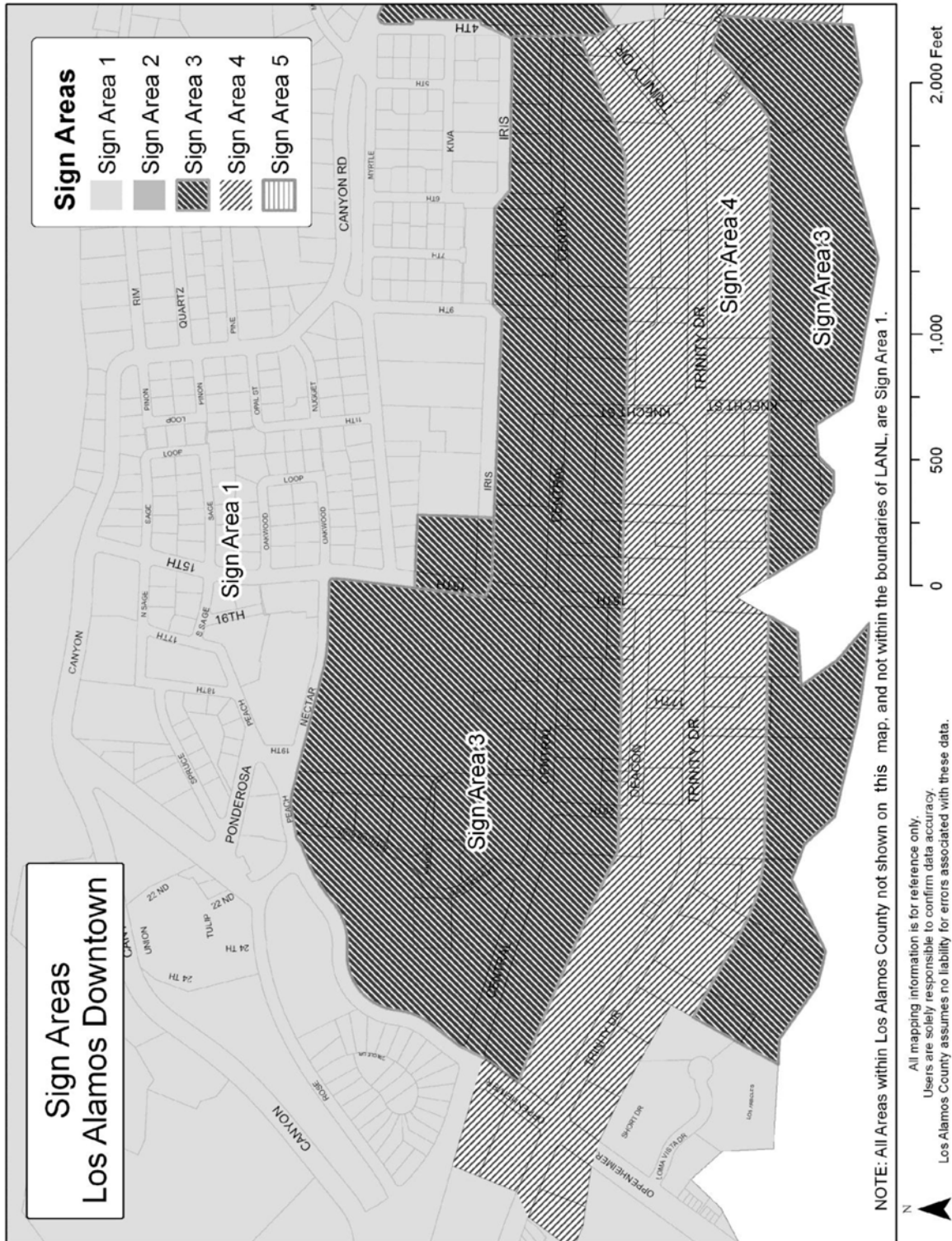
(Ord. No. 02-227, § 2, 11-13-2012)

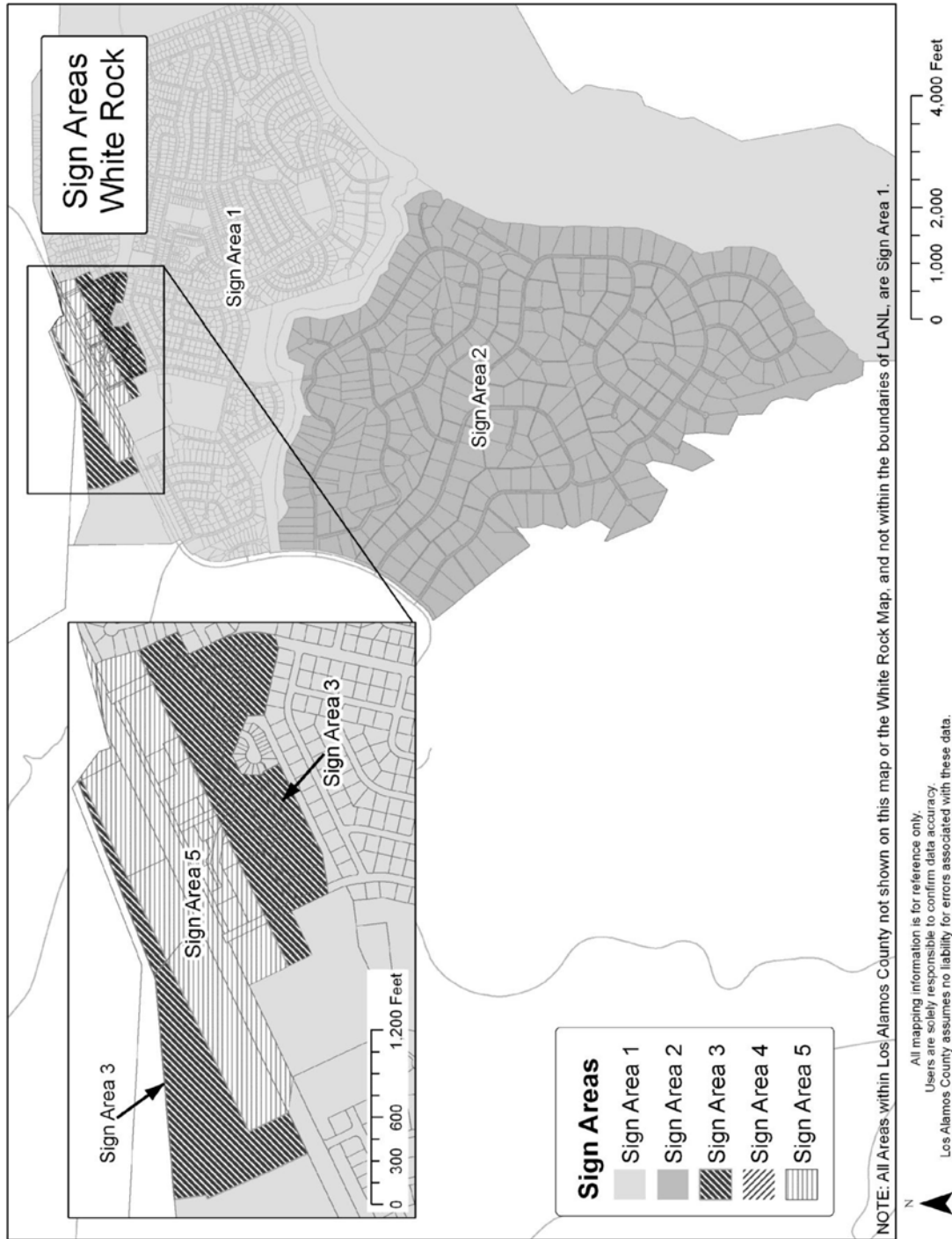
Sec. 16-420. - Sign areas (maps).

The sign code recognizes that signs are best permitted in context of land uses and road dynamics. As a result, sign code has designated five different "sign areas" that permit a range of sign types and standards. The following maps determine the standard to which a proposed sign must conform. The first three maps are of the Los Alamos Town site. A fourth map is of the downtown area of the town site. The fifth map is of White Rock.









(Ord. No. 02-227, § 2, 11-13-2012; Ord. No. 02-231, § 6, 7-26-2013)

Secs. 16-421—16-450. - Reserved.