

TOWN OF LARKSPUR, COLORADO
ORDINANCE NO. 3.68

AN ORDINANCE RELATIVE TO SIGN REGULATIONS WITHIN THE TOWN OF
LARKSPUR, COLORADO

(This Ordinance hereby repeals and replaces
Section 19 of Ordinance No. 3.43 passed and adopted
on June 3, 1987)

BE IT ORDAINED by the Town Council of the Town of Larkspur, Colorado as follows:

SECTION I - INTENT

This Ordinance is designed to assist the public in the installation of signs and establish reasonable standards and regulations for the same.

SECTION II - GENERAL REQUIREMENTS

- A. A sign permit shall be required from the Town of Larkspur for all signs except those specifically excluded herein. In addition, a sign permit shall be required at any time the sign area is increased.
- B. All signs located in the Town of Larkspur except those required by this Ordinance for the posting of Public Notice, shall be required to comply with all applicable requirements for zoning districts in which the sign permit is issued, unless otherwise provided for in this section.
- C. All applications for a sign permit shall be accompanied by a rendering, fully dimensioned, showing the sign message and a site plan showing the location, setbacks, height and sign area of all proposed and existing signage. All sign applications requesting locations, setbacks or dimensions different from those permitted by this Ordinance shall be presented to the Town for review **NO LATER THAN 2 weeks** prior to the next regular scheduled meeting at which the request is to be considered. The Town Council shall conduct a public hearing to review the request, take public testimony, and either approve, deny, or continue the request to a time certain.

Requests for variances from this Ordinance shall be considered by the Town Council on a case by case basis. Notice shall be posted and published at the time of application.

- D. Sign permit fees shall be established by the Town Council and shall be paid at the time of application.
- E. The minimum yard setback for signs on all Federal, State and major County arterial highways or streets shall not be less than twenty-five (25) feet from the property line. Where this requirement may conflict with a yard setback otherwise required in a district, the larger yard setback shall be required. Where existing principal structures are located closer to a highway or street than twenty-five (25) feet, signs shall be allowed at the same setback as the existing principal structures. However, in no instance shall a sign interfere with the visibility at an intersection. Temporary "For Sale", "For Rent", or "For Lease" signs advertising vacant land shall be exempt from this provision.
- F. The following signs shall be prohibited in all districts:
 - 1. Portable signs which are not permanently affixed to any structure on the site or permanently mounted to the ground.
 - 2. Signs mounted, attached, or painted on motor vehicles, trailers, or boats when used as additional advertising signs on or near the premises and not used in conducting a business or service.
 - 3. Revolving beacons, flashing signs, or signs with any type of animation or intermittent lighting effects.
 - 4. Any signs emitting sound.
 - 5. Political signs in public right-of-way or on public property.
 - 6. Signs for the purpose of general outdoor advertising of products or services.
 - 7. Flags, banners, or other devices not made of rigid material designed to be allowed to wave, flap or rotate with the wind. Flags, banners or devices not made of rigid material but attached to a solid fence, building or rigid material shall be identified as a sign. Flags of any government or governmental agency

- or any civic, charitable, religious, or fraternal organization and small company flags or banners during grand opening events for a two-week period are exempt.
8. Signs located so as to conflict with the clear and obvious appearance of public devices controlling public traffic.
 9. Roof-mounted signs, or signs which project above the highest point of the roof line or fascia of the building.
 10. Signs attached to a building which project perpendicular a distance of more than eighteen (18) inches from the building.
 11. Signs attached parallel to the wall of a building but mounted more than eighteen (18) inches from the wall.
 12. Signs announcing a proposed development and/or proposed zoning prior to approval by the Town Council.
- G. Planned Unit Developments: Signs within Planned Unit Development shall comply with the regulations of this Section, except when a separate development guide is adopted by the Town Council for that proposed P.U.D. which incorporates separate guidelines for signage.
- H. Illumination: Signs may be internally illuminated; otherwise, the source of illumination shall be shielded.
- I. Public Right-of-Way: All signs erected in a public right-of-way by a public agency which control or direct the traveling public shall be exempt from the provisions of this Ordinance.
- J. Maintenance: Signs and sign structures shall be maintained at all times in a state of good repair, with all braces, bolts, clips, supporting frame and fastenings free from deterioration, insect infestation, rot, rust, or loosening. Signs shall be able to safely withstand the maximum wind pressure for the area in which they are located. The Town Engineer shall have the authority to order the repair, alteration, or removal of a sign or structure which constitutes a hazard to life or property. In the event that such a sign has not been removed, altered, or repaired within thirty (30) days after written notification from the Town Engineer, the Town shall have the authority to remove said

sign or structure at the expense of the owner of the premises on which the sign is located.

SECTION III - ON SITE SIGNS

A. In A, ER, R-1 (L), R-1 (H), R-2 and R-3 zone districts the following on-site signs shall be permitted:

1. One identification sign per development, provided the total surface area of such sign does not exceed fifty (50) square feet.
2. One temporary "For Sale", "For Rent", or "For Lease" sign per total development provided the total surface area of such sign does not exceed six (6) square feet and is not illuminated. Such signage shall not be required to meet minimum yard setback requirements of the zone district in which it is located, but shall not impair visibility for traffic movement.
3. Temporary "For Sale", "For Rent", or "For Lease" signs advertising vacant land provided that the total surface area of all such signs shall not exceed one hundred (100) square feet, nor the total surface area of any one sign exceed fifty (50) square feet. Sign permits shall be required for all such signage and a twenty-five (25) foot setback from all property lines shall be maintained. Roof-mounted signs, or signs which project above the highest point of the roof line or fascia of the building are prohibited.
4. One identification sign per use by right or special review provided the total surface area of such sign does not exceed thirty-two (32) square feet.
5. In the A districts only, signs advertising the sale of products produced or raised on the premises provided that the total number of signs shall not exceed four (4), are not illuminated, and does not exceed forty (40) square feet, nor the total surface area of any one sign exceed twenty (20) square feet.
6. Identifications signs for residential developments provided that only one (1) sign shall be allowed for each subdivision entrance, the surface area of each sign does not exceed fifty (50) square feet, the maximum height of such signs shall be six (6) feet, and provided that such signs shall not be located closer than twenty-five (25) feet from right-of-ways so as not to impair vehicular visibility.

7. Temporary advertising signs for the sale, rental or lease of dwelling units under construction or to be constructed (after approval) provided that no more than one (1) sign is located adjacent to each street abutting the subdivision, and providing that the total surface area of each sign does not exceed forty-eight (48) square feet. No such sign shall remain erected more than two (2) years or until the last dwelling unit is sold, whichever comes first.
 8. One (1) identification sign per model home within an approved subdivision provided that the surface area of each sign does not exceed sixteen (16) square feet. Such signage shall not be required to meet minimum yard setback requirement of the zone district in which it is located.
- B. In B, C, and I zone districts, the following on-site signs shall be permitted:
1. Directional signs are allowed and not counted as part of the total sign area allowed per individual use or per shopping center, business, commercial, or industrial park, provided that the total number of signs shall not exceed four (4), and provided that the total surface area of each sign does not exceed eighteen (18) square feet. Directional signs shall not be required to meet minimum yard setback requirements of the district in which it is located, but shall not impair visibility for traffic movement.
 2. One (1) temporary "For Sale", "For Rent", or "For Lease" sign per street frontage shall not be counted as part of the total sign area allowed per individual use or per shopping center, business, commercial, or industrial park, and shall be required to meet a twenty-five (25) foot setback from all property lines, provided that the total surface area of each sign does not exceed fifty (50) square feet per face (a maximum of two (2) faces are permitted for each sign); and does not impair traffic visibility.
 3. Individual businesses located on a corner lot, one (1) sign per each frontage abutting a public street, at the rate of one (1) square foot of sign area per one (1) lineal foot of allowable building frontage, up to a maximum of fifty (50) square feet per face.

4. One (1) freestanding identification sign per street frontage which identifies the individual use, shopping center or business, commercial or industrial park only provided such sign does not extend more than ten (10) feet from the road elevation, and provided the total surface area does not exceed one (1) square foot of sign area per three (3) lineal feet of street frontage to a maximum of fifty (50) square feet per face.
5. One (1) directory sign identifying the individual business within the center or park per entrance provided the total surface area of such sign does not exceed fifty (50) square feet per face of the area of the identification sign for the center park
6. No sign shall be permitted which impairs visibility for traffic movement.

SECTION IV - SIGN AREA MEASUREMENT

- A. Area to be measured: The area of a sign shall be measured in conformance with the regulations as herein set forth, provided that the structure or bracing of a sign shall be omitted from measurement unless such structure or bracing is made part of the message or face of the sign. Where a sign has two (2) or more display faces, the area of all faces shall be included in determining the area of the sign.
- B. Sign with backing: The area of all signs with backing or a background, material or otherwise, that is part of the overall sign display shall be measured by determining the sum of the areas in each square, rectangle, triangle, portion of a circle, or any combination thereof which creates the smallest single continuous perimeter enclosing the extreme limits of the display surface or face of the sign including all frames, backing, face plates, nonstructural trim or other component parts not otherwise used for support.
- C. Signs without backing: The area of all signs without backing or a background, material or otherwise, that is part of the overall sign display shall be measured by determining the sum of the areas of each square, rectangle, triangle, portion of a circle, or any continuous perimeter enclosing the extreme limits of each word, written representation (including any series of letters), emblems, or figures of similar character

including all frames, face plates, nonstructural trim or other component parts not otherwise used for support.

- D. All other signs or combination thereof: The area of any sign having parts both with and without backing shall be measured by determining the total area of all squares, rectangles, triangles, portions of a circle or any combinations thereof constituting the smallest single continuous perimeter enclosing the extreme limits of either of the following combinations: (1) the display surface or face of the sign including all frames, backing, face plates, nonstructural trim, or two (2) other component parts not otherwise used.

SECTION V - DEFINITIONS

The words in this section shall be interpreted and defined in accordance with the definitions set forth in Article III of Ordinance No. 3.43 unless further modified by the Town Council of the Town of Larkspur.

SECTION VI - RULES OF CONSTRUCTION

- 1.1 All words used in this Ordinance, except where specifically defined herein or in Article III of Ordinance No. 3.43 shall carry their customary meanings when not inconsistent with the context.
- 1.2 The particular controls the general.
- 1.3 In case of any difference of meaning or implication between the text of this Ordinance and the captions for each section, the text shall control.

SECTION VII - ENFORCEMENT PROVISIONS

- 1.1 No signs shall be installed, enlarged, maintained or used in violation of this Ordinance or amendments thereto. The Town Council, through the Town Attorney, may initiate legal action to enjoin, prevent, abate, or remove such unlawful installation, enlargement, maintenance or use in addition to any other remedies provided by law.
- 1.2 Any person, firm, or corporation, whether as principal, agent, employee, or otherwise, who violates any of the provisions of this Ordinance shall be subject to a fine not to exceed three hundred dollars (\$300) for each such violation, such fine to inure to the Town of Larkspur, Colorado. Each day of the existence of any violation shall be

deemed an equal and separate offense. This section shall also apply to any landowner who allows the use of his land by another in violation of this Ordinance.

1.3 In any action brought to enforce this Ordinance, the Town Attorney may request a court order authorizing the Town to abate any violation of the Ordinance at the expense of the violator and awarding to the Town and against the violator the costs and attorney fees associated with abatement.

This Ordinance shall take effect five (5) days after it is posted, in accordance with Section 3.20 of the Town Charter.

Introduced as an Ordinance at a regular meeting of the Town Council of the Town of Larkspur, Colorado on the 19 day of March, 1998, and passed by a vote of SIX (6) for and 0 () against, with 0 () abstentions.

ATTEST

Randi Heard
Randi Heard, Town Clerk

William E. Lucero
William E. Lucero, Mayor