

19.04.053 - Signs in Downtown Overlay District.

The following regulations shall apply to all signs located within the Downtown Overlay District. The regulations, standards and provisions in this Section support the overall objectives of the Downtown Master Plan, acknowledge the historic sign character of the Town, encourage enhancement of the economic vitality of the downtown business community, and encourage a distinctive pedestrian-friendly and walkable community. In the event of a conflict between the entitlements, regulations or standards established in this Section and the equivalent provisions in this Chapter, the provisions in this Section shall govern. Except in the event of such preemption by this Section, the provisions of this Chapter and all other provisions of this Code shall be applicable and enforced within the Downtown Overlay District.

A. Subject to review and approval that may be required pursuant to Subsection I. below, the following permanent sign classes are permitted:

1. Awning signs. One awning sign per awning.
2. Canopy signs.
3. Flags and flagpoles. One flagpole per building frontage.
4. Freestanding signs. One freestanding sign or one joint identification sign per building frontage.
5. Identification signs. One building identification wall sign per building frontage.
6. Joint identification sign. One joint identification sign or one freestanding sign per building frontage.
7. Marquee signs. One marquee sign for theater-type uses per frontage.
8. Murals. One mural per wall façade.
9. Parapet and roof signs. One parapet or one roof sign per building frontage.
10. Projecting/suspended signs. One projecting/suspended sign per building frontage.
11. Sandwich board signs. One sandwich board sign per building frontage.
12. Time-temperature-date signs. One time-temperature-date sign per building frontage.
13. Wall signs. One wall sign per building frontage.
14. Window signs. One window sign per window.
15. Signs with visible moving, revolving or rotating parts or visible mechanical movement of any description or other apparent visible movement achieved by electrical, electronic or mechanical means, or signs with optical illusion of movement by means of a design that presents a pattern capable of reversible perspective giving the illusion of motion or changing of copy.
16. Signs with lights or illuminations that flash, move, rotate, scintillate, blink, flicker, vary in intensity, vary in color or use intermittent electrical pulsations.
17. Strings of light bulbs.
18. Signs that incorporate projected images.
19. Any electric sign cabinet that does not have affixed to it the label of Underwriters Laboratories.

B. The following temporary sign classes are permitted:

1. Banner signs. One temporary banner sign per building frontage.
2. Construction/development signs. One temporary construction/development sign per building frontage.
3. Political signs. One temporary political sign per building frontage.
4. Real estate signs. One temporary real estate sign per building frontage.

C. No person shall erect, install, contract for installation, cause to install or maintain the following signs and the following sign classes are prohibited in the Downtown Overlay District:

1. Inflatable signs.
2. Roof signs that are portable, flash, blink, fluctuate or are animated.
3. Signs that are created with aerosol spray paint (except for murals).
4. Signs that emit sound.
5. Signs not permanently affixed or attached to the ground or to any structure except real estate signs and construction signs meeting the requirements of Subsection 19.04.053.B. above, window signs, temporary banners, signs carried by persons and sandwich board signs.
6. Any sign that is structurally unsafe, constitutes a hazard to safety or health by reason of inadequate maintenance or dilapidation, is not kept in good repair or is capable of causing electrical shock to persons likely to come into contact with it.
7. Any sign in a public right-of-way, except for signs exempted pursuant to Sections 19.04.012, 19.04.044 and 19.04.052 of this Chapter.
8. Any sign that obstructs the view of, may be confused with or purports to be an official traffic sign, signal or device or any other official sign.
9. Any sign that uses any words, phrases, symbols or characters implying the existence of danger or the need for stopping or maneuvering of a motor vehicle, where the danger or need to stop does not exist.
10. Any sign that obstructs free ingress to or egress from a required door, window, fire escape or other required exit way.
11. Any sign on a vehicle, provided that such vehicle is not parked in a location normally associated with the location of that type of vehicle, such as near a loading dock or employee entrance and is not being used as a freestanding sign.
12. Illegal nonconforming signs.
13. Off-premises advertising signs or any other sign not appurtenant and clearly incidental to the permitted use on the property where located, except for signs located in a sign plaza or neighborhood/village directional signs; for which a special permit is granted in accordance with the provisions of Section 19.04.032 and Subsection 19.04.055.I. of this Chapter.
14. Any sign deemed obscene by the Town Manager.
15. Wind signs (except for banner signs).
16. Any sign that no longer advertises a bona fide business conducted or a product sold on the premises shall be considered unused and shall be removed by the owner, agent or person having the beneficial use of the building, lot or structure upon which the sign may be found within one hundred eighty (180) days.

C. The following sign classes do not require a sign permit:

1. Sandwich board signs.

D. Subject to the limitation on total sign area set forth in Section 19.04.052 of this Chapter, the maximum area per sign face for signs shall be:

1. Awning signs. Fifty percent maximum of the total square footage of an individual awning.
2. Banner signs. Thirty-two square feet per face.
3. Construction/development signs. Thirty-two square feet per face for freestanding, wall or window temporary construction/development signs.
4. Flags. Sixty square feet. Government flags shall not be counted in total site signage.

5. Freestanding signs. Fifty square feet per sign face for freestanding signs, except joint identification signs.
 6. Identification signs. One square foot of signage for each linear foot of building frontage for building identification wall signs, not to exceed fifty square feet.
 7. Joint identification signs. One and one-half square feet of signage for each linear foot of building frontage for joint identification freestanding signs, not to exceed one hundred square feet per face.
 8. Marquee signs. One and one-half square feet of marquee signage for each linear foot of building frontage, not to exceed 100 square feet.
 9. Mural signs shall not extend beyond the building façade.
 10. Parapet or roof signs. One and one-half square feet of parapet or roof signage for each linear foot of building frontage, not to exceed 100 square feet.
 11. Projecting/suspended signs. Eight square feet.
 12. Real estate signs. Thirty-two square feet per face for freestanding, wall or window temporary real estate signs.
 13. Sandwich board signs. Eight square feet per sandwich board sign face.
 14. Wall signs. One and one-half square feet for each linear foot of building frontage, not to exceed 25% of the wall to which the sign is attached.
 15. Window signs. Twenty-five percent of the window area.
- E. The following maximum sign heights are permitted:
1. Banner signs. Banner signs may be mounted no taller than the height of the wall to which the banner is attached.
 2. Construction/development signs. Temporary construction/development signs may be mounted no taller than the height of the wall to which the temporary sign is attached. Temporary freestanding construction/development signs may be no taller than eight feet.
 3. Flagpoles. Twenty feet.
 4. Freestanding signs. Twenty feet for freestanding signs that are not temporary signs.
 5. Identification signs. Identification signs may be mounted no taller than the height of the wall to which the identification sign is attached.
 6. Joint identification signs. Twenty feet for freestanding joint identification signs.
 7. Parapet signs. Parapet signs may be mounted no taller than the height of the parapet wall to which the parapet sign is attached.
 8. Projecting/suspended sign. The bottom of the projecting/suspended sign may be no lower than eight feet from the adjacent grade or sidewalk below, and may be mounted no taller than the height of the wall to which it is attached.
 9. Roof signs shall not exceed the height of the roofline by more than 25% of the overall height of the sign.
- F. The following minimum setbacks are required:
1. All sign classes may be located zero feet from all property lines.
- G. Sign regulations.
1. Murals. Murals shall require design review and approval by the Design Review Board pursuant to Subsection I. below.

2. Roof signs. Roof signs shall require design review and approval by the Design Review Board pursuant to Subsection I. below.
 3. Temporary banner signs. Temporary banner signs must be mounted to the wall of a building to which the sign is appurtenant and may not be mounted on freestanding poles.
- H. Public hearing required; procedure. Murals, roof signs and canopy signs shall require review and approval by the Design Review Board. Such applications shall be forwarded to the Design Review Board for a public hearing.
1. Town staff shall develop the appropriate forms, submittal and review fees and other administrative protocols for Design Review Board review and action in accordance with Section 17.42.110 of this Code.
 2. The Design Review Board shall hold all public hearings required under this Chapter. The public notice for such hearing shall be provided as set forth in Chapter 17.04 of this Code.
 3. At the conclusion of the public hearing, the Design Review Board shall approve, approve with conditions or deny the application applying the criteria of this Section.
 4. An aggrieved applicant may appeal the decision of the Design Review Board to the Town Council. Requests to appeal the decision of the Design Review Board must be filed with the Department of Development Services within thirty days of the date that the Design Review Board adopts written findings, or, if none, the date of final Design Review Board action. The Town Council shall hear the appeal request at a public hearing noticed in accordance with the requirements of Chapter 17.04 of this Code, and shall uphold, reverse or modify the decision of the Design Review Board, after a review of evidence presented by the applicant and any other interested party at the public hearing before Town Council and application of the criteria set forth in Subsection J. below.
- I. Design Review Board. The intent of the criteria set forth in this Subsection is to encourage creative and artistic design for signs of distinctive character, and to facilitate the return of historic sign types, within the Downtown Overlay District ("DOD"). This intent shall guide application of the following criteria by the Design Review Board for signage applications within the DOD:
1. Signs shall be compatible with the character of the surrounding district and adjacent architecture when considered in terms of scale, color, materials, lighting levels and adjoining uses;
 2. Signs shall be expressive of the business or activity for which they are displayed;
 3. Signs shall be oriented or illuminated so as not to adversely affect the surrounding area or 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;
 4. Signs may be creative in the use of two- and three-dimensional forms, iconographic representations, lighting and graphic design, including the use of color, pattern, typography and materials;
 5. Signs shall be constructed utilizing high quality, durable materials that meet the physical demands of an urban setting; and
 6. Roof signs shall be designed to be architecturally compatible with the structure and are prohibited on flat roofs. Roof signs must be located parallel to and facing the right-of-way.
- J. Variances. Applications for variances from the strict application of the requirements of this Section shall be made pursuant to Chapter 17.06 of this Code.

(Ord. No. 2016-022, § 6, 9-6-2016; ,Ord. 2013-23 §5; Ord. No. 2016-022, § 6)