

CITY OF WHEAT RIDGE, COLORADO
INTRODUCED BY COUNCIL MEMBER DeMott
COUNCIL BILL NO. 08
ORDINANCE NO. 1463
Series 2010

**TITLE: AN ORDINANCE AMENDING CODE OF LAWS ARTICLE VII OF
CHAPTER 26 CONCERNING OFF-PREMISE IDENTIFICATION
SIGNS, COMMUNITY EVENT/SPONSORSHIP BANNERS, AND
SIGNS IN THE PUBLIC RIGHT-OF-WAY**

WHEREAS, the City Council of the City of Wheat Ridge is authorized by the Home Rule Charter and the Colorado Constitution and statutes to enact and enforce ordinances for the preservation of the public health, safety and welfare; and

WHEREAS, the City Council of the City of Wheat Ridge finds that the placement of special event/sponsorship banners on city-owned property and public school properties is desired; and

WHEREAS, the City Council of the City of Wheat Ridge finds that the ability to place certain signs in the public right-of-way, subject to specific criteria and a revocable permit, is desired to provide flexibility for businesses investing in the improvement of commercial sites.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY
OF WHEAT RIDGE, COLORADO:**

Section 1: Section 26-702 of the Code is amended to read:

Sec. 26-702. Definitions.

For the purposes of this article, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Animated sign. A sign or parts thereof, which revolve, whirl, twirl or utilize motion, implied or actual, in a horizontal or vertical plane or both. The only animated type of signs that are permitted are "barber pole" signs.

Arcade sign. Any sign projecting beneath and attached to the underside of any balcony, canopy, awning or other structural overhang or passageway.

Artistic mural or sculpture. A freestanding statue or sculpture or a graphic illustration or design, or an architectural design or relief applied directly to or incorporated within a wall of a building, which does not advertise or promote a particular business, service or "branded" product.

Awning. A movable shelter supported entirely from the exterior wall of a building and/or a type which can be retracted against the face of the supporting building.

Banner. A sign or advertising display constructed of cloth, canvas, fabric or other light material that is mounted with no enclosing framework intended to be displayed for a short period of time.

Billboard. Any sign in excess of fifty (50) square feet in size oriented to the interstate highway utilized to advertise a product or service that is not produced or conducted on the same property as the sign.

Building front. The exterior wall(s) of a building facing a public street or streets or other public right-of-way other than alleys, or one (1) exterior wall containing the primary entrance to the building if not directly facing upon a public street.

Canopy. A roof-like structure serving the purpose of protecting vehicles and/or pedestrians and which may be freestanding or attached to a building, is provided with supports, and is open on three (3) sides if attached and on all sides if freestanding.

Changeable copy sign. A sign, either illuminated or nonilluminated, which is designed so that the message or any part of the message may be periodically changed, either mechanically or electronically, however, where a change in message occurs no sooner than every fifteen (15) seconds.

***Community event/sponsorship banner.* A banner advertising community events, sports leagues, or related activities and located on property owned by the City of Wheat Ridge; or a banner advertising school-related activities or sports leagues and located on public school properties owned by Jefferson County School District.**

Development. A single lot, parcel or tract of land or portions or combinations of lots, parcels or tracts of land which are held in single or common ownership and which exist as a distinct functional entity. Multi-use and multi-tenant buildings and multiple building complexes which are held in singular or common ownership, either by individual, corporation, partnership or other legally recognized entity, shall be considered a "development" for the purpose of signage.

Erect. To build, construct, attach, hang, place, suspend, affix, relocate or reconstruct any sign or sign-supporting structure.

Flashing sign. A sign that is illuminated with intermittent lighting, animated lighting or with varying intensities of light at intervals of fifteen (15) seconds or less, including a moving light or lights.

Freestanding sign. A sign that is permanent and self-supporting, being nondependent on support from a building or other structure, including signs placed upon fences or nonsupporting walls.

Illuminated sign. A sign that is illuminated with constant intensities of light of a non-varying nature. There are three (3) types of illuminated lights as follows:

(a) *Direct.* Lighting by means of an unshielded light source which is effectively

visible as a part of the sign. Neon lighting is considered direct lighting.

(b) *Indirect*. Lighting which illuminates the front of a sign or the entire building facade upon which the sign is displayed, the source of the light being shielded from public view and from surrounding properties. Indirect illumination does not include lighting which is primarily used for purposes other than sign illumination, such as parking lot lighting.

(c) *Internal*. Lighting by means of a light source which is within a sign having a translucent background and which silhouettes opaque letters or designs, or lighting within or behind letters or designs which are themselves made of translucent or opaque material.

Informational sign. A freestanding or wall-type sign, not located within public street right-of-way, which gives necessary direction or non-advertising information to motor vehicle operators or pedestrians, such as entrance, exit, parking limitations or location of onsite buildings or facilities. A company logo or name no larger than one (1) square foot may be included on each such permitted sign.

Lot. A tract, building site, parcel or portion of land separated from other parcels or portions by description, as on a subdivision plat of record or survey map or by metes and bounds, for the purpose of sale, lease or use.

Major interior drive. A drive aisle located on private property which connects two (2) public streets or provides access to two (2) or more parcels of land or developments.

Nonconforming sign. A sign which does not conform with the regulations set forth in this article, but which did meet the requirements of the regulations existing at the date of its erection.

Off-premises sign. Any sign ~~fifty (50) square feet or smaller,~~ which advertises or directs attention to a business, commodity, service or activity conducted, sold or offered elsewhere other than on the property which the sign is located. ~~Public and semi-public signs are not considered off-premises signs.~~

Painted sign. A sign that is painted directly onto the exterior surface of a building, wall or structure.

Political sign. A noncommercial sign, which is exempt from permit requirements, erected or placed so as to advertise, announce, declare or state a political message, whether relating to a political campaign or election or any other issue of public concern which is protected by the First Amendment right of free speech.

***Pole sign*. A sign which is affixed to, or mounted on, a freestanding pole and anchored in the ground.**

Portable sign. Any sign which is supported by one (1) or more uprights or braces upon the ground and which is of portable design.

Projecting sign. A sign which is affixed to any building, wall or structure and which

extends beyond the building wall more than fifteen (15) inches.

Public sign. A sign that is required by federal, state or local law or ordinance necessary for public information.

Revolving sign. A sign utilizing an axis point to pivot the sign surface.

Roof sign. A sign erected, constructed and maintained above the eaves and attached to the roof of a building.

Semipublic sign. A sign giving information as to church location, educational institutions or service club locations.

Sign. Any object or device or part thereof situated outdoors or indoors, viewed from outdoors by the general public, and which object or device or the effect produced thereby is used to advertise, announce, identify, declare, demonstrate, display, instruct, direct or attract attention by means including, but not limited to, words, letters, figures, designs, fixtures, colors, motion, illumination, sound or projecting images.

Sign permit. A building permit issued for the erection, construction, enlargement, alteration, repair, relocation, improvement, removal, conversion or demolition of any sign issued pursuant to the building code of the city or this sign code.

Sign structure. Any supports, uprights, braces or framework of a sign which does not include any portion of the sign message.

Street frontage. For the purpose of signage, frontage upon a street is obtained by ownership, easement or leasehold only if used for vehicular access to the property, or if not used for vehicular access, only if such street frontage is at least fifty (50) feet in width. Where the regulations allow "one sign per street frontage," the intent is that the sign allowed is placed upon or facing the street, unless specifically otherwise permitted.

Surface area of sign. The total area enclosed by the shortest line that can be drawn around the entire sign, including any architectural embellishment or background material or color forming an integral part of the display and used to differentiate the sign from its surroundings. Sign support structures which do not bear advertising material shall be excluded in computation of sign area. Signs without backing (i.e., freestanding, projecting, A-frame or pedestal signs) are allowed the maximum square footage for each side for double-faced signs; however, signs having more than two (2) sides or faces shall not exceed the total face area allowed for a double-faced sign.

Temporary sign. Any sign, banner, pennant, valance or other outdoor advertising sign constructed of light fabric, cardboard, wallboard, plywood, sheet metal, paper or other light materials, with or without a frame, intended or designed to be displayed for a limited period of time.

Traffic and regulatory signs. Signs, signals or markings placed or erected by federal, state or local authority for the purpose of regulating, warning or guiding traffic.

Unlawful sign. Any sign or outdoor advertising device erected in the absence of a permit required by this article, or in violation of any of the limitations, prohibitions or requirements of this article.

Unsafe sign. Any sign or advertising structure found unsafe or insecure or creating a hazard or menace to the public safety, health and welfare.

Wall sign. A sign constructed of durable materials or painted and which is permanently affixed to an exterior surface of any building, wall or structure and which does not extend more than fifteen (15) inches beyond the building wall, except that signage placed upon marquees, canopies or awnings shall be considered as wall signs.

Section 2: Section 26-707 of the Code is amended to read:

Sec. 26-707. General provisions/performance standards.

A. Sight distance triangle.

1. No sign is allowed which would violate the sight distance triangle requirements of section 26-603B.
2. At signalized intersections, where both streets are collectors and/or arterial, the required sight distance shall be governed by the standards set forth in the most current edition of the policy on geometric design of highways and streets, published by the American Association State Highway and Transportation Officials (AASHTO).

B. Location of signs.

1. All signs allowed by this article, except billboards, public signs, **and** semipublic signs, **and signs permitted under the criteria in section 26-708.F** shall be located on the lot which they advertise.

C. Streets and rights-of-way.

1. No sign shall be erected in such a location as to interfere with motor vehicle or pedestrian traffic.
2. No sign is allowed in the public right-of-way, with the exception of:
 - a. signs on bus benches and shelters pursuant to article IV of chapter 21 **and**
 - b. public, semi-public, traffic, regulatory, and projecting signs, **and**
 - d. signs permitted under the criteria in section 26-708.F**
3. No sign is allowed which may be construed as a traffic sign or signal or which may be confusing to motorists or mistaken as a traffic signal.
4. Where it is difficult to determine the public right-of-way boundary due to lack of curb, gutter and/or sidewalk, or survey markers, such boundaries shall be presumed to be ten (10) feet from the edge of pavement or back of curb. Where a sidewalk exists, such boundaries shall be presumed to be two (2) feet from outside edge of sidewalk.
5. Attachment of any sign to utility poles or other poles or structures within public right-of-way is prohibited, except as approved by city council pursuant to this article.

6. Temporary signs found by an enforcement officer to be located within city right-of-way or in violation of sight triangle requirements shall be removed by such enforcement officer with no requirement of notice.

D. *Interference.*

1. No sign is allowed which employs a lighting or control mechanism which causes radio, radar, cellular telephone or television interference.
2. No sign is allowed which, even though in general conformance with the standards and requirements of this sign code, is judged by the chief of police and public works director as a dangerous sign due to interference with a traffic control device by being in direct line between the control device and oncoming traffic or otherwise in visual competition with a traffic control device.

E. *Compliance with building codes.*

1. No sign shall be erected, constructed or maintained which obstructs or is attached to any fire escape, window, door or opening used as a means of egress or ingress or for firefighting purposes, or is placed which interferes with any opening required for light or ventilation.
2. No sign is permitted which is structurally unsafe as determined by the chief building official, based upon criteria established in the adopted building codes.
3. The design of all sign structure members and foundation shall conform to the requirements of the building code relative to allowable stresses, materials and engineering standards. Loads, both vertical and horizontal, shall not produce stresses exceeding those specified in the building code, and material construction shall be of the quality and grade required by the building code. All signs and structures shall be designed and constructed to meet the adopted building and electrical codes.

F. *Outside display.*

1. Notwithstanding the provisions of section 26-631, any merchandise displayed outside of a building in such a way as to attract attention when viewed by the general public by placement upon a pole, a fence, a platform, roof or other similar device or structure shall be considered a sign and is prohibited. This shall not, however, be construed to prohibit merchandise customarily stored outside of buildings and placed upon shelves or tables, such as automobiles, campers, boats, plant materials, produce or lumber.

G. *Illumination.*

1. All illuminated signage shall comply with section 26-503 of the zoning and development code.
2. Signs within one hundred (100) feet of a residential structure, may be lighted indirectly or internally.
3. Signs over one hundred (100) feet from a residential structure, may use any type of lighting source, except search or flashing lights, provided that they are shaded, shielded or directed so that the light shall not adversely affect surrounding premises or interfere with safe vision on public or private roadways, including highways.
4. All direct and indirect lighting sources shall be downcast to reduce glare, sky glow and light pollution.

H. *Maintenance.*

1. Any sign, including temporary signs, that becomes discolored, ragged, shredded, detached, etc., shall be removed or repaired.

I. *Removal or reconstruction of dangerous signs.*

1. All signs which are prohibited shall conform to the provisions of this article either by removal or reconstruction, whichever applies, within sixty (60) days after the owner of such sign is notified of the violation.

Section 3: Section 26-708 of the Code is amended to read:

Sec. 26-708. Miscellaneous provisions.

A. *Building addresses.*

1. House or building address number signs shall be consistent with section 26-419 C.--E. of the zoning and development code.

B. *Signs located on bus benches and bus stop shelters.*

1. Signs located on bus benches shall be in conformance with Code of Laws, article IV, section 21-124.
2. Signs located on a bus stop shelter shall be in conformance with Code of Laws, article IV, section 21-151. Such signs shall be limited to two (2) faces per shelter for commercial advertising purposes with a maximum of twenty-four (24) square feet per face.

C. *Freestanding signs--Commercial, industrial and mixed use zone districts.*

1. Where two (2) freestanding signs are permitted by virtue of multiple street frontage, each permitted sign shall be allowed to have the maximum square footage allowed based on the formulas shown in section 26-708.C.5. In addition, the sign area allowed may be transferred from one (1) sign to another; provided, that no freestanding sign shall exceed four hundred (400) square feet in area.
2. Where multiple signs are permitted because of multiple street frontage, the signs may be erected on the same street frontage.
3. For double-faced signs, each sign face can have the maximum square footage allowed.
4. Landscaping requirement: For new development or total redevelopment, all freestanding signs shall be placed within landscaped areas.
5. Maximum sign area: Based upon the following table:

Maximum Sign Area
(Square Feet = s.f.)*

TABLE INSET:

Floor Area of Building	Single Use Development	Multiple Use Development
0--1,500 s.f.	35 s.f.	60 s.f.

Floor Area of Building	Single Use Development	Multiple Use Development
1,501--5,000 s.f.	35 s.f. plus 1 s.f. per each additional 50 s.f. of floor area over 1,501.	60 s.f. plus 1 s.f. per each additional 40 s.f. of floor area over 1,501.
5,001--50,000 s.f.	100 s.f. plus 1 s.f. per each additional 500 s.f. of floor area over 5,001.	150 s.f. plus 1 s.f. per each 300 s.f. of floor area over 5,001.
Over 50,001 s.f.	190 s.f. plus 1 s.f. per each additional 1,000 s.f. of floor area over 50,001 up to a maximum size of 300 s.f.	300 s.f. plus 1 s.f. per each additional 1,000 s.f. of floor area over 50,001 up to a maximum size of 400 s.f.
*In computing allowable sign size, only the footprint of the structure can be used. The floor area of gas station and drive-thru canopies cannot be applied toward the freestanding sign allowance.		

D. *Freestanding signs--Residential, agriculture and public facilities zone districts.*

1. Where two (2) freestanding signs are permitted by virtue of multiple street frontage, each permitted sign shall be allowed to have the maximum square footage allowed, as defined in section 26-708.C.5.
2. Where multiple signs are permitted because of multiple street frontage, the signs may be erected on the same street frontage.
3. For double-faced signs, each sign face can have the maximum square footage allowed.
4. Landscaping requirement: For new development or total redevelopment, all freestanding signs shall be placed within landscaped areas.

E. *Master sign plan.*

1. The planning commission may approve a master sign plan for any existing or proposed commercial or industrial development of at least two (2) acres or more in size which is under unified control either by ownership, legal association or leasehold.
2. The intent and purpose is to encourage well-planned and designed signage within a large multiple building or multiple use complex which expresses unification and integration by elements of architectural style, size, color, placement and lighting while at the same time allowing for reasonable individual business identification. An additional purpose is to encourage the elimination of existing nonconforming signs. The planning commission may grant as a bonus for well-designed plans additional signs and/or up to a fifty (50) percent increase in maximum square footage for each sign, and/or may permit signs in locations other than normally permitted, **including off the subject property**, based upon a finding that the proposed master sign plan substantially meets the intent and purpose of this subsection relating to unification and integration of signage.
3. Once approved at a public hearing by planning commission, all master sign plans shall be recorded with the Jefferson County Recorder's Office and shall constitute a covenant and must be complied with by all owners, proprietors, lessees or assigns, whether current or future. No substantial variation from the plan shall be permitted without planning commission approval. Noticing requirements for a master sign plan process shall follow the procedures outlined in section 26-109.

F. Signs in the right-of-way.

1. The community development director and public works director may jointly approve freestanding signs which are otherwise permitted to advertise a property, to be located in the public right-of-way immediately adjacent to that property, subject to all of the following criteria:
 - a. there are no viable alternative locations on the subject property;
 - b. the sign is for a property with commercial or mixed use zoning;
 - c. the sign will be within right-of-way that is immediately adjacent to the subject property;
 - d. the sign is not in the right-of-way of a state highway;
 - e. there are no immediate plans for widening the street as identified in the 5-year Capital Investment Program (CIP) or planning documents;
 - f. the sign is not for a site being completely redeveloped with new construction, in which case the proposed design should incorporate the sign on site;
 - g. no underground utilities, except for electricity, exist in the proposed location for the sign;
 - h. the sign does not obstruct the sidewalk or vehicular traffic;
 - i. the sign complies with sight distance triangle requirements per section 26-603.B;
 - j. the sign is not located in the landscape buffer or amenity zone located between the back of curb and the sidewalk;
 - k. the sign is not a pole sign; and
 - l. the sign must exclusively advertise or identify the business or operation located only on the immediately adjacent property for which sign is permitted.
2. Signs that meet the above criteria shall obtain a sign permit through the community development department and a right-of-way use permit through the department of public works.

Section 4: Section 26-709 of the Code is amended to read:

Sec. 26-709. Residential, agriculture and public facilities zone districts sign standards chart.

TABLE INSET:

TABLE 1. SIGN STANDARDS IN RESIDENTIAL, AGRICULTURAL, AND PUBLIC FACILITIES ZONES
(R-1, R-1A, R-1B, R-1C, R-2, R-2A, R-3, R-3A, A-1, A-2, PF)

TYPE OF SIGN	ALLOWED	PERMIT REQUIRED	MAXIMUM SIZE AND HEIGHT PER SIGN	MAXIMUM NUMBER	MINIMUM SETBACK	OTHER REQUIREMENTS
1. Animated	No					
2. Arcade	No					
3. Canopy	No					
4. Changeable Copy	Yes	Yes	Maximum of 32 square feet per sign. Maximum height 7 feet for all residential zones.	1 per street frontage, but no more than 2 per development	5 feet from any property line	The time lapse between the change in information shall not be less than 15 seconds. Not permitted for residential uses.
5. Freestanding	Yes	Yes	Maximum of 32 square feet per sign. Maximum height 7 feet for all residential zones.	1 per street frontage	5 feet from any property line	Not permitted for single family and two-family dwellings.
6. Off-Premises Signs	No, except for (1) public and semi- public signs; (2) billboards					Permitted only for public and semi-public signs and billboards. For billboards, see section 26- 711

TYPE OF SIGN	ALLOWED	PERMIT REQUIRED	MAXIMUM SIZE AND HEIGHT PER SIGN	MAXIMUM NUMBER	MINIMUM SETBACK	OTHER REQUIREMENTS
7. Portable	Yes	Yes	6 square feet per side per sign.	1 per organization or activity	Must be setback a minimum of 5 feet from any street right-of- way line if 36 inches or 2 feet if 36 inches or less in height.	Not permitted for single family and two-family dwellings. A-frame or pedestal style only. Must be anchored to the ground or weighted sufficiently to prevent movement by wind. Must only be displayed during normal hours of operation. May be located on a sidewalk provided that adequate clearance exists to meet ADA requirements. Must be displayed only on the premise being advertised.
8. Projecting	No					
9. Public and Semi-Public Signs	Yes	Yes	6 square feet per sign	3 per organization or attraction	To be determined by the Community Development Director	May be located off-premises with approval of property owner and Community Development Director. May be located in r-o-w with approval of Public Works Director.
10. Residential Subdivision Identification Signs	Yes	Yes	Not to exceed 20 square feet in area or 6 feet in height.	1 per street frontage	Monument-type signs must be set back on the property a minimum of 10 feet, unless incorporated into a traffic island entrance, then 25 feet back from face of street curb and 3 feet	Monument, fence, or wall- incorporated only. Fence or wall incorporated type signs may be placed parallel with and at property line following the same height and sight distance requirements as for a wall or fence.

TYPE OF SIGN	ALLOWED	PERMIT REQUIRED	MAXIMUM SIZE AND HEIGHT PER SIGN	MAXIMUM NUMBER	MINIMUM SETBACK	OTHER REQUIREMENTS
					from edge of traffic island.	
11. Temporary Subcategories:						
a. Balloons or other inflatable devices	Yes	Yes	Balloons and required tethers cannot exceed a height of 35' measured from existing grade.	1 time per year for up to 60 days, or 2 times per year for up to 30 days each time, or 4 times per year for up to 15 days each time.	None	Not permitted for single family and two-family dwellings. Permitted only to advertise special events and sales. Shall be securely anchored or attached so as to prevent dislocation, entanglement or encroachment onto adjacent properties or public streets, or undue hazard to motorists or pedestrians. Roof- mounting is permitted.
b. Banners	Yes	No	Total size for any single or combined banners affixed to a wall based on one half (1/2) the allowance for wall signs.	1 per use per activity	N/A	Not permitted for single family and two-family dwellings. Shall be securely anchored or attached so as to prevent dislocation, entanglement or encroachment onto adjacent properties or public streets, or undue hazard to motorists or pedestrians. May be placed upon a building wall but shall not be attached to fencing, landscaping, freestanding posts or utility poles. Banners may be placed only on walls facing a public street or major interior drive.

TYPE OF SIGN	ALLOWED	PERMIT REQUIRED	MAXIMUM SIZE AND HEIGHT PER SIGN	MAXIMUM NUMBER	MINIMUM SETBACK	OTHER REQUIREMENTS
c. Community Event/Sponsorship Banner	Yes	1. Located on City-owned property: a permit shall be issued through the Department of Parks and Recreation; 2. Located on public school property: no permit is required	1. Located on City-owned property: maximum area of 50 square feet; 2. Located on public school property: maximum area of 32 square feet	N/A	N/A	May be placed on a building, fence, or pole on property owned by the City of Wheat Ridge or Jefferson County School District only.
d. e. Construction Signs	Yes	No	Shall not exceed 32 square feet. Shall not exceed 7 feet in height.	1 per street frontage allowed between the time a building permit is issued and a certificate of occupancy is obtained or any number of signs which are necessary for safety on the premises.	5 feet	Shall not be illuminated. Must be located on the property where active construction work is occurring.
e. d. Pennants, streamers and similar devices	Yes	Yes	None	1 time per year for up to 60 days, or 2 times per	None	Not permitted for single family and two-family dwellings. Permitted only to advertise special events and sales. Shall be

TYPE OF SIGN	ALLOWED	PERMIT REQUIRED	MAXIMUM SIZE AND HEIGHT PER SIGN	MAXIMUM NUMBER	MINIMUM SETBACK	OTHER REQUIREMENTS
				year for up to 30 days each time, or 4 times per year for up to 15 days each time.		securely anchored or attached so as to prevent dislocation, entanglement, or encroachment onto adjacent properties or public streets, or undue hazard to motorists or pedestrians.
f. e. Real Estate Signs	Yes	No	9 square feet for one and two-family dwelling residential uses. 50 square feet for all other uses.	1 per street frontage allowed	5 feet	Shall not be illuminated. Must be located on the property being advertised.
g. e. Temporary Model Home Signs	Yes	Yes	Not to exceed 12 square feet each. Not over 7 feet in height if a freestanding type.	1 per model home	5 feet	Shall not be illuminated. Must be located on the property being advertised.
12. Wall or Painted	Yes	Yes	No larger than 1 square foot for every linear foot of the side of the building to which it is affixed. Signs affixed to marquees or awnings shall	1 per street front or major interior drive per activity	N/A	Not permitted for single family and two-family dwellings. For uses which have a rear entry or delivery door, 1 nonilluminated wall sign per use.

TYPE OF SIGN	ALLOWED	PERMIT REQUIRED	MAXIMUM SIZE AND HEIGHT PER SIGN	MAXIMUM NUMBER	MINIMUM SETBACK	OTHER REQUIREMENTS
			be considered wall signs and shall be calculated based upon the length of the wall to which they are attached or adjacent to. For buildings with flat roofs, wall signs shall not extend above the top of parapet or mansard, and if placed upon a parapet or mansard, shall not extend more than 3 feet above the deck line.			
13. Miscellaneous						
a. Artistic Murals or Sculptures	Yes	No	None	No limit	None	Shall not advertise or promote a particular business, service or "branded" product. A company, firm, association, society, etc., logo is not considered within the scope of this definition and is considered a sign.

TYPE OF SIGN	ALLOWED	PERMIT REQUIRED	MAXIMUM SIZE AND HEIGHT PER SIGN	MAXIMUM NUMBER	MINIMUM SETBACK	OTHER REQUIREMENTS
b. Barber Shop Poles	No					
c. Flags (city, state, national only), placards, badges, insignias, or similar devices of any governmental agency or civic, charitable, religious, patriotic, political, fraternal or similar nonprofit organization.	Yes	No	Flagpole cannot exceed 35 feet in height.	None	Flagpole must meet setback requirements of the zone district in which they are constructed.	Allowed when located on their own premises or displayed along any march or parade route or in sockets along any street during a fund-raising drive or other similar special event. Any such devices to be placed within public right-of- way may only be approved by city council.
d. Flashing Signs and Search Lights	No					
e. Historic plaques, cornerstones, erected by the city or historical agencies designating an area or property of local historical importance	Yes	No	Shall not exceed 3 square feet in size.	None	None	Allowable provided that such designations are in accordance with article IX of the Zoning and Development Code.

TYPE OF SIGN	ALLOWED	PERMIT REQUIRED	MAXIMUM SIZE AND HEIGHT PER SIGN	MAXIMUM NUMBER	MINIMUM SETBACK	OTHER REQUIREMENTS
f. Home Occupation Signs	Yes, as accessory to a residential home occupation.	Yes	Maximum of 2 square feet in size.	1 per home occupation	5' if freestanding	May be freestanding or wall mounted.
g. House or building address number signs	Yes	No	N/A	N/A	N/A	Must meet the provisions of Chapter 26, Article IV, Sec. 26- 419C.
h. Informational Signs Accessory to the Primary Use	Yes	No	4 square feet per side. If freestanding, shall not exceed 36 inches in height if within a required sight distance triangle, or 48 inches where outside of a sight distance triangle. If an organization logo is incorporated into the sign, the logo shall not exceed 1 square foot in size.	No limit	None	(i.e. "restrooms," "no smoking," "wheel chair entrance," etc.), or directional (i.e. "in," "out," "ramp," "drive-thru," etc.). May be wall- mounted, freestanding or attached to other freestanding signs or canopies, but shall not be counted against the allowable size of another type of permitted sign. May be illuminated by internal light only.
i. Political Campaign Signs	Yes	No	Shall not exceed 8 square feet in	No limit	None	Shall not be located in public right-of-way or on municipally owned property. Shall be

TYPE OF SIGN	ALLOWED	PERMIT REQUIRED	MAXIMUM SIZE AND HEIGHT PER SIGN	MAXIMUM NUMBER	MINIMUM SETBACK	OTHER REQUIREMENTS
			size per sign.			removed within 7 days following an election.
j. "Room for Rent" Sign	Yes	No	2 square feet	1 per vacant unit	None	Must be on the property for which it is advertising.
k. Roof Signs	No					
l. Temporary decorations or displays when such are clearly associated with any national, local or religious holiday or celebration	Yes	No	No limit	No limit	None	
m. Traffic Control or Regulatory Signs	Yes	No	No limit	No limit	None	As required by regulation or statute of the federal, state or municipal government.
n. Vehicle signage	Yes	No	None	None	N/A	Allowed only for currently licensed, operative vehicles. Banners or temporary signs attached to vehicles are not allowed.
o. Window or Door Signs	Yes	No	Sign shall not obstruct more than 25 percent of the door or window area.	N/A	N/A	Permitted even if it is visible from outdoors. Those signs which advertise temporary uses such as rummage sales, garage sales and open houses shall be located on private property.
p. Menu Board/Drive	No					

TYPE OF SIGN	ALLOWED	PERMIT REQUIRED	MAXIMUM SIZE AND HEIGHT PER SIGN	MAXIMUM NUMBER	MINIMUM SETBACK	OTHER REQUIREMENTS
Through Directory Signs						
1. Order Confirmation Boards	No					

Section 5: Section 26-710 of the Code is amended to read:

Sec. 26-710. Commercial, industrial and mixed use zone districts sign standards chart.

TABLE INSET:

TABLE 1. SIGN STANDARDS IN COMMERCIAL, INDUSTRIAL AND MIXED USE DISTRICTS
(NC, RC, C-1, C-2, I)

TYPE OF SIGN	ALLOWED	PERMIT REQUIRED	MAXIMUM SIZE AND HEIGHT PER SIGN	MAXIMUM NUMBER	MINIMUM SETBACK	OTHER REQUIREMENTS
1. Animated	No					
2. Arcade	Yes	Yes	4 square feet. Shall not extend above the bottom of eave, balcony, canopy, awning or other structural overhang or passageway to which it is affixed. Minimum height 7 feet above street frontage or sidewalk level.	1 per business	N/A	Can extend into right-of-way with an approved right-of-way permit.
3. Canopy	Yes	Yes	May use up to 50% of the allowed wall sign allocation for canopies.	1 per street frontage or major interior drive	N/A	
4. Changeable Copy	Yes	Yes	Must follow the freestanding and wall signage size and height regulations.	1 per street frontage, but no more than 2 per development.	5 feet from any property line if freestanding, N/A if wall signage.	The time lapse between the change in information shall not be less than 15 seconds.

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5. Freestanding	Yes	Yes	Based on table in Section 26-708. 50 feet maximum height allowed for retail and service businesses within 1/4 mile from property line of an interstate highway measured from the property line. Any other permitted freestanding sign shall not exceed 15 feet in height.	1 per street frontage, not to exceed 2 per development.	10 feet where adjacent to residentially zoned properties; 5 feet from street right-of-way if under 7 feet in height, 10 feet for signs 7 to 15 feet high, and 30 feet for signs over 15 feet high.	For new development or total redevelopment, all new freestanding signs shall be placed within landscaped areas.
6. Off-Premises Signs	No, except for (1) public and semi-public signs; (2) billboards; or (3) signs for which a permit under Section 26-708F has been issued.					Permitted only for public and semi-public signs and billboards.— For billboards, see section 26-711
7. Portable	Yes	Yes	6 square feet per side per sign.	1 per business	Must be setback a minimum of 5 feet from any street right-of-way line if 36	A-frame or pedestal style only. Must be anchored to the ground or weighted sufficiently to prevent movement by wind. Must only be displayed during normal hours of operation. May

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					inches or 2 feet if 36 inches or less in height.	be located on a sidewalk provided that adequate clearance exists to meet ADA requirements. Must be displayed only on the premise being advertised.
8. Projecting	Yes	Yes	1 square foot for each 1 foot of height of the building wall to which the sign is to be attached. Maximum height, top of wall or parapet; not to be roof mounted. Minimum height, 7 feet from street frontage or sidewalk.	1 per street frontage per business	May extend into the right-of- way with an approved right- of-way permit.	Projecting and wall sign not permissible on same wall. Maximum projection 10 feet.
9. Public and Semi-Public Signs	Yes	No	6 square feet per sign	3 per organization or attraction	To be determined by the Community Development Director	May be located off-premises with approval of property owner and Community Development Director. May be located in r-o- w with approval of Public Works Director.
10. Residential Subdivision Identification Signs	No					

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11. Temporary Subcategories:						
a. Balloons or other inflatable devices	Yes	Yes	Balloons and required tethers cannot exceed the maximum permitted building height for the zone district in which they are located measured from existing grade.	1 time per year for up to 60 days, or 2 times per year for up to 30 days each time, or 4 times per year for up to 15 days each time.	None	Permitted only to advertise special events and sales. Shall be securely anchored or attached so as to prevent dislocation, entanglement or encroachment onto adjacent properties or public streets, or undue hazard to motorists or pedestrians. Roof mounting is permitted.
b. Banners	Yes	No	Total size for any single or combined banners affixed to a wall based on one half (1/2) the allowance for wall signs.	1 per business or activity	N/A	Shall be securely anchored or attached so as to prevent dislocation, entanglement or encroachment onto adjacent properties or public streets, or undue hazard to motorists or pedestrians. May be placed upon a building wall but shall not be attached to fencing, landscaping, freestanding posts or utility poles. Banners may be placed only on walls facing a public street or major interior drive.

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c. Community Event/Sponsor ship Banner	Yes	1. Located on City- owned property: a permit shall be issued through the Department of Parks and Recreation; 2. Located on public school property: no permit is required	1. Located on City- owned property: maximum area of 50 square feet; 2. Located on public school property: maximum area of 32 square feet	N/A	N/A	May be placed on a building, fence, or pole on property owned by the City of Wheat Ridge or Jefferson County School District only.
e. d. Construction Signs	Yes	No	Shall not exceed 32 square feet. Shall not exceed 7 feet in height.	1 per street frontage allowed between the time a building permit is issued and a certificate of occupancy is obtained or any number of signs which are necessary for safety on the premises.	5 feet	Shall not be illuminated. Must be located on the property where active construction work is occurring.

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d. e. Pennants, streamers and similar devices	Yes	Yes	None	1 time per year for up to 60 days, or 2 times per year for up to 30 days each time, or 4 times per year for up to 15 days each time.	None	Permitted only to advertise special events and sales. Shall be securely anchored or attached so as to prevent dislocation, entanglement or encroachment onto adjacent properties or public streets, or undue hazard to motorists or pedestrians.
e. f. Real Estate Signs	Yes	No	50 square feet	1 per street frontage allowed	5 feet	Shall not be illuminated. Must be located on the property being advertised.
f. g. Temporary Model Home Signs	No					
12. Wall or Painted	Yes	Yes	No larger than 1 square foot for every linear foot of the side of the building to which it is affixed. Signs affixed to marquees or awnings shall be considered wall signs and shall be calculated based upon the length of the wall to which they are attached or adjacent to. For	1 per street frontage or major interior drive per activity	N/A	For uses which have a rear entry or delivery door, 1 nonilluminated wall sign per use.

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			buildings with flat roofs, wall signs shall not extend above the top of parapet or mansard, and if placed upon a parapet or mansard, shall not extend more than 3 feet above the deck line.			
13. Miscellaneous						
a. Artistic Murals or Sculptures	Yes	No	None	No limit	None	Shall not advertise or promote a particular business, service or "branded" product. A company, firm, association, society, etc., logo is not considered within the scope of this definition and is considered a sign.
b. Barber Shop Poles	Yes	No	Cannot exceed 5 feet in length.	1 per street frontage	N/A	Must be wall mounted.
c. Flags (city, state, national only), of any governmental agency or civic, charitable, religious, patriotic, political,	Yes	No	Flagpoles cannot exceed 35 feet in height.	None	Flagpole must meet setback requirements of the zone district in which they are constructed.	Allowed when located on their own premises or displayed along any march or parade route or in sockets along any street during a fund-raising drive or other similar special event. Any such devices to be placed within public right-of-way may only be approved by city

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fraternal or similar nonprofit organization						council.
d. Flashing Signs and Search Lights	No					
e. Historic plaques, cornerstones, erected by the city or historical agencies designating an area or property of local historical importance	Yes	No	Shall not exceed 3 square feet in size.	None	None	Allowable provided that such designations are in accordance with article IX of the Zoning and Development Code.
f. Home Occupation Signs	Yes, as accessory to a residential home occupation.	Yes	Maximum of 2 square feet in size.	1 per home occupation	5' if freestanding	May be freestanding or wall mounted.
g. House or building address number signs	Yes	No	N/A	N/A	N/A	Must meet the provisions of Chapter 26, Article IV, Sec. 26- 419C.
h. Informational Signs Accessory to the Primary Use	Yes	No	4 square feet per side. If freestanding, shall not exceed 36 inches in height if within a required	No limit	None	(i.e. "restrooms," "no smoking," "wheel chair entrance," etc.), or directional (i.e. "in," "out," "ramp," "drive-thru," etc.). May be wall-mounted, freestanding

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			sight distance triangle, or 48 inches where outside of a sight distance triangle. If an organization logo is incorporated into the sign, the logo shall not exceed 1 square foot in size.			or attached to other freestanding signs or canopies, but shall not be counted against the allowable size of another type of permitted sign. May be illuminated by internal light only.
i. Political Campaign Signs	Yes	No	16 square feet	No limit	None	Shall not be located in public right-of-way or on municipally-owned property. Shall be removed within 7 days following an election.
j. "Room for Rent" Sign	Yes	No	2 square feet	1 per vacant unit	None	Must be on the property for which it is advertising.
k. Roof Signs	No					
l. Temporary decorations or displays when such are clearly associated with any national, local or religious holiday or celebration	Yes	No	No limit	No limit	None	
m. Traffic Control or	Yes	No	No limit	No limit	None	As required by regulation or statute of the federal, state or

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Regulatory Signs						municipal government.
n. Vehicle signage	Allowed only for currently licensed, operative vehicles which are primarily used by its owner for service, delivery or general transportation on a regular basis.	No	None	None	N/A	Banners or temporary signs attached to vehicles are not allowed.
o. Window or Door Signs	Yes	No	Sign shall not obstruct more than 25 percent of the door or window area.	N/A	N/A	Permitted even if it is visible from outdoors. Those signs which advertise temporary uses such as rummage sales, garage sales and open houses shall be located on private property.
p. Menu Board/Drive Through Directory Signs	Yes	Yes	30 square feet per sign. Shall not exceed 6 feet in height if freestanding. If an organizational logo is incorporated into	2 per commercial activity	10 feet from right-of-way	May be wall mounted or freestanding but will not be counted against the allowable number or size of another type of permitted sign. May be illuminated by internal lighting only. No signage or advertising

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			the sign, the logo shall not exceed 1 square foot in size.			may be visible from the right-of- way.
1. Order Confirmation Boards	Yes	Yes	3 square feet per sign. Shall not exceed 4 feet in height.	1 per drive through lane	10 feet from right-of-way	May be wall mounted or freestanding but will not be counted against the allowable number or size of another type of permitted sign. May be illuminated by internal lighting only. No signage or advertising may be visible from the right-of- way.

Section 6: Safety Clause. The City Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the City of Wheat Ridge, that it is promulgated for the health, safety and welfare of the public and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The City Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be attained.


Section 7: Severability; Conflicting Ordinances Repealed. If any section, subsection or clause of the ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected thereby. All other ordinances or parts of the ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 8: Effective Date. This Ordinance shall take effect fifteen days after final publication, as provided by Section 5.11 of the Charter.

INTRODUCED, READ, AND ADOPTED on first reading by a vote of 8 to 0 on this 24th day of May, 2010, ordered it published with Public Hearing and consideration of final passage set for **Monday, June 28th, 2010 at 7:00 p.m.**, in the Council Chambers, 7500 West 29th Avenue, Wheat Ridge, Colorado, and that it takes effect 15 days after final publication


READ, ADOPTED AND ORDERED PUBLISHED on second and final reading by a vote of 7 to 0 , this 28th day of June, 2010.

SIGNED by the Mayor on this 28th day of June , 2010.




Jerry DiTullio, Mayor

ATTEST:



Michael Snow, City Clerk

Approved As To Form



Gerald E. Dahl, City Attorney

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