
Article V

Sign Code

Sec. 16-5-10. Purpose and Intent .

The purpose of this Article is to set out reasonable regulations for the design, location, installation, operation, repair, and maintenance of signs in a manner that advances the Town's important, substantial, and compelling interests in regulating commercial and other signs in the community, while simultaneously safeguarding the constitutionally protected right of free expression.

Sec. 16-5-20. Authority

A. Generally. The Town has the authority to regulate signs under the United States Constitution, and the Constitution and Statutes of the State of Colorado. The Town does not have authority to supersede any state or federal laws pertaining to the advertising of any product or service. In addition to the regulations set out in this Article, signs may also be subject to applicable state and federal laws and regulations.

B. Permits required. The Town requires permits for any permanent signs (defined as any signs intended to remain affixed to property for greater than thirty (30) days).

Sec. 16-5-30. Prohibitions

A. The prohibitions in this Section apply to temporary and permanent signs in all areas of the Town.

B. Prohibited signs. The following sign structures and designs are prohibited:

1. Animated or moving signs, including any moving, spinning signs, swinging, rotating, flashing, blinking, scintillating, fluctuating, or otherwise animated light, except as specifically permitted in Section XX, Message centers. This prohibition includes the base, supporting structure, and related affixed components of the animated or moving sign.

2. Signs projected onto a wall from an external location are prohibited unless approved by the Director.

3. Portable signs, except as specifically permitted in Section XXX, Standards for Temporary Signs. Portable signs include but are not limited to balloons, inflatable devices, flags, flutter flags, pennants or spinners, inflatable signs, lawn signs (with the exception of political signs), banners, and sail banners.

4. Pole signs.

5. Abandoned signs.

6. Oversized or rooftop signs.

7. Inflatable or wind signs, regardless of location.

8. Teardrop signs.

9. Vehicle signs.

10. Off-premises signs, including billboards.

11. Signs in the public right of way.

12. Signs without a permit, unless exempted.

13. Obstructive or hazardous signs.

C. Prohibited design elements. The following elements shall not be incorporated as an element of any sign or sign structure, whether temporary or permanent:

1. Acrylic signs as a principal material.

2. Cardboard, card stock, or paper, except when laminated or used as a window sign.

3. Feather flags (with or without moving bases).

4. Flags, banners, or comparable elements that are designed to move in the wind, but only when such elements are attached to another sign type (e.g., flags may be attached to flagpoles but may not be attached to monument signs).

5. Flashing lights, except as part of holiday displays.

6. Signs attached to motor vehicles that are not operational unless;

a. The display of signage on the motor vehicle would not interfere with the immediate operation of the motor vehicle (e.g., signs that are held in place by an open hood or trunk are not allowed; signs that cover windows are not allowed; and signs that would fall off of the vehicle while the vehicle is in motion are not allowed); and

7. Semi-trailers, shipping containers, or portable storage units (including temporary signs affixed to these objects), unless:

a. The trailers, containers, or portable storage units are:

1. Structurally sound and capable of being transported;

2. Used for their primary purpose (e.g., storage, pick-up, or delivery); and

3. If subject to registration, have current registration and tags; and

b. The display of signage is incidental to the primary purpose;

c. The semi-trailer or portable storage unit is parked or placed in a designated loading area or on a construction site at which it is being used for its primary purpose; and

d. The signage affixed to semi-trailers, shipping containers, or portable storage units is not temporary in nature (intended to remain affixed to the vehicle for more than thirty (30) days).

8. Spinning or moving parts.

9. Materials with a high degree of specular reflectivity, such as polished metal, installed in a manner that creates substantial glare from headlights, street lights, or sunlight. This prohibition does not include retroreflective materials that comply with Manual on Uniform Traffic Control Devices (MUTCD) criteria.

10. Any other elements not typically associated with the design of a sign, unless specifically approved by the Director.

D. Prohibited obstructions. In no event shall a sign, whether temporary or permanent, obstruct the use of:

1. Building ingress or egress, including doors, egress windows, and fire escapes.

2. Equipment, structures, or architectural elements that are related to public safety, building operations, or utility service (e.g., standpipes, fire hydrants, vents, and meters).

5.

Generally: Prohibited mount elements that are part of a sign shall require approval by the Director, with the exception of temporary signs.

In addition: No sign, whether temporary or permanent, shall be posted, installed, mounted on, fastened, or affixed to any of the following:

- a. Any tree or shrub.
- b. Any utility pole or light pole on public or private property, unless the sign is located in the public right-of-way and is for a Town-authorized purpose or for a community event (and approved by the Director)
- c. Semi-trucks or shipping containers when advertising off-premise or temporary events or uses.
- d. Utility cabinets or pedestals (except exempt signs that are posted by or with the consent of the owner of the utility cabinet or pedestal).

6. Prohibited locations. In addition to applicable setback requirements and other restrictions of this Article, no sign shall be located in any of the following locations:

- a. In or over public rights-of-way (which, in addition to streets, may include other sidewalks, parkways, retaining walls, utility poles, traffic control devices, medians, and center islands that are within public rights-of-way), except:
 - (1) Temporary or permanent signs posted by or under the authority of the Town or governmental entity with jurisdiction over the right-of-way;
 - (2) Temporary signs posted in connection with authorized work within the right-of-way, as authorized or required by the Town or governmental entity with jurisdiction over the right-of-way;
 - (3) Signs that are the subject of a revocable license agreement with the Town, installed and maintained in accordance with the terms of that agreement.
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(4) Sandwich board signs in the DT, MU-1, and MU-2 zones located within ten (10) feet of the associated business.

b. In locations that have less horizontal or vertical clearance from authorized communication or energized electrical power lines than the minimum clearance required by the laws of the state of Colorado and the regulations of state agencies.

Sec. 16-5- 40. Exceptions

A. Wall-mounted addressing signs.

B. Wall-mounted building directory signs (under twenty (20) square feet).

C. Flags, except that:

1. No flag exceeds thirty-two (32) square feet in area.

2. No flagpole exceeds the maximum building height for the zoning district in which it is located.

D. Seasonal decorations and signs

Sec. 16-5- 50. Applicability

Generally. 1. All construction, relocation, enlargement, alteration, and modification of signs within the Town shall conform to the applicable requirements of this Article.

Sec. 16-5- 60.**Partially Exempt Signs**

The following signs are subject only to Sections x, x, and x (pertaining to size, location, and illumination), and are exempt from the application of this Article:

A. Public signs.

1. The Director may exempt signs from any or all provisions of this Article, provided the signs serve a governmental (federal, state, county, city, or district) purpose, are located on property owned or controlled by a governmental entity, and the signs are designed such that they minimize impact to surrounding businesses and residents to the maximum extent possible. Such signs include, but are not limited to, street signs, traffic control devices, bus stop and information signs, and tourist information signs. This exemption will be documented in a form acceptable to the Director.

Sec. 16-5- 70.**Number of Permitted Signs (per tenant or tenant space)****A. Wall signs**

1. 1 primary sign per principal building facade (facing a street, drive aisle, or parking lot).
2. 1 secondary sign per building facade that faces a street, drive aisle, or parking lot.
 - a. Large-scale tenants: Up to two (2) secondary signs are permitted on the principal facade
 - b. Minor tenants: The principal building facade shall only allow one (1) primary sign and no secondary signs.
3. Any wall sign adjacent to or facing a residential use shall be permitted only at the discretion of the Director.

B. Projecting signs

1. One (1) per building facade that faces a street, drive aisle, or parking lot.
2. A building that allows for a wall sign may substitute a projecting sign for the wall sign and vice versa for the allowable number of signs.

C. Window signs

1. 1 per building facade that faces a street, drive aisle, or parking lot.

D. Awning / canopy signs

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1. 1 per principal building facade that faces a street, drive aisle, or parking lot.

E. Monument signs

1. Non-Residential signs

- a. One (1) monument sign shall be permitted per lot or development area.
- b. Two (2) monument signs shall be permitted per lot or development area for lots or developments more than five acres in size.
 1. Permitting more than two (2) signs shall be at the discretion of the Director.
 2. Additional signs beyond the initial monument sign shall be called secondary monument signs.
- c. Developments that have a monument sign for the overall development may not have additional monument signs for individual lots or tenants.

2. Residential signs

- a. One (1) primary monument sign per entry into the subdivision is permitted.
- b. Proposals by developments or neighborhoods for more than two (2) primary entry monument signs into the subdivision may be approved at the discretion of the Director.
- c. One (1) secondary monument sign (any sign facing a collector or local street) per entry into the subdivision is permitted. Secondary signs are not permitted at the same entry when there is an existing or proposed primary monument sign.
- d. Proposals by developments or neighborhoods for more than four (4) secondary monument signs into the subdivision may be approved at the discretion of the Director.

3. Monument signs shall not be permitted within the Downtown (DT) zoning district unless approved by the Director.

4. Monument signs along the frontages of I-25 are limited to one (1) per lot or development area and are allowed only on lots of five (5) acres or greater.

F. Permanently Affixed Small Signs

1. Gas pumps with small signs affixed to the top of pumps shall not include more than one (1) such sign.
 2. The number of signs permitted on each side of a building or structure (for all permanently affixed small signs not identified in this Article) shall be at the discretion of the Director.
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Sec. 16-5- 80. Measurements, height , and location.

A. Signable area.

1. Building walls. Signable area is that portion of a building facade that is at least two (2) feet in horizontal and vertical dimension that is uninterrupted by doors, windows, or architectural details, upon which a wall-mounted sign is or may be located (except as provided in Section XXX). Its area is calculated by selecting a continuous facade, then drawing the largest possible imaginary rectangle uninterrupted by and not including doors, windows, or architectural details and computing the area of said rectangle. The applicant shall designate signable areas that comply with this Subsection, and such signable areas shall not overlap. Signable areas shall not be redrawn upon subsequent application in a manner that would render existing signage nonconforming. See Figure 5-1, Measurement of Signable Area, Building Walls.

Figure 5-1: Measurement of Signable Area, Building Walls



2. Wall signs

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- a. Small tenant (defined as tenant spaces of under ten thousand (10,000) SF, including tenants located within the building footprint of a major or large tenant).
1. The maximum area of signage per primary sign shall not exceed sixty (60) SF.
 2. The maximum area of signage per primary sign for tenants with less than forty (40) linear feet of frontage shall not exceed thirty (30) SF.
 3. The maximum area of signage per secondary sign shall not exceed thirty (30) SF.
 4. The height of wall signs for minor tenants shall not:
 - (a) Exceed twenty-five percent (25%) of the height of the building elevation upon which the sign is mounted, or
 - (b) Five (5) feet in height, whichever is less.
- b. Medium tenant (defined as a tenant spaces of between ten thousand and one (10,001) and twenty thousand (20,000) SF):
1. The maximum area of signage per primary sign shall not exceed one hundred (100) SF.
 2. The maximum area of signage per secondary sign shall not exceed fifty (50) SF.
 3. The height of wall signs for major tenants shall not:
 - (a) Exceed twenty-five percent (25%) of the height of the building elevation upon which the sign is mounted, or Eight (8) feet in height, whichever is less.
 - (b) Large tenant (defined as a tenant spaces of twenty thousand and one (20,001) or greater SF):
 - (1) The maximum area of signage per primary sign shall not exceed one hundred fifty (150) SF.
 - (2) The maximum area of signage per secondary sign shall not exceed seventy-five (75) SF.
 - (3) The height of wall signs for large-scale tenants shall not:
 - A. Exceed twenty-five percent (25%) of the height of the building elevation upon which the sign is mounted, or
 - B. Exceed twelve (12) feet in height, whichever is less.
 - 4.. Projecting signs
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(a) The maximum area of ten (10) SF (for each side of the sign) is allowed per projecting sign.

5. Window signs

(a) For tenants under ten thousand (10,000) SF: Six (6) SF.

c. For tenants over ten thousand (10,000) SF: Fifteen (15) SF.

1. Awning / canopy signs

(a) Signs shall be allowed on a valance of an awning, attached to metal, canvas, or soft vinyl awnings. Such signs shall be limited to a sign area no greater than twelve (12) square feet.

2. Monument signs

a. Height. Monument signs shall not exceed eight (8) feet in height.

a. Residential secondary monument signs shall not exceed six (6) feet in height.

b. Signable area. Monument signs shall not exceed forty (40) SF of signable area per sign face.

c. Residential secondary monument signs shall not exceed twenty-five (25) SF of signable area per sign face.

3. Locational standards

a. Primary and secondary monument signs must be spaced twelve (12) feet from building walls.

b. Primary and secondary monument signs must be separated two hundred (200) feet from each other

4. Non-residential

a. Sites or lots less than five (5) acres: Monument signs shall be set back five (5) feet from any property line.

b. Monument signs shall be set back from any adjacent residential lots or uses by a minimum of fifty (50) feet.

c. Sites or lots five (5) acres or greater:

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1. Primary monument signs over eight (8) feet in height shall be set back twenty (20) feet from any front property line.
 2. Secondary monument signs shall be set back ten (10) feet from any front property line.
4. Non-residential. Monument signs for non-residential uses on five (5) acres or greater:
 - a. Monument signs for multi-tenant buildings or developments along arterial streets shall not exceed thirty (30) feet in height. Secondary monument signs shall not exceed twenty (20) feet in height.
 - b. Monument signs for developments along the frontages of I-25 shall not exceed forty (40) feet in height.
 - c. Monument signs for multi-tenant buildings or developments along arterial streets shall not exceed one hundred fifty (150) SF of signable area per sign face. Secondary monument signs shall not exceed one hundred twenty-five (125) SF of signable area per sign face.
 - d. Monument signs for developments along the frontages of I-25 shall not exceed two hundred (200) SF of signable area per sign face.

3. Permanently Affixed Small Signs

- a. Permanently affixed small signs shall be permitted if their size is less than two (2) square feet.
 - b. Regulations for gas pump signs:
 1. Small sized signs affixed to the top of gas pumps and resistant to wind are permitted. However, small signs that are designed to move in the wind are not permitted when affixed to gas pumps.
 2. Stickers or other signs affixed to gas station equipment and not required by law (through adhesive) are not permitted.
 3. The sign package for the gas station shall incorporate the plans for small signs.
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4. Signs that call out specific equipment are permitted within the small sign category but are not permitted to exceed two (2) SF in size.

Sec. 16-5-90: Additional Sign Design Criteria

A. Wall signs

1. Multi-tenant design. When wall signs are part of a multi-tenant building or development, they shall include similar sign materials, color (outside of business branding), lighting, and placement on the building facade.
2. Sign placement. Wall signs shall be placed in logical locations on the building facade. Signs shall not be placed across doors, windows, or architectural features.
3. Wall signs shall not be located within six (6) inches of architectural features, or within twelve (12) inches from building corners, cornice or eave lines, or ground planes.

B. Monument signs

1. Town branding. Residential and non-residential monument signs located at the primary entrance into the subdivision or development area shall contain the Town logo and wording, "Town of Frederick, Colorado". This branding shall not be counted towards the maximum signable area.

Sec. 16-5-100: Illumination

A. Wiring and electrical components. Junction boxes, conduits, switches, sensors, transformers, wires, and other electrical or electronic components used to illuminate signs shall be concealed from view or painted to match the architecture of the associated building.

B. Light trespass. No sign or associated luminaire shall create light spillover of more than one (1) lux at any property line within or bounding an R-E, R-1, R-2, R-3, R-MH1, or R-MH2 Zoning District.

C. Internal illumination.

1. Internal illumination of signs is allowed for commercial, industrial, institutional, and mixed use land uses, but not allowed for residential uses of any kind.

D. External illumination.

1. External illumination of signs shall not exceed the following illuminance on any part of the sign face or surrounding surfaces:

a. In the CC, LI-Flex, HI-Flex, MU-1, and P Zoning Districts: five hundred (500) lux.

b. In all other zoning districts: four hundred (400) lux.

2. All fixtures used to illuminate signs shall be shielded and directed to prevent glare and sky glow.

Sec. 16-5-110. Message centers.

A. Generally. Electronic message centers (EMCs) and manual changeable copy centers may only be used on the following types of signs;

1. Monument signs (along arterial streets and the frontage of I-25). Monument signs with EMCs may be allowed along collector streets if approved by the Director.
2. Window signs on the principal facade of a business, if approved by the Director.

B. Prohibited EMCs

1. EMCs and manual changeable copy centers affixed to residential uses (note - EMCs and manual changeable copy centers are allowed for places of assembly within residential zoning districts).
 2. EMCs and manual changeable copy centers that are part of nonconforming sign structures or affixed to a property that contains a nonconforming sign.
 3. EMCs and manual changeable copy centers directly facing a residential use.
 4. EMCs and manual changeable copy centers as part of temporary signs.
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C. Number of EMCs or manual changeable copy centers. Not more than one (1) sign per lot shall contain an EMC or manual changeable copy center. Double counting of EMC signs (such as the addition of a new EMC sign beyond an existing EMC sign) is not allowed on any property. EMCs and manual changeable copy centers shall not be installed upon the same sign structure.

D. Size and proportions.

1. An EMC or manual changeable copy center that is incorporated into a monument sign shall not occupy more than forty-five percent (45%) of the sign area of the sign into which it is integrated.

E. Brightness.

1. The maximum brightness of EMCs shall not exceed the following limits.

a. Daytime usage: **X** lux

b. Nighttime usage: **Y** lux

F. Operation. EMCs shall be programmed, maintained, and/or operated as follows:

1. EMCs shall display only static images (messages and/or graphics without motion, flashing, animation, or frame effects).

2. Images shall be displayed for a period of not less than six (6) seconds.

Sec. 16-5-120: Temporary Signs

A. Standards for detached temporary signs.

Temporary signs shall include banners, H-frame signs, and any other signs that are not of a permanent nature. Temporary signs shall be subject to the following minimum requirements:

1.

a. Short-term temporary signs: Temporary signs constructed of laminated paper, cloth, canvas, nylon, polyester, burlap, flexible vinyl, or other flexible material of similar quality may be erected or displayed for no longer than sixty (60) calendar days without permission of the Director.

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- b. Long-term temporary signs: Temporary signs constructed of inflexible vinyl, hard plastic, composite, corrugated plastic (coroplast), wood, or metal may be erected or displayed for no longer than one hundred twenty (120) calendar days without permission of the Director.
- c. For both short-term and long-term temporary signs, the applicant shall remove any temporary signs on or before the expiration date specified on the approved permit.
- d. Temporary signs shall be directly related to the use of the lot on which the sign is located.
2. Signs constructed of nondurable materials such as cardboard, paper, or the like are prohibited. Furthermore, all signs shall be maintained so as not to deteriorate in wind and bad weather conditions.
3. Temporary signs shall not be mounted to trees or other landscaping, regulatory traffic signage, utility or light poles, fences, or other similar structures and shall not be located within road rights-of-way or easements.
4. Except as provided in Section **XXX**, each business shall be limited to the following types of temporary signs per business:
- a. Temporary banner-type signs.
1. No more than two temporary signs allowed per business.
 2. No more than two (2) banner-type signs mounted flush to either a building wall or the building facade. In the case of a banner being mounted flush to a building facade, no portion of any such banner shall extend beyond the leading edge of the building facade.
 3. Banner-type signs shall be limited to a maximum of thirty-two (32) square feet.
 4. Banner-type signs shall be made of high-quality material and weatherproofed at the discretion of the Director.
5. Temporary freestanding H-frame signs. The following regulates these types of signs:
- (a) Freestanding H-frame signs shall be limited to a maximum of six (6) square feet in area per side, up to a maximum of two (2) sides per any one (1) sign.
- b. Temporary signs for daily use.
1. Signs for daily occurrences shall not be limited to any fixed number of days per calendar year. However, such signs for daily occurrences shall be removed from display each day at the close of business.
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2. Signs for daily occurrences shall be limited to a maximum of six (6) square feet in area per side, up to a maximum of two (2) sides per any one (1) sign.
 3. Signs for daily occurrences shall be limited to an area within fifteen (15) feet of the entrance to the subject business and shall not impede pedestrian sidewalk circulation. Signs for daily occurrences shall provide for compliance with ADA regulations. Such signs are prohibited from being located within landscape buffer areas, parking lots, parking spaces, or parking drive aisles.
- c. Temporary signs are limited to one per multi-tenant building.
5. Temporary signs exempt from this Section. The provisions of this **Subsection (g)** shall not apply to the following signs, provided that such signs conform to all other sign regulations contained in this Section:
 - a. Traffic control and informational signs erected by national, state, county, or municipal government agencies, specifically including school districts and fire protection districts.
 - b. Community event signs as authorized by the Town.
 - c. Window signs and other signs erected within the interior of the business.
 - d. Open house signs, subject to the requirements of Subsection (6) below.
 6. Open house signs shall be allowed to be located off-premises subject to the following minimum requirements:
 - a. Open house signs shall be limited to a maximum of six (6) square feet in area per side, up to a maximum of two (2) sides per any one (1) sign.
 - b. Open house signs shall not be erected any sooner than the day before the event and shall be completely removed no later than two (2) hours after the end of the open house. For the purposes of this Section, open houses shall be considered a temporary event, for example during a weekend, rather than taking place for an extended, continuous period of time.
 - c. Open house signs shall be either freestanding A-frame type signs or mounted in a freestanding manner on either a single stake or on two (2) stakes, with the top of such sign not exceeding four (4) feet in height and placed so as not to obstruct traffic or create an impediment to visibility at street intersections. Such signs shall not be mounted to trees or other landscaping, regulatory traffic signage, utility or light poles, or other similar structures.
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Sec. 16-5-130: Sign Maintenance

Signs and sign structures of all types (attached, detached, and temporary) shall be maintained as provided in this Section.

- A. Paint and finishes. Paint and other finishes shall be maintained in good condition. Peeling finishes shall be repaired. Signs with running colors shall be repainted, repaired, or removed if the running colors were not a part of the original design.
- B. Weathering and fading. Temporary signs that have faded or weathered such that their condition is obviously and materially degraded shall be removed.
- C. Mineral deposits and stains. Mineral deposits and stains shall be promptly removed.
- D. Corrosion and rust. Permanent signs and sign structures shall be finished and maintained to prevent corrosion and rust. A patina on copper elements (if any) is not considered rust.
- E. Damage. Permanent signs that are damaged shall be repaired or removed within sixty (60) days. Temporary signs that are damaged (e.g., broken yard signs, torn banners) shall be removed, repaired, or restored within twenty-four (24) hours.
- F. Level position. Signs that are designed to be level, whether temporary or permanent, shall be installed and maintained in a level position. If such signs fall out of a level position, they shall be removed or righted within twenty-four (24) hours.
- G. Banner tension. Banners shall be stretched to minimize wrinkles and sagging. Banners that lose tension shall be re-stretched or removed within twenty-four (24) hours.
- H. EMC maintenance. If an EMC is damaged or otherwise malfunctions, it shall be repaired, replaced, or removed (along with all associated electronics and mounting brackets) within thirty (30) days.

Sec 16-5-14. Nonconformities and Enforcement

- A. Nonconforming signs.
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1. Generally. Any permanent sign that exists on the effective date of this Article but does not conform to the provisions of Article is a “legal nonconforming” sign; provided, that it was originally approved by a sign permit, or, if no sign permit was required under applicable law, it was in all respects in conformity with the applicable law immediately prior to the effective date, or had legal nonconforming status at such time. Signs that were allowed to display off-premises commercial messages before the effective date are nonconforming, but may continue to display such messages until the signs are removed.

2. Repairs and alterations. Routine maintenance of nonconforming signs is permitted, including necessary nonstructural repairs, paint, and incidental alterations. Substantive alterations as determined by the Director, including structural alterations to nonconforming signs are permitted only if the alteration will eliminate the nonconformity.

3. Termination and removal.

a. A nonconforming sign that has been damaged by fire, wind, or other cause in excess of fifty percent (50%) of its replacement cost shall not be restored except in conformance with this Article.

b. If an element of a sign that causes the sign to be nonconforming is removed, it shall not be replaced, except with a conforming element.

c. If a nonconforming sign structure becomes an abandoned sign, it shall be removed.

d. If a nonconforming sign structure is removed for any reason other than routine repair and maintenance, it shall not be replaced unless the replacement sign conforms to this Article.

e. Nonconforming signs that are a danger to the public safety due to damage or wear shall be removed and shall not be replaced unless the replacement sign conforms to this Article.

B. Enforcement.

1. Enforcement authority. This Article shall be enforced by a designee of the Town Manager.

2. Immediate removal of signs. Signs that are unlawfully located within public right-of-way or other Town-owned property may be summarily removed by the Town and disposed of without notice. The Town may, but is not obligated to, store such signs and return them to their owners.
