



**TOWN OF SNOWMASS VILLAGE**

P.O. Box 5010

Snowmass Village, Colorado 81615

970-923-5524

**SIGN PERMIT**

Date: \_\_\_\_\_ Number of Signs: \_\_\_\_\_ Estimated Value: \_\_\_\_\_

Date to be placed: \_\_\_\_\_ Date to be removed: \_\_\_\_\_

Location/Address: \_\_\_\_\_

Sign Owner: \_\_\_\_\_ Address: \_\_\_\_\_  
Name

Telephone: \_\_\_\_\_

Email: \_\_\_\_\_

Contractor: \_\_\_\_\_ Address: \_\_\_\_\_  
Name

Telephone: \_\_\_\_\_

Email: \_\_\_\_\_

Landowner: \_\_\_\_\_ Address: \_\_\_\_\_  
Name

Telephone: \_\_\_\_\_

Email: \_\_\_\_\_

**SUBMITTAL REQUIREMENTS:**

- A plan showing the sign(s) location in relation to nearby buildings, structures, property lines, rights-of-way and utility easements.
- Material method of construction and wiring, illumination, and support.
- Sign(s) dimensions, colors and materials.
- Proposed message accurately represented in scale as to size, area, proportion and color.
- Written consent from the landowner: \_\_\_\_\_

Signature

Date

- Executed Snowmass Village Development Application Fee Agreement.

- Permit Application Base Rate Fee: \$ \_\_\_\_\_ Received: \_\_\_\_\_ Receipt # \_\_\_\_\_

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

APPROVAL: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

- Conditions of Permit Approval Attached (if checked).

**TOWN OF SNOWMASS VILLAGE  
PLANNING DEPARTMENT**

**Snowmass Village Development Application Fee Agreement**

The Town of Snowmass Village has established a fee structure for the processing of land use applications as described in the Base Rate Fee Schedule attached hereto. A flat rate fee is collected for land use applications based on the type of application submitted. Referral fees for other Town departments, agencies and Town consultants reviewing the application will also be collected. Applications will not be accepted for processing without the payment of the required base rate fee.

The fees vary depending upon the land use application type and the complexity of the case. The determination whether an application is major or minor for purposes of establishing the Base Rate Fee shall be at the sole discretion of the Planning Director based upon the estimated number of hours required to process the application. The Base Rate Fee for applications which fall into more than one category shall be cumulative unless found that it may be excessive in relation to the estimated number of hours required to process the consolidated application. The consolidated Base Rate Fee may then be adjusted at the sole discretion of the Planning Director.

The accrual of staff time commences at the time of the pre-application conference and this time is then deducted following receipt of the flat fee amount provided at the time application is made. The base rate fee is not refundable.

More extensive staff review may be required, beyond the hourly rate and time allotted by the base rate fee, as the review time is likely to vary substantially from one application to another. Actual staff and consultant review time of the application will be charged when the hourly rate and review time exceeds the base rate fee amount. A brief description of the charge and review time incurred will be provided on the invoice.

After the base fee has been exceeded, the applicant will be billed monthly in arrears for actual review time incurred. Current billings must be paid within 30 days or processing of the application will be suspended. An applicant may accrue and be billed additional administrative or review time following the final land use approval up to issuance of a Certificate of Completion or a Certificate of Occupancy or until the terms and conditions of the approval have been satisfied, whichever occurs later. If an applicant has previously failed to pay application fees as required, no new or additional applications will be accepted for processing until the outstanding fees are paid. **No new land use applications will be accepted, building permit(s) issued or documents recorded with the Pitkin County Clerk and Recorder until all costs associated with the processing of the land use application to date have been paid.**

As the Applicant or Authorized Representative, I am responsible for paying all fees associated with this development review application and shall be the person designated to receive all billings under this Agreement.

READ, ACCEPTED AND AGREED TO: Application(s): \_\_\_\_\_

Print Name: \_\_\_\_\_

\_\_\_\_\_ Date: \_\_\_\_\_  
Applicant or Authorized Representative

Applicant billing address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**BASE RATE FEE: \$** \_\_\_\_\_  
**RECEIPT NO.** \_\_\_\_\_  
The Applicant is responsible for notifying the  
Town Planning Department by U.S. Mail for  
any change in billing person or billing address:  
Snowmass Village Planning Department  
P.O. Box 5010, Snowmass Village, CO 81615

# SNOWMASS VILLAGE PLANNING DEPARTMENT

## BASE RATE FEE SCHEDULE

EFFECTIVE: JANUARY 1, 2008

<u>TYPE OF REVIEW</u>	<u>BASE RATE FEE</u>
<input type="checkbox"/> AEU Registration – Initial.....	\$ 300.00
<input type="checkbox"/> AEU Registration – Annual.....	\$ 100.00
<input type="checkbox"/> ACU Registration – Initial.....	\$ 200.00
<input type="checkbox"/> Administrative Modification .....	\$ 600.00
<input type="checkbox"/> Annexations.....	\$ 5,000.00
<input type="checkbox"/> Appeal of Decision.....	\$ 600.00
<input type="checkbox"/> Comprehensive Sign Plan.....	\$ 500.00
<input type="checkbox"/> Excise Tax Application.....	\$ 500.00
<input type="checkbox"/> Floor Area Calculation (Per Hour).....	\$ 180.00
<input type="checkbox"/> Rezoning.....	\$ 1,000.00
<input type="checkbox"/> SPA or PUD Pre-Sketch Plan.....	\$ 750.00
<input type="checkbox"/> SPA or PUD Sketch Plan.....	\$ 3,500.00
<input type="checkbox"/> SPA or PUD Preliminary Plan - Minor.....	\$ 5,000.00
<input type="checkbox"/> SPA or PUD Preliminary Plan - Major.....	\$ 6,500.00
<input type="checkbox"/> SPA or PUD Final Plan – Minor.....	\$ 2,000.00
<input type="checkbox"/> SPA or PUD Final Plan – Major.....	\$ 3,000.00
<input type="checkbox"/> SPA or PUD Minor Amendment.....	\$ 3,000.00
<input type="checkbox"/> SPA or PUD Major Amendment.....	\$ 5,000.00
<input type="checkbox"/> Special Review - Administrative.....	\$ 1,000.00
<input type="checkbox"/> Special Review - Other.....	\$ 1,500.00
<input type="checkbox"/> Subdivision Exemption.....	\$ 1,250.00
<input type="checkbox"/> Subdivision Preliminary Plan.....	\$ 1,500.00
<input type="checkbox"/> Subdivision Final Plat.....	\$ 1,000.00
<input type="checkbox"/> Subdivision Plat Amendment.....	\$ 1,500.00
<input type="checkbox"/> Temporary Use Permit - Administrative .....	\$ 300.00
<input type="checkbox"/> Temporary Use Permit - Annual .....	\$ 500.00
<input type="checkbox"/> Temporary Use Permit - Annual Renewal.....	\$ 200.00
<input type="checkbox"/> Sign Permit .....	\$ 100.00
<input type="checkbox"/> Variance.....	\$ 600.00
<input type="checkbox"/> Vacation of Recorded Plat.....	\$ 1,000.00
<input type="checkbox"/> Zoning Plan Review – Minor.....	\$ 700.00
<input type="checkbox"/> Zoning Plan Review – Major.....	\$ 1,500.00
<input type="checkbox"/> Development, design, or other review not covered above.....	At Hourly Rates

**Hourly Rates When Review Costs Exceed Base Fee:**

Town Staff.....	\$ 180.00
Town Attorney.....	\$ 275.00
Town Engineer .....	\$ 155.00
Planning Dept. Secretary.....	\$ 65.00

**Notes:**

1. Base Rate Fees do not include recording costs, which are at the applicant's expense.
2. Mailing, shuttle transportation for site visits, long distance phone charges, courier and copying expenses will be billed at Town cost.
3. Outside consultants or contract services retained as needed by the Town to process, review or administer the application will be reimbursed by the applicant.
4. The determination whether an application is major or minor for purposes of establishing the Base Rate Fee shall be at the sole discretion of the Planning Director based upon the nature of the application and/or the estimated number of hours required to process it.

## *Division 5. Sign Standards*

### **Sec. 16A-4-500. Purpose.**

The purpose of this Division is to create the framework for a comprehensive but balanced system of signs in the community. This Division is intended to serve the following purposes:

- (1) Authorize signs. To authorize and promote the use of signs that are:
  - a. Compatible. Compatible with their surroundings;
  - b. Appropriate. Appropriate to the type of activity to which they pertain;
  - c. Expressive. Expressive of the identity of both individual proprietors and the community as a whole; and
  - d. Legible. Legible in the circumstances in which they are seen.
- (2) Promote orderly display. To enhance the economy and the businesses within the Town by promoting the reasonable, orderly and effective display of signs and encouraging better communication with the public.
- (3) Preserve open character. To preserve the open and uncluttered feeling characteristic of the Town. (Ord. 4-1998 §1; Ord. 7-2000 §1)

### **Sec. 16A-4-510. Applicability, exempt signs and prohibited signs.**

(a) Provisions Shall Apply. The provisions of this Division shall apply to all signs located within the Town, except for those signs listed in Section 16A-4-510(b), Exempt Signs.

(b) Exempt Signs. The provisions of this Division shall not apply to the following signs, nor shall the following signs be considered as a permitted sign for any business establishment:

(1) Construction site signs. A sign which names the contractors, subcontractors, architects and all other related enterprises engaged in the construction on the property where the sign is located. Such signs: (a) shall not exceed thirty-two (32) square feet in area, and six (6) feet in height; (b) shall not be erected prior to the start of construction; and (c) shall be removed at the time of final building inspection. There shall be one (1) such freestanding on-premises sign permitted per construction site.

(2) Development leasing/rental signs. Freestanding on-premises signs that provide only leasing or sales information during a new construction phase on the property on which the sign is located. Such signs shall not exceed twenty (20) square feet in area, and six (6) feet in height, shall not be erected prior to the start of construction and shall be removed at the time the leases and/or sales have been completed. No more than one (1) development leasing/rental sign shall be permitted per street or business frontage.

(3) Informational signs. Signs which are not more than six (6) square feet in area and which are used to direct automobile, pedestrian and/or skier traffic, or to direct parking on private property or in designated ski areas. Informational signs shall bear no advertising material.

(4) Public signs. Legal notices, identification, informational or directional signs erected or required by governmental bodies, or authorized by the Town for public purposes which meet the

requirements of this Division, except for those provisions prohibiting said signs in the rights-of-way.

(5) Public regulatory signs. All public regulatory signs located in the Town which meet all state requirements.

(6) Real estate signs. Signs, other than development identification signs, which advertise the sale or rental of the real estate upon which said sign is located or which indicate that the property has been sold. Real estate signs shall not exceed three and one-half (3.5) square feet in area. Real estate signs may remain in place during the time the property is listed for sale or rent, and shall be removed no later than one (1) week after the sale or rental of the property. No more than one (1) real estate sign shall be allowed per property, except a lot with more than one (1) street front exposure may have one (1) real estate sign per street front.

(7) Garage sale or special event signs. Signs which advertise garage or rummage sales or other special events shall not be displayed more than four (4) times per year for a given property, and the exposure of said signs shall only be for the duration of the event. The individual responsible for the sign shall ensure that the sign is removed on the last day of the event. These signs shall not exceed six (6) square feet in area.

(8) Interior signs. Signs located on the interior of any building, or within an enclosed lobby of any building or group of buildings, that cannot readily be seen from the exterior of the building and are designed and located to be viewed exclusively by patrons of such use or uses.

(9) Utility signs. Signs of public utility or cable television companies which show the locations of underground facilities.

(10) Street address and identification signs. Signs whose content include only the name or professional title of the occupant and address of the premises. Such signs shall not exceed two (2) square feet in area. The sign shall be limited to a wall-mounted, freestanding or window type sign. No more than one (1) such sign shall be permitted per premises unless physical characteristics of the site or other locational considerations preclude visibility of the street address sign from the roadway, in which case a second sign shall be permitted along the road.

(11) Customer information signs. Customer information signs may display such items as "credit cards accepted," prices and menus. Each such sign shall not exceed four (4) square feet in area.

(12) Security signs. Signs whose content include only the name of the security company providing service to the premises. Such sign shall not exceed one (1) square foot in area. The sign may be a freestanding, wall-mounted or window type sign. No more than one (1) such sign shall be permitted on the premises.

(c) Prohibited Signs. No signs or advertising devices of any nature shall be erected or maintained on any property except as necessary to identify the business, its address or as may be necessary or desirable to give directions, advise of rules and regulations or caution or warn of danger, and such signs as may be otherwise required by law. The following signs are strictly prohibited in the Town:

- (1) Flashing signs.
- (2) Roof signs.
- (3) Moving signs.

(4) Neon signs.

(5) Signs advertising home occupations.

(6) Mobile signs. Mobile signs except those that conform to the temporary sign provisions that promote a business.

(7) Signs that obstruct motorists. Signs that, by reason of size, location, content, coloring or manner of illumination, obstruct the vision of motorists or obstruct or detract from the visibility or effectiveness of any traffic sign or control device on any road or street, as determined by the Planning Director, Public Works Director and/or Chief of Police.

(8) Signs that constitute a hazard. Any sign or sign structure that constitutes a hazard to public health or safety, as determined by the Building Official and/or Chief of Police.

(9) Signs on trees or public property. Signs on trees or public property, other than public information signs that are not part of a building structure. (Ord. 4-1998 §1; Ord. 7-2000 §1)

**Sec. 16A-4-520. Permitted signs.**

The following types of signs shall be permitted within the Town:

(1) Wall-mounted, window, projecting, hanging or awning sign. Each business shall be permitted per business frontage with an access point, either one (1) wall-mounted sign, one (1) window sign, one (1) projecting sign, one (1) hanging sign or one (1) awning sign, provided that the sign complies with the requirements of this Division. If the individual business so desires, it may construct a sign on a business frontage without an access point if it gives up the right to maintain a sign as permitted above.

(2) Freestanding or joint identification sign. Either one (1) freestanding, on-premises sign or one (1) joint identification sign shall be permitted at each vehicular access point to a business or the group of businesses advertised on the sign. There shall be a minimum of one hundred (100) feet between freestanding, on-premises signs of an individual business. There shall be a minimum of one hundred (100) feet between joint identification signs permitted for a group of businesses located in the same building or building complex. In no case shall there be more than one (1) freestanding, on-premises or joint identification sign permitted at any access point. (Ord. 4-1998 §1; Ord. 7-2000 §1)

**Sec. 16A-4-530. Standards applicable to all signs.**

(a) Material and Color. It is recognized that it is desirable to have some diversity of sign design within the Town. However, it is also desirable to assure that construction material and color schemes utilized on signs within the Town shall be consistent with the image of the community. It shall be the responsibility of the Planning Director to review sign design submitted with an application for a permit for consistency with community image. Any signs that have been found to be inconsistent by the Planning Director shall be referred to the Town Council for its review.

(b) Construction.

(1) Structure. All sign structures shall be designed and constructed in a manner that is safe, and shall be free of any exposed extra bracing, angle iron, guy wires, cables, etc. No sign structure shall have any nails, wires or sharp metal edges protruding therefrom.

(2) Wiring. The wiring of all signs shall be contained in raceways or enclosed in poles or comply with the Electrical Code as adopted by the Town. In no case shall the wiring be exposed to the view of the public.

(3) Glass. Any glass forming a part of any sign shall be heavy safety glass, having a minimum thickness of one-fourth (1/4) inch. Where any single piece or pane of glass has an area exceeding three (3) square feet, it shall be wired glass.

(c) Illumination. All sign illumination shall be concentrated on the sign. The amount of direct light cast to areas other than the sign itself shall be minimized. There shall be no sign illumination permitted within the Town that casts a red, green or blue hue.

(d) Restriction by Zoning District. Signs shall be restricted by zoning districts as follows:

(1) Residential zone districts. In the SF-4, SF-6, SF-15, SF-30, SF-150, EST, MF/PUD, DU, CON and OS zone districts, the only signs which shall be erected are those that are exempt from the provisions of this Division, pursuant to Section 16A-4-510(b), Exempt Signs, together with residential subdivision/complex identification signs, which shall meet all the requirements of a freestanding on-premises sign. Signs erected in these zone districts shall be located at a distance of at least ten (10) feet from any property line.

(2) Commercial zone districts. In the MU/PUD, CC, CC/PUD, PUD or SPA zone districts, only the following signs shall be erected, provided the signs are in compliance with the provisions of this Division:

- a. Commercial advertisement signs.
- b. Institutional signs.
- c. Joint identification signs.
- d. Residential subdivision/complex identification signs.
- e. Temporary signs.
- f. Exempt signs. All signs listed in Section 16A-4-510(b), Exempt Signs.

(e) Registration. All existing signs and every sign erected after December 4, 1984, shall be registered with the Town. Owners of existing signs shall register their signs within one (1) year from December 4, 1984. Signs constructed after this date shall be considered registered upon issuance of a permit. (Ord. 4-1998 §1; Ord. 7-2000 §1)

**Sec. 16A-4-540. Standards applicable to particular types of signs.**

(a) Freestanding On-Premises Signs and Joint Identification Signs.

(1) Height of freestanding on-premises signs. When grade perpendicular to the road decreases, there may be up to three (3) feet of support structure at lowest grade elevation at the base of the sign allowed to get from grade at the base of a freestanding on-premises sign up to road level, up to two and one-half (2.5) feet of additional support to get the sign above an acceptable snow level, and then no more than two and one-half (2.5) feet within which the display surface shall be located. In no case shall the highest point of such a sign be more than five (5) feet above the highest grade elevation at the base of the sign.

(2) Height of joint identification signs.

a. Grade decreases. When grade perpendicular to the road decreases, there may be up to three (3) feet of support structure at the lowest grade elevation at the base of a joint identification sign allowed to get from grade at the base of the sign up to the level of the road, up to two and one-half (2.5) feet of additional support to get the sign above an acceptable snow level, and then no more than four and one-half (4.5) feet within which the display surface shall be located. In no case shall the highest point of such a sign be more than seven (7) feet above the grade of the road.

b. Grade is level or increases. When grade perpendicular to the road is level or increases, the maximum height of a joint identification sign shall be seven (7) feet above the highest grade elevation at the base of the sign.

(3) Width. No freestanding on-premises sign or joint identification sign shall be more than seven (7) feet in width.

(4) Display area. The display area of a freestanding on-premises sign, including any architectural embellishments or background materials that are an integral part of the display, shall not exceed seventeen and one-half (17.5) square feet. The display area of a joint identification sign, including any architectural embellishments or background materials that are an integral part of the display, shall not exceed thirty-one and one-half (31.5) square feet. The display area shall be measured as the smallest area enclosing all wording, logos and any other architectural embellishments or background materials utilized as an attention-getting device. If the sign is three-dimensional, the display area shall be the total of each side of the sign which is visible.

(5) Location. Freestanding on-premises signs and joint identification signs shall be permitted only when they are located within a landscaped area. Landscaping shall not adversely affect pedestrian or vehicular traffic. In no case shall such a sign project into the public right-of-way unless granted a variance, or be situated near an intersection in such a manner so as to interfere with vehicular sight distance.

(6) Illumination. Freestanding on-premises signs may be illuminated by indirect illumination, provided that such illumination in no way adversely affects pedestrian and/or vehicular traffic. Internal illumination may be utilized only when lettering is the only translucent portion of the display area and the smallest possible rectangle enclosing the translucent lettering is less than thirty percent (30%) of the total display area. Joint identification signs may be illuminated, provided that only indirect illumination shall be utilized, and such illumination shall in no way adversely affect pedestrian and/or vehicular traffic.

(7) Copy. The copy on any commercial joint identification sign shall list either the specific names of all businesses within a building or complex which wish to advertise on the sign, describing the general nature of the businesses in the building or complex, or it may list the name of the business together with a general description of the business.

(b) Wall-Mounted On-Premises Signs.

(1) Area and measurement.

a. Area. No wall-mounted on-premises sign shall exceed six (6) square feet for any establishment having a business frontage of thirty (30) linear feet or less. For any establishment having a business frontage of more than thirty (30) linear feet, one (1) square foot of signage will be allowed for each

five (5) linear feet of business frontage, up to a maximum of twenty-five (25) square feet.

b. Multiple businesses share frontage. When two (2) or more businesses are located in the same building and share the same business frontage, they shall be limited to and may share one (1) wall-mounted sign, having an area that complies with Subsection (b)(1)a, Area.

c. Measurement. The area of all wall-mounted signs shall be the smallest possible area enclosing the extreme limits of the display surface. The display surface also includes any architectural embellishments or background materials that are an integral part of the display and used to differentiate the sign from its surroundings.

(2) Location.

a. Not cover major architectural features. A wall-mounted sign shall not cover or interrupt major architectural features such as doors and windows.

b. Projection from wall. A wall-mounted sign shall not project out more than six (6) inches from the wall on which it is mounted.

c. Projection from roof. No wall-mounted sign shall project beyond the line established by that part of the roof which projects from the wall upon which the sign is mounted, nor shall it extend above the roof line. A mansard roof shall not be considered a wall.

(3) Illumination. Wall-mounted signs may be illuminated, provided that only indirect illumination shall be utilized, and such illumination shall in no way adversely affect pedestrian and/or vehicular traffic.

(c) Awning Signs on Premises.

(1) Lettering. The lettering on any awning sign shall not exceed six (6) inches in height.

(2) Wording. The wording on any awning sign shall not exceed seven (7) feet in width.

(d) Temporary Signs.

(1) Area.

a. Freestanding temporary signs. Freestanding temporary signs shall not exceed nine (9) square feet.

b. Banners. Banners or any other temporary signs hung from a building or other supports shall not be greater than three (3) feet in height by twelve (12) feet in length.

(2) Display limits. Temporary signs may be displayed no more than two (2) weeks prior to commencement of the event advertised and shall be promptly removed upon its termination.

(e) Projecting On-Premises Signs.

(1) Area and measurement.

a. Area. No projecting sign shall exceed six (6) square feet.

b. Measurement. The area of a projecting sign shall be the smallest possible rectangle enclosing

the extreme limits of the display surface. The display surface also includes any architectural embellishments or background materials that are an integral part of the display and used to differentiate the sign from its surroundings.

(2) Clearance. Signs which project more than four (4) inches over a pedestrian walkway must allow seven and one-half (7.5) feet of clearance between the bottom of the sign and any pedestrian walkway.

(3) Illumination. Hanging signs may be illuminated, provided that only indirect lighting is utilized, and that the light source does not interfere with pedestrian or vehicular traffic.

(f) Window Signs.

(1) Area and measurement.

a. Area. No window sign shall exceed ten percent (10%) of the area of the window in which it is placed.

b. Measurement. The area of a window sign shall be the smallest possible rectangle enclosing the extreme limits of the display, which is comprised of all letters, logos or other graphic information.

(2) Illumination. Window signs may be illuminated, provided that only indirect lighting is utilized and the source does not interfere with pedestrian or vehicular traffic. (Ord. 4-1998 §1; Ord. 7-2000 §1)

**Sec. 16A-4-550. Procedure to obtain sign permit.**

(a) Permit Required. It shall be unlawful for any person to erect, construct, alter or relocate any sign within the Town, other than those signs listed in Section 16A-4-510(b), Exempt Signs, without first obtaining a permit, including signs approved in a comprehensive sign plan. Routine maintenance or changing of parts shall not be considered an alteration, provided that such change does not alter the surface dimension or height, or otherwise make the sign nonconforming.

(b) Application Contents. Application for the permit shall be made to the Building Department and shall include the following information:

(1) Identification. Name, address and telephone number of the applicant, owner and occupant of the property, and the name of the person who will erect the sign.

(2) Location of structure. Location of the structure or parcel of property on which the sign will be attached or erected.

(3) Position of sign. Position of the sign in relation to nearby buildings, structures, property lines and rights-of-way.

(4) Plans. A copy of plans and specifications showing material and method of construction, illumination, electrical wiring, location and support.

(5) Sketch. Sketch showing sign faces, exposed surfaces and proposed message, accurately represented in scale as to size, area, proportions and color. The proposed message requirement does not apply to those signs whose copy could change frequently.

(6) Consent. Written consent of the owners of the building, structure or land on which the sign is to be erected.

(7) Temporary sign. On any application for a temporary sign, the applicant shall list the earliest date on which the sign may be established and the date on which the sign shall have been removed.

(8) Fee. The required permit fee for each sign shall accompany the application. The amount of such permit fee shall be determined and set by the Town Council from time to time. (Ord. 4-1998 §1; Ord. 7-2000 §1)

**Sec. 16A-4-560. Comprehensive sign plan.**

(a) Purpose. There are special circumstances within the Town that deserve flexibility from the standards prescribed in this Division, when such flexibility is in the best interest of the community. The purpose of this Section is to authorize a comprehensive sign plan to be submitted so as to afford such flexibility, while still meeting the purpose of this Division.

(b) Applicability. The Town Council may permit the utilization of comprehensive sign plans for multiple businesses located in a single building, or for building complexes that are located on one (1) lot or parcel or two (2) or more continuous parcels, that are held in unified control.

(c) Plan Requirements. Comprehensive sign plans shall meet the following requirements:

(1) Submission of application. An application for a comprehensive sign plan shall be submitted to the Planning Director. The application shall include the following materials:

a. Minimum contents. The minimum contents for any application, as specified in Section 16A-5-40(b), Minimum Contents.

b. Detailed sign plan. A detailed sign plan with an accurate survey map or sufficient legal description describing the area in which the plan will be in effect. The plan shall include written stipulations that address all relevant concerns, including but not limited to the location of proposed signs and their size, height, color, lighting, orientation, construction material and copy. If there are signs within the plan area that will not conform to the standards described in the comprehensive sign plan, procedures and time frames for securing the removal of nonconforming signs shall be detailed.

c. All parties must join. All parties affected by provisions of the comprehensive sign plans must join in the application for such plans. If multiple businesses in a single building, building complexes or portions thereof are governed by a management agreement, the duly constituted representative of the management association or firm shall join in such plan. It is unnecessary for owners or lessees to join if said representative has joined on their behalf.

(2) Staff review. Staff review of the application shall be accomplished, as specified in Section 16A-5-50, Staff Review of Application.

(3) Planning Commission review. A complete copy of the application shall be forwarded to the Planning Commission, together with a copy of the staff review. The Planning Commission shall review the application, and shall make its recommendations to the Town Council, considering whether the comprehensive sign plan contains appropriate limitations within its plan stipulations to ensure that the sign plan will minimize its impact on surrounding land uses and is compatible with the purposes of this Division.

(4) Town Council first reading. The Planning Commission's recommendations shall be forwarded to the Town Council at a regular meeting, together with a complete copy of the application and a copy

of the staff's review. The Town Council shall consider all relevant materials and shall adopt an ordinance on first reading approving the comprehensive sign plan as recommended or with modifications, or shall adopt a resolution denying the application, citing specific reasons therefor.

(5) Public hearing. Prior to second reading and final adoption of such ordinance, the Town Council shall hold a public hearing. Public notice of the hearing shall be given by publication, mailing and posting of notice, pursuant to Section 16A-5-60(b), Manner and Timing of Notice. The Town Council shall consider the application, any relevant support materials, the staff report, the Planning Commission's recommendation and the public testimony given at the public hearing. Following closure of the public hearing, the Town Council shall adopt the ordinance, adopt the ordinance with modifications or deny the ordinance.

(6) Amendment. Once authorized by the Town Council, a comprehensive sign plan may only be amended as follows:

a. Procedure. The Planning Director shall submit notice of the requested change and all relevant material to the Planning Commission for its review and recommendation to the Town Council.

b. Standards. The Planning Commission may recommend approval, and the Town Council may approve the proposed change only if the following standards are met:

1. Not adversely affect sign plan. The proposed amendment will not adversely affect the development and preservation of the entire sign plan;

2. Not adversely affect surrounding uses. The proposed amendment will not adversely affect surrounding land uses;

3. Not conflict with purposes. The proposed amendment will not conflict with the purposes of this Division; and

4. Not confer special benefit. The proposed amendment will not be granted solely to confer a special benefit upon any party.

(7) Town Council authority. Nothing in these provisions shall be construed to deny the Town Council power to require any modification of or release from any provision of the comprehensive sign plan so that the plan conforms to other Town ordinances. (Ord. 4-1998 §1; Ord. 7-2000 §1)

#### **Sec. 16A-4-570. Nonconforming signs.**

(a) General. All signs existing on December 4, 1984, that do not conform to the provisions of this Article shall be regarded as lawful nonconforming signs.

(1) Exception for comprehensive sign plan. Signs that are not in compliance with this Division but have been approved by the Town Council as part of a comprehensive sign plan shall not be considered nonconforming.

(2) Exception for signs less than five percent (5%) over maximum. All signs existing on December 7, 1984, that would be considered nonconforming by virtue of allowable measurement (square footage, height and width) shall not be considered nonconforming if the sign is less than five percent (5%) over the maximum measurement allowed.

(b) Sign shall be maintained. A lawful nonconforming sign shall be maintained in good condition but shall not be:

- (1) Changed. Changed in any manner to another nonconforming sign;
- (2) Structurally altered. Structurally altered so as to prolong the life of the sign;
- (3) Expanded;
- (4) Re-established after discontinuance. Re-established after its discontinuance for thirty (30) days;
- (5) Moved. Moved in whole or in part to another location unless said sign is made to conform to all of the regulations of this Division; and
- (6) Re-established after damage. Re-established after damage or destruction in an amount exceeding fifty percent (50%) of its estimated initial value, as determined by the Planning Director.

(c) Amortization Period. It is reasonable that a time limit (amortization period) be placed upon the continuance of existing nonconforming signs. This will allow the owner to continue using a lawful nonconforming sign for a period of time, but it will also ensure that the nonconforming sign will eventually be brought into substantial uniformity with all signs permitted in the community. The following amortization schedule shall apply to all lawful nonconforming signs:

- (1) Nonconforming due to number of signs. Any use which has signs which are nonconforming because of the number of signs on the premises shall bring the number of signs into conformity within ninety (90) days of the effective date of the ordinance codified herein.
- (2) Other nonconformities. All other nonconforming signs shall be brought into conformance with the provisions of this Division within one (1) year of the effective date of the ordinance codified herein. (Ord. 4-1998 §1; Ord. 7-2000 §1)

**Sec. 16A-4-580. Sign variances.**

An application for a variance from the provisions of this Division shall be processed pursuant to the provisions of Section 16A-5-240, Variances. Provided, however, that the application for a sign variance shall not be evaluated pursuant to the standards of Section 16A-5-240(c), Review Standards. Instead, the applicant shall be required to demonstrate that the proposed signage cannot be reasonably installed as provided in this Division due to unique physical characteristics of the property, its surroundings and/or the unique nature of the sign itself. Any variance granted shall be only for the minimum amount necessary to overcome the unique features. (Ord. 4-1998 §1; Ord. 7-2000 §1)

**Sec. 16A-4-590. Enforcement.**

The Planning Director shall be responsible for enforcing the provisions of this Division. Violation of the provisions of this Division shall result in punishment in accordance with the provisions of Section 1-72 of this Municipal Code. (Ord. 4-1998 §1; Ord. 7-2000 §1)