



TOWN OF DILLON
Planning and Zoning Commission
Regular Meeting
VIA MICROSOFT TEAMS
Dillon Town Hall | 275 Lake Dillon Drive | Dillon, Colorado
Wednesday, March 1, 2023 | 5:30 p.m.
STAFF SUMMARY

DATE: February 1, 2023

AGENDA ITEM NUMBER: 5.a.

ACTION TO BE CONSIDERED:

Consideration of Resolution No. PZ 04-23, Series of 2023

(PUBLIC HEARING)

A RESOLUTION RECOMMENDING APPROVAL OF AN ORDINANCE AMENDING ARTICLE XI OF CHAPTER 16 OF THE DILLON MUNICIPAL CODE REGARDING PERMANENT AND TEMPORARY SIGNS.

SUMMARY: Over the past year Town staff has been presenting the Planning Commission with several discussion items relating to the Dillon Municipal Code (“**DMC**”) Sign Regulations. As we have worked through various potential amendments to the sign regulations, it has been determined the first course of action needs to be to provide constitutional updates to the sign regulations. While working through the sign regulations in that effort, it was also determined appropriate to reorganize certain portions of the regulations to improve readability and to simplify them with the increased use of tables. In addition to these proposed amendments, the temporary sign regulations have also been modified to reflect the elimination of certain permitting requirements while still maintaining a regulatory frame work for the display of temporary signs without negatively impacting the community. One additional amendment with this amendment is to change the maximum height of a flagpole from twenty (20) feet to be a maximum of 60% of the maximum height of a building in the zone district. This has the effect of allowing for flagpoles more to scale with taller and larger structures, for instance fifty (50) foot tall buildings permitted in the core Area zone district. This resolution recommends the Town Council adopt a Dillon Municipal Code amendment related to these sign regulations amendments. The resolution contains a draft, blacklined ordinance for this purpose.

Existing Content-based Sign Regulations:

The Town’s Sign Regulations are in need of an update following the US Supreme Court’s 2015 decision in *Reed v. Town of Gilbert*. Following Reed, “content-based” sign regulations are no longer permissible under constitutional law.

Regulation of speech (which includes signs) is content based if:

- The regulation applies because of the topic discussed, or the idea or message expressed; or
- The regulation defines regulated speech by its function or purpose.

Many of the provisions of the Town’s Sign Regulations would likely be deemed “content-based” regulations under *Reed*.

Below are some key takeaways from the Supreme Court’s decision in *Reed* and ensuing lower court decisions regarding local government sign regulations. The Planning Commission should keep in mind the principles presented in **Table 1.** below when studying the eventual proposed DMC Sign Regulations amendments:

Permitted Regulations ("Time, Place, and Manner")	Prohibited Regulations ("Content-Based")
Size of sign	Regulation based on content or message of a sign Examples: <ul style="list-style-type: none"> • Cannot distinguish between “political and campaign signs,” “political message signs,” “election campaign signs,” “religious symbols” • Cannot distinguish among types of flags (governmental, religious, charitable, fraternal, other organizations) • Cannot distinguish among types of temporary signs (construction, real estate, garage sale, etc.) • Cannot generally prohibit electronic messages (e.g. “prohibited except for those that only display the current time and temperature”)
Materials	
Traffic safety (e.g., line of sight)	
Locations of signs: free-standing vs. attached to buildings; setbacks; orientation/distance from roadway; etc.	
Lighted vs. unlighted	
Fixed messages vs. electronic signs	
Placement of signs on private vs. public property	
On-premises vs. off-premises signs	
Number of signs allowed per mile of roadway	
Placement on commercial vs. residential property (e.g., Town’s Sign Zone A & B)	
Time restrictions on signs advertising one-time event	
Signs erected by government entities to promote safety, directional signs and signs pointing out historic sites and scenic spots	
Temporary vs. permanent	
Type of sign (but not based on sign message)	

Table 1. Constitutional Sign Regulation Principals

BUDGET IMPACT:

None

STAFF RECOMMENDATION:

Town staff recommends approval of Resolution No. PZ 04-23, Series of 2023

MOTION FOR APPROVAL:

I move we approve Resolution PZ No. 04-23, Series of 2023 as presented.

ACTION REQUESTED: Motion, Second, Roll Call Vote.

Resolutions require the affirmative vote of a majority of the members present.

DEPARTMENT HEAD RESPONSIBLE: Ned West, AICP, Sr. Town Planner

RESOLUTION NO. PZ 04-23

Series of 2023

A RESOLUTION RECOMMENDING APPROVAL OF AN ORDINANCE AMENDING ARTICLE XI OF CHAPTER 16 OF THE DILLON MUNICIPAL CODE REGARDING PERMANENT AND TEMPORARY SIGNS.

WHEREAS, there has been prepared a draft ordinance to update the Town’s Sign Regulations set forth in Chapter 16, Article XI of the Dillon Municipal Code for constitutional compliance, and to eliminate permitting requirements for temporary signs, with certain exceptions; and

WHEREAS, pursuant to Section 16-1-60 of the Code, the Planning and Zoning Commission of the Town of Dillon (the “Planning Commission”) has reviewed the draft ordinance, and held a duly-noticed public hearing thereon, at which hearing evidence and testimony were entered into the record; and

WHEREAS, based on the evidence, testimony, and documents made part of the record of the public hearing, the Planning Commission recommends the Town Council adopt the draft ordinance update the Town’s Sign Regulations set forth in Chapter 16, Article XI of the Dillon Municipal Code for constitutional compliance, and to eliminate permitting requirements for temporary signs, with certain exceptions.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON, COLORADO, AS FOLLOWS:

Section 1. Pursuant to Section 16-1-60 of the Dillon Municipal Code, the Planning Commission hereby recommends that the Town Council adopt the ordinance to update the Town’s Sign Regulations set forth in Chapter 16, Article XI of the Dillon Municipal Code for constitutional compliance, and to eliminate permitting requirements for temporary signs, with certain exceptions, attached hereto as Exhibit A.

APPROVED AND ADOPTED THIS 1ST DAY OF MARCH, 2023, BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON, COLORADO.

**PLANNING AND ZONING COMMISSION,
TOWN OF DILLON**

By: _____
Alison Johnston, Chairperson

ATTEST:

Michelle Haynes, Secretary to the Commission

2/24/23 11:28 AM [ncb] R:\Dillon\Planning Commission\Res_PZ_04-23_Rec Adopt of Constitutional Amendments to Ch 16, Art XI.PZreso.docx

EXHIBIT A

ORDINANCE NO. ____-23
Series of 2023

**AN ORDINANCE AMENDING ARTICLE XI OF CHAPTER 16 OF THE
DILLON MUNICIPAL CODE REGARDING PERMANENT AND
TEMPORARY SIGNS, AND ARTICLE II OF CHAPTER 11 REGARDING
BUILDING AND UNIT ADDRESS NUMBERS**

WHEREAS, the Town Council desires to update the Town’s Sign Regulations set forth in Chapter 16, Article XI of the Dillon Municipal Code for constitutional compliance, and to eliminate permitting requirements for temporary signs, with certain exceptions; and

WHEREAS, the Town Council further desires to amend Sections 11-2-20 and 11-2-30 of the Dillon Municipal Code to cause building and unit address numbers to come into compliance with Town-adopted building codes; and

WHEREAS, the Planning and Zoning Commission studied a draft of this Ordinance in a public hearing at its March 1, 2023 meeting, at which public hearing evidence and testimony were received, and after such public hearing recommended that the Town Council adopt the same by Resolution No. PZ 04-23, Series of 2021; and

WHEREAS, the Town Council held a public hearing on this Ordinance on _____, 2023, at which evidence and testimony were received, and after such public hearing finds that the Ordinance should be adopted.

NOW, THEREFORE, BE IT ORDAINED, BY THE TOWN COUNCIL OF THE TOWN OF DILLON, COLORADO, AS FOLLOWS:

Section 1. Section 11-2-20 of the Dillon Municipal Code is hereby amended to read as follows (words added are underlined; words deleted are ~~stricken through~~):

Sec. 11-2-20. - Building address numbers.

Every building owner shall display each building's street address number, as assigned to it, on the building so that such number is visible, clear and legible from the nearest public street. Such address number shall be displayed in numbers no less than five (5) ~~three (3)~~ inches tall. All street address numbers shall be maintained by the building owner so as to remain visible, clear and legible from the nearest public street.

Section 2. Section 11-2-30 of the Dillon Municipal Code is hereby amended to read as follows (words added are underlined; words deleted are ~~stricken through~~):

Sec. 11-2-30. - Unit numbers.

Every owner of a condominium, townhome, apartment or other living unit (hereinafter collectively referred to as units) in a building containing two (2) or more units shall display that unit's number, letter or name designation, as assigned to it, on the unit so that such number, letter or name designation is visible, clear and legible from the nearest public street, or in the case of interior units, from the common hallway. Such unit number, letter or name designation shall be displayed in numbers or letters no less than five (5) ~~three (3)~~ inches tall. All unit numbers, letters or name designations shall be maintained by the unit owner so as to remain visible, clear and legible from the nearest public street, or in the case of interior units, from the common hallway.

Section 3. Section 16-11-10 of the Dillon Municipal Code is hereby amended to read as follows (words added are underlined; words deleted are ~~stricken through~~):

Sec. 16-11-10. - Purpose.

(a) ~~Inasmuch as the citizens of the Town have expressed a desire to impose strict control on commercial signage, it~~ It is the intent and purpose of this Article to:

(1) Recognize that ~~commercial~~ signs are a necessary means of useful communication for the convenience of the public.

(2) Maximize the value of ~~commercial~~ signage as a means of locating and identifying commercial organizations, establishments, destinations, and landmarks within the Town. ~~providing goods and services while, at the same time, discouraging the use of commercial signage to sell goods and services.~~

(3) Protect, preserve and enhance the unique aesthetic character, beauty and charm of the Town, ~~and thereby encourage the continued development of tourism within the Town.~~

(4) ~~Recognize the difference between commercial signs, which propose a commercial transaction, and ideological signs, which do not propose a commercial transaction but, instead, involve only the expression of ideas or beliefs.~~

(4) ~~(5)~~ Ensure that ~~commercial~~ signage does not obscure the architectural and natural features of the Town and is of a scale and proportion compatible with the aesthetic character of the Town.

~~(5)~~ (6) Protect the public from hazardous conditions that can result from ~~commercial~~ signs ~~that~~ ~~which~~ are structurally unsafe, obscure the vision of motorists, create dangers to pedestrian traffic or compete or conflict with necessary traffic signals and warning signs.

~~(6)~~ (7) Promote an overall visual effect which has a minimum of clutter.

~~(8)~~ ~~Avoid the creation of a "tourist trap" atmosphere which can result when business enterprises compete for attention through the use of excessive commercial advertising signs.~~

~~(7)~~ (9) Eliminate distracting lighting and excessive glare by reasonably limiting the illumination of signs to subdued, adequately shielded or concealed light sources.

~~(8)~~ (10) Encourage the use ~~construction~~ of ~~commercial signs of natural materials which are~~ aesthetically pleasing materials that ~~and~~ are compatible with the cultural and natural surroundings and with the buildings to which they are affixed.

~~(9)~~ To reserve Town-owned property and right-of-way to signs displaying government speech, except under very limited circumstances.

~~(10)~~ (11) Impose reasonable time, place and manner restrictions upon ~~commercial~~ signs while, at the same time, not unnecessarily or impermissibly interfering with the free exercise of rights granted under the First Amendment of the United States Constitution and Article II, Section 10 of the Colorado Constitution.

~~(11)~~ (12) Ensure ~~Assure~~ that signs are promptly removed once the business, service, event, or other activity advertised is no longer provided, or the sign is abandoned or improperly maintained.

~~(12)~~ (13) Prohibit off-premises signs which do not identify a business, service, product or other activity engaged in or provided upon the premises where the sign is located.

~~(b)~~ No provision of this Chapter is intended, and shall not be interpreted by the Town, to restrict speech based on its content, viewpoint, or message. Should any provision of this Chapter have the unintended effect of restricting speech based

on its content, viewpoint, or message, such provision shall not be enforced. No provision of this Chapter is intended, and shall not be interpreted, to favor commercial speech over noncommercial speech.

Section 4. Section 16-11-20 of the Dillon Municipal Code is hereby amended by the addition of the following definitions to be inserted in alphabetical order:

Flag means any fabric or other flexible material attached to or designed to be flown from a flagpole or similar device.

PUD (planned unit development) sign plan means a master sign plan through which the applicant has requested and the Town has approved modifications to the requirements of this Article under the criteria set forth in Division 4.

Visible means capable of being seen, whether or not capable of being read, without visual aid by a person of normal acuity.

Yard sign (large) means a temporary sign affixed to the exterior of building under construction, a construction office trailer, or the perimeter of a construction fence.

Yard sign (small) means a temporary sign staked into the yard of a commercial or residential property.

Section 5. The following definitions of Section 16-11-20 of the Dillon Municipal Code are hereby amended to read as follows (words added are underlined; words deleted are ~~stricken through~~):

Art means things that have form and beauty, including paintings, sculptures or drawings that do not advertise or promote a particular business, service or product.

Attention-getting device means any ~~flag~~; streamer; spinner; pennant; costumed character; light; balloon; continuous string of pennants, flags or fringe; or similar device or ornamentation intended to create visual attraction through movement used primarily for the purpose of attracting attention for promotion or advertising a business or commercial activity, which that is visible by the general public from any public right-of-way.

Class 1 sign application means an application for the types of permanent signs, signs and sign plans listed in Section 16-11-200(A)(1). Division 4 and any sign not specifically listed under the Class 2 sign application definition.

Class 2 sign application means an application for the ~~following~~ types of signs listed in Section 16-11-200(A)(2). ~~temporary banners; grand opening signs; directional signs; real estate development signs; menu display boxes larger than four (4) square feet in size; construction signs; garage sale signs; sandwich board signs; directory way finding signs; signs listed in Division 5; and individual signs within an approved master sign plan.~~

Directional sign means a temporary, nonilluminated sign used to provide assistance in locating a sale or civic event.

New business sign means a temporary sign advertising the opening of a new business or restructuring of an existing business. ~~New business signs include: "Open Soon," "Coming Soon," "Now Hiring," "Now Open" and "Under New Management" or similar sign.~~

Sign means any medium, including its structure and component parts, including any sign illumination device which is used or intended to be used to attract attention to the subject matter ~~for the purpose of advertising or proposing a commercial transaction~~ and which is visible by the general public from any public right-of-way. ~~Visible means capable of being seen, whether or not capable of being read, without visual aid by a person of normal acuity. Ideological signs, except for political signs, are exempt from the provisions of this Article and are not included within the definition of sign.~~

Section 6. The following definitions of Section 16-11-20 of the Dillon Municipal Code are hereby deleted in their entirety:

Construction sign

Garage sale sign

Grand opening sign

Ideological sign

Real estate development sign

Real estate for sale or for rent sign

Real estate open house sign

Section 7. Section 16-11-30 of the Dillon Municipal Code is hereby repealed in its entirety.

Section 8. Divisions 2, 4, 5, 6, 7, 8, and 9 of Article XI of Chapter 16 of the Dillon Municipal Code are hereby reordered as follows:

A. The current Division 2, *Sign Permits*, and all Sections therein, shall be relocated to Division 5.

B. Division 4, *Permanent Signs*, and all Sections therein, shall be relocated to Division 6.

C. Division 5, *Temporary Signs*, and all Sections therein, shall be relocated to Division 7.

D. Division 6, *Design Standards and Maximum Sign Areas*, and all Sections therein, shall be relocated to Division 8.

E. Division 7, *Master Sign Plans*, and all Sections therein, shall be relocated to Division 4.

F. Division 8, *Nonconforming Signs*, and all Sections therein, shall be relocated to Division 9.

G. Division 9, *Enforcement and Liens*, and all Sections therein, shall be relocated to a new Division 10.

Section 9. The individual Sections of Division 3, *General Sign Criteria*, and all Sections therein, are hereby separated into Divisions 2 and 3, as follows:

- | | | |
|--|---|------------|
| Sec. 16-11-110. - General limitations on signs. | → | Division 2 |
| Sec. 16-11-120. - Architectural compatibility. | → | Division 3 |
| Sec. 16-11-130. - Component painting. | → | Division 3 |
| Sec. 16-11-140. - Maintenance. | → | Division 3 |
| Sec. 16-11-150. - Building and electrical permits. | → | Division 3 |
| Sec. 16-11-160. - Confusing or dangerous signs. | → | Division 2 |
| Sec. 16-11-170. - Abandoned signs. | → | Division 2 |
| Sec. 16-11-180. - No signs on public property; exceptions. | → | Division 2 |
| Sec. 16-11-190. - Adjustments to allowed sign area. | → | Division 3 |

Sec. 16-11-200. - Sign length.

→ Division 2

Section 10. Division 2 of Article XI of Chapter 16 of the Dillon Municipal Code shall be titled *General Sign Regulations*.

Section 11. Division 3 of Article XI of Chapter 16 of the Dillon Municipal Code shall be titled *Permanent Signs – General Limitations*.

Section 12. Division 2 of Article XI of Chapter 16 of the Dillon Municipal Code is hereby amended as follows (words added are underlined; words deleted are ~~stricken through~~):

Division 2 General Sign Regulations

Sec. ~~16-11-30~~ ~~16-11-110~~. – Applicability. ~~General limitations on signs.~~

Sec. 16-11-40.- Exemptions.

Sec. ~~16-11-50~~ ~~16-11-160~~. - Confusing or dangerous signs.

Sec. ~~16-11-60~~ ~~16-11-170~~. - Abandoned signs.

Sec. ~~16-11-70~~ ~~16-11-180~~. - Public ~~No signs on public property. ; exceptions.~~

Sec. 16-11-80.- Prohibited signs.

Sec. ~~16-11-90~~ ~~16-11-200~~. - Sign length.

Sec. 16-11-30 ~~16-11-110~~. – Applicability. ~~General limitations on signs.~~

Except as provided in Section 16-11-40, all ~~All~~ temporary and permanent signs, whether a permit is required or not, shall be subject to the general limitations contained in this Division.

Sec. 16-11-40. – Exemptions.

Subject to the hereinafter-specified conditions and limitations and provided that the following signs or sign devices are not prohibited by Section 16-11-80 below, the following signs, devices, and activities are exempted from the provisions of this Article:

(1) Official notices. Official government notices and notices posted by federal, state or local government officers or employees in the performance of their official duties; and government signs to control traffic, identify streets, warn of danger or perform other regulatory purposes.

(2) Flags; provided, however, that all flags are subject to the following limitations:

a. Flags shall have a minimum clearance of eight (8) feet when they project over public sidewalks and fifteen (15) feet when projecting over streets or roads.

b. A maximum of ~~twenty (20) feet~~ 60% of the maximum building height allowed in the applicable zone district, from the top of the flagpole to average grade shall be allowed.”

c. Flags shall be maintained in a clean and undamaged condition at all times.

(3) Art. Works of art not used in connection with a commercial promotion or as an advertising device.

(4) Warning signs. Temporary or permanent signs erected by the Town, public utility companies or construction companies to warn of danger or hazardous conditions, including signs indicating the presence of underground cables, gas lines or similar devices.

(5) Merchandise. Merchandise or models of products or services which are incorporated as an integral part of an indoor window display. Merchandise includes photographic window displays of real estate available for sale, lease or rental from a licensed real estate broker.

(6) Signs on vehicles. Signs displayed on motor vehicles or trailers which are being operated or stored in the normal course of business, such as signs indicating the name of the owner or business which are located on delivery trucks, trailers and the like; provided, however, that the primary purpose of such vehicles is not for the display of signs; and provided that such vehicles are parked or stored in areas appropriate to their use as vehicles.

(7) Cornerstones. Cornerstones and the like, when carved into stone, concrete, bronze or other permanent material and made an integral part of a building or structure, when they do not exceed four (4) square feet in size.

(8) Historic plaques. Historic plaques erected by the Town or historic agencies designating any areas of historical significance.

(9) Change of copy. Changing of the copy on a permanent and permitted sign specifically designed to allow changes of the copy or message thereof.

(10) Painting or repair of signs. Painting, repainting, repair or cleaning of a sign; provided, however, that this exemption shall not apply if the color scheme or design of an existing sign is altered or if such painting or repainting results in a different business being advertised by the sign.

(11) Signs authorized or required by law. Signs required or specifically authorized for a public purpose by any law, statute or ordinance; provided, however, that no such sign shall be placed in a public right-of-way unless specifically required or authorized by law, statute or ordinance; and, except for warning signs or barricades of a temporary nature, such signs shall be permanently affixed to the ground, a building or other structure. Such signs shall not exceed the minimum number required to accomplish the purpose.

(12) Information signs. Information signs must not exceed four (4) square feet in area. Each business is limited to a total of eight (8) square feet; except that, businesses having more than one (1) public entrance are allowed an additional four (4) square feet of sign area for the display of information signage at the secondary entrance.

(13) Bumper stickers. Bumper stickers or decals affixed to motor vehicles that do not obstruct the operator's view.

(14) Picket signs. Signs used by persons engaged in lawful picketing activities.

(15) Seasonal decorations. Temporary, decorations or displays when such are clearly incidental to, and are customarily or commonly associated with a celebration; provided, however, that such decorations or displays are maintained in an attractive condition and do not constitute a fire hazard.

(16) Residential nameplates.

(17) Menu display boxes. Display boxes of up to four (4) square feet are allowed for restaurants, bars and lounges for the purpose of displaying menus. A permit shall be obtained for menu display boxes larger than four (4) square feet, and the square footage which exceeds four (4) square feet shall be counted against the total allowable sign area of the business.

(18) Scoreboards on athletic fields (requires building permit).

(19) Gravestones.

(20) Commemorative plaques not exceeding four (4) square feet.

(21) Holiday decorations utilized on a temporary basis.

~~(22) Window signs not to exceed three (3) square feet for commercial businesses.~~

(22) Donation Program Signage. Signage associated with a Town managed Donation Program may be displayed in accordance with the parameters of the Donation Program.

(23) Sponsorship Signage. Signage associated with the sponsorship of a Town-sanctioned event.

Sec. ~~16-11-50~~ ~~16-11-160~~. – Confusing or dangerous signs

No sign shall:

(1) In any way obstruct the view of, or be prone to confusion with, an official traffic sign, signal or device or any other official sign.

(2) Obstruct the view of motor vehicle operators entering a public roadway from any parking area, service drive, private driveway, alley or other thoroughfare.

(3) Obstruct free ingress to or egress from required doors, windows, fire escapes or other required exits.

(4) Be attached to utility poles or to trees.

~~(5) Obstruct free, unrestricted travel of pedestrians on walkways including accessible routes.~~

Sec. ~~16-11-60~~ ~~16-11-170~~. - Abandoned signs.

A sign shall be removed within fourteen (14) days after the event, activity, product, business, service or other use which is being advertised or promoted has ceased or vacated the premises. This provision shall not apply to signs officially designated as landmarks, or to permanent signs accessory to businesses which are

open only on a seasonal basis, provided that there is clear intent to continue operation of the business. After fourteen (14) days and notice to the permit holder, a sign may be removed by the Town Manager and the costs of such action may be collected as provided in Division 10 of this Article.

Sec. ~~16-11-70~~ 16-11-180. – Public ~~No signs on public property. ; exceptions.~~

Except as expressly provided herein, no ~~No~~ signs shall be placed on or within any public right-of-way or public place without the approval of the Town Manager. Directory way-finding signs as allowed pursuant to Section ~~16-11-390~~ 16-11-335 of this Article shall be allowed on public rights-of-way, streets and public property.

Sec. 16-11-80. – Prohibited Signs.

It is unlawful for any person to erect, construct or maintain any of the following types of signs or devices:

- (1) Attention-getting devices.
- (2) Flashing signs.
- (3) Moving signs, including but not limited to signs affixed to boats, motor vehicles, airplanes and helicopters. Vertical illuminated rotating cylindrical signs shall not be considered to be moving signs as prohibited herein, provided that only one (1) such sign is located on a single property.
- (4) Off-premises signs, except as specifically permitted herein.
- (5) Signs with reflective surfaces, except when used for public information signs.
- (6) Roof signs, including mansard roofs, with the exception that signs may be allowed for false storefronts or fascia if the sign does not exceed the roofline over the primary walls of the building.
- (7) Statuary signs.
- (8) Temporary signs, including temporary banners, except as specifically authorized in Division 7 or as exempted pursuant to Section 16-11-40 above.

(9) Search lights or beacons.

(10) Parked vehicles, except as provided in Paragraph 16-11-40(6) above, including but not limited to automobiles, trucks, buses, semi-trucks (attached or detached), trailers, mobile homes, boats, vans and the like, shall not be used as signs or sign structures.

(11) Any internally lit sign within the Town Center, whether permanent or temporary in nature.

(12) Signs constituting a traffic or pedestrian hazard.

(13) Signs which simulate, imitate or conflict with traffic signals or signs.

(14) Abandoned signs.

(15) Pennants and streamers.

(16) Searchlights.

(17) Snipe signs and handbills, including signs fastened to trees, fences, telephone poles, public benches, streetlights or placed on any public property or public right-of-way.

(18) Bus bench or bus shelter signs.

(19) Signs which contain animated or automatic changeable copy, unless specifically permitted by this Code.

Sec. 16-11-90 ~~16-11-200~~. - Sign length.

Except for civic event banners, no ~~No~~ sign shall exceed twenty (20) feet in length.

Section 13. Division 3 of Article XI of Chapter 16 of the Dillon Municipal Code is hereby amended as follows (words added are underlined; words deleted are ~~stricken through~~):

**Division 3
Permanent Signs – General Limitations**

Sec. 16-11-100. - Applicability.

Sec. ~~16-11-110~~ ~~16-11-120~~. - ~~Design. Architectural compatibility.~~
Sec. ~~16-11-130~~. - ~~Component painting.~~
Sec. ~~16-11-120~~ ~~16-11-140~~. - Maintenance.
Sec. ~~16-11-130~~ ~~16-11-150~~. - Building and electrical permits.
Sec. ~~16-11-140~~ ~~16-11-190~~. - Adjustments to allowed sign area.

Sec. 16-11-100. – Applicability.

All permanent signs shall be subject to the general limitations contained in this Division.

Sec. 16-11-110 ~~16-11-120~~. - ~~Design. Architectural compatibility.~~

A. A sign, including its supporting structure and components, if any, shall be architecturally compatible with any building to which the sign is to be attached and with the surrounding structures. Architectural compatibility includes features such as sign location, materials, letter style, colors or size.

~~Sec. 16-11-130. – Component painting.~~

B. All light fixtures, conduit and shielding shall be painted a flat, dark color or shall be painted to match either the building or the supporting structure that serves as the background of the sign. Raceways behind channel letters shall also be painted a flat, dark color or painted to match either the building or supporting structure, unless the raceway color is a part of a brand or a sign design element.

Sec. 16-11-120 ~~16-11-140~~. - Maintenance.

All signs shall be structurally sound, shall be maintained in good repair and shall not constitute a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation or electrical shock. The display surfaces of all signs shall be kept neatly painted and maintained at all times. In addition to other remedies provided for in this Article, the Town Manager ~~Planning and Zoning Commission~~ shall have the authority to order the painting, repainting, repair, maintenance or removal of any sign which has become dilapidated or in disrepair. If such a condition is determined by the Town Manager to exist, the Town Manager shall give notice thereof by certified mail, return receipt requested, to the owner of the sign at the address shown on the sign permit. If, within fifteen (15) days from service of the notice, the Town Manager's order is not complied with, the Town Manager may remove the sign or cause it to be removed and the cost of removal shall be charged against the sign owner and the sign owner's property as provided in Division 10 of this Article. If removed by the Town, the sign shall be returned to

the owner within seventy-two (72) hours and it may not be erected until brought into compliance with this Article.

Sec. ~~16-11-130~~ ~~16-11-150~~. – Building and electrical permits.

A. All signs for which a sign permit is required shall be subject to the provisions of the most currently adopted version of the building, electrical and mechanical codes.

B. Building permits will be required for all permanent freestanding signs that exceed six (6) feet in height.

C. All signs containing electrical wiring shall be subject to the provisions of the Town's electrical code, and an electrical permit shall be required.

Sec. ~~16-11-140~~ ~~16-11-190~~. - Adjustments to allowed sign area.

(a) Double-faced signs. Only fifty percent (50%) of the surface area per sign face shall be counted against allowed sign area. The two (2) sides of a double-faced sign must be parallel back to back and no thicker than twelve (12) inches.

(b) Wood with relief signs. Only eighty-five percent (85%) of the surface area of a wood with relief sign within the Core Area Zone District Town Center shall be counted against the allowable sign area.

Section 14. Division 4 of Article XI of Chapter 16 of the Dillon Municipal Code is hereby renamed and amended to read as follows (words added are underlined; words deleted are ~~stricken through~~):

**Division 4
Master and PUD Sign Plans**

Sec. ~~16-11-150~~ ~~16-11-480~~. - Approval required.

Sec. ~~16-11-160~~ ~~16-11-490~~. – Master and PUD sign plan applications.

Sec. ~~16-11-170~~ ~~16-11-500~~. - Nonconforming master or PUD sign plans.

Sec. ~~16-11-180~~ ~~16-11-510~~. - Criteria.

Sec. ~~16-11-190~~ ~~16-11-520~~. - Individual sign permits.

Sec. ~~16-11-150~~ ~~16-11-480~~. - Approval required.

~~All~~ No individual permit shall be issued for a permanent sign associated with a multiple use office or commercial buildings building containing two (2) or

more separate businesses, ~~shall obtain~~ unless the owner has first obtained approval of a master sign plan from the Planning and Zoning Commission, or a PUD sign plan from the Town Council pursuant to this Division ~~prior to any individual signs being erected in or upon any structure or site~~. All individual signs erected or maintained on the site or within the structure shall conform at all times to the approved master sign plan or PUD sign plan. Any deviations from an approved master sign plan or PUD sign plan shall be unlawful unless and until the owner has received approval of a revised master sign plan or PUD sign plan, as applicable is approved by the Commission.

Sec. ~~16-11-160~~ 16-11-490. – Master and PUD sign plan applications.

An application for a master sign plan or PUD sign plan ~~as specified in Section 16-11-70 of this Article~~ shall include at least the following information provided in digital format:

A. For master sign plans:

- (1) The total amount of allowable sign area for the structure; ~~and~~
- (2) The location, materials and maximum area for each sign that an individual business will be allowed to display. Directory signs, building identification signs, information signs and display boxes, if any, shall be included in the master sign plan;
- (3) Drawings showing the location and allowed sizes of all signs proposed for the project, including the building identification sign, directory sign and individual business signs;
- (4) A plot plan of the site indicating the location of any freestanding sign including business area directory signs;
- (5) An architectural elevation and photo depicting the proposed locations of all signs;
- (6) Any information related to the requirement that all signs within the project are consistent, including allowed sign sizes, colors, letter styles, materials or sign shapes;
- (7) Any other maps, drawings or materials needed to adequately describe the master sign proposal, including the total amount of allowable sign area

for the structure and the location, materials and maximum area for each sign that an individual business will be allowed to display; and

B. For PUD sign plans:

(1) All of the information required for master sign plans; and

(2) A description of the modifications the applicant requests from the requirements of this Article.

Sec. 16-11-170 ~~16-11-500~~. - Nonconforming master or PUD sign plans.

A permit for a new master or PUD sign plan shall be obtained within ninety (90) days of receipt of notice from the Town Manager that an existing master or PUD sign plan for any structure does not contain all the information required by this Article, or if signs displayed in or upon the structure do not comply with the provisions of this Article.

Sec. 16-11-180 ~~16-11-510~~. - Criteria.

Approval of a master sign plan or PUD sign plan shall be based on general compatibility with the architectural character of the community and project. Individual signs within a master sign plan, including directory signs, building identification signs and individual business signs, should be consistent. It is encouraged that signs allowed by a master sign plan or PUD sign plan be of a coordinated design, with each of the individual signs sharing at least two (2) of the following design elements in common: size, shape, materials, letter style and color.

Sec. 16-11-190 ~~16-11-520~~. - Individual sign permits.

Individual sign permits are required for signs contained within an approved master sign plan or PUD sign plan. Permits shall be obtained through a Class 2 application.

Section 14. Division 5 of Article XI of Chapter 16 of the Dillon Municipal Code is hereby amended to read as follows (words added are underlined; words deleted are ~~stricken through~~):

**Division 5
Sign Permits**

Sec. 16-11-200 ~~16-11-40~~. - Permit required.

~~Sec. 16-11-50. Exemptions.~~

~~Sec. 16-11-60. Prohibited signs.~~

Sec. ~~16-11-210~~ ~~16-11-70.~~ - Class 1 sign permits.

Sec. ~~16-11-220~~ ~~16-11-80.~~ - Class 2 sign permits.

Sec. ~~16-11-230~~ ~~16-11-90.~~ - Permit duration; individual signs.

Sec. ~~16-11-240~~ ~~16-11-100.~~ - Variances.

Sec. 16-11-200 ~~16-11-40.~~ - Permit required.

A. ~~Except as provided in this Division, no~~ No person shall erect, construct, enlarge, alter, repair, display, maintain or use a sign, ~~whether temporary or permanent,~~ any of the following signs unless and until a permit for the same has been issued a permit of the applicable class:

1. Class 1:

- (a) Awnings
- (b) Business area directory sign
- (c) Directory sign
- (d) Freestanding sign
- (e) Official sign
- (f) Projecting or hanging sign
- (g) Subdivision entrance sign
- (h) Wall sign
- (i) Residential complex sign
- (j) Property management sign
- (k) Directory way-finding sign
- (l) Master sign plan
- (m) PUD sign plan

2. Class 2:

- (a) Each individual sign within an approved master sign plan or PUD sign plan
- (b) Menu display box larger than four (4) square feet in size
- (c) Civic event banners in Town-owned right-of-way, unless exempted pursuant to Section 16-11-40(24), or approved as part of a special event permit pursuant to Chapter 11, Article IX

B. ~~by the Planning and Zoning Commission or Town Manager or Town Manager's designee.~~ Each sign shall require a separate sign permit.

C. The mere application for a sign permit does not assure that a permit will be issued; therefore, it is advised that signs not be fabricated, constructed or purchased prior to issuance of a sign permit.

D. Sign permit application and fee requirements are set forth in Sections 16-11-210 and 16-11-220.

Sec. 16-11-210 ~~16-11-70~~. - Class 1 sign permits.

A. Application form. An application for a Class 1 sign permit shall be made in writing on forms furnished by the Town. The application shall contain the following information in digital form, and the application and all exhibits shall become the property of the Town:

(1) Master sign plan. An application for master sign plan shall include all of the information set forth in Section 16-11-160(A).

a. ~~Two (2) drawings showing the location and allowed sizes of all signs proposed for the project, including the building identification sign, directory sign and individual business signs.~~

b. ~~A plot plan of the site indicating the location of any freestanding sign including business area directory signs.~~

c. ~~An architectural elevation and photo depicting the proposed locations of all signs.~~

d. ~~Any information related to the requirement that all signs within the project are consistent, including allowed sign sizes, colors, letter styles, materials or sign shapes.~~

e. ~~Any other maps, drawings or materials needed to adequately describe the master sign proposal, including the total amount of allowable sign area for the structure and the location, materials and maximum area for each sign that an individual business will be allowed to display.~~

(2) PUD sign plan. An application for PUD sign plan shall include all of the information set forth in Section 16-11-160(B).

(3) ~~(2)~~ Individual signs.

a. ~~Two (2) drawings~~ Drawings showing details of construction and foundation of the proposed sign if a freestanding sign.

b. A scaled drawing showing the size, shape, design, colors, materials, lighting and letter styles of the proposed sign.

c. A plot plan of the site indicating the sign location of any freestanding sign including business area directory signs.

d. An architectural elevation or a photo depicting the proposed location of the sign on a building for each wall sign

e. Any other maps, drawings or materials needed to adequately describe the sign proposal.

B. Preapplication conference. ~~An~~ Unless waived by the Town Manager in writing, an applicant for a sign permit, ~~or master sign plan, or PUD sign plan~~ shall attend a preapplication conference with a member of the Town's staff prior to the actual submission of the application to discuss the proposal and the relevant requirements of this Article.

C. Permit fee. At the time of submission of an application for a sign permit, ~~or master sign plan, or PUD sign plan,~~ the applicant shall pay a fee in accordance with Chapter 19 of this Code. The fee is nonrefundable. Any variance requests must be accompanied by a nonrefundable fee in accordance with Chapter 19.

D. Sign permit and master sign plan review procedures. Applications for sign permits and master sign plans shall be processed in accordance with the following procedures:

(1) Submission requirements. The applicant shall submit the application, all required application materials and the fee at least fourteen (14) days prior to the Planning Commission meeting. Within a reasonable period of time after the application has been filed, the Town Manager shall determine whether the application is complete and all required materials have been submitted. If the application is complete, it shall be so noted and scheduled for Planning Commission review. If the application is not complete, it shall be so noted, the applicant advised of the deficiencies and the application shall not be scheduled for review until all required materials have been received by the Town.

(2) Planning Commission meetings. Not more than forty-five (45) days from the date a complete application has been filed, the Planning Commission shall hold a meeting and review the proposed master sign plan or individual sign permit application. If time and a quorum warrant, the Planning

Commission shall have the right to hold additional meetings (between regularly scheduled Commission meetings) to review individual sign applications.

(3) Decisions. The Planning Commission shall have fourteen (14) days after the conclusion of its review to make a decision, at which time the Commission may:

- a. Approve the application with or without conditions.
- b. Deny the application based on the policies and criteria established within this Article.
- c. Continue or table the application for up to forty-five (45) days if additional information or study is necessary to make a decision.

No decision of the Planning Commission shall be in conflict with the provisions of this Code unless a variance has been reviewed and approved in accordance with the provisions of this Article.

E. PUD sign plan review procedures. Applications for PUD sign plans shall be processed in accordance with the procedures set forth in Chapter 16, Article V for Planned Unit Developments, and must meet the following criteria for approval:

(1) The PUD sign plan, if and when built out, would not have an adverse impact on the surrounding area.

(2) The signage proposed in the PUD sign plan is compatible with the scale, intensity, and type of land uses located on adjacent property.

(3) The proposed benefits of the PUD sign plan offset the proposed exceptions to this Article and such exceptions are in the best interest of the public health, safety and welfare.

Sec. ~~16-11-220~~ ~~16-11-80~~. - Class 2 sign permits.

A. Application form. An application for a Class 2 sign permit shall be made in writing on forms furnished by the Town. The application shall contain the following information in digital form, and the application and all exhibits shall become the property of the Town:

(1) A scaled drawing showing the size, shape, design, colors, materials, lighting and letter styles of the proposed sign.

(2) A plot plan of the site indicating the sign location of any freestanding sign.

(3) Any other maps, drawings or materials needed to adequately describe the sign proposal.

B. Preapplication conference. ~~An~~ Unless waived by the Town Manager in writing, an applicant for a Class 2 sign permit shall attend a preapplication conference with a member of the Town's staff prior to the actual submission of the application to discuss the proposal and the relevant requirements of this Article.

C. Permit fee. At the time of submission of an application for a Class 2 sign permit, the applicant shall pay a fee in accordance with Chapter 19 of this Code. The fee is nonrefundable.

D. Sign permit review procedures. Applications for Class 2 sign permits shall be processed in accordance with the following procedures.

(1) Submission requirements. The applicant shall submit the application, all required application materials and the fee to the Town Manager, who shall determine whether the application is complete and all required materials have been submitted. If the application is complete, it shall be so noted and scheduled for review within ten (10) days. If the application is not complete, it shall be so noted, the applicant advised of the deficiencies and it shall not be scheduled for review until all required materials have been received by the Town.

(2) Town review process. If the application is complete, the Town Manager shall review the application and determine whether it meets the standards and criteria of this Article. In making his or her determination, the Town Manager may require an onsite visit with the applicant to discuss the request in greater detail.

(3) Decisions. The Town Manager shall have ten (10) days after submittal of the complete application to make a decision, at which time the Town Manager may:

a. Approve the application with or without conditions.

b. Deny the application based on the policies and criteria established within this Article.

c. Continue or table the application for up to ten (10) additional days if additional information or study is necessary to make a decision.

No decision of the Town Manager shall be in conflict with the provisions of this Article.

Sec. 16-11-230 ~~16-11-90~~. - Permit duration; individual signs.

Signs for which approval has been granted shall be erected within ninety (90) days of the approval, with the exception that freestanding signs shall be erected within one hundred eighty (180) days of the approval of the sign; provided that the Town Manager may grant a longer period of time to erect the sign if the applicant demonstrates to the satisfaction of the Town Manager that a longer period of time is necessary due to supply chain or other issues beyond the reasonable control of the applicant. Failure to complete placement of a sign within such period shall cause the approval to expire and require the sign owner to obtain further approval before such sign may be erected.

Sec. 16-11-240 ~~16-11-100~~. - Variances.

Variances from the literal application of the provisions of this Article may be granted in accordance with the provisions of Article X of this Chapter, ~~and shall be processed in accordance with the development review procedures for Class Level II development projects contained in Article II, Division 4 of this Chapter.~~

Section 15. The Section numbering of Division 6 of Article XI of Chapter 16 of the Dillon Municipal Code is hereby updated as follows (words added are underlined; words deleted are ~~stricken through~~):

Division 6
Permanent Signs – Specific Limitations

- Sec. 16-11-250 ~~16-11-210~~. - Regulations.
- Sec. 16-11-260 ~~16-11-220~~. - Awnings.
- Sec. 16-11-270 ~~16-11-230~~. - Business area directory signs.
- Sec. 16-11-280 ~~16-11-240~~. - Cut-out or painted letters.
- Sec. 16-11-290 ~~16-11-250~~. - Directory signs.
- Sec. 16-11-300 ~~16-11-260~~. - Freestanding signs.
- Sec. 16-11-310 ~~16-11-265~~. - Official sign.

Sec. 16-11-320 ~~16-11-270~~. - Projecting or hanging signs.
Sec. 16-11-330 ~~16-11-280~~. - Subdivision entrance signs.
Sec. 16-11-340 ~~16-11-290~~. - Wall signs.
Sec. 16-11-350 ~~16-11-300~~. - Kiosks.
Sec. 16-11-360 ~~16-11-310~~. - Window signs.
Sec. 16-11-370 ~~16-11-320~~. - Residential complex signs.
Sec. 16-11-380 ~~16-11-330~~. - Property management signs.
Sec. 16-11-390 ~~16-11-335~~. - Directory way-finding signs.

Section 16. Section 16-11-250 of Division 6 of Article XI of Chapter 16 of the Dillon Municipal Code is hereby amended to read as follows (words added are underlined; words deleted are ~~stricken through~~):

Sec. 16-11-250. Regulations.

The following regulations shall apply to the specific permanent signs as indicated. The total area of these signs shall be counted against the total allowable sign area provided in Division 8 ~~6~~ of this Article.

Section 17. Section 16-11-270 of Division 6 of Article XI of Chapter 16 of the Dillon Municipal Code is hereby amended to read as follows (words added are underlined; words deleted are ~~stricken through~~):

Sec. 16-11-270. Business area directory signs.

Business area directory signs ~~may be allowed by the Planning and Zoning Commission when they~~ must meet the following standards and criteria:

(1) They must provide direction to a separate and distinct business area of the community which is composed of a nonresidential subdivision or planned unit development. The business area must have at least two (2) businesses and a minimum of two (2) platted lots.

(2) They must be designed as a monument sign.

(3) They must meet the height limitations set forth in Subsection 16-11-300(c) ~~16-11-260(e)~~ of this Article.

(4) No individual business sign on the business area directory sign may exceed fifty (50) square feet, and the total size of the directory sign may not exceed one hundred (100) square feet, unless approved as part of a PUD sign plan. The signage allowed on a business area directory sign is considered additional signage

and does not count against the allowable sign area established by this Article for each business.

(5) The monument shall be a combination of materials, including stone or brick at the base and heavy timbers as the standards, or alternative materials as may be approved by the Planning and Zoning Commission or Town Manager, as applicable.

(6) Unless otherwise authorized as part of an approved planned unit development, there may only be one (1) business area directory sign per nonresidential subdivision or planned unit development, and no individual business may have more than one (1) sign.

(7) The area around the monument sign shall be landscaped in a manner that provides twice the landscaped area and landscaped materials as required for monument signs placed on site.

(8) No two (2) business area directory signs may be within three hundred (300) feet of each other.

(9) All businesses placed on the business area directory sign must be in compliance with all Town regulations concerning zoning and signage.

(10) The sign shall be designed in a manner where signs may be replaced when businesses change within the area.

(11) All individual signs, with the exception of the text on the sign, shall be of the same materials, colors, letter sizes, sign sizes, etc. Each individual insert or sign must be similar to all other individual signs on the business area directory sign.

(12) The business area directory sign must be placed on one (1) of the lots contained within the nonresidential subdivision or planned unit development and shall count as the freestanding sign allowed for that lot.

(13) The sign and landscaping must be maintained by the businesses or property owner that erects the sign. ~~which erect it.~~

(14) The sign may not be placed on any public rights-of-way, nor may it be placed in a manner where it blocks proper sight line at intersections.

Section 18. Section 16-11-300 of Division 6 of Article XI of Chapter 16 of the Dillon Municipal Code is hereby amended to read as follows (words added are underlined; words deleted are ~~stricken through~~):

Sec. 16-11-300. - Freestanding signs.

- (a) There shall be no more than one (1) freestanding sign for each lot.
- (b) A landscaped area planted with a mixture of vegetation equal to two (2) square feet for each one (1) square foot of each side of a freestanding sign shall be maintained by the permit holder. Such area shall be kept in a neat and clean condition, free of trash, weeds and rubbish.
- (c) Permitted freestanding sign heights:
 - (1) Sign Zone A freestanding signs shall have a maximum height of six (6) feet, except as follows:
 - a. Directory way-finding signs as allowed pursuant to Section 16-11-390 ~~16-11-335~~ of this Article may exceed six (6) feet in height with a maximum height of eighteen (18) feet.
 - b. Freestanding signs located within twenty (20) feet of the Lake Dillon Drive right-of-way may exceed six (6) feet in height with a maximum permitted height of fifteen (15) feet.
 - c. Official Signs as allowed pursuant to Section 16-11-310 ~~16-11-265~~ of this Article may be eighteen (18) feet tall.
 - (2) Sign Zone B freestanding signs shall have a maximum height of eighteen (18) feet.
- (d) No freestanding sign shall extend over or into a public right-of-way or public property, and all freestanding signs shall be placed at least five (5) feet to the interior of any property lines, except that directory way-finding signs as allowed pursuant to Section 16-11-390 ~~16-11-335~~ of this Article may extend over or into a public right-of-way or public property and may be within five (5) feet of the property line.
- (e) The allowed square footage of a freestanding sign may be increased by up to ten percent (10%) by the Planning and Zoning Commission in those instances where the freestanding sign, including all structural elements, is twelve

(12) feet in height or less, and fifteen percent (15%) when the sign is designed as a Monument Sign or an Official Monument Sign.

(f) The square footage of the architectural elements of a monument sign shall not be counted against the allowed sign area in those instances where the architectural elements do not exceed the allowed square footage of the sign itself.

Section 19. Section 16-11-350 of Division 6 of Article XI of Chapter 16 of the Dillon Municipal Code is hereby amended to read as follows (words added are underlined; words deleted are ~~stricken through~~):

Sec. 16-11-350. Kiosks.

Kiosks may be placed at public facilities, public property or within the right-of-way to provide information of facility events, rules, or public announcements, wayfinding, or government speech. A kiosk shall not exceed ~~twenty (20)~~ forty (40) square feet in area or six (6) feet in height. ~~Kiosk design shall be reviewed and approved individually through the Class 1 application process to ensure consistency with the character of the area.~~

Section 20. Section 16-11-360 of Division 6 of Article XI of Chapter 16 of the Dillon Municipal Code is hereby amended to read as follows (words added are underlined; words deleted are ~~stricken through~~):

Sec. 16-11-360. Window signs.

(a) Each window located on the first two (2) stories of a building may contain no more than one (1) window sign. Window signs are not permitted above the second story of a structure.

(b) A window sign shall not cover more than fifty percent (50%) of the area of each window, except that a window sign which is a neon sign or a nonflashing illuminated sign may cover the entire window or have a maximum size of six (6) square feet, whichever is less.

(c) The quantities, size, content and placement of window signs shall not be regulated by a master sign plan.

(d) Window signs advertising a business, products or brands that are not sold on the premises are not allowed. In a multi-tenant building, businesses may not use their unit's windows to advertise or promote another business within the same building.

(e) ~~Window signs are not allowed in residential unit windows.~~

(e) ~~(f)~~ Changeable copy signs, whether electronic or manual, are not allowed as window signs.

Section 21. Division 7 of Article XI of Chapter 16 of the Dillon Municipal Code is hereby amended as follows (words added are underlined; words deleted are ~~stricken through~~):

Division 7 Temporary Signs

Sec. ~~16-11-400~~ ~~16-11-340~~. - Temporary banners and signs, ~~and permitting requirements.~~

Sec. ~~16-11-410~~ ~~16-11-350~~. - Temporary sign and banner restrictions. ~~Civic event banners (permit required).~~

Sec. ~~16-11-360~~. - ~~Directional signs (permit required).~~

Sec. ~~16-11-370~~. - ~~Real estate development signs (permit required).~~

Sec. ~~16-11-380~~. - ~~Real estate open house signs.~~

Sec. ~~16-11-385~~. - ~~Real estate for sale and for rent signs.~~

Sec. ~~16-11-390~~. - ~~Grand opening signs (permit required).~~

Sec. ~~16-11-400~~. - ~~Garage sale signs.~~

Sec. ~~16-11-410~~. - ~~Sandwich board signs (permit required).~~

Sec. ~~16-11-420~~. - ~~Temporary signs and temporary banners (permit required).~~

Sec. ~~16-11-422~~. - ~~Temporary feather banners (permit required).~~

Sec. 16-11-400 ~~16-11-340~~. – Temporary banners and signs, ~~and permitting requirements.~~

(a) Except as specifically authorized in this Division and Section ~~16-11-40~~ ~~16-11-50~~ of this Article, temporary signs are prohibited within the Town. Permitted temporary signs are not charged against the maximum allowable sign area as described in Division 8 ~~Division 6~~ of this Article. All temporary banners and signs shall be subject to the general limitations contained in this Division. Permitted temporary banners and signs are not charged against the maximum allowable sign area as described in Division 8.

(b) Except as otherwise provided in this Division, temporary signs do not require a permit.

(c) Illumination of temporary signs is prohibited.

(d) Except for sandwich board signs, all temporary signs and banners must be professionally printed on a durable waterproof material. Signs or banners hand-drawn on bed sheets, fabric, canvas, cardboard, poster board, or any similar material are prohibited.

(e) All temporary banners shall be securely anchored or attached to a building or railing so as to prevent dislocation, entanglement, or encroachment onto adjacent properties or public streets, or undue hazard to motorists or pedestrians.

(g) Any sign, including temporary signs that becomes discolored, ragged, shredded, detached, or otherwise in disrepair shall be removed or repaired.

~~(b) Temporary signs requiring a permit. The following types of temporary signs shall be allowed only upon issuance of a Class 2 sign permit in accordance with Sections 16-11-80 through 16-11-90 of this Article.~~

- ~~(1) Civic event banners.~~
- ~~(2) Directional signs.~~
- ~~(3) Real estate development signs.~~
- ~~(4) Grand opening signs.~~
- ~~(5) Sandwich board signs.~~
- ~~(6) Temporary signs and temporary banners.~~
- ~~(7) Temporary banners on temporary structures.~~
- ~~(8) Temporary sign in lieu of a permanent sign.~~
- ~~(9) Temporary sign in lieu of a monument sign panel.~~
- ~~(10) New business signs.~~
- ~~(11) Temporary feather banners.~~

~~(c) Temporary signs which do not require a permit. The following types of temporary signs shall be allowed without a sign permit.~~

- ~~(1) Real estate open house signs.~~

- (2) Real estate for sale and for rent signs.
- (3) Garage sale signs.
- (4) Window signs.

Sec. 16-11-410 ~~16-11-350~~. - Temporary sign and banner restrictions. ~~Civic event banners (permit required).~~

Temporary signs must comply with all regulations and restrictions applicable to the type of sign as set forth in the following table:

{See following page(s)}

TEMPORARY SIGNS AND BANNERS

Temporary Sign ¹	Classification/Use	Maximum Amount	Approved Location	Prohibited Location ²	Time Limit	Max Size
Sign/banner (not feather type) ³	Sale or event	1 per business	Window or on the exterior of the main building; deck; stair railings not interfering with handrail use	Above second floor; storage sheds/auxiliary structures	21 consecutive days; 7-day break; 4 times per year	24 sf
	Temporary structure ⁴	2 per temporary structure permit	Affixed to temporary structure	-	Duration of the temporary structure permit	24 sf
	In lieu of permanent sign	1 per permit for permanent sign	Approved location of permanent sign	-	30 days	24 sf
	In lieu of monument sign panel	1 per permit for permanent sign panel	Approved location of permanent sign panel	-	30 days	Approved permanent sign panel
	New business; approved development permit for remodel or tenant finish	1 per business	Exterior of building under construction; construction office trailer; perimeter of construction fence	Construction equipment, trailers, shipping containers and vehicles	Remove within 30 days of business opening, whichever occurs later	24 sf

¹ Such signs shall not be electrical in any form and shall not display lights or contain moving parts.

² Except as otherwise provided in this Article, temporary signs and banners are prohibited on Town-owned property and in public rights-of-way.

³ Cannot be freestanding.

⁴ Temporary structures must be approved in accordance with, and are subject to the requirements of, Section 16-4-20.

Feather banner ⁵	Single Tenant	2 per lot		Within 30 feet of intersection/driveway access to property; sidewalk, bikeway or travel lane; creating safety hazard; Town-owned property or right-of-way	21 consecutive days; 7-day break; 4 times per year ⁶	36 sf area; 18 ft height
	Multi Tenant	1 per tenant				

⁵ Feather banners shall be mounted at ground level and shall be installed utilizing a compatible weighted base component or shall be embedded in the ground to a sufficient depth in order to prevent the banner from blowing over. Tripod-type stand bases are not allowed unless they are integrated into a weighted base design. Utilizing sand bags, concrete blocks, big rocks and guy wires for weighting down the bases of these banners shall not be permitted, unless allowed in writing by the Town Manager.

⁶ Up to three (3) additional feather banner display periods are allowed for a temporary feather banner holiday which allows feather banners to be erected from the Friday before a temporary feather banner holiday through the Monday after a temporary feather banner holiday. This temporary feather banner holiday time period may be combined with a quarterly temporary feather banner period allowing a maximum of twenty-eight (28) days of display time. After the permitted display period, there shall be a minimum of a seven-consecutive-day break between permit periods.

Yard sign - large	New multi-family and nonresidential properties; active development permit	1 per street frontage	Exterior of building under construction; construction office trailer; perimeter of construction fence	Within 5 feet of property line	Earlier of time: sale/lease is completed; issuance of a certificate of occupancy; 1 year following development permit issuance	32 sf
Yard sign – small	Commercial	1 per business	Within property; stuck in ground	Within 5 feet of property line	Sec. 16-11-60 (Abandoned) and Sec. 16-11-120 (Maintenance)	6 sf; 16 sf property > 2 acres
	1- and 2- family Residential	None				
	Multi-family	1 per unit				
Sandwich board	Commercial	1 per business	Within property	Town-owned property, sidewalks, and streets	Display only during business hours	32” width; 42” height
Civic event banner	1-day event or an extended 1-time event ⁷	2 per event	Within property	Town-owned right-of-way, except with Class 2 permit	Weekly: Hang 24 hours prior to event; remove within 2 hours of conclusion Other: Hang 2 weeks prior; remove within 24 hours of conclusion	40’ width; 4’ height

⁷ Certain events require the submission and approval of an application for a Special Event Permit in accordance with Chapter 11, Article IX.

Section 22. The following Sections, formerly numbered 16-11-360 through 16-11-422, are hereby repealed in the entirety:

- Sec. 16-11-360. - Directional signs (permit required).
- Sec. 16-11-370. - Real estate development signs (permit required).
- Sec. 16-11-380. - Real estate open house signs.
- Sec. 16-11-385. - Real estate for sale and for rent signs.
- Sec. 16-11-390. - Grand opening signs (permit required).
- Sec. 16-11-400. - Garage sale signs.
- Sec. 16-11-410. - Sandwich board signs (permit required).
- Sec. 16-11-420. - Temporary signs and temporary banners (permit required).
- Sec. 16-11-422. - Temporary feather banners (permit required).

Section 23. The Section numbering of Division 8 of Article XI of Chapter 16 of the Dillon Municipal Code is hereby updated as follows (words added are underlined; words deleted are ~~stricken through~~):

**Division 8
Design Standards and Maximum Sign Areas**

- Sec. 16-11-420 ~~16-11-450~~. - Sign Zone A.
- Sec. 16-11-430 ~~16-11-460~~. - Sign Zone B.
- Sec. 16-11-440 ~~16-11-470~~. - Maximum sign area matrix.

Section 24. The Section numbering of Division 9 of Article XI of Chapter 16 of the Dillon Municipal Code is hereby updated as follows (words added are underlined; words deleted are ~~stricken through~~):

**Division 9
Nonconforming Signs**

- Sec. 16-11-450 ~~16-11-530~~. - Survey.
- Sec. 16-11-460 ~~16-11-540~~. - Legal nonconforming signs.
- Sec. 16-11-470 ~~16-11-550~~. - Illegal nonconforming signs.

Section 25. The Section numbering of Division 10 of Article XI of Chapter 16 of the Dillon Municipal Code is hereby updated as follows (words added are underlined; words deleted are ~~stricken through~~):

**Division 10
Enforcement and Liens**

- Sec. ~~16-11-480~~ ~~16-11-560~~. - Authority.
- Sec. ~~16-11-490~~ ~~16-11-570~~. - Right of entry.
- Sec. ~~16-11-500~~ ~~16-11-580~~. - Enforcement procedures.
- Sec. ~~16-11-510~~ ~~16-11-590~~. - Lien collection.
- Sec. ~~16-11-520~~ ~~16-11-600~~. - Amount of lien.
- Sec. ~~16-11-530~~ ~~16-11-610~~. - Additional remedies.
- Sec. ~~16-11-540~~ ~~16-11-620~~. - Violations and penalties.
- Sec. ~~16-11-550~~ ~~16-11-630~~. - Disclaimer of liability.

Section 26. If any section, paragraph, sentence, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The Town Council hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 27. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

Section 28. The repeal or modification of any provision of the Municipal Code of the Town of Dillon by this ordinance shall not release, extinguish, alter, modify, or change in whole or in part any prior penalty, forfeiture, or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings, and prosecutions for the enforcement of the penalty, forfeiture, or liability, as well as for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.

Section 29. Effective Date. This ordinance shall take effect five (5) days from publication following final passage.

**INTRODUCED, READ AND ORDERED PUBLISHED BY TITLE ONLY
THIS ____ DAY OF _____, 2023.**

**PASSED, ADOPTED AND APPROVED AND ORDERED PUBLISHED BY
TITLE ONLY THIS ____ DAY OF _____, 2023.**

TOWN OF DILLON,
a Colorado municipal corporation

By: _____

Carolyn Skowrya, Mayor

ATTEST:

Adrienne Stuckey, Town Clerk

2/24/23 9:34 AM [ncb] R:\Dillon\Ordinances\Sign Regulations\2023-03-01 Sign Code Constitutional Update_P&Z.ord.docx