

ARTICLE V. SIGNS*

***Editor's note:** Ord. No. 03-361, § 4, adopted May 23, 2003, renumbered article IV as article V.

Cross references: Advertising, Ch. 3; signs generally, Ch. 46; regulations for signs permanently occupying public right-of-way, § 49-436 et seq.

State law references: Outdoor advertising, C.R.S. 1973, 43-1-401 et seq.

DIVISION 1. GENERALLY

Sec. 59-536. Scope.

This article shall govern and control the erection, remodeling, enlarging, moving, operation and maintenance of all signs by permitted uses within all zoning districts established by this chapter. Nothing herein contained shall be deemed a waiver of the provisions of any other ordinance or regulation applicable to signs. Signs located in areas governed by several ordinances and/or applicable regulations shall comply with all such ordinances and regulations.

(Code 1950, § 613.1)

Sec. 59-537. Signs permitted in all districts.

- (a) **Signs not subject to a permit.** The following signs may be erected in all districts without a permit:
- (1) Signs required or specifically authorized for a public purpose by any law, statute or ordinance; may be of any type, number, area, height above grade, location, illumination or animation, authorized by the law, statute or ordinance under which the signs are required or authorized;
 - (2) Signs limited in content to name of occupant and address of premises; signs of danger or a cautionary nature which are limited to: wall and ground signs; not more than two (2) per street front for each use by right, or two (2) for each dwelling unit; not more than four (4) square feet per sign in area; not more than ten (10) feet in height above grade; may be illuminated only from a concealed light source which does not flash, blink or fluctuate; shall not be animated;
 - (3) Signs in the nature of cornerstones, commemorative tables and historical signs which are limited to: and ground signs; not more than two (2) per zone lot; not more than six (6) square feet per sign in area; more than six (6) feet in height above grade; may be illuminated only from a concealed light source which does not flash, blink or fluctuate; shall not be animated;

- (4) Signs which identify by name or number individual buildings within institutional or residential building group complexes and which are limited to: wall and ground signs; not more than four (4) signs per building; not more than twenty (20) square feet per sign in area; not more than twelve (12) feet in height above grade; any location on the zone lot; may be illuminated from a light source which does not flash, blink or fluctuate and if directly illuminated does not exceed twenty-five (25) watts per bulb, shall not be animated;
- (5) Signs in the nature of decorations, clearly incidental and customary and commonly associated with any national, local or religious holiday; provided that such signs shall be displayed for a period of not more than sixty (60) consecutive days nor more than sixty (60) days in any one (1) year; and may be of any type; number; area; height; location; illumination or animation;
- (6) Temporary commercial signs which identify, advertise or promote a temporary activity and/or sale of merchandise or service of a business use located on the same zone lot. Shall be limited to:
 - a. Window signs;
 - b. Banners with commercial advertising copy;
 - c. Wall signs or posters which have been treated so as to be shielded from the elements (water, wind, sun, etc.);
 - d. Streamers which are attached to vehicles located in the front row only of retail car lots when said vehicular sales lot is located on an arterial street and is not across from a residential zone district; and
 - e. Window graphics consisting of paint or decals applied directly to glazing; and

Shall meet the following conditions:

- a. Shall be maintained in a clean, orderly and sightly condition;
- b. Shall be placed in/on ground level windows/walls only (except for streamers);
- c. Shall be limited in placement to forty-five (45) days for sign or copy;
- d. May be illuminated only from a concealed light source;
- e. Illumination shall not flash, blink or fluctuate;
- f. Shall not be animated;
- g. Shall be placed only on the business structure (except for streamers);
- h. Shall not exceed fifty (50) percent of the maximum use by right permitted sign area for the permitted use on the zone lot;

Plus either sixty-five (65) percent of the unused permitted permanent sign area or sixty (60) percent of the ground level window area, whichever is greater, neither of which is to exceed seventy-five (75) square feet.

The zoning administrator may allow additional temporary signage area up to one hundred (100) square feet upon application in specific cases providing that the procedure outlined in section 59-38(a)(11), overheight fences, is satisfied. (Link to 59-38: [click here](#))

All portable signs regardless of location are specifically not allowed.

Parked motor vehicles and/or trailers are not allowed to be intentionally located so as to serve as an advertising device for a use by right, product or service.

(Ord. No. 852-92, eff. 11-27-92)

- (7) Signs that identify or advertise the sale, lease or rental of a particular structure or land area and limited to: wall, window and ground signs; one (1) sign per zone lot; not more than five (5) square feet in area per face; not more than six (6) feet above grade; no illumination; and no animation;
- (8) Signs commonly associated with and limited to information and directions relating to the permitted use on the zone lot on which the sign is located, provided that each such sign is limited to wall, window and ground signs; not more than one hundred (100) square inches per sign in area, except that notwithstanding other limitations of article V, golf course tee box signs may contain up to eight (8) square feet of sign area of which one (1) square foot may be devoted to advertising; not more than eight (8) feet in height above grade; may be illuminated only from a concealed light source which does not flash, blink or fluctuate; shall not be animated except that gauges and dials may be animated to the extent necessary to display correct measurement;
- (9) Political signs which signs shall be posted not more than ninety (90) days prior to the election to which the signs relate and shall be removed within fifteen (15) days following the election to which the signs relate. In residential districts, not more than one (1) political sign for each front line of the zone lot may be erected with each sign having an area of not to exceed eight (8) square feet. Regardless of the zone district, no illuminated political sign shall flash, blink or fluctuate and shall not be animated.
- (10) Noncommercial signs may be erected on any zone lot; shall not be posted more than forty-five (45) days in any twelve-month period regardless of message changes. In residential districts, not more than one (1) such sign for each front line of the zone lot may be erected with each sign having an area not to exceed eight (8) square feet. In business and industrial districts, not more than one (1) such sign for each front line of the zone lot may be erected with each sign having an area not to exceed thirty-two (32) square feet. Regardless of the zone district, no illuminated sign, no flashing sign, no blinking sign, no fluctuating sign, and no animated sign shall be allowed.

(Ord. No. 537-96, eff. 7-5-96)

(b) **Signs subject to a permit.** Upon application to and issuance by the department of zoning administration of a permit therefor, the following signs may be erected and maintained in all zoning districts:

- (1) Signs which are not visible from any public right-of-way or from any level whatsoever of any other zone lot; may be illuminated but such illumination shall not be visible beyond the boundaries of the zone lot on which the sign is located; shall not be animated;

(Ord. No. 439-92, eff. 7-10-92)

- (2) Signs identifying home occupations where such home occupations are permitted in section 59-89(3) ([Link to Sec. 59-89, click here](#));

(Ord. No. 254-94, eff. 4-8-94)

- (3) Signs displaying only the name and address of a subdivision or of a planned building group of at least eight (8) buildings each containing a use or uses by right and limited to: wall and ground signs; one (1) per street front; not more than twenty (20) square feet per face in area; not more than six (6) feet in height above grade; may be illuminated only from a concealed light source which does not flash, blink or fluctuate; shall not be animated;
- (4) Signs consisting of illuminated buildings or parts of buildings which do not display letters, numbers, symbols or designs and limited to: illumination from a concealed light source which may not flash or blink, but may fluctuate by a change of color or intensity of light, provided that each change of color or dark to light to dark cycle shall have a duration of one and one-half minutes or longer; shall not be animated;
- (5) Signs giving parking or traffic directions and other directional information commonly associated with and related to the permitted use on the zone lot on which the sign is located; provided that such signs are limited to: wall and ground signs; one (1) sign for every one thousand (1,000) square feet of land area up to ten thousand (10,000) square feet, thereafter only one (1) additional sign for every five thousand (5,000) square feet; not more than four (4) square feet per face in area, not more than six (6) feet in height above grade; may be illuminated from a concealed light source which does not flash, blink or fluctuate: shall not be animated;
- (6) Signs on canopies or awnings located over public rights-of-way or into any required front setback space; limited in content to name of building, business and/or address of premises; no sign shall exceed ten (10) square feet per face in area. All such canopies and awnings over public rights-of-way are subject to approval by the department of public works.
- (7) Off-premise signs identifying new residential developments within the city as regulated by the following provisions. Notwithstanding the provisions of division 3 (outdoor general advertising devices), off-premise signs identifying new residential developments in the city shall:

- a. Be limited in area to thirty-two (32) square feet per face and shall not be more than six (6) feet in height above grade,
- b. Be limited in content to the name of the project, the name of the developer or construction company and/or directional information or symbols,
- c. Be limited to wall signs or ground signs which set back a minimum of five (5) feet from every street right-of-way line,
- d. Be limited to two (2) signs on each side of a public street for each six hundred-foot length of right-of-way with a minimum spacing of one hundred (100) feet between signs,
- e. Be limited to no more than six (6) signs per project, and
- f. Utilize a concealed light source if illuminated and shall not flash, blink, fluctuate or involve animation.

Permits for such signs shall be valid for a period not to exceed one (1) year during the construction, development, original rent-up or sales period, and shall not be renewed for more than three (3) successive periods for the same project.

(Ord. No. 478-82, eff. 9-3-82)

- (8) Signs which identify a structure containing any use by right other than a single unit dwelling. Such signs shall be:
 - a. Limited in content to the identification by letter, numeral, symbol or design of the use by right and/or its address;
 - b. Attached to a fence or wall located on the front line of the zone lot or within the front setback area;
 - c. Limited in number to one (1) sign per street front for each structure;
 - d. Regulated by the sign provisions for the zone district in which the zone lot is located except that the requirements of this section will take priority in case of a conflict;
 - e. Counted as a part of the total sign area permitted on the zone lot;
 - f. Limited in height to six (6) feet above grade; and
 - g. Attached to a fence or wall so that the display surface is parallel to and extends frontward no further than six (6) inches beyond the front plane of the wall or fence.

The term "wall" in this provision refers to a screening or protective wall and does not mean a building or structural wall. Such signs may be illuminated only from a concealed light source which does not flash, blink or fluctuate and shall not be animated.

(Ord. No. 677-82, eff. 12-10-82)

- (9) Inflatables and balloons and/or streamers/pennants shall be allowed as a promotion of a special event only (advertising of a product or service by this manner shall not be allowed except as a part of the promotion of the special event). Inflatables and balloons may be shaped/formed as a product and may have commercial copy; streamers/pennants shall not have any commercial logos or copy; and shall meet the following conditions:
- a. Shall be limited in placement to five (5) days;
 - b. Shall be placed on the zone lot as determined by the zoning administrator;
 - c. The zone lot shall be allowed no more than one (1) permit per quarter; and
 - d. Streamers and/or pennants shall not exceed in measurement two (2) times the zone lot front line measured in linear feet (the property address front line shall be used for this calculation); and shall be counted as part of the maximum allowed temporary sign area at a ratio of one (1) linear foot to one (1) square foot of temporary signage allowed.

The zoning administrator shall issue a summons and complaint for inflatables, balloons, streamers and/or pennants emplaced without a permit and shall not issue a permit for said location for the next event application.

(Ord. No. 852-92, eff. 11-27-92)

- (10) Signs which are works of art as defined by section 20-86 of the Denver Revised Municipal Code. Such signs shall be primarily artistic in nature, but up to five (5) percent of the sign may be the name or logo of a sponsoring organization. The percentage of the sign devoted to the sponsoring organization may be increased up to ten (10) percent of the sign if the zoning administrator, with input from the director of the mayor's office of art, culture and film, determines the portion of the sign devoted to the sponsor does not detract from the artistic quality of the sign.

(Ord. No. 460-93, eff. 6-25-93)

- (11) Off-premises identification sign. A sign identifying a public facility which is located on a different zone lot than that containing the sign. The number, location, height, size and illumination of such signs shall be approved by the director of planning and the zoning administrator or their designated representatives; however, in no case shall such sign exceed ten (10) feet in height or forty (40) square feet in area. A decision to approve such signs must be based on a favorable evaluation of their compatibility with nearby structures and signs. The installation of such identification signs shall not reduce the size or number of other signs permitted on a specific site by other provisions of article V.

(Ord. No. 714-94, eff. 9-16-94)

(c) **Signs subject to a comprehensive sign plan.** Notwithstanding more restrictive provisions of article V, signs, certain large facilities may have signs according to an approved comprehensive sign plan for the facility.

(1) *Intent.* These provisions may be used where a facility operator can prove a clear need for additional signage. The intent of these provisions is to allow flexibility in the size, type and location of signs identifying the use and location of certain large facilities. This flexibility is offered in exchange for a higher standard of design quality for such signs. This process should mitigate any possible adverse impacts of large facility signs on surrounding uses. The flexibility in the size, type and location of signs identifying the use and location of certain large facilities is not a matter of right, and a proposed comprehensive sign plan for a large facility must be reviewed pursuant to the provisions of this subsection 59-537(c) for a recommendation for denial, approval or approval with conditions.

(2) *Description of qualifying uses.* These provisions shall apply to **large facilities located on a zone lot in a PRV, B-5, I-1, I-2, C-MU-20 or C-MU-30** zone district used for recreational, amusement, cultural, sports, meeting hall or entertainment uses. (Examples of these include museums, botanical and zoological exhibits, aquariums and similar uses.) Such facilities must have a minimum ground floor area of fifty thousand (50,000) square feet, or a minimum zone lot area of one hundred thousand (100,000) square feet. They may consist of one (1) or more buildings but the site must consist of contiguous zone lots. Streets or alleys do not destroy the contiguity of adjacent zone lots for the purpose of this subsection.

(Ord. No. 598-99, eff. 8-13-99)

(3) *Process to establish a comprehensive sign plan.*

a. *Plan submittal.* The following items and evidence shall be submitted to the zoning department to explain a proposed comprehensive sign plan for a facility:

1. A site plan or improvement survey of the facility drawn to scale showing existing and proposed buildings, parking areas, landscaped areas, adjoining streets and alleys;
2. Scaled drawings showing the elevations of existing and proposed buildings;
3. Design descriptions of all signs, including sign shape, size typography, lighting, exposed structure, colors, and materials, and any information on the frequency of changeable graphics;
4. All information on sign location shall also be provided: wall elevations drawn to scale showing locations of wall, window, projecting, and roof signs, and site plans drawn to scale showing locations and heights of ground signs;

5. Calculations of sign area and number.

The plans and evidence received by the zoning department shall be forwarded to the planning office for review.

- b. *Notice to others.* The zoning department shall see that notices are placed on the property by the applicant no later than fifteen (15) days after receipt of the proposed plan by the zoning department. The zoning department shall also send notice of the proposed plan to neighborhood organizations which are registered pursuant to the provisions of section 41-19(e) of the Revised Municipal Code and whose boundaries are within three thousand (3,000) feet of the boundary line of the zone lot of the large facility. The zoning department shall also send notices to the city councilmembers. Such notice shall require that written comments be submitted to the zoning department by those persons having a concern with respect to the proposal within thirty (30) days of the date of the notification. If the facility site falls within or is adjacent to a district designated for preservation pursuant to the provisions of chapter 30 of the Revised Municipal Code, the zoning department shall notify the preservation commission regarding the proposal.
- c. *Adoption of a comprehensive sign plan.* The planning office staff shall consider the concerns expressed by members of the public, neighborhood organizations and councilmembers, and shall evaluate the proposed plan according to the criteria listed below. The planning office staff shall prepare a recommendation for denial, approval, or approval with conditions, no later than forty-five (45) days after receipt of the plan by the zoning department; and shall forward its recommendation to the zoning department no later than fifteen (15) days following the preparation of the recommendation.
- d. [*Criteria for review.*] The criteria for reviewing proposed comprehensive sign plans are as follows:
 - 1. Signs shall not be oriented or illuminated so that they adversely affect the surrounding area, particularly existing nearby residential uses or structures. Examples of adverse effects are glare from intense illumination, and large signs or structures which visually dominate an area.
 - 2. Roof signs should not be allowed unless such signs are designed to appear as an integral part of the building to which they are attached. Such roof signs shall not extend above any building height limit or zoning bulk plane. No flashing, blinking, fluctuating, animated or portable sign is allowed.
 - 3. All features of the sign, including the illumination, support structure, color, lettering, height, and location, shall be designed to that it will be an attractive and complementary feature of the building which it serves.

4. The name of a sign sponsor or activity sponsor may be shown on a sign providing it does not occupy more than one (1) percent of the sign area; provided, however, outdoor general advertising devices shall not be allowed.
 5. Sign design should reflect the existing or desired character of the area. As an example, in a district in which night-time entertainment is concentrated, the intent of this subsection 59-537(c) is to encourage exciting, iconographic, and inventively illuminated signage.
 6. Signs shall be professionally designed and fabricated from quality, durable materials.
 7. Projecting signs may be allowed as part of the sign plan if they conform to the purpose of the vital signs provisions, section 59-554, special provisions for the B-5 and B-7 districts. Within the B-5 zone, projecting signs would be allowed so long as they comply with all the requirements of the above referenced provisions.
 8. In general, greater latitude in sign number, type, and area may be allowed for large projects under this subsection 59-537(c) so long as the sign plan exhibits design excellence, inventiveness, and sensitivity to the context.
 9. Signs for accessory uses, which are prohibited by other provisions of article V, are allowed as a part of an approved sign plan.
- e. *Automatic review by the planning board.* Sign plan proposals that exceed the sign areas listed below for different sized projects shall be forwarded to the planning board after the preparation of a planning office staff recommendation:

One thousand two hundred (1,200) square feet of sign area for facilities with a building coverage of at least fifty thousand (50,000) square feet and/or a zone lot area from one hundred thousand (100,000) square feet to two hundred thousand (200,000) square feet;

One thousand eight hundred (1,800) square feet of sign area for facilities with a building coverage of at least one hundred thousand (100,000) square feet and/or a zone lot area from two hundred thousand one (200,001) square feet to four hundred thousand (400,000) square feet; or

Two thousand four hundred (2,400) square feet of sign area for facilities with a building coverage of at least one hundred fifty thousand (150,000) square feet and/or a zone lot area of four hundred thousand one (400,001) square feet and above.

1. The planning board shall hold a meeting and shall require that notices be placed on the property by the applicant at least fifteen (15) days prior to the meeting. The planning board shall also send notice of the proposed plan to neighborhood organizations which are registered pursuant to the provisions of section 41-19(e) of the Revised Municipal Code and whose boundaries are within three thousand (3,000) feet of the boundary line of the zone lot of the large facility. The planning board shall also send notices to the councilmembers. Such notices shall be sent at least thirty (30) days prior to the hearing.
 2. The planning board shall review the planning office recommendation, the concerns of the public and the criteria for review, and shall adopt a recommendation for denial, approval or approval with conditions. The planning board recommendation shall be forwarded to the zoning department no later than fifteen (15) days following the adoption of the recommendation.
- f. *[Notification.]* The zoning administrator shall notify the applicant and any person or organization which expressed concerns over the plan of the recommendation for denial, approval or approval with conditions within fifteen (15) days after the receipt by the zoning department of the recommendation. The zoning administrator shall take into consideration the recommendation of the planning office and/or the planning board in the issuance of any sign permits for the facility. Any sign changes or additions requested for the facility after the approval of the comprehensive sign plan must be reviewed according to the provisions of this subsection 59-537(c).
- (4) *Other permitted signs.* Signs described and regulated by subsection 59-537(b)(5), signs giving parking or traffic directions, and inflatables and balloons and/or streamers/pennants as described and regulated by subsection 59-537(b)(9), need not be included in the comprehensive plan. However, other signs permitted by subsection 59-537(b), signs subject to a permit, must be included in the comprehensive sign plan.
 - (5) *[Rules and regulations.]* The planning board has the authority to adopt rules and regulations concerning the review of comprehensive sign plans.
 - (6) *[Fee.]* The fee for review of a comprehensive sign plan for large facilities is five hundred dollars (\$500.00) per facility.

(Ord. No. 765-95, eff. 9-29-95)

(Code 1950, § 613.2; Ord. No. 895-03, §§ 50--54, eff. 12-2-03)