

TRUSTEE'S BILL

ORDINANCE NO.

NO. 01
Series of 2001

01
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TITLE: A BILL FOR AN ORDINANCE REPEALING AND REENACTING ARTICLE 4 OF CHAPTER 16 OF THE TOWN OF HUDSON MUNICIPAL CODE, PROVIDING A NEW COMPREHENSIVE SIGN CODE FOR THE TOWN OF HUDSON

BE IT ORDAINED BY THE BOARD OF TRUSTEES FOR THE TOWN OF HUDSON, COLORADO, THAT:

Section 1. Article 4 of Chapter 16 of the Town of Hudson Municipal Code is repealed and reenacted to read as follows:

ARTICLE 4

Sign Code

Sec. 16-40. Intent.

The intent of this article shall be to provide regulations that allow for the clear identification of business uses and which afford the ability to market land, while protecting the health, safety and welfare of the public, scenic views, and preserve the quality of the neighborhood. These regulations are intended to ensure that signs are not overwhelming and do not create a nuisance, distraction or impediment to travelers or adjacent landowners by their brightness, size, or height or create a hazard due to collapse, fire, collision, decay or abandonment.

Sec. 16-41. Definitions.

The following words and phrases, whenever used in this article, shall have the following meanings:

(a) *Change in use or business* shall mean a change in the type or nature of a business and not a change ownership.

(b) *Illumination* shall mean lighting by means of a direct or indirect light source, including neon tubing, which is effectively visible as a part of the sign.

(c) *Sign* shall mean any writing, pictorial representation, decoration (including any material used to differentiate sign copy from its background), form, emblem or trademark, flag or banner, or any other figure of similar character which:

(1) Is a structure or any part thereof (including the roof or wall of a building);

(2) Is written, printed, projected, painted, constructed, or otherwise placed or displayed upon or designed into a building, board, plate, canopy, awning, or vehicle or upon any material object or device whatsoever; and

(3) By reason of its form , color, wording, symbol, design, illumination or motion, attracts or is designed to attract attention to the subject thereof or is used as a means of identification, advertisement or announcement.

(d) *Temporary sign* shall mean a sign which is intended to advertise community or civic projects, construction projects, real estate for sale or lease or other special events on a temporary basis.

Sec. 16-42. General Requirements.

(a) All signs located in the municipal boundaries of the Town of Hudson 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.

(b) Signs within a PUD-Planned Unit Development district shall be governed by this section, except when a separate development guide has been approved by ordinance by the Board of Trustees which incorporates separate guidelines for signage.

(c) Signs may be erected in a public right-of-way only by the public agency which has control over the right-of-way, and shall be exempt from the provisions herein.

(d) Signs and sign structures shall be maintained at all times in a state of good repair, and free from deterioration, insect infestation, rot, rust or loosening.

(e) Signs shall be constructed such that they are able to withstand the maximum wind pressure for the area in which they are located. The Town of Hudson, or its designee, shall have the authority to order the repair, alteration or removal of a sign or structure which constitutes a hazard to life or property.

(f) In the event that such a sign has not been removed, altered or repaired within thirty (30) days after written notification from the Town of Hudson, 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.

Sec. 16-43. Sign Permit.

(a) A sign permit shall be required from the Town for all signs exceeding six (6) square feet in area. In addition, a sign permit shall be required at any time the sign area is increased.

(b) All requests for signage shall be accompanied by a drawing, fully dimensioned, showing the sign message and site plan showing the location, setback, height and sign area of all proposed and existing signage.

(c) A sign permit fee shall be established by the Board of Trustees by Resolution.

Sec. 16-44. Sign Setbacks.

The following setbacks shall be required:

(a) The minimum setback for a sign adjacent to a federal, state or major county arterial highway shall be a minimum of seventy-five (75) feet from the lot line adjacent to the highway right-of-way. This distance may be reduced to the zoning district street setback when adequate right-of-way has been dedicated to the state, county or Town, as applicable, for future road widening.

(b) Where this requirement conflicts with a setback otherwise required in a zoning district, the larger setback shall be required.

(c) Temporary "for sale/rent/lease" signs not exceeding six (6) square feet in size, shall not be required to meet the minimum setback; however, such signs shall not impair visibility for traffic movement.

(d) Under no circumstances shall signs be located within a utility easement or within public right-of-way or closer than ten (10) feet from the lot line. Signs within the sight distance area, as determined by the Town of Hudson, or its designee at intersections of roads and driveways shall be reviewed and accepted by the Town prior to issuance of a permit.

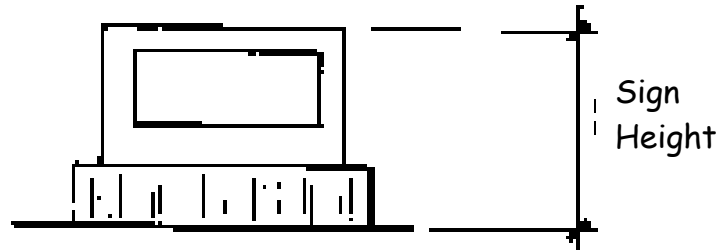
(e) Signs fifteen (15) feet or greater in height shall be setback in accordance with the application setback of the zoning district in which the sign is located, or as required in subsection (a) of this Section 16-44. However, signs less than fifteen (15) feet high may be located within the setback as provided for in Figure A.

Sec. 16-45. Maximum Height of Sign.

Signs are restricted to a maximum height of fifteen (15) feet. A variance may be requested from the Board of Adjustment, in accordance with Article 5 of this Chapter 16.

(a). Sign Height

(1). Freestanding Sign: Height shall be the distance from the top of the sign structure to the top of curb or crown of roadway where no curb exists. The height of any monument base or other structure erected to support or ornament the sign shall be measured as part of the sign height.



(2). Wall-or Fascia-Mounted Signs: Height shall be the distance from the top of the sign structure to the top of curb or crown of road where no curb exists.

Sec. 16-46. Prohibited Signs.

The following signs shall be prohibited in all districts.

- (a) Portable signs, which are not permanently affixed to any structure on the site or permanently mounted to the ground.
- (b) 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.
- (c) Revolving beacons, flashing signs, or signs with any type of animation or intermittent lighting effects.
- (d) Any sign emitting sound.
- (e) Signs in the public right-of-way or on public property, including political signs.

(f) Signs located so as to conflict with the clear and obvious appearance of public devices controlling public traffic.

(g) Signs for the purpose of general outdoor advertising of products or services, or signs advertising a use, service or attraction not located in the Town of Hudson.

(h) Flags, banners or other devices designed or allowed to wave, flap or rotate with the wind, except for flags or banners of any government or its agencies, or any civic, charitable, religious or fraternal organizations, except small company flags or banners during grand opening events for a two (2) week period.

(i) Roof-mounted signs, or signs which project above the highest point of the roofline or fascia of the building.

(j) Signs attached to a building which project perpendicular a distance of more than eighteen (18) inches from the building.

(k) Signs attached parallel to the wall of the building but mounted more than eighteen (18) inches from the wall.

(l) Signs announcing a proposed development or proposed zoning prior to approval by the Board of Trustees of the Town of Hudson.

(m) Signs identifying a home occupation

(n) Signs located on median islands.

Sec. 16-47. On-Site Signage –R-1/R-2/R-T/A-1/A-2/A-3 Districts.

(a) The following on-site signs shall be permitted in the residential and agricultural districts:

(1) One (1) identification sign per dwelling, not exceeding three (3) square feet.

(2) One (1) temporary, nonilluminated "for sale/rent/lease" sign identifying vacant land not exceeding one hundred (100) square feet in total surface area. The total surface area of any one (1) side shall not exceed fifty (50) square feet.

(3) One (1) temporary "for sale/rent/lease" sign, per street frontage, identifying dwellings under construction or to be constructed, not exceeding forty-eight (48) square feet. Signs shall be removed within two (2) years or when the last dwelling is sold, whichever occurs first.

(4) One (1) identification sign per model home, not exceeding sixteen (16) square feet.

(5) One (1) identification sign for residential developments, per subdivision entrance, not exceeding forty-eight (48) square feet, a maximum of six (6) feet in height.

(6) One (1) identification sign for a multifamily complex per driveway access from the public street, not exceeding forty-eight (48) square feet, a maximum of six (6) feet in height; and one (1) fascia identification sign, not exceeding thirty-two (32) square feet per street frontage.

(b) In the A-1 district only, on conforming lots:

(1) One (1) nonilluminated, identification sign per street frontage, for agricultural operations, not exceeding fifty (50) square feet. Such sign may be increased at the rate of five (5) square feet of sign area for each additional fifty (50) acres of land, to a maximum of one hundred (100) square feet.

(2) One (1) identification sign for approved use by special review, not exceeding thirty-two (32) square feet; provided, however, home occupation signs are prohibited.

Figure A:

Type of Sign (Ag. /Res.)	Maximum Size	Number
Identification of residence	3 sq. ft	1
Temporary "for sale/rent/lease" for residents	6 sq. ft.	1
Temporary "for sale/rent/lease" for vacant land	50 sq. ft/sign 100 sq. ft total	1
Temporary project I.D. sign for units under construction (2 yr. Max. or until last unit sold, whichever occurs first)	48 sq. ft.	1/street frontage
Identification of model home	16 sq. ft.	1/home
Identification of residential subdivision	48 sq. ft.	1/entrance
Identification of multifamily complex	48 sq. ft. 32 sq. ft (fascia)	1/entrance 1/street frontage
Identification of agriculture operation (A-1 district only on lots 35 + acres)	50 sq. ft. plus an additional 5 sq. ft. per each additional 50 acres up to a total of 100 sq. ft.	1/ street frontage (nonilluminated)
Identification of special use	32 sq. ft.	1

Sec. 16-48. On Site Signs – B/C-1/C-2/I-O/I-1/I-1S/I-2/I-3 Districts.

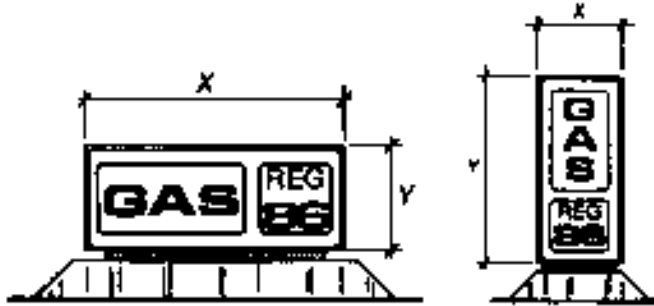
The following on-site signs shall be allowed in business/commercial/industrial districts:

(a) One (1) temporary "for sale/rent/lease" sign per street frontage, not exceeding one hundred (100) square feet per sign face (maximum of (two) 2 faces are permitted per sign). Such sign shall not count as part of the total sign area allowed per individual use, or per shopping center or business/commercial/industrial park.

(b) One (1) fascia sign, for identification, not exceeding a total sign area of fifty (50) square feet per building face. However, the total sign area may be increased to a maximum of one hundred (100) square feet per building face, at the rate of one (1) square foot of sign area per lineal foot of allowable building frontage in excess of fifty (50) lineal feet.

(c) Lease areas greater than one hundred thousand (100,000) square feet shall be permitted a maximum of two hundred (200) square feet of fascia sign area, for identification, per building face.

(d) One (1) freestanding/monument identification sign which identifies the individual use, shopping center, or business/commercial/industrial park, not exceeding two hundred (200) square feet at the rate of one (1) square foot of sign area per three (3) lineal feet of street frontage.



(e) Pump-Topper sign(s) displaying only instructional or price information and not advertising copy pertaining to any product, sale or promotion; which sign(s) are affixed to the top or sides of an operable, fuel dispensing pump (NO SIGN PERMIT REQUIRED).

(e) One (1) directory sign, for identification of the businesses within the center/park per entrance, not exceeding seventy-five percent (75%) of the area of the identification sign for the center/park as allowed herein

(f) One (1) to four (4) directional signs, not exceeding eighteen (18) square feet per sign, per individual use or per shopping center, or business/commercial/industrial park.

Figure B:

Type of Sign (Bus./Com./Ind.)	Maximum Size	Number
Temporary "for sale/rent/lease"	100 sq. ft./face (maximum of 2 faces)	1/ street frontage
Identification of Business – wall mounted	50 sq. ft., plus 1 sq. ft./lineal foot of building frontage in excess of 50' to a total of 100 sq. ft./bldg. face * for lease areas 100,000 + sq. ft. 200 sq. ft. bldg. face	1 or more
Identification of business – free standing/monument	1 sq. ft./ 3 lineal feet of frontage to a total of 200 sq. ft.	1/ street frontage
Identification of business on a corner lot free standing/monument	1 sq. ft./lineal foot of frontage to a total of 100 sq. ft.	1/street frontage
Directory for shopping center, or business/industrial park	75% of the size of the I.D. sign	1/access
Directional – within office park, or shopping center	18 sq. ft.	4 /park or center
Service Station identification/price sign	24 sq. ft.	1/ street frontage
Pump-Topper sign	3 sq. ft.	N/A

Sec. 16-49. Off - Premise Signs.

(a) Off-premise signs identifying uses or services in the Town of Hudson oriented toward highway travelers, directional signs for emergency services, or directional signs for developments, are allowed in all zoning districts as follows:

(1) The use or service for highway travelers, emergency services, or development shall be located in the Town of Hudson

(2) Each use shall be limited to one (1) off-premise sign per highway approach, not exceeding thirty-two (32) square feet in sign area and a maximum of ten (10) feet in height.

(3) The distance between off-premise signs shall be a minimum of six hundred sixty (660) lineal feet.

(b) Off-premise signs shall be prohibited on land adjacent to a state or federal highway.

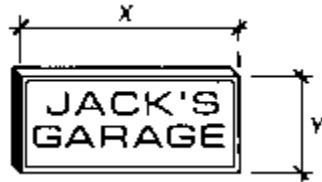
Sec. 16-50. Median Island Signs.

(a) Median signs are not permitted.

Sec. 16-51. Sign Area Measurements.

The area of a sign shall be measured as follows:

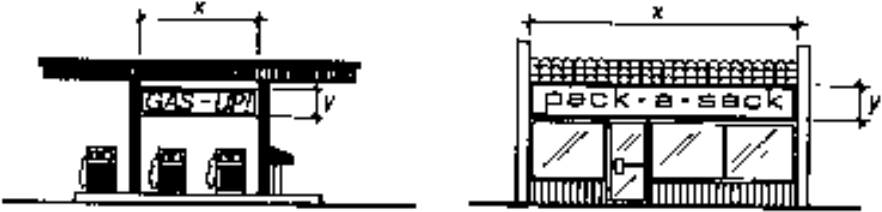
- (a) Sign area will include the areas of all permitted signs. The only exceptions are directional signs assisting in the flow of traffic, street addresses or signs necessary for safety (e.g., stop engine, no smoking) that do not exceed two square feet in area.
- (b) A sign having more than one component; e.g., a service station identification/price sign combination on a monument base, mounted on the same surface, the sign area will be the area of the smallest rectangle that encompasses the several components of the sign.
- (c) Sign copy mounted or painted on a background panel or area distinctively painted, textured or constructed as a background for the sign copy, shall be measured as the area contained within the outside dimensions of the background panel or surface.



- (d) Sign copy mounted as individual letters and/or graphics against a wall or fascia of a building or other structure that has not been painted, textured or otherwise altered to provide a distinctive background for the sign copy, shall be measured as the area enclosed by the smallest single rectangle that will enclose all sign copy.



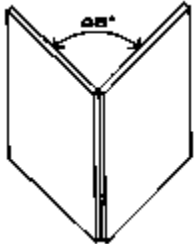
(e) Sign copy mounted or painted on an illuminated surface or illuminated architectural element of a building, shall be measured as the entire illuminated surface or illuminated architectural element which contains sign copy.



(f) Where there are a number of sign faces:

One--Area of the single face only.

Two--If the interior angle between the two faces is 45° or less, the area will be the area of one face only; if the angle between the two sign faces is greater than 45°, the sign area will be the sum of the areas of the two faces.



Three or more sides--the sign area will be the sum of the areas of each of the faces. Spherical, free-form, sculptural, other non-planar signs--Sign area



will be the sum of the

areas using only the four vertical sides of the smallest cube that will encompass the sign.

(g) 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.

(h) The area of a sign 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 area 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.

(i) The area of a sign 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 area of each square, rectangle, triangle, portion of a circle, or any combination thereof which creates the smallest single continuous perimeter enclosing the extreme limits of each word, written representation (including any series of letters), emblems or figures of small character, including all frames, face plates, nonstructural trim or other component parts not otherwise used for support.

(j) The area of a 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 combination 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

(2) Other component parts not otherwise used.

Sec. 16-52. Nonconforming signs.

Whenever one (1) of the following conditions occurs, a sign which is nonconforming to the regulations of this section shall be brought into conformance or shall terminate:

(1) Whenever there is a change in the business or use to which the sign pertains.

(2) Whenever there is a replacement of the reader panel(s).

(3) Whenever there is a request made for a permit to change the sign.

(4) If any such sign or nonconforming portion thereof is destroyed by any means to an extent of more than fifty percent (50%) of its appraised value for tax purposes at the time of the destruction, it shall not be reconstructed except in conformity with the applicable provisions of this chapter.

(5) Whenever the location of the sign is moved or altered.

Secs. 16-53 – 16-69. Reserved.

Section 2. Safety Clause. The Town Board of Trustees hereby finds, determines, and declares that this ordinance is promulgated under the general police power of the Town of Hudson, that it is promulgated for the health, safety, and welfare of the public, and that this ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Board of Trustees further determines that the ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 3. Severability. If any clause, sentence, paragraph, or part of this ordinance or the application thereof to any person or circumstances shall for any reason be adjudged by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

Section 4. Effective Date. This ordinance shall become effective thirty (30) days after final publication.

INTRODUCED, READ IN FULL, ADOPTED AND ORDERED PUBLISHED ONCE IN FULL this ____ day of _____, 2001.

TOWN OF HUDSON, COLORADO

Donald B. Litton, Mayor

ATTEST:

Judy Larson, Town Clerk

PASSED ON SECOND AND FINAL READING this ____ day of _____, 2001.

Donald B. Litton, Mayor

ATTEST:

Judy Larson, Town Clerk