

ORDINANCE NO. 2025-__

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF MOUNTAIN VILLAGE,
COLORADO AMENDING CHAPTER 17.5.13 SIGN REGULATIONS**

WHEREAS, the Town of Mountain Village (“Town”) is a home rule municipality duly organized and existing under Article XX of the Colorado Constitution and the Town of Mountain Village Home Rule Charter of 1995, as amended; and

WHEREAS, Chapter 17.5.13 of the CDC provides regulations for signs within the Town (“Sign Regulations”); and

WHEREAS, on June 18, 2015, the United States Supreme Court issued its decision in the case of *Reed, et al. v. Town of Gilbert*, which imposed new standards under the First Amendment regarding municipal regulation of signs; and

WHEREAS, in light of the *Town of Gilbert* decision, Town Council finds and determines it is necessary to amend the Sign Regulations to ensure compliance with the First Amendment, and Town Council also desires to update and improve sign regulation and enforcement generally for the Town; and

WHEREAS, pursuant to Chapter 17.1.7(B) of the CDC, the Town’s Design Review Board held a duly noticed public meeting on May 1, 2025, to consider revisions to the Sign Regulations and make its recommendations to Town Council regarding same; and

WHEREAS, Town Council finds and determines that amendments are necessary and desirable and now desires to amend Chapter 17.5.13 of the Code as set forth below.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MOUNTAIN VILLAGE, COLORADO:

Section 1. Recitals. The foregoing recitals are incorporated by reference herein as findings and determinations of Town Council.

Section 2. Amendment. Town Council hereby amends Chapter 17.5.13 of the Code as set forth in Exhibit A, attached hereto and incorporated by reference herein.

Section 3. Severability. If any portion of this Ordinance is found to be void or ineffective, it shall be deemed severed from this Ordinance, and the remaining provisions shall remain valid and in full force and effect.

Section 4. Safety Clause. Town Council hereby finds and determines that this Ordinance is promulgated under the general police power of the Town and that it is necessary for the health, safety, and welfare of the public. Town Council further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained.

Section 5. Public Hearing. A public hearing on this Ordinance was held on the ____ day of _____, 2025, in the Town Council Chambers, Town Hall, 455 Mountain Village Blvd., Mountain Village, Colorado 81435.

Section 6. Publication. The Town Clerk or Deputy Town Clerk shall post and publish notice of this Ordinance as required by Article V, Section 5.9 of the Charter.

INTRODUCED, READ, AND REFERRED to public hearing before the Town Council of the Town of Mountain Village, Colorado on the ____ day of _____, 2025.

TOWN OF MOUNTAIN VILLAGE:
ATTEST:

**TOWN OF MOUNTAIN VILLAGE,
COLORADO, A HOME-RULE
MUNICIPALITY**

By: _____
Susan Johnston, Town Clerk

By: _____
Martinique Prohaska, Mayor

HEARD AND FINALLY ADOPTED by the Town Council of the Town of Mountain Village, Colorado this ____ day of _____, 2025.

TOWN OF MOUNTAIN VILLAGE:
ATTEST:

**TOWN OF MOUNTAIN VILLAGE,
COLORADO, A HOME-RULE
MUNICIPALITY**

By: _____
Susan Johnston, Town Clerk

By: _____
Martinique Prohaska, Mayor

Approved as to Form:

By: _____
David McConaughy, Town Attorney

I, Susan Johnston, the duly qualified and acting Town Clerk of the Town of Mountain Village, Colorado ("Town") do hereby certify that:

1. The attached copy of Ordinance No. 2025-__ ("Ordinance") is a true, correct, and complete copy thereof.
2. The Ordinance was introduced, read by title, approved on first reading and referred to public hearing by the Town Council the Town ("Council") at a regular meeting held at Town Hall, 455 Mountain Village Blvd., Mountain Village, Colorado, on March 20, 2025, by the affirmative vote of a quorum of the Town Council as follows:

Council Member Name	"Yes"	"No"	Absent	Abstain
Martinique Prohaska, Mayor				
Scott Pearson, Mayor Pro-Tem				
Harvey Mogenson				
Peter Duprey				
Jack Gilbride				
Tucker Magid				
Huascar E. Gomez (Rick)				

3. After the Council's approval of the first reading of the Ordinance, notice of the public hearing, containing the date, time and location of the public hearing and a description of the subject matter of the proposed Ordinance was posted and published in the Telluride Daily Planet, a newspaper of general circulation in the Town, on _____, 2025 in accordance with Section 5.2(d) of the Town of Mountain Village Home Rule Charter.
4. A public hearing on the Ordinance was held by the Town Council at a regular meeting of the Town Council held at Town Hall, 455 Mountain Village Blvd., Mountain Village, Colorado, on April 24, 2025. At the public hearing, the Ordinance was considered, read by title, and approved with amendment by the Town Council, by the affirmative vote of a quorum of the Town Council as follows:

Council Member Name	"Yes"	"No"	Absent	Abstain
Martinique Prohaska, Mayor				
Scott Pearson, Mayor Pro-Tem				
Harvey Mogenson				
Peter Duprey				
Jack Gilbride				
Tucker Magid				
Huascar E. Gomez (Rick)				

5. The Ordinance as amended on second reading was republished as required by the Charter on _____, 2025.
6. The Ordinance has been signed by the Mayor, sealed with the Town seal, attested by me as Town Clerk, and duly numbered and recorded in the official records of the Town.

IN WITNESS WHEREOF, I have set my hand and affixed the seal of the Town on _____, 2025.

Susan Johnston, Town Clerk
(SEAL)

Exhibit A

Chapter 17.5.13 Sign Regulations

A. *Purpose and Intent.* The purpose of the Sign Regulations is to preserve the Town as a desirable community in which to live, vacation, and conduct business, and to create a pleasing, visually attractive built environment. It is also the purpose of these regulations to promote the public health, safety, and welfare, and prevent visual blight and unattractiveness through a comprehensive system of reasonable, effective, consistent, content-neutral, and nondiscriminatory sign standards and requirements. The Sign Regulations are further intended to achieve the following:

1. Enhance the attractiveness and economic wellbeing of the Town as a place to live, vacation, and conduct business;
2. Address community desire to provide a high-quality tourist experience and retain the Town's premier status in an increasingly competitive resort market;
3. Enable the identification of places of residence and business;
4. Allow for the communication of information necessary for the conduct of commerce;
5. Encourage signs that are appropriate to the zone district in which they are located and are consistent with the category of use to which they pertain;
6. Permit signs that are compatible with their surroundings, aid orientation, and ensure placement in a manner that conceals or obstructs adjacent land uses or signs;
7. Preclude signs from conflicting with the principal use of the site or adjoining sites;
8. Curtail the size and number of signs ~~and sign messages~~ to the minimum reasonably necessary to identify a residential or business location and the nature of any such business;
9. Establish sign size in relationship to the scale of the lot's road frontage and building's road frontage along which the sign is to be placed;
10. Protect the public from the dangers of unsafe signs and require signs to be constructed, installed and maintained in a safe and satisfactory manner;
11. Lessen hazardous situations, confusion, and visual clutter caused by proliferation, improper placement, illumination, animation, and excessive height, area, and bulk of signs that compete for the attention of pedestrian and vehicular traffic; and
12. Regulate signs in a manner so as to not interfere with, obstruct vision of, or distract motorists, bicyclists, or pedestrians.

B. *Exempt Signs.* The following signs are exempt from these Sign Regulations:

1. *Holiday Decorations.* Holiday or seasonal decorations are excluded from these Sign Regulations unless the decorations are (1) two-dimensional and (2) display text or otherwise convey a message to passersby.

2. *Signs Placed by Any Governmental Entity.* Signs lawfully placed by the Town of Mountain Village, San Miguel County, the State of Colorado, or the Federal Government are exempt from this Chapter. This includes all traffic control signs placed in accordance with the MUTCD.

3. *Vehicle Signs.* Signs placed on or affixed to vehicles and trailers, such as lettering on motor vehicles or bumper stickers, where the sign is incidental to the primary use of the vehicle or trailer.

CB. *Prohibited Signs.* The following signs are expressly prohibited within in the Town:

1. *Billboards and Other Off-PremisePremises Signs.* ~~Except as specifically provided for by these sign regulations,~~ Signs advertising goods, products, or services that are not located or sold on the lot or premisepremises on which the sign is located ~~are prohibited.~~ This provision does not prohibitinclude excepting signs that project from a lot or premisepremises into a plaza area, directory signs, and other off-premisepremises signs as specifically ~~.5.15~~

2. allowed by the Sign Regulations;

23. *Flashing Signs.* Signs with lights or illumination that flashes, moves, rotates, scintillates, blinks, flickers, varies in intensity, varies in color, or uses intermittent electrical pulsations, except as provided for in this section;

34. *Moving Signs.* Signs with visible moving, revolving, or rotating parts, visible mechanical movement of any description or other apparent visible movement achieved by electrical, electronic or mechanical means, including automatic, electronically controlled copy changes, except for image projector signs as allowed by the Ssign Rregulations;

5. *Obsolete Signs.* ~~A sign which identifies or advertises an activity, business, product, service or special event no longer produced, conducted, performed or sold on the premises upon which such sign is located;~~

46. *Portable Signs.* Portable and wheeled signs, roof signs, search lights, or beacons;

57. *Signs Causing Direct Glare.* A sign or illumination that causes any direct or indirect glare into or upon any public right-of-way, adjacent lot, or building other than the building to which the sign may be accessory;

8. *Misleading Information Signs.* ~~Signs containing untruthful or misleading information;~~
69. *Signs Creating an Optical Illusion.* Signs with an optical illusion of movement by means of a design that presents a pattern capable of reversible perspective, giving the

illusion of motion or the changing of copy, except for image projector signs as allowed by the Sign Regulations;

740. Signs Obstructing Egress. A sign which obstructs any window or door opening used as a means of egress, prevents free passage from one part of a roof to any other part, interferes with an opening required for legal ventilation or is attached to or obstructs any standpipe, fire escape, or fire hydrant;

~~844. *Vehicle Mounted Signs*~~~~*Signs on Parked Vehicles.*~~ ~~Signs placed on or affixed to vehicles and/or trailers that are parked on a public right-of-way, public property, or private property so as to be visible from a right-of-way where the apparent purpose is to advertise a product, service, or activity or direct people to a business or activity located on the same or nearby property. Vehicle-mounted signs, including but not limited to signs painted on or attached to semi-trailers or cargo containers, when exhibited on private property adjacent to public right-of-way for the purpose of advertising the business or services offered on the property. Vehicle-mounted signs used in connection with a special event are exempted from the requirements of this section during the duration of the special event only and not exceeding seventy-two (72) hours. Upon the conclusion of the special event, such signs must be dismantled.~~ ~~However, this is not in any way intended to prohibit signs placed on or affixed to vehicles and trailers, such as lettering on motor vehicles, where the sign is incidental to the primary use of the vehicle or trailer;~~

942. Signs in Public Right-of-Way. A sign in, on, over or above a public right-of-way that in any way interferes with normal or emergency use of that right-of-way. Any sign not authorized by the Town in a public right-of-way may be removed by the Town;

~~1310. *Strings of Lights and Strip Lighting.*~~ Strip lighting outlining commercial structures and used to attract attention for commercial purposes, and strings of light bulbs used in any connection with commercial ~~premise~~premises unless the lights are shielded; and

~~1411. *Unsafe Signs.*~~ An unsafe sign is any sign that can be described by any one of the following:

- a. Is structurally unsafe;
- b. Constitutes a hazard to safety or health by reason of inadequate maintenance or dilapidation;
- c. Is not kept in good repair;
- d. Is capable of causing electrical shock to persons likely to come into contact with it;
- e. In any way obstructs the view of, may be confused with, or purports to be an official traffic sign, signal or device or any other official government regulatory or informational sign;

- f. Uses any words, phrases, symbols or characters implying the existence of danger or the need for stopping or maneuvering of a motor vehicle, or creates in any way an unsafe distraction for vehicle operators or pedestrians;
- g. Obstructs the view of vehicle operators or pedestrians entering a public roadway from any parking area, service drive, public driveway, alley or other thoroughfare;
- h. Is located on trees, rocks, light poles or utility poles, except where required by law; or
- i. Is located so as to conflict with the clear and open view of devices placed by a public agency for controlling traffic or which obstructs a motorist's clear view of an intersecting road, alley or major driveway.

~~15. For Sale or For Rent Signs. "For sale" or "for rent" signs or signs that make any references to a property being for sale or rent;~~

~~16. Property Management Signs. Property management signs that make a reference to a property being for rent;~~

~~127. Signs Attached to Trees.~~ Any sign attached to a tree;

~~138. Signs Attached to or Held by a Person.~~ Signs that are attached to a person or held by a person, except signs that are being carried by persons or service animals recognized under the Americans with Disabilities Act, provided that such signs are not set down or propped on objects;

~~14. Unprotected Speech.~~ Any sign that is likely to incite violence, is obscene, constitutes a true threat directed towards another, defames another, or has any other illegal characteristic.

~~19. Home Occupation Signs.~~ Signs for home occupations; and

~~1520. Other Signs.~~ All other types of signs not listed as permitted signs under the Sign Regulations.

DC. *Lighting.*

1. No sign shall be illuminated through the use of internal illumination, rear illumination, fluorescent illumination, except when used for indirect illumination and in such a manner as to not be directly exposed to public view.
2. Illumination of signs shall be designed, located, shielded and directed in such a manner that the light source is fixed and is not directly visible and does not cause glare or direct light from artificial illumination upon any adjacent public right-of-way, surrounding property, residential property or motorist's vision.
3. All sign lighting shall be provided by LED or other energy efficient light.

4. Sign lighting shall be consistent with the Lighting Regulations.

ED. *Temporary Signs.*

~~1. *Open House Signs.* Open house signs are permitted on a temporary basis seven (7) days a week (Monday through Sunday). These signs may be placed on the lot for sale and along roadway rights-of-way (off public streets) directing one to the property for sale. The temporary open house sign shall be a freestanding sign. The area of the temporary sign shall not exceed ten (10) square feet of sign area, with each face of the sign counted. The height of the temporary sign shall not exceed four feet (4') as measured from the grade at the base of the sign. Signs may be designed as to allow a brochure box to be attached. Open house signs shall not interfere with vehicular or pedestrian traffic in a right-of-way. Open house signs are limited to the hours of 10:00 a.m. to 8 p.m. A real estate sales person shall be present during the open house. The Town shall not be liable for any damage to the open house signs.~~

~~12. *Special Event Signs*~~*Temporary Sales Signs.* Temporary sales signs ~~announcing special sales of products and services~~displaying a special event shall be subject to the following requirements:

a. The temporary sales sign shall be placed in the window or windows of the business holding the special event~~sale~~.

b. There shall be permitted not more than one (1) temporary sales sign in any window and a total of not more than three (3) temporary sales signs for each ~~use~~event.

c. Each sign shall not exceed three (3) square feet.

d. Temporary sale signs may be maintained for a period not to exceed fourteen (14) days and shall be removed on the day following the end of the event~~sale~~.

e. Any special event wishing to display temporary signs must be approved subject to a required special event development application. Approved special event temporary signs may provide for off-premises signage for sponsors of the event.

~~23. *Temporary Site Construction Signs.* Temporary site construction signs installed in association with an active shall be allowed on projects that have received final approval from the review authority, obtained a building permit in accordance with the adopted Building Codes and have commenced construction.~~ An allowance of one (1) temporary ~~construction~~ sign per building site shall be permitted subject to ~~meeting~~ the following ~~requirements~~standards:

a. The graphics, color selections and sign location are subject to Planning Division staff approval;

b. The sign shall be between the size of twenty-four (24) inches tall by forty-eight (48) inches wide to forty-two (42) inches tall by sixty (60) inches wide, mounted on either a semi-permanent sign, u-shaped sign post or on the construction fence~~ing~~;

c. The sign shall contain the name of the project at the top of the sign, with a bigger font than all other sign content that stands out, with the project address below the project name. The sign shall also contain the business name and telephone number of the general contractor and may contain the content listed below. The same font size shall be used for the general contractor and other allowed sign content as follows with the sign text equally distributed, without a larger font for any of the entities involved in developing the project:

i. Brief description of the project;

ii. Project consultants;

iii. Project developer;

iv. Project lender;

v. Contractor; and

vi. "For information" followed by a phone number.

d. Logos shall be limited to any project logo, and any entity involved in the project as limited above. Logos shall be proportional to the font as limited above and not exceed 25% of the sign area unless the Planning Division approves a variation based on a finding that the logo is proportional to the sign content and sign size;

e. Real estate brokerages, real estate agents' names and the word "sale," "rent," or any reference to the property being available for purchase or rent are prohibited on construction signs;

f. Only the project logo is allowed, which shall be limited to no more than twenty-five percent (25%) of the sign area; and

g. Temporary ~~site~~construction signs shall be removed within fifteen (15) days of issuance of a ~~temporary~~TCO or final certificate of occupancy, or ~~in the event~~-if construction is abandoned ~~or the building permit expires or is otherwise revoked~~, the sign shall be removed immediately.

4. *Banners*. Banners may be used as a sign on a temporary basis not to exceed two (2) weeks in duration in any six (6) month period and only upon prior review and consideration by the review authority. ~~Banners may be used for events such as special events, grand openings, sales and other events.~~ Graphics, size, color, location and duration of existence are subject to review and approval by the review authority. Banners shall be removed

within three (3) days following the end of an event. Town-sponsored events are exempt from this provision. The Town or TMVOA may place banners for longer time periods for community events, such as concerts or markets.

5. *Sandwich Boards.* Sandwich board signs shall not be larger than twelve (12) square feet, with the exception of open house signs that are limited as set forth above. A maximum of one (1) sandwich board sign per business shall be allowed provided the requirements of the Sign Regulations are met. Sandwich board signs may only be placed in plaza areas clear of established pedestrian access and emergency access routes and shall be located within a twenty-five foot (25') radius from the business's main entry. The review authority shall approve all locations for sandwich board signs prior to their placement. Sandwich board signs shall be removed from all plaza areas at the close of each business day. Sandwich board signs do not require individual permits. However, the Town may revoke an entity's sandwich board allowance for one or more violations of this part 5.

6. *Flags.* Flags are any piece of cloth or similarly flexible material attached on one or more sides to a mounting point. Flags attached to buildings or to other structures are permitted provided the review authority determines: (1) the placement of flag does not negatively impact the architecture of the building or the character of the area; (2) the flag placement allows for the visual opacity of the commercial storefront; (3) the flag is an official flag of a nation, the State of Colorado or the flag is for a brand hotel and is located on site or in close proximity to such hotel; and (4) the size of the flag does not exceed three feet (3') in width and five feet (5') in length.

7. *Special Event.* Temporary signs shall be allowed for special events provided such signs are approved as a part of the required special event development application. Special event signs may provide for off-premise signage for sponsors of the special event.

8. *Political Signs.* Political signs that do not exceed eight (8) square feet in sign area are permitted, with each face of the sign counted. The signs shall only be placed on a lot where the owner has provided permission for the sign placement. These signs shall be removed as soon as practicable following the election. Only one (1) sign per candidate or ballot measure per lot is allowed
FE. *Permanent Signs.*

1. *Business Identification Signs.* Business identification signs are permitted subject to the following standards:

a. *Maximum Number.* There shall be no more than a combination of two (2) of the following four (4) types of signs for each business:

- i. Freestanding sign;
- ii. Projecting sign;
- iii. Wall and window signs; and
- iv. Awning sign.

b. *Creative Design.* Business identification signs shall be creatively designed and colorful, ~~incorporating graphics in coordination with lettering, and shall convey the main function of the business.~~ legible, and shall conform with relevant Town design standards.

c. *Freestanding Sign Design.*

i. *Limitations.* Freestanding signs are only allowed for a development or project that is located on a lot that allows for commercial or mixed use development where there is one (1) main business occupying such lot, such as a hotel business sign.

(a) Freestanding business identification signs shall not be permitted on any Town-owned land.

ii. *Proportion and Maximum Size.* The maximum sign area for each freestanding building identification sign shall not exceed twenty-four (24) square feet and shall be in proportion to the scale of the building it serves.

iii. *Minimum Height.* Minimum lettering height shall be fifty-four (54) inches.

iv. *Maximum Height.* Maximum height to the top of the freestanding building identification sign shall be ten feet (10').

v. *Maximum Lettering.* Letters for a freestanding business identification sign shall not exceed twelve (12) inches in height. The review authority may permit taller letters and/or a larger area if, in its sole judgment, it is appropriate for the relative scale of the building.

d. *Projecting Sign Design.*

i. *Proportion and Maximum Size.* The total projecting sign area for each business shall not exceed ten (10) square feet in size.

ii. *Creative Design.*

(a) Projecting sign design shall avoid long rectangular or square shapes and shall be three-dimensional.

(b) Projecting signs shall be handcrafted and made from metals such as wrought iron, bronze, brass, copper, anodized aluminum or gold leaf or wood such as redwood, cedar or hardwood.

iii. *Maximum Lettering.* Letters for a projecting sign shall not exceed six (6) inches in height. The review authority may permit taller letters and/or a larger area if, in its sole judgment, it is appropriate for the relative scale of the building.

iv. *Minimum Clearance.* Pedestrian clearance for projecting signs shall be eight feet (8') above finished grade unless landscaping prohibits pedestrian flow under the sign.

e. *Wall and Window Sign Design.*

i. *Proportion and Maximum Size.*

(a) The total wall and window sign area for each business shall not exceed ten (10) square feet in size.

(b) Total area of graphics coverage for business identification signs on a wall shall be relative to the size of the wall, building and surrounding architecture.

ii. *Minimum Height.* Minimum lettering height shall be fifty-four (54) inches.

iii. *Maximum Height.* Maximum height to the top of the sign shall be ten feet (10').

iv. *Maximum Lettering.* Letters for a business identification sign shall not exceed six (6) inches in height. The review authority may permit taller letters and/or a larger area if, in its sole judgment, it is appropriate for the relative scale of the building.

v. *Wall Sign Maximum Projection.* Wall signs shall not project more than twelve (12) inches from the face of the building to which they are attached.

f. *Awning Signs.*

i. *Maximum Sign Area.* Sign graphics on awnings shall be limited to fifteen percent (15%) of the surface area of the awning, or a maximum of ten (10) sq. ft., whichever is more restrictive.

ii. *Location Over Principal Entrance.* Awning signs shall only be located over the principal entrance to the business identified by said sign.

iii. *Design.* As a general rule, the awning shall extend no further than three (3) feet from each side of the entrance and project beyond the face of the building not more than eight feet (8'). Exceptions to the size shall be allowed if, under the sole judgment of the review authority, a larger awning is appropriate for the relative scale and proportion of the building.

iv. *Minimum Clearance.* Pedestrian clearance for projecting signs shall be eight feet (8') above finished grade unless landscaping prohibits pedestrian flow under the sign.

2. *Project Identification Signs.* Multifamily, mixed-use or commercial development shall provide either a freestanding or wall-mounted project identification sign for project

identification that lists the name of the building or project subject to meeting the following standards:

- a. *Maximum Number.* One (1) project identification sign is permitted for a project. The review authority may allow more than one (1) project identification sign if it determines it to be appropriate for a specific building's location,
 - b. *Proportion and Maximum Size.* Total area of graphics coverage for a project identification sign on a wall shall be relative to the size of the wall, building and surrounding architecture, but shall not exceed twenty-four (24) square feet of sign area on each façade.
 - c. *Creative Design.* Project identification signs shall be creatively designed, incorporating graphics in coordination with lettering.
 - d. *Minimum Height.* Minimum lettering height shall be fifty-four (54) inches.
 - e. *Maximum Height.* Maximum height to the top of the sign shall be nine (9) feet.
 - f. *Maximum Lettering.* Letters for a project identification sign shall not exceed twelve (12) inches in height. The review authority may permit taller letters and/or a larger area if it determines it to be appropriate for the relative scale of the building.
 - g. *Wall Sign Maximum Projection.* Wall signs may not project more than twelve (12) inches from the face of the building to which they are to be attached.
3. *Business Directory Signs.*
- a. *Maximum Number.* There shall be no more than one (1) business directory sign per lot.
 - b. *Maximum sign area.* The maximum permitted area of the business directory sign shall be as follows:
 - i. For 1-5 businesses, one (1) square foot of sign area per business.
 - ii. For 6-10 businesses, five (5) square feet, plus 1/2 square foot for each business over five (5) businesses.
 - iii. For more than 10 businesses, 7 1/2 square feet, plus 1/4 square foot for each business over ten (10) businesses, to a maximum sign area of ten (10) square feet.
 - c. *Proportion and Maximum Size.*
 - i. The maximum sign area for a business directory sign shall not exceed twenty-four (24) square feet and shall be in proportion to the scale of the building it serves.

d. *Minimum Height.* Minimum lettering height shall be fifty-four (54) inches.

e. *Maximum Height.* Maximum height to the top of the sign shall be ten (10) feet.

f. *Maximum Lettering.* Letters for a business directory sign shall not exceed twelve (12) inches in height. The review authority may permit taller letters and/or a larger area if it determines it to be appropriate for the relative scale of the building.

g. *Sign Type and Required Location.* The business directory signs may be wall signs or freestanding signs provided any freestanding business directory sign shall be located on a lot and not on any Town-owned property.

4. *Address Identification Signs.* The development or redevelopment of all lots within the Town shall provide an address identification sign prior to the issuance of a certificate of occupancy, certificate of completion or other final approval step as provided for in this CDC, which shall meet the following standards:

a. *Freestanding Address Monument Required.* Each lot shall provide a freestanding address identification sign monument.

i. Notwithstanding the foregoing, homes that are located close to and are visible from a Town road may attach address identification numbers to the building if such is located within twenty feet (20') of the roadway, subject to review authority and Fire District approval. The numbers shall match the size, contract, illumination and maintenance requirements set forth below.

ii. Address identification signs may be incorporated into a stone retaining wall that is located in the general easement and is readily visible from a right-of-way or access tract.

b. *Lettering Size and Required Height.* Lettering and numbers shall be a minimum height of six (6) inches with the bottom of the letters and numbers no less than fifty-four (54) inches from the finished grade.

c. *Maximum Height.* The maximum height is six feet (6').

d. *Contrast.* Contrasting letters and numbers are allowed (i.e., black) to improve daytime visibility. Lettering shall have reflective material outline for nighttime visibility when lighting fails.

e. *Illumination.* The address lettering and numbers shall be illuminated with a concealed LED or other energy efficient light source that does not cause glare to motorists or surrounding properties.

f. *Location of Address Identification Sign Monument.*

- i. Address monuments shall be designed and located so as to be visible from the right-of-way or access tract that provides access to the driveway serving the development.
- ii. Address monuments may be permitted by the review authority in the general easement provided the property owner enters into a revocable license agreement with the Town prior to the issuance of the required development permit or building permit.

iii. Address monuments may be located in a right-of-way or access tract if it is not possible to design such monument so as to be located on the lot it is to serve, or if the monument would not be readily visible from the right-of-way or access tract providing access to the driveway provided that:

(a) For rights-of-way or Town-owned access tracts, the property owner enters into a revocable license agreement as set forth in the Sign Regulations; and

(b) For private access tracts, the developer or lot owner secures a letter of permission from each owner having an interest in such access tract.

iv. Address identification signs shall be set back a sufficient distance from roadways, drives and access tracts in order to facilitate snow plowing and storage. The address identification sign shall remain visible for emergency vehicles.

g. *Addresses Only.* Only address numbers and letters are permitted. Names, project names or slogans of any nature are prohibited on the address monument.

5. *LED Signs.* LED signs may be placed on a window for “open” signs, [to display the logos product logos](#) or graphics for goods or merchandise sold on the property, [or for other permissible uses under these sign regulations](#) provided:

a. The area of the LED sign counts towards the maximum sign area allowed for the type of window and/or wall sign.

b. The maximum area allowed for a LED sign shall be two (2) square foot per sign, with a maximum of two (2) LED signs per business.

c. The brightness of the LED sign shall not exceed 1,500 NITs unless the DRB grants a specific approval for a brighter LED sign.

6. *Neon Signs.* Neon signs may be used as window signs for “open” signs, [product to display the](#) logos or graphics for goods or merchandise sold on the property, ~~and~~ for business identification signs placed on a window or a wall, [or for any other permissible uses under these sign regulations](#) provided:

a. The area of the neon sign counts towards the maximum sign area allowed for the type of window and wall sign.

- b. The maximum area allowed for a neon sign shall be one (1) square foot per sign, with a maximum of two (2) neon signs per business.

7. *Image Projector Signs.*

- a. The review authority may permit a business to have one (1) or more illuminated image projector signs that use digital graphics or art to advertise ~~the business or a product sold in that business~~, subject to the following:
 - i. An image projector sign shall project only upon the property occupied by the associated business or a surrounding area within ten feet (10') of the building frontage occupied by the business;
 - ii. The sign area of the image projector sign shall be included within the overall allowed sign area for the use unless the review authority allows for additional sign area through the review process based on a finding that the sign area of the image projector sign, combined with the regular sign area allowed by the Design Regulations does not adversely impact the character of the surrounding area;
 - iii. Illumination from the projector mechanism shall not pose a hazard for pedestrians or motorists and shall be screened from view to the maximum extent feasible; and
 - iv. The projector shall be screened, built into the building, installed under an awning or blended into the building façade so as not to adversely impact the architecture of the building or the surrounding areas.

8. *Display Boxes.* Boxes for display of flat physical or electronic items, including but not limited to menus and real estate listings, ~~menus and real estate listings~~ will be permitted but shall not exceed six (6) square feet in surface area. Display boxes shall not project more than eight (8) inches from the exterior wall surface of the building facade, and the location shall be specifically approved by the review authority. Any lighting of a display box shall completely screen the light source from pedestrians and not allow any direct bulb glare outside of the display box. Display boxes will be evaluated based on originality, creativity and the use of high quality handcrafted materials.

9. *Town Directory Signs.* The Town may install permanent town directory signs for the purpose of providing information, maps, directions and similar public information for residents and guests in the Town. The design of these signs shall strive to meet the applicable sign Design Regulations set forth in Sign Regulations, with the final design subject to the approval of the review authority.

10. *Town Directional Signs.* The Town may install town directional signs to direct pedestrians to businesses, plaza areas, buildings or similar geographic locations. The Town directional signs will be installed at locations set forth by the Town with any business desiring to place a business name thereon submitting a request to the Town directional sign program, along with any required application forms or fees as set forth in the fee resolution.

The Town directional sign program shall set forth the rules and procedures for the administration and enforcement of this program and may be adopted by the Town Council by resolution.

11. Recreation Area Directional Signs~~Ski Resort and Golf Course Signs~~. Outdoor recreational space operators, including~~The ski resort operators and golf course operator operators,~~ may install permanent signs to provide information, maps, directions and similar important public information for recreation area guests~~ski resort and golf course guests~~. The design of these signs shall strive to meet the applicable sign Design Regulations set forth in Sign Regulations with the final design subject to the approval of the review authority.

12. *Miscellaneous Signs.*

a. De Minimis Signs~~Security System Signs~~. Individual building s~~Signs which identify a building as being protected by a security system or company~~ may be allowed only when the sign does not exceed twelve (12) square inches and shall be attached directly to the building.

~~b. Traffic Control Signs. Signs to control traffic that are installed in accordance with the MUTCD are exempt from the Sign Regulations.~~
b. Residential Signs. Any residential use development shall be permitted to display two (2) signs provided the following:

i. The signs do not exceed six (5) square feet in area, or ten (10) feet in area when the sign has two faces. Each face shall not exceed five (5) square feet in area on a two-faced sign.

ii. When such signs are for sale or open house signs, such signs shall not advertise for a home that is no longer for sale or for an open house that has already passed. Doing so qualifies such sign as a prohibited off premises or expired service sign.

c. Private Property Signs. Signs erected on private property notifying visitors that the area is private property are permitted when they do not exceed two (2) square feet per face, or four (4) square feet in total surface area, limited to four (4) such signs per use or per building, whichever is the greater number.

GF. *Sign Design and Materials.*

1. Sign materials shall be of a high quality and able to endure the high mountain, alpine climate of the Town.

2. Sign materials shall match or compliment the architecture, colors and materials for the building or project associated with the sign.

3. Project identification signs and address identification signs shall be made from metals such as wrought iron, bronze, brass, copper, anodized aluminum or gold leaf or wood such as redwood, cedar or hardwood.
4. Freestanding signs shall have a solid, heavy base and frame made from stone, stucco, metal, wood or other review authority approved material.
5. Sign inserts may also be a combination of wood and metal.
6. Applied letters and numbering shall be finished with metals such as wrought iron, bronze, brass, copper, anodized aluminum or gold leaf. Letter styles shall be creative and original with avoidance toward rigid uniformity.
7. In the Village Center, sign design shall be produced through artistic and imaginative effort. The goal is to display a broad range of imaginative designs, colors and a sense of quality for pedestrian streets and plaza areas. The review authority's evaluation shall be based upon the design's excellence, creativity, originality, timelessness and compatibility with the design theme of the Town.

HG. *Sign Location.* All signs shall be placed in the most highly visible location within the normal field of view of people, whether in vehicles for signs next to a road or on foot for signs seen from the plaza areas.

IH. *Revocable Encroachment Agreement Requirement.*

1. For any sign located on or projecting into and over Town property, right-of-way, plaza areas or the general easement, the review authority shall require the owner of property where the sign is to be located or the lot owner, as applicable, to enter into a revocable encroachment and license agreement with the Town that includes indemnification for the Town from liability that may arise as a result of such signs.
2. The encroachment agreement shall be in a form and manner set forth by the Town and shall be recorded in the San Miguel County Clerk and Recorder's Office at the developer's expense.
3. The encroachment agreement shall be executed and recorded prior to the issuance of any building permit or development permit.

IJ. *Maintenance.* It shall be the responsibility of the lot owner(s), homeowners associations and business owners to maintain all signs in accordance with the Sign Regulations.

1. Snow and ice that obstructs the visibility of a sign shall be removed in a timely manner.

KJ. *Sign Program.*

1. *Purpose and Intent.* The purpose and intent of a sign program is to allow for flexibility and creativity in the design of signs, and to have a unified and coordinated design of signs for ~~all the businesses~~ businesses and residences located within a development, lot or site.

2. *Applicability.* A sign program is applicable to any developer or property owner that desires to create sign with design standards that differ from the Sign Regulations and for which a design variation development application has not been submitted.

3. *Development Review Procedure.* A sign program shall be processed as a class 3 application.

4. *Criteria for Decision.* The following criteria shall be met for the review authority to approve a sign program:

a. The proposed sign program assures that the color scheme, lettering style and type of materials used in signs within the sign program are consistent with and coordinated within a given project and/or area;

b. The proposed sign program specifies, as applicable, the type, number, size, method of illumination and location of signs allowed in a development;

c. The proposed sign program generally conforms to the basic sign requirements contained in Sign Regulations unless unique circumstances or special design or development objectives warrant standards that differ from the Sign Regulations of the CDC;

d. The proposed sign program prevents visual clutter and the disruption of important scenic corridors or vistas;

e. The proposed sign program protects the safety of motorists and pedestrians in a manner compatible with the surrounding environment;

f. The proposed sign program is compatible with surrounding land uses and the neighborhood and will not create a substantial adverse impact on adjacent properties or infrastructure; and

g. The proposed sign program meets all applicable Town regulations and standards.

5. *Development Agreement Required.* An approved sign program shall be incorporated into a development agreement.

LK. *Ski Resort Operator Off-PremisePremises Signs and Sign Program.*

1. It is common for outdoor entertainment venues to have advertising, including the entire area of ~~a comprising~~ a ski resort and such advertising often advertises sponsorship products which may not be sold by such venue. Ski resorts commonly have such advertising and

signage at base areas, gondola loading stations, on-mountain restaurants and bars, and on the ski lift safety bars. In order to have off-~~premise~~^{premises} signs, the ski resort operator shall propose a sign program as provided for in these regulations that contains appropriate advertising and signage related to the ski resort and its sponsors, with size, scope and design determined solely by the DRB pursuant to the sign program process outlined herein.

2. The off-~~premise~~^{premises} signage shall be located within the ski resort boundary on ski resort operator land zoned open space as set forth in Appendix 5-2.

3. The ski resort operator shall minimize the extent to which such signage ~~is~~^{is} readily visible from outside of the ski resort boundary, excepting plaza areas, with specific size, location, quality and other sign design standards as required by the DRB set forth in the sign program.

4. Such sign program may also address other typical ski resort signage. ~~SRsd Any the Town of Mountain Village.~~