

## **CHAPTER 5 - SIGN REGULATIONS - TABLE OF CONTENTS**

<b>9-5-1</b>	<b>Sign Permits and Administration</b>	<b>Page 2</b>
<b>9-5-2</b>	<b>Nonconforming Signs</b>	<b>Page 4</b>
<b>9-5-3</b>	<b>Use of Public Right-of-Way</b>	<b>Page 5</b>
<b>9-5-4</b>	<b>Enforcement</b>	<b>Page 6</b>
<b>9-5-5</b>	<b>Exempt Signs</b>	<b>Page 7</b>
<b>9-5-6</b>	<b>Prohibited Signs</b>	<b>Page 12</b>
<b>9-5-7</b>	<b>Temporary Residential Signs</b>	<b>Page 15</b>
<b>9-5-8</b>	<b>Measurement of Sign Area and Height</b>	<b>Page 16</b>
<b>9-5-9</b>	<b>Sign Illumination</b>	<b>Page 18</b>
<b>9-5-10</b>	<b>Sign Installation and Maintenance</b>	<b>Page 19</b>
<b>9-5-11</b>	<b>Definitions and Standards for Specific Types of Signs</b>	<b>Page 20</b>
<b>9-5-12</b>	<b>Sign Standards by Zoning District</b>	<b>Page 25</b>
<b>9-5-13</b>	<b>Comprehensive Sign Programs</b>	<b>Page 28</b>

## CHAPTER 5 SIGN REGULATIONS

### 9-5-1 Sign Permits And Administration.

- A. Sign Permit Required:** To ensure compliance with the regulations of this Chapter, a sign permit shall be required in order to erect, move, alter, reconstruct, or repair any permanent or temporary sign, except signs that are exempt from permits in compliance with Section 9-5-5 (Exempt Signs). In multiple tenant buildings, a separate permit shall be required for each business entity's sign(s). Separate building and electrical permits may be required for signs and will be determined on a case-by-case basis. Changing or replacing the copy only on an existing lawfully permitted sign shall not require a new or amended permit, provided the copy change does not change the nature of the sign, structurally alter the sign, or render the sign in violation of this Chapter.
- B. Application for a Sign Permit:**
1. Sign Permit Application Requirements: Applications for sign permits shall be made in writing on forms furnished by Town. The application shall contain:
    - a. A completed application in a form approved by the Town Administrator; and
    - b. Payment of a non-refundable application fee in an amount established by resolution of the Board of Trustees to cover the administrative costs of processing the application.
  2. Staff Review and Approval: Following a determination by the Town that the application is complete, the Town Administrator shall review the sign permit in accordance with the established review criteria and has the authority to approve, approve with conditions or deny the sign permit. Upon the Town Administrator's approval of the sign permit, the sign permit and any building or electrical permits required for the sign shall be issued to the applicant.
- C. Sign Permit Review Criteria:** The following review criteria will be applied by the Town Administrator to evaluate all sign permit applications:

1. Sign meets the requirements of this Chapter;
  2. Sign conforms to the applicable requirements of the building and electrical code; and
  3. Sign conforms to the applicable requirements of the Zoning Code for the zoning district in which the sign is located.
- D. **Appeal of Administrator's Decision Regarding Application:** Any appeal of the Town Administrator's decision regarding an application for a sign permit may be made to the Board of Adjustment as provided by Chapter 4 of this Title 9. A written request for appeal must be submitted to the Town Administrator within 10 days of the date of the Administrator's decision. Unless otherwise approved by the person seeking an appeal, the hearing shall be set for a date not more than 30 days from date written request for appeal is submitted to Town Administrator.
- E. **Town Administrator Authority:** The Town Administrator is authorized to delegate any duty or function provided by this Chapter to another employee or agent of the Town. The Town Administrator shall prepare and require the use of application forms, guidelines, interpretive memoranda, and other information necessary or convenient to implement the provisions of this Chapter.
- F. **Variance Authorized:** A variance to the number, height, size, or location requirements of this Chapter 5 may be granted by the Board of Adjustment for any property within the Business (B), Commercial (C), Commercial Downtown (CD), or Commercial East Corridor (CEC) Zone Districts. All of the procedures and standards applicable to the granting of a variance pursuant to Chapter 4 of this Title 9 shall apply to a variance to the provisions of this Chapter 5; provided, however, that instead of finding that a "practical difficulty" or "unnecessary hardship" exists, a variance to this Chapter 5 may be granted upon a demonstration by the applicant and a finding by the Board of Adjustment that:
1. There exist one or more special circumstances related to the location of permanent structure(s) or topography that are not found on other properties in the same zone district; and
  2. The special circumstances are located either on the property or adjacent to the property; and
  3. The special circumstances prevent signs that are otherwise lawfully authorized by this Chapter to be effective in advertising the products, services, or activities available on the property to an extent similarly enjoyed by other properties in the same zone district.

#### **9-5-2 Nonconforming signs.**

- A. **Nonconforming Signs:** A sign existing upon property zoned within the Commercial (C) Zone District, Business (B) Zone District, Commercial Downtown

(CD) Zone District, Commercial East Corridor (CEC) Zone District, any Agricultural (A) Zone District, or General Industrial (GI) Zone District shall be deemed a nonconforming sign by the Town where such sign meets all of the following criteria:

1. The sign: (i) was lawfully erected as evidenced by a Town-issued permit; or (ii) the sign existed prior to and on April 21, 2003, in the same location affixed in a permanent manner to the ground or to a building without modification other than routine maintenance and repair; and
2. The sign is associated with an existing and operating business or activity; and
3. The sign fails to conform to one or more requirements of this Chapter 5 pertaining to size, height, materials, or location.

B. Town Record of Nonconforming Signs: The Town Administrator shall cause to be made, maintained, and certified a record of permanent signs existing within the Commercial (C) Zone, Business (B) Zone, Commercial Downtown (CD) Zone, Commercial East Corridor (CEC) Zone, any Agricultural (A) Zone, or General Industrial (GI) Zone Districts of the Town of Lyons that meet the requirements of subsection A above. The record shall include photographs and other materials prepared at the direction of the Town Administrator suitable to memorialize nonconforming signs in the event a later conflict arises regarding the legality of the location, size, or other aspect of a permanent sign. The record shall establish a rebuttable presumption that the permanent signs memorialized within the record are nonconforming signs for purposes of this Chapter. Property owners may request in writing that the Town Administrator supplement the Town's record of nonconforming signs with additional information provided by the owner. The Town Administrator shall supplement the record upon such request when the Administrator finds that the sign depicted in the owner's supplement is a nonconforming sign within the requirements of subsection A above. The Town Administrator's decision regarding supplementation of the Town's record shall be subject to appeal in accordance with Chapter 4 of this Title 9.

C. Effect of Nonconforming Sign Status: A nonconforming sign as defined by this Section shall be deemed lawful subject to all requirements of this Chapter and the Lyons Municipal Code with the following exceptions: (1) the requirement to obtain a sign permit; and (2) enforcement by the Town for exceeding or violating limitations on size, shape, location, or design imposed by this Chapter 5. All nonconforming signs shall be subject to the following requirements and restrictions:

1. Each nonconforming sign shall be considered a lawful sign for so long as the sign remains in the same location without enlargement or change other than routine maintenance and change in copy.

2. Damage or change to a nonconforming sign from any cause or reason in an amount exceeding 50% of the sign's value or exceeding 50% of the sign shall require the sign, if repaired or replaced, to be brought into conformance with this Chapter and applicable provisions of the zoning ordinances of the Town.
3. Discontinuation of the commercial or business operation of the property on which a nonconforming sign is located for more than 365 days shall require such sign to be brought into conformance with this Chapter and applicable provisions of the zoning ordinances of the Town, or for such sign to be permanently removed.
4. All nonconforming sign(s) on a property shall be considered in the calculation or computation of the total number and size of signs that may be lawfully permitted for the property as specified by this Chapter.

#### **9-5-3 - Use of public right-of-way.**

- A. **Encroachment Generally Prohibited:** No sign shall occupy or encroach into a Town-owned or Town-controlled public right-of-way except where the occupancy or encroachment is authorized by the Town in accordance with this Section.
- B. **License for Existing Lawful and Nonconforming Signs:** The Town hereby grants a license for continued use of the public rights-of-way owned by the Town of Lyons to the owners of lawfully erected and nonconforming signs that are located within or encroach within such right-of-way as of the effective date of this Chapter. Such license shall be subject to the following conditions:
  1. The owner's continued use of the public right-of-way for a lawful or nonconforming sign following the effective date of this Chapter constitutes the owner's acceptance and approval of the license.
  2. The license is revocable as may be permitted by law; provided, however, that the Town shall not revoke a license unless the Town finds: (a) that the sign presents a hazard to the public health, safety, or welfare; or (b) the use of the right-of-way is necessary for a public purpose and the continued occupancy of the sign unreasonably interferes with such public purpose.
  3. The Town's grant of a license to an owner shall not constitute an agreement by the Town to indemnify or to hold the sign owner harmless for damages resulting from such sign.
- C. **New Signs:** Except for signs authorized to occupy the public right-of-way by subsection B above, signs proposed for location or encroachment, in whole or in part, into the Town-owned public right-of-way shall first obtain a license. The form of license shall be a standardized license agreement between the Town and

the sign owner in a form approved by the Board of Trustees. The Town Administrator shall be authorized to execute the standardized form of license agreement where the Administrator finds that: (a) the owner has properly executed the license agreement; (b) the proposed sign meets the requirements of this Chapter; and (c) the sign's location within the right-of-way will not interfere with the traveled portion of any roadway, any sidewalk or pedestrian way, any trail, or the public use of any public property.

#### **9-5-4 Enforcement.**

- A. Removal of Signs for Discontinued Establishments:** Whenever a business, industry, service or other use is discontinued, the sign(s) pertaining to such use shall be removed or the copy obscured by the person or entity owning or having possession over the property within 90 days after the discontinuance of such use or within 180 days for a seasonal use. For purposes of this section, "seasonal use" shall mean a commercial enterprise that is customarily and routinely open only for a specific and identifiable period of time during a calendar year as the result of the seasonal nature of the business, such as but not limited to ski and winter sports stores.
- B. Illegal Signs:**
  - 1. Illegal Signs Constitute Nuisance:** Signs that fail to meet one or more of the following are hereby deemed unlawful and declared nuisances:
    - a.** Any sign for which a permit has not been issued in accordance with this Chapter or for which a Nonconforming Sign Certificate has not been issued.
    - b.** Any sign prohibited by Section 9-5-6 (Prohibited Signs) of this Chapter.
  - 2. Removal of Illegal Signs in the Public Right-of-Way or on Public Property:** Without notice to the owner of the sign, the Town may remove any sign within or extending into the public right-of-way or on publicly owned property for which a license or license agreement has not been issued by the Town.
  - 3. Enforcement Against Illegal Signs:** Illegal signs shall be subject to removal, abatement, and enforcement in the manner provided for nuisances by Chapter 4 of Title 4 of the Lyons Municipal Code.
  - 4. Storage of Removed Signs:** Signs removed in compliance with this Section shall be stored by the Town for 30 days, during which they may be recovered by the owner only upon payment to the Town for the Town's costs of removal and storage. If not recovered within the 30 day period, the sign and supporting structure shall be declared abandoned and title shall vest with the Town. The costs of removal and storage (up to 30

days) may be billed to the owner. If not paid, the applicable costs may be imposed as a lien against the property and certified to the County for collection in the same manner as property taxes.

#### 9-5-5 Exempt signs.

A. **Exempt signs:** The following types of signs are exempt from *permit* requirements of this Chapter but shall be subject to all other provisions of this Chapter including, but not limited to, Section 9-5-6 (Prohibited Signs). An exempt sign is permitted in any zone district unless otherwise limited or specified by this Section. All exempt signs (except government signs) shall be located on private property outside of the public right-of-way unless a license or a license agreement has been issued by the Town for such sign pursuant to Section 9-5-3. Signs shall not interfere with the visibility of traffic signs or interfere with the minimum sight distance triangle at intersections as may be provided by the Lyons Municipal Code.

1. **Address Signs.** A sign not to exceed 2 square feet in total surface area that identify the address and/or occupants of a residential dwelling unit or the address of a commercial or business establishment.
2. **Architectural Features.** Integral decorative or architectural features of buildings so long as such features do not contain letters, numbers, trademarks, or moving parts.
3. **Art.** Integral and permanent decorative or architectural features of buildings and works of art so long as such features or works do not contain letters, numbers, trademarks, moving parts, or lights. Sculpture or other three dimensional art must be capable of being contained within a box no greater than 216 cubic feet (e.g., a space 6 feet in width, 6 feet by depth, and 6 feet in height).
4. **Banners.** A banner constructed of paper, plastic, or fabric used to decorate or attract attention to a commercial or business establishment located only in the Commercial (C) Zone District, Business (B) Zone District, Commercial Downtown (CD) Zone District, or Commercial East Corridor (CEC) Zone District.
5. **Building Identification and Historical Markers.** Non-illuminated signs no larger than 3 square feet in area constructed of metal or masonry that are permanently affixed to buildings or structures for the purpose of identifying the original name of a building, date of erection, or other historical information such as the original owner or architect of the building.
6. **Political Signs** A temporary sign announcing or supporting candidates or issues in connection with any national, state, or local election.

20. Scoreboards. Scoreboards for athletic fields located on the property of a governmental agency, recreation district, or public or private school.
21. Sandwich Board Signs. One temporary, portable sign consisting of two identically shaped flat sign faces attached to each other on one edge with each sign face not exceeding 2 feet in horizontal width and 4 feet in vertical height may be displayed on any commercially zoned lot provided that such sign and the lot meet all of the following requirements:
- a. The sign advertises a product, service, or activity conducted by an operating commercial enterprise that is conducted on the same lot on which the sign is displayed;
  - b. Only one sandwich board sign for each business may be displayed regardless of the number of business enterprises operating on such lot;
  - c. The sign shall not be illuminated in any manner;
  - d. The sign may be displayed only when the associated business is open and shall be removed from public view during any period that the business is closed;
  - e. During periods of display, the sign shall be weighted, attached to the ground, or otherwise secured in a manner to prevent movement by wind or weather conditions. Attachment to a utility pole, utility equipment, benches, planters, or publicly owned signs or sign poles is prohibited;
  - f. The sign does not impede pedestrian or vehicular travel; and
  - g. The sign shall be located on private property or public property directly in front of the business during regular business hours.
22. Strings of Light Bulbs. Displays of string lights, provided that such lights are:
- a. Decorative displays that only outline or highlight landscaping or areas of a window of a private building or structure.
  - b. Bulbs shall be no greater in intensity than five watts.
  - c. Not placed on or used to outline signs, sign supports, awnings, and/or canopies.



- d. Not be assembled or arranged to convey messages, words, commercial advertisements, slogans and/or logos.
  - e. Not create a safety hazard with respect to placement, location of electrical cords or connection to power supply.
23. **Subdivision Monumentation Sign.** A permanent ground placed monument sign located within a sign easement or upon private property owned and controlled by a homeowners' association (or other similar organization created to provide permanent maintenance of such sign) for the purpose of identifying a platted subdivision of 8 or more lots located within the Town of Lyons. A subdivision monumentation sign shall include only permanent copy (as opposed to changeable copy). A Subdivision Monument Sign constructed from sandstone or concrete colored to simulate sandstone (excluding elements of any non-visible support structure) shall not exceed 48 square feet in sign area; all other Subdivision Monument Signs shall not exceed 18 square feet in sign area.
24. **Vehicular Signs.** Signs mounted or displayed on trucks, buses, trailers or other vehicles which are being operated or stored in the normal course of a business, such as signs indicating the name of the owner or business which are located on moving vans, delivery trucks, rental trucks and trailers and the like, shall be exempt from the provisions of this Chapter, provided that the primary purpose of such vehicles is not for the display of the sign or signs, and provided that they are parked or stored in areas appropriate to their use as vehicles.
25. **Vending Machine Signs.** A sign integral to and incorporated into a vending machine provided that the advertisement upon the vending machine sign is limited to the product vended.
26. **Window signs.** Any sign located on the interior of a window in the Commercial (C), Business (B), Commercial Downtown (CD), or Commercial East Corridor (CEC) Zone District.

#### **9-5-6 Prohibited signs.**

- A. **Prohibited signs:** The following signs are inconsistent with the purposes and standards in this Chapter and are prohibited in all zoning districts regardless of the provisions of Section 9-5-5 (Exempt Signs).
- 1. Other than strings of light bulbs as permitted in Section 9-5-5.A.20, (Strings of Light Bulbs), flashing, rotating, blinking or moving signs, animated signs, signs with moving, rotating or flashing lights or signs that create the illusion of movement.
  - 2. Any sign that is erected in such a location as to cause visual obstruction or interference with motor vehicle traffic, or traffic-control devices including

any sign that interferes with the minimum sight distance triangle at intersections as may be provided by the Lyons Municipal Code.

3. Any sign or portion of a sign located on, or extending into, a public right-of-way or other public property unless erected by a governmental agency or expressly authorized by a revocable license agreement or other written contract between the owner of the sign and the Town of Lyons and, where applicable, the Colorado Department of Transportation.
4. Any sign or portion of a sign incorporating a mirror or constructed with a mirrored surface.
5. Mechanical or electrical appurtenances, such as "revolving beacons", that are designed to compel attention.
6. Roof signs (to include any sign or portion of a sign extending above the crest of the roof or above any permanent parapet wall). A roof sign may be mounted upon an angled or pitched roof provided that such sign does not project above the crest of the roof.
7. In the residential zone districts, off-premise advertising signs or any other sign not pertinent and clearly incidental to the permitted use on the property where located, except off-premises nonconforming signs (see Section 9-5-2) or an approved Comprehensive Sign Program (see Section 9-5-13).
8. Any sign that interferes with free passage from or obstructs any fire escape, downspout, window, door, stairway, ladder or opening intended as a means of ingress or egress or providing light or air.
9. Any sign located in such a way as to intentionally block the view of an existing sign.
10. Vehicle-mounted signs, including but not limited to, signs painted on, mounted on, or attached to trailers or cargo containers when exhibited on public property or upon private property adjacent to public right-of-way for the primary purpose of advertising business, activities, or services. A vehicle-mounted sign shall be considered used for the "primary purpose of advertising" when the vehicle, trailer, or container is not employed on a daily basis for commercial use or is parked in a location other than where the advertised business, activity, or service is provided.
11. Portable signs, signs mounted on wheels, or any other sign not permanently affixed or attached to the ground or to a structure (excepting Sandwich Board Signs as provided by Section 9-5-5).
12. Rotating signs.

13. Searchlights.
14. Signs with optical illusion of movement by means of a design that presents a pattern capable of reversible perspective, giving the illusion of motion or changing of copy.
15. Inflatable signs or tethered balloons.
16. Fabric signs, flags, pennants or banners when used for commercial advertising purposes except as permitted in Section 9-5-5 (Exempt Signs).
17. Electronic message boards except signs erected by a governmental agency for warning, information, or other governmental purpose.
18. Wind signs.
19. Any sign (together with its supporting structure) now or hereafter existing which, 90 days or more after the premises have been vacated, advertises an activity, business, product or service no longer produced or conducted upon the premises upon which such sign is located. If the sign or sign structure is covered or the identifying symbols or letters removed, an extension of time may be granted by the Town Administrator upon good cause for such extension being shown. (This provision shall not apply to permanent signs accessory to businesses that are open only on a seasonal basis, provided that there is clear intent to continue operation of the business).
20. Any sign or sign structure that:
  - a. Is structurally unsafe;
  - b. Constitutes a hazard to safety or health by reason of inadequate maintenance or dilapidation;
  - c. Is not kept in good repair; or
  - d. Is capable of causing electrical shocks to persons likely to come in contact with it.
21. Any sign or sign structure that:
  - a. In any other way obstructs the view of, may be confused with or purports to be an official traffic sign, signal or device or any other official sign;
  - b. Uses any words, phrases, symbols or characters implying the existence of danger or the need for stopping or maneuvering a vehicle;

- c. Creates in any other way an unsafe distraction for motor vehicle operators; or
  - d. Obstructs the view of motor vehicle operators entering a public roadway from any parking area, service drive, private driveway, alley or other thoroughfare.
- 
22. Any sign that misstates the law including, but not limited to, signs located on private property that designate portions of the public street as "no parking" where public parking is lawfully permitted.

#### 9-5-7 Temporary residential signs.

- A. Temporary Signs Permitted in Residential Zone Districts: Temporary signs may be posted on property in all residential zones of the Town of Lyons, subject to the following requirements and those applicable provisions stated elsewhere in this Chapter. Although the content or message of a temporary sign is not regulated, such signs are intended to permit reasonable opportunity for the display of messages such as support for political causes and candidates, and real estate related offers (e.g., for sale or for rent).
1. The total square footage for all temporary signs posted on a residential lot, property, or parcel shall not exceed 30 square feet, with no individual sign face exceeding six square feet in surface area.
  2. No temporary sign shall obstruct or impair access to a public sidewalk, public or private street or driveway, traffic control sign, bus stop, fire hydrant, or any other type of street furniture, or otherwise create a hazard, including a tripping hazard.
  3. A temporary sign shall be designed to be stable under all weather conditions, including high winds.
  4. No temporary sign shall be illuminated.
  5. A temporary sign shall only be posted with the consent of the property owner or occupant.
  6. A temporary sign shall not advertise or promote any commercial enterprise or event not conducted on the same building lot.
- B. Removal Requirements for Temporary Signs: In addition to the requirements stated above, temporary signs shall comply with the following requirements:
1. A temporary sign located on the exterior of a building may be posted for a period of up to 90 days, at which time the sign shall be removed or replaced.
  2. Notwithstanding the display limitation in Section B.1 above, a temporary sign related to proposed real estate transaction shall be removed within 14 days after the closing of sale, rental of the property, or completion of the transaction, as applicable.
  3. Temporary signs located within the interior of a building may be posted indefinitely subject to all other requirements of this Chapter.

public property shall be located below the height authorized by the necessary revocable license agreement. No awning, with or without signage, shall extend above the roofline of any building.

3. Lighting: Awnings shall not be internally illuminated. Lighting directed downwards that does not illuminate the awning is allowed.

B. Freestanding Signs: A freestanding sign is a sign which is supported by one or more columns, uprights, poles or braces extended from the ground, but does not include a sign attached to a structure.

1. Location: The freestanding sign may be located only on a site frontage adjoining a public street.
2. Maximum Area and Height: The sign shall comply with the height and area requirements established in Section 9-5-12 (Sign Standards by Zoning District).
3. Sign Mounting: The sign shall be mounted on one or more posts.
4. Any freestanding sign that extends into a public right-of-way or over a public right-of-way shall require issuance of a revocable license agreement by the Town.

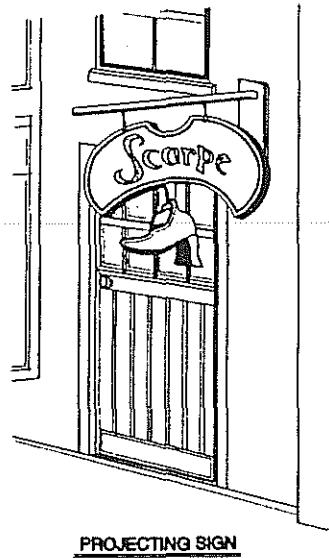
C. Monument Signs: A monument sign is a permanent sign where the entire bottom of the sign is affixed to the ground and is not supported by poles or attached to a building or other structure.

1. Location: The sign may be located only along a site frontage adjoining a public street. Any monument sign that extends into a public right-of-way or over a public right-of-way shall require issuance of a revocable license agreement by the Town.
2. Maximum Area and Height: The sign shall comply with the height and area requirements established in Section 9-5-12 (Sign Standards by Zoning District).
3. Design: The design and placement of the sign shall not obstruct traffic safety sight distance areas.

D. Off-Premise Signs: Off-premise signs, also known as off-site signs, are prohibited except for:

1. Off-premise signs that are nonconforming in accordance with Section 9-5-2; and

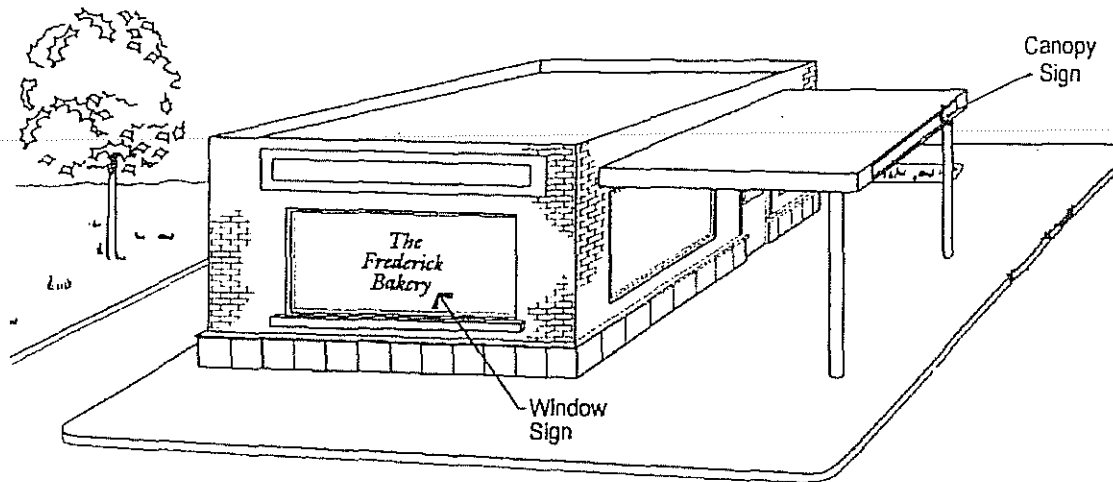
2. Off-premise signs in non-residential zone districts provided the total size of signage on the property does not exceed the maximum size allowed in the zone district as described in this Chapter.
  3. Subdivision monumentation signs located within public right-of-way as approved through the Town's sign permit review process. A subdivision monumentation sign shall include only permanent copy (as opposed to changeable copy), shall be constructed from sandstone or concrete colored to simulate sandstone (excluding elements of any non-visible support structure), and shall not exceed 48 square feet in sign area; and
  4. Town-erected monument or freestanding signs intended to direct the traveling public to public properties, public parking, points of interest, Town-sponsored or regional events, and to merchants and business opportunities available within the Town of Lyons.
- E. Projecting Signs: A projecting sign is any sign supported by a building wall and projecting from the building wall at least 12 inches or more horizontally beyond the surface of the building to which the sign is attached. See Figure 9-5-6 for example of Projecting Sign.
1. Location: Projecting signs shall be placed only on a ground floor facade, except for businesses located above the ground level with direct exterior pedestrian access.
  2. Maximum Area and Height: Projecting signs shall not be higher than the wall from which the sign projects if attached to a single story building, or the height of the bottom of any second story window if attached to a multi-story building. Projecting signs must have eight feet clearance over any private right-of-way or private sidewalk or such greater clearance as may be required by a revocable license agreement when extending over or into a public right-of-way or public sidewalk. Projecting signs may not extend more than four feet from the building wall except where the sign is an integral part of an approved canopy or awning.
  3. Any projecting sign that extends into a public right-of-way or over a public right-of-way shall require issuance of a revocable license agreement by the Town.



**Figure 9-5-6**

- F. Sign Plaza: A monument sign on public property identifying businesses or activities and subject to review and approval by the Board of Trustees.
- G. Wall Signs: A wall sign is any sign painted on, incorporated in or affixed to the building wall, or any sign consisting of cut-out letters or devices affixed to the building wall with no background defined on the building wall. A wall sign shall also include a "canopy sign" defined as a sign that is permanently affixed to a roofed shelter attached to and supported by a building, by columns extending from the ground or by a combination of a building and columns (See Figure 5-7 for general illustration of a canopy sign).
  - 1. Maximum Area and Height: Wall signs shall not be higher than the roof ridgeline of the principal building. The sign shall comply with the height and area requirements established in Section 9-5-12 (Sign Standards by Zoning District).





## SIGNS

Figure 9-5-7

2. Projection from Wall: No sign part, including cut-out letters may project from the surface upon which it is attached more than required for construction purposes and in no case more than 12 inches.

**9-5-12 Sign standards by zoning district.**

- A. Residential Signs: Signs in the Estate Residential (E), Estate County (EC), Low Density Residential (R-1), Medium Density Residential (R-2), Medium-High Density Residential (R-2A), High Density Residential (R-3), any residential lot of a Planned Unit Development (PUD), and Agricultural (both A-1 and A-2) Zone Districts may include and shall be limited to:

Type of Sign	Number of Signs	Maximum Area (sq. ft.)	Maximum Height of Freestanding Signs	Comments
Identification Sign  (Freestanding Sign, Monument Sign, Wall Sign, Canopy Sign, or Awning Sign)	One Identification Sign for a multi-family dwelling with 8 or more units	4	5 feet	
Bed & Breakfast	One for each Business	6	5 feet	Setback at least 4 feet from sidewalk or property line, whichever would place sign closer to street.
Home Business	One for each Business	2	NA	Wall-mounted signs only.

- B. Business, Commercial, and Industrial Signs: Signs in the Business (B), Commercial (C), Commercial Downtown (CD), Commercial East Corridor (CEC), Light Industrial (LI), and General Industrial (GI) Zone Districts may include and shall be limited as provided in the table below.

Type of Sign	Number of Signs	Maximum Area	Height	Comments
Freestanding Sign OR Monument Sign, but not both	One sign for each lot regardless of number of businesses on each lot	See Tables Below  Titled: <u>Maximum Freestanding or Monument Sign Area For Commercial Zones</u>	Maximum Height of Freestanding Sign: 12 feet  Minimum Height of Freestanding Sign: 8 feet above grade  Maximum Height of Monument Sign: None	
Wall Sign:	One per separately identifiable and segregated commercial business unit located on the building side	7% of wall area for primary entrance side  5% of wall area for all other building sides	n/a	
Projecting Sign	One for each separately identifiable and segregated commercial business unit	Maximum 3 feet by 6 feet	Minimum Height of Projecting Sign: 8 feet from grade above any sidewalk or pedestrian way	
Awning Sign	One for each side of building	No maximum size		

**TABLES: Maximum Freestanding or Monument Sign Area For  
Commercial Zones.**

For purposes of the following Table, "Zone A" refers to commercially zoned properties located west of the eastern edge of the downtown area and fronting (sharing a property line or boundary with) Highway 36/66, Main Street, or Broadway Avenue. "Zone B" refers to all commercially zoned properties not located in Zone A and which front (share a property line or boundary with) Highway 36/66. Tables apply only to Freestanding or Monument Signs. Lot frontage in linear feet is to be interpreted as including any lot up to the specified linear feet as determined by the Town of Lyons based on a review of property maps.

1                      ZONE A

Lot Frontage Linear Feet	Sign Area Square Feet
0	20
25	22.5
50	50
75	65
100	78
125	93
150	107
175	114
200	120
225	125
250	132
275	138
300	143

2                      ZONE B

Lot Frontage Linear Feet	Sign Area Square Feet
0	30
25	50
50	70
75	90
100	110
125	130
150	150
175	160
200	168
225	176
250	183
275	192
300	200

3

4

### 9-5-13 Comprehensive special event sign programs

- A. Purpose: The purpose of the Comprehensive Sign Program is to facilitate innovative and creative planning by allowing flexibility in the application of the Town's Sign Code. Use of the Comprehensive Sign Program should be limited in its application to special events (such as annual community festivals or Town-wide community events) and to property devoted to a variety of different or separate uses on a single lot (such as shopping centers and industrial parks) and for which the strict application of this Sign Code will not provide sufficient signage for each of the uses. For reoccurring annual or semi-annual special events, program approval should include a comprehensive written resolution or an agreement documenting the terms and conditions of the allowable signs.
- B. Application: Applicant's seeking Town approval of a Comprehensive Sign Plan shall submit an application to the Town Administrator that includes the following:
1. A completed application in a form approved by the Town Administrator setting forth general information deemed relevant to the Administrator to contact the Applicant;
  2. Payment of a non-refundable application fee in an amount established by resolution of the Board of Trustees to cover the administrative costs of processing the application;
  3. The location by street number and the legal description of the property proposed for a Comprehensive Sign Program;
  4. Names and addresses of the owner, sign contractor, and sign installer;
  5. Legible site plans that include the specific location of the signs within the program and setbacks to adjacent property lines and buildings;
  6. A detailed drawing indicating the dimensions, materials, and colors of the proposed signs within the program. For any freestanding or projecting signs, a certification of compliance with applicable uniform building and safety codes made by a structural engineer may be required by the Town Administrator when, following consultation with the Building Inspector, the Town Administrator determines that the sign may be structurally unsound or present a hazard;
  7. A graphic drawing or photograph of all proposed signs in the program; and
  8. A description of the lighting to be used for each sign, if applicable.

C. Application Processing:

1. Application Certification of Completion: Within a reasonable time of the date of application submission, the Town shall either certify the application is complete and in compliance of all submittal requirements or reject it as incomplete and notify the applicant in writing of any deficiencies.
2. Staff Review and Approval: Following the Town's determination that the application is complete, the Town Administrator shall review the sign permit in accordance with the established review criteria. The Town Administrator shall make a recommendation to the applicant and the Planning and Community Development Commission and Board of Trustees regarding the Comprehensive Sign Program's conformance with this Sign Code.
3. Planning and Community Development Commission Administrative Review: Following staff review, an application shall be set first for an administrative review and recommendation by the Planning and Community Development Commission. Such review and consideration shall require no public notice other than inclusion of the matter on the posted agenda of the Planning and Community Development Commission. Following review and consideration, the Planning Commission shall make a recommendation to the Board of Trustees to approve, approve with conditions, or deny the application for a Comprehensive Sign Program. The Planning and Community Development Commission shall base its recommendation upon the conformance of the application with the criteria for approval specified in Section 9-5-14.D below.
4. Board of Trustees Public Hearing: Following the Planning Commission's administrative review, the Board of Trustees shall conduct a public hearing to consider the application's conformance with the criteria for approval specified in Section 9-5-14.D below. Notice of the public hearing shall be the same as required for a rezoning of property by the Town Code. The Board of Trustees may impose reasonable conditions upon the approval of a Comprehensive Sign Program designed to ensure the greatest degree of conformance with the policies and intent of this Sign Code or as may be needed to mitigate adverse impacts of the sign program upon adjacent properties and the public.
5. Sign permit applications for repetitive events shall be reviewed and approved by staff. Only sign permit applications that staff determines to be a significant modification of the originally approved sign shall be reviewed by the Planning and Community Development Commission as described in Section 9-5-13.C.3 above and Board of Trustees as described in Section 9-5-13.C.4 above.

- D. Sign Permit Review Criteria: The following review criteria will be applied by the Planning and Community Development Commission and the Board of Trustees to evaluate all Comprehensive Sign Program applications:
1. The sign program generally meets the policies and intent expressed in this Chapter although one or more particular signs fail to strictly meet the location, number, or size requirements. Deviations from design (to include, for example, lighting, materials, and colors) shall not be permitted unless the Planning Commission or the Board of Trustees finds that such deviations are absolutely necessary to permit reasonable display of the proposed sign; and
  2. All signs within the Comprehensive Sign Program conform to the requirements of the applicable Town uniform building and electrical codes; and
  3. The type of signs within the program are permitted signs within the zoning district in which the signs are located (e.g., a permanent freestanding sign is not proposed in a residential zone district); and
  4. No sign would interfere with pedestrian or vehicular safety;
  5. No sign would be located so negatively and substantially impact an adjacent property;
  6. The proposed sign program would not detract from the pedestrian quality of the street or the immediate area; and
  7. The sign program would not add to an over-proliferation of signs on a particular property or area.