

Vail Sign Code Detailed List of Proposed Changes

Legend

Italic Text: Proposed to be added to the code

~~Strikethrough Text:~~ Proposed to be removed from the code

Note: Sections and definitions not listed in this document are currently proposed to remain within the code, unchanged.

11-1-2: Purpose:

- A. General Purpose: **These regulations are This Title is** enacted for the purpose of promoting the health, safety, ~~morals~~, and general welfare of the town of Vail and to promote the coordinated and harmonious design and placement of signs in the town in a manner that will conserve and enhance its natural environment and its established character as a resort and residential community of the highest quality.
- B. Specific Purpose: **These regulations are This Title is** intended to achieve the following specific purposes:
 3. To preserve a successful and high quality business environment that is aided by signs that identify, direct, and inform **the public**.
 5. **To preserve freedom of expression in the Town of Vail.**
- C. **This title is not intended to restrict noncommercial speech on the basis of its content, viewpoint, or message.**

11-1-4: **Severability Clause:** *The severability of any section, subsection, sentence, clause or phrase, as set forth in Section 1-2-4 of this Town Code.*

11-2-1: Definitions Enumerated:

ADMINISTRATOR: ~~A member or members of the town of Vail staff appointed by the town manager and designated to administer and enforce the guidelines outlined in this title.~~
The director of the department of community development or their designee.

ANIMATED SIGN: Any sign or part of a sign that changes physical position by any movement or rotation or that gives the visual impression of such movement or rotation. **Prohibited in the town of Vail**

ARCHITECTURAL PROJECTION: Any projection that is not intended for occupancy and that extends beyond the face of an exterior wall of a building, including roof overhangs, mansards, unenclosed exterior balconies, marquees, canopies, pilasters, fascias and the like, but not including signs.

AREA, SIGN (SD 1): Varies according to type of sign: See chapter 6, "Business And Building Identification Signs", of this title.

AREA, SIGN (SD 2): Varies according to type of sign: See chapter 6, "Business And Building Identification Signs", of this title.

AWNING OR CANOPY: For the purposes of this title, the rooflike cover that is temporary in nature and projects from the exterior of a building, typically over windows, walkways, doorways, or outdoor eating areas. A Permanently roofed shelter covering a sidewalk, building entrance, window, or other outdoor space. This shelter may be wholly or partially supported by a building, columns, poles, or braces extending from the ground.

BALLOON: A flexible bag designed to be inflated with hot air or with a gas, such as helium, that is lighter than the surrounding air, causing it to rise and float in the atmosphere.

BANNER, PENNANT, OR BUNTING: Any temporary decorative cloth or material that is related to the announcement or promotion of community events or activities or to the decoration of the town for special holidays.

BILLBOARD: A permanent outdoor advertising sign that advertises goods, products, or services that are not related to the premises on which the sign is located; prohibited in the town of Vail.

BUILDING IDENTIFICATION SIGN: Any sign that displays the name of the building upon which site it is located including any graphics and language that represent the building. A sign permitted based on building frontage, regardless of the number of tenants residing therein.

BUSINESS OPERATION SIGN: A sign that displays the name of the business upon which site it is located including any graphics and language that represent the business.

BUSINESS SIGN: Any sign that displays the name of the business upon which site it is located including any graphics and language that represent the business. *A sign placed on a business frontage, typically as a wall or projecting sign.*

CHANGEABLE COPY: A manually operated sign that displays graphical or word content that can be easily changed or altered. ~~menu boxes, display boxes and specials boards are not considered changeable copy.~~

DESIGN: ~~Including but not limited to, the location, shape, dimensions, color, symbols, letters, material, and luminescence that comprise a sign.~~

DIRECTIONAL SIGN: ~~A sign that serves to direct pedestrian or vehicular traffic.~~

DISPLAY BOX: A freestanding or wall sign that is enclosed in glass or a similar clear material on at least one side. ~~For the express purpose of displaying real estate listings and current movie listing; allowed at real estate businesses and movie theaters only.~~

ELECTRONIC DISPLAY TERMINAL: ~~Any monitor or electronic device used to provide public information or to promote a special event; allowed for town of Vail public information purposes only.~~

ERECT: ~~To build, construct, attach, hang, place, mount, suspend, or affix a sign. This also includes the painting of wall signs, murals or supergraphics.~~

EVENT, SPECIAL: ~~The promotion of any product, political candidate, religious leader, or commercial goods or services secondary to the permitted event, shall be prohibited.~~

FIBER OPTIC SIGN: ~~A sign of thin, transparent, homogeneous fiber of glass or plastic that is enclosed by material of a lower index of refraction that transmits light throughout its length through internal reflections; prohibited in the town of Vail.~~

FINE ART: ~~Sculpture, fountains, or similar objects possessing form and beauty, including paintings or drawings.~~

FLAG: ~~Any city, county, state, national, organizational, or institutional symbol or insignia applied to a piece of fabric. Any fabric or similar lightweight material typically attached to~~

a staff or pole, which is intended to be permanently affixed to the ground or attached to a building.

FLASHING SIGN: Any directly or indirectly illuminated sign that exhibits changing natural or artificial light or color effects by any means whatsoever. **Prohibited in the town of Vail.**

GRADE, EXISITNG FINISHED GRADE: The existing level of a property after any development or construction activity and prior to the erection of a sign.

ILLUMINATION, HALO: *An internal light source, that is not visible to the viewer, for a sign making use of opaque surfaces such that light only shines through the back and sides of the sign.*

ILLUMINATION, INTERNAL: ~~illumination by means of a light source that is within a sign that has a translucent background, silhouetting opaque letters or designs, or that is within letters or designs that are made of a translucent material; prohibited in the town of Vail, excluding signs used by the town of Vail for public information purposes. A light source that is not directly visible to the viewer and is within a sign that makes use of a translucent screening; prohibited in the Town of Vail, excluding Government Signs.~~

ILLUMINATION, NEON: ~~A light source in which a colorless, odorless, inert gaseous element known as neon is found; prohibited in the town of Vail.~~

ILLUMINATION, PAN-CHANNELED: ~~An indirect, concealed light source which is recessed into any element of a sign and is attached directly to the face of the sign. Each element to be lit must have opaque surfaces such that the light does not shine through the sides or backs of the elements but through the front face only.~~

ILLUMINATION, RECESSED: ~~A source of light that is directed upon a sign and placed inside of an architectural element, such as eaves; a preferred type of sign lighting within the town of Vail.~~

INSCRIPTION, MASONRY: ~~The name and/or date of a building etched into masonry. Any text or numeral etched into masonry.~~

JOINT DIRECTORY SIGN: ~~A type of building identification and business sign that displays the name of a building, complex, or center and the names and addresses of two (2) or more businesses within.~~

KIOSK: A small structure, typically located within a pedestrian walkway or similar circulation area that is used as a display space for posters, notices, exhibits, and similar displays, for public information use by the town of Vail.

MENU BOX: A freestanding or wall sign that is enclosed in glass or a similar clear material on at least one side for the express purpose of displaying menus, allowed at eating and drinking establishments only.

MOVIE/MEDIA RENTAL BUSINESS: A retail establishment engaged in the sale or lease of recorded movies, video games, or other forms of electronic media.

MURAL: A work of art or a painting that is applied to, and made an integral part of, an exterior wall. ~~and which shall receive approval either by the town of Vail's art in public places or design review board prior to application. A mural shall be considered a wall sign, and regulated as such, if it contains words, logos, trademarks, or graphic representations of any person, product or service that identifies or advertises a business. Signatures shall be allowed, but limited to, a maximum of two (2) square feet in size.~~

NONCONFORMING SIGN: Any ~~advertising structure or~~ sign that was approved by the town of Vail, and erected and maintained prior to the enactment of this title and any amendments thereto, but that fails to conform to all applicable regulations and restrictions of this title.

OFF PREMISES SIGN: ~~Any sign that relates to or advertises products, services, or uses, or directs persons to a different premises than that upon which the sign is located. Any sign located on a premise not owned or rented by the owner of the sign.~~

OPEN/CLOSED SIGN: A type of window sign that may be two (2) sided and displays the words "open" or "closed" on one or both sides of the sign.

OPEN HOUSE: The period of time during which a specific ~~for sale or for rent property property is actively listed for sale, as evidenced by such parcel's listing in a multiple listing service or other real estate listing service, and~~ is open for viewing by potential buyers or renters ~~with the realtor, broker, owner, or other similar agent present on the property.~~

OPEN HOUSE SIGN, ON SITE: A temporary sign advertising an open house for the property on which the sign is located.

OPEN HOUSE SIGN, VEHICULAR DIRECTIONAL: A temporary sign directing vehicular traffic to an open house.

OPEN HOUSE SIGN: A temporary sign used in association with a property conducting an open house.

PERSON: For the purposes of this title, any individual, firm, partnership, association, corporation, company, or organization of any kind.

PLAQUE, DEDICATION: A plate, slab, or disk that is ornamented or engraved for mounting, as on a wall or the ground, in order to honor a person or persons, or to denote transfer of the property to the public for public use.

POLITICAL SIGN: A temporary sign that announces, promotes, or draws attention to any candidate(s) seeking public office in an election; also any sign announcing political issues.

PREMISES: Land and the buildings that are owned or rented thereupon.

PUBLIC INFORMATION SIGN: An informational sign that relays directions to the public regarding resources, restrooms, or any other similar public amenity.

REFLECTIVE SURFACE: Any material or device that has the effect of intensifying reflected light, ~~such as Scotchlite®, Day Glo®, glass and luminous paint; when pertaining to signage, prohibited in the town of Vail. including but not limited to, Scotchlite®, Day-Glo®, glass and luminous paint.~~

RESIDENTIAL NAMEPLATE SIGN: A sign erected for the sole purpose of identifying the inhabitant(s) residing therein, and/or the house name or address, which shall not contain advertising of any kind. A small sign permitted for every residence in the Town of Vail.

SIGN: A surface or space as identified in these guidelines, whether continuous or not, that identifies a business, building, or any related products and services by means of letters, numbers, figures, or other symbols, devices, or representations. Any object, device, display, structure, or fixture situated in the public view and involving graphics, colors, symbols, written copy, or illumination and which is used to communicate, advertise, draw attention to, or identify an object, person, institution, organization, business, product, service, event, or location by any means including words, letters, figures, designs, symbols, fixtures, colors, motion, illumination, or projected images.

SIGN, CONSTRUCTION: A sign permitted to identify a project under construction and the associated hazardous conditions as further regulated by section 11-7-6 of this title. A

temporary sign located on a parcel of property, on which construction activities of any type are being actively performed.

SIGN, ENTERTAINMENT: *A sign that serves to advertise a visual or audio media format, including, but not limited to, movies, television shows and audio CDs or records.*

SIGN, GARAGE SALE (Also Referred To As YARD SALE SIGN): *A temporary sign that announces a garage sale or similar event.*

SIGN, GOING OUT OF BUSINESS: *A sign that indicates that the business displaying the sign will cease to operate at any location and/or wishes to liquidate merchandise.*

SIGN, MEMORIAL: *A sign that commemorates an event or person(s) and is placed on a memorial site, including a memorial fountain or statue.*

SIGN, NEIGHBORHOOD: *A sign located within common or jointly owned spaces in a residential district.*

SIGN, OFFICIAL GOVERNMENT: *A sign that is sanctioned by the town of Vail for public use, including directional signs, to control traffic or for other regulatory purposes. A sign erected, installed, or maintained by the Federal, State, County, or local government for any purpose, including without limitation traffic direction, or a sign located on a building owned by the Federal, State, County, or local government.*

SIGN, PORTABLE: *A sign not erected with a permanent fixed location attached to the ground or other permanent structure, including, but not limited to, A-frame and sandwich board signs. A sign that is not permanently attached to the ground, a building, or a structure. This does not include a vehicle mounted sign as defined herein.*

SIGN, PRIVATE NO PARKING: *A sign on private property that alerts others of nonpublic parking space.*

SIGN, PRIVATE WARNING: *A sign designed to warn others of specific dangers or regulations on the property on which the sign is erected.*

SIGN, PROHIBITED: *A sign that is not allowed within the town of Vail, or within a specific zone district of the town of Vail.*

SIGN, PUBLIC INFORMATION: *A sign, display board or kiosk that is constructed, erected and maintained by the town of Vail, or with the permission thereof, in order to inform the*

~~public of public amenities, community activities, special events, and personal information.~~

~~**SIGN, PUBLIC PARKING AND LOADING ON PRIVATE PROPERTY:** A sign that is permitted for private properties which provide "public unstructured parking" or "public parking structures" as defined by section 12-2-2, "Definitions Of Words And Terms", of this code, with a minimum of twenty five (25) parking spaces and/or loading bays available for use by the public. These public parking spaces and loading bays must be above and beyond the requirements of title 12, chapter 10, "Off Street Parking And Loading", of this code.~~

~~**SIGN, SALE:** A sign that identifies a discounting of merchandise is taking place within the commercial establishment.~~

~~**SIGN, SKI BASE:** A sign in a ski base area that informs the public about on mountain conditions, grooming reports, status of ski lifts and tows, and the location of ski school facilities, ski racing facilities, ski patrol facilities, outdoor recreation facilities and activities, lift ticket sales, skier and guest services. A sign for use within the town of Vail's ski base sign district.~~

~~**SIGN, TEMPORARY SITE DEVELOPMENT:** A sign permitted to identify and describe a project under construction and the associated hazardous conditions, during large scale development periods as determined by the Vail town council.~~

~~**SITE:** The property that provides a location for and justifies the area of a sign. As defined in Section 12-2-2 of the Vail Town Code.~~

~~**SIZE:** (See also definitions of Area, Sign.) The dimension of a sign, determined by the type of sign, as further regulated by chapter 6, "Business And Building Identification Signs", of this title.~~

~~**SKI BASE AREA:** For the purpose of regulating ski base area signs, ski base areas are those areas of Vail Village, Lionshead, Golden Peak, Cascade Village, and any other future portals immediately adjacent to a ski lift or tow. For the purpose of regulating ski base signs, any area within Vail's Ski base sign district.~~

~~**SPECIALS BOARD:** A chalkboard or dry erase board used to display specials at eating and drinking establishments.~~

STAFF: A member or members of the town of Vail community development department, appointed by the town manager and designated to administer and enforce the guidelines outlined in this title.

STAINED GLASS: Multicolored pieces of translucent material held together by foil or lead cymes with various joints soldered together.

SUBDIVISION ENTRANCE SIGN: A sign that identifies a subdivision or condominium complex or group of apartment buildings having at least one hundred feet (100') of combined building frontage along a vehicular or pedestrian way.

TABLET: A slab or plaque with a surface that is intended for or bears an inscription.

TRAFFIC CONTROL SIGN (For Private Property): A sign permitted by the town of Vail to identify private parking areas and to direct the flow of traffic on private property.

VEHICLE SIGN: ~~Any temporary sign, logo, or advertisement that is placed, painted, attached, or displayed on a vehicle.~~ *A sign that is painted, attached to, or placed on a vehicle or the bed of a trailer, when the vehicle or trailer is parked on a public right-of-way or public property, or on private property so as to be visible from a public right-of-way, for the primary purpose of advertising products or directing people to a business or activity on the same or nearby premises, excluding a vehicle sign when the vehicle is primarily used for business purposes other than advertising.*

YARD SALE SIGN (Also Known As GARAGE SALE SIGN): A temporary sign that announces a garage sale, open house, or similar event.

11-3-1 Administration of Sign Regulations:

A. Administrator:

2. Responsibilities: The administrator/staff shall be responsible for the duties prescribed in this title, which entail the enforcement of the sign regulations. *The administrator and his/her designees shall have the right to enter on any site or to enter any structure for the purpose of investigation or inspection related to any provision of this title, provided that the right of entry shall be exercised only at reasonable hours and that in no case shall any structure be entered in the absence of the owner or tenant without the written order of a court of competent jurisdiction.*

3. Enforcement: The administrator/staff may serve notice of violation and carry out removal of any sign in violation of this title, ***on the owner or his/her authorized agent, or a tenant, or on any other person who commits or participates in any violation of this title.*** The administrator/staff may call upon the town attorney to institute necessary legal proceedings and the chief of police and/or authorized agents to assist in the enforcement of this title.

11-3-3: Prescribed Regulations Amendment:

A. Factors, Enumerated: Before acting on an application for an amendment to the regulations prescribed in this title, the planning and environmental commission and town council shall consider the following factors with respect to the requested text amendment:

- 1. The extent to which the text amendment furthers the general and specific purposes of the sign regulations; and**
- 2. The extent to which the text amendment would better implement and better achieve the applicable elements of the adopted goals, objectives, and policies outlined in the Vail comprehensive plan and is compatible with the development objectives of the town; and**
- 3. The extent to which the text amendment demonstrates how conditions have substantially changed since the adoption of the subject regulation and how the existing regulation is no longer appropriate or is inapplicable; and**
- 4. The extent to which the text amendment provides a harmonious, convenient, workable relationship among land use regulations consistent with municipal development objectives; and**
- 5. Such other factors and criteria the PEC and/or town council deem applicable to the proposed text amendment.**

B. Necessary Findings: Before recommending and/or granting an approval of an application for a text amendment, the planning and environmental commission and the town council shall make the following findings with respect to the requested amendment:

- ~~1. That the amendment is consistent with the applicable elements of the adopted goals, objectives and policies outlined in the Vail comprehensive plan and is compatible with the development objectives of the town; and~~
- ~~2. That the amendment furthers the general and specific purposes of the sign regulations; and~~
- ~~3. That the amendment promotes the health, safety, morals, and general welfare of the town and promotes the coordinated and harmonious development of the town in a manner that conserves and enhances its natural environment and its established character as a resort and residential community of the highest quality.~~

11-5-2 Design Guidelines:

Any sign erected within the town of Vail should:

- A. Be consistent with the scale and architecture already present in the town: Sign location, configuration, **design mounting structure and framing design**, and size should be aesthetically harmonious with the mountain setting and the alpine village atmosphere of the town.
- E. Use creative graphics and lettering: The creative use of depth, relief, shading, three-dimensional projections and other pleasing textural qualities is generally encouraged. ~~The guidelines that apply to general sign colors likewise apply to graphics and lettering.~~ Three-dimensional projections shall not be calculated as part of total sign area, but ~~the size, placement, and style of the projections~~ shall be subject to design review.

11-5-3 Design Standards:

B. Colors: Fluorescent, Day-Glo® and neon colors are prohibited, **unless the owner of the sign has a copyright to such color.**

~~H. Moving Parts: Signs that have, or appear to have, moving parts (aside from natural wind induced movement) are prohibited.~~

I.H. Placement On Public Property: Signs shall be constructed on private property outside of the town right of way and shall not project onto the town right of way except when permitted under a licensing agreement or a revocable right of way permit issued from the town of Vail.

J.I. Sign Inspection: Each sign for which a permit is required shall be subject to inspection by the staff.

11-5-4 Sign Measurement:

D. Menu Boxes And Display Boxes: **Menu and** Display boxes shall be measured by the area of the outside dimensions of the box, including framing.

11-6-1: Purpose and Description:

Business and building identification signs are meant to identify and inform through the display of the business and/or building name and any graphic symbols or language pertinent to the advertised enterprise. This chapter covers all of the technical information related to business and building identification signs. All business and building identification signs shall comply with the standards outlined in this chapter and shall be subject to design review.

11-6-2: Sign Districts:

- A. Sign district 1 (SD 1): All of Vail except for property zoned ABD, CC3, and **PA-2**.
- B. Sign district 2 (SD 2): All property zoned ABD, CC3, and **PA-2** (West Vail and Cascade Crossing).
- C. **Sign District 3 (SD3): West Vail Interchange (CDOT right of way).- Ski Base Overlay Sign District (SBO): Properties that are a part of the Ski Base Area as defined by the Ski Base overlay map.**

11-6-3: Business Signs:

A. Business **Identification** Signs:

1. Business **identification** signs in sign district 1 (SD 1):
 - a. Number: Each business shall be allowed one business **identification** sign per public entrance.
 - b. Area: The allowable area of each business **identification** sign shall be up to six (6) square feet. **At the discretion of the design review board, a business identification sign for a bowling alley or movie theater may be up to fifteen (15) square feet in area, subject to the applicant demonstrating that the sign area is harmonious with the scale and architectural character of the subject business and the building in which it is located.**
 - c. Height: Projecting and awning signs shall have a minimum clearance of eight feet (8') above pedestrian-ways and a minimum clearance of fifteen feet (15') above vehicular-ways. No part of any business **identification** sign shall extend more than twenty-five feet (25') above existing grade.

d. Location: Business **identification** signs shall be located on the business frontage.

e. Type Of Sign: Business **identification** signs shall not be freestanding.

2. Business **identification** signs in sign district 2 (SD 2):

a. Number: Each business shall be allowed one business **identification** sign per business frontage with a maximum of three (3) per business.

b. Area: The combined area of allowed business **identification** signs is based on the combined business frontages, and is as follows:

<u>Combined Business Frontages</u>		<u>Total Sign Area</u>
0 feet - 12.99 feet		10 square feet
13 feet - 24.99 feet		14 square feet
25 feet - 49.99 feet		20 square feet
50 feet - 74.99 feet		30 square feet
75 feet - 99.99 feet		40 square feet
100 feet plus		50 square feet

c. Height: Projecting and awning signs shall have a minimum clearance of eight feet (8') above pedestrian-ways and a minimum clearance of fifteen feet (15') above vehicular-ways. No part of any business **identification sign** shall extend more than twenty-five feet (25') above existing grade.

d. Location: Business **identification** signs shall be located on the business frontage.

e. Type Of Sign: Business **identification** signs shall not be freestanding.

B. Display Boxes (SD1 And SD 2):

3. Height: The height of the highest part of the display box shall not extend more than six feet (6') **from above** existing grade.

6. Special Provisions: Display boxes are allowed at real estate offices and movie theaters only for the exclusive display of real estate listings and current movie listings.

C. ~~Menu Boxes (SD 1 And SD 2):~~

- 1. Number:** Each business shall be allowed up to two (2) menu boxes per business frontage, per subsection C5 of this section.
- 2. Area:** Businesses shall be allowed up to six (6) square feet of menu box area per business frontage. No single menu box shall exceed six (6) square feet, and no business frontage shall display more than six (6) square feet of menu box area.
- 3. Height:** The height of the highest part of the menu box shall not extend more than six feet (6') from existing grade.
- 4. Location:** Menu boxes shall be displayed on the business frontage.
- 5. Special Provisions:** Menu boxes are allowed only at eating and drinking establishments for the exclusive display of menus.

Menu boxes for eating and drinking establishments in theaters may be electronic signs. When used as a menu box, the illumination levels of an electronic sign must be adjusted to the ambient light conditions and be no brighter than is necessary for clear and adequate visibility. When used as a menu box, electronic signs shall not emit light between the hours of eleven o'clock (11:00) P.M. and seven o'clock (7:00) A.M. the following day.

D. Specials Boards (SD 1 And SD 2):

- 1. Number:** Businesses shall be allowed one specials board per business frontage.
- 2. Area:** Specials boards shall not exceed three (3) square feet.
- 3. Height:** The height of the highest part of the specials board shall not extend more than six feet (6') from existing grade.
- 4. Location:** Specials boards shall be attached to menu boxes, except where the administrator determines there is a practical difficulty by making the following findings, in which case the specials board may be attached to a wall or deck railing on the business frontage:
 - a. That there exists no ability to attach the specials board to the menu box in the existing or proposed location of the menu box; and
 - b. That there exists no ability to relocate the existing or proposed menu box to a location that meets the requirements of this title, and allows for attachment of the specials board to the menu box.
- 5. Special Provisions:** Specials boards are allowed only at eating and drinking establishments for the exclusive display of specials.

E. Window Signs (SD 1 And SD 2):

- 2. Area:** The area of **any all** window signs shall not exceed fifteen percent (15%) of the area of the window in which **it is they are** placed, with a maximum size per window sign of six (6) square feet. Mullions that are more than twelve inches (12") wide shall be considered window separators, thereby signifying a separate "window area". **Sale signs**,

~~business operation signs, promotional event posters and open/closed signs do not count toward window sign area calculations.~~

4. Special Provisions: Signs placed inside of a business, within three feet (3') of a window and visible from the outside, ~~including, but not limited to, sale signs, business operation signs, and open/closed signs~~, shall be counted toward total window sign area.

F. Sale Signs (SD 1 And SD 2):

1. ~~Number: The number of sale signs per business is not regulated as long as area requirements are met.~~
2. ~~Area: The combined area of all sale signs shall not exceed three (3) square feet per business.~~
3. ~~Location: Sale signs may be attached to outdoor display fixtures or shall be placed inside windows.~~
4. ~~Special Provisions: Sale signs that are displayed in windows do not count toward window sign area calculations.~~

G. Business Operation Signs (SD 1 And SD 2):

1. ~~Number: The number of business operation signs is not regulated as long as area requirements are met.~~
2. ~~Area: Each business shall be allowed up to one and one-half (1.5) square feet of business operation signage per public entrance.~~
3. ~~Height: The top of any business operation sign shall not exceed five feet (5') from the floor plate of the business.~~
4. ~~Location: Business operation signs shall be allowed only at the public entrance of a business.~~
5. ~~Special Provisions/Purpose: Business operation signs are intended to provide information such as affiliations, hours of operation, and accepted credit cards or forms of payment. Business operation signs do not count toward window sign area calculations.~~

H. Open/Closed Signs:

1. ~~Number: Each business shall be allowed one open/closed sign per public entrance.~~
2. ~~Area: Each open/closed sign may contain up to 1.5 square feet of window signage per public entrance.~~
3. ~~Height: The top of any open/closed sign shall not exceed five feet (5') from the floor plate of the business.~~
4. ~~Type Of Sign: Open/closed signs shall be window signs.~~

~~5. Special Provisions: The one open/closed sign allowed per public entrance may be two (2) faced for convenience. Open/closed signs do not count toward window sign area calculations.~~

~~I. Sign District 3 (SD 3); Business Signs: All signs in sign district 3 (SD 3) exist under the authority of the Colorado department of transportation (CDOT) and are not regulated by the requirements set forth in this title.~~

11-6-4: Building Identification Signs:

A. Description: ~~A building sign indicates the name of a building, which, in some cases (such as a hotel or lodge) may be the same as the primary business and building owner.~~ All building signs shall comply with the regulations listed herein and shall also be subject to review by the design review board, which reviews signage based on the criteria in chapter 5 of this title.

The total area allowed for building identification signage in both sign district 1 and sign district 2 includes the total number of its building signs, each measured differently, according to the type of building identification sign, and varies according to building frontage (see following tables).

~~4. Sign District 3 (SD 3); Types Of Building Identification Signs: All signs in sign district 3 (SD 3) exist under the authority of the Colorado department of transportation (CDOT) and shall not be regulated by the requirements set forth in this title.~~

11-7-1: Flags, ~~Pennants, Banners, and Bunting~~:

~~A. Description: Flags, pennants, banners, and bunting shall be subject to design review and placed appropriately within the town in order to add color and vitality to the town of Vail.~~

~~1. Clearance: Flags, pennants, banners, and bunting shall have a minimum clearance of eight feet (8') when projecting over public walkways and a minimum clearance of fifteen feet (15') when projecting over vehicular streets.~~

~~2. Special Events: Banners, pennants, bunting, or decorations of a temporary nature used for the purpose of promoting community activities or the sponsors thereof shall be exempt from the application procedure described in this title and shall instead be subject to the requirements associated with acquiring a special events permit from the town of Vail.~~

~~a. Review: Granting of a special events permit that involves signage shall be preceded by staff review.~~

~~b. Removal: In the event that pennants, banners, or bunting are not removed by the owner on the date specified on the special events permit,~~

~~written notice will be sent by certified mail to the owner and the item(s) will be removed by the town of Vail at the owner's expense.~~

~~3. Advertising Prohibited: Pennants, banners, and bunting that are not associated with community events or activities but are for the purpose of advertising a business or product only are not allowed.~~

A. Quantity: *A maximum of two (2) flags per property.*

B. Size: *Flags are not to exceed twenty-four (24) square feet in area. This is the size of the Town's international flags, but we do display some larger ones as well, should be able to exempt these as government signs.*

C. Height:

1. Clearance: Flags shall have a minimum clearance of eight (8) feet when projecting over public walkways and a minimum clearance of fifteen (15) feet when projecting over vehicular streets.

2. No flagpole shall be higher than twenty-five (25) feet within the Town of Vail. This is the height of Vail's international flags, but the Town has poles up to 40ft.

D. Commercial Flags: *Flags used for the advertisement of any business, product, or service are subject to DRB review.*

E. Non-Commercial Flags: *Flags not used for the advertisement of any business, product, or service are exempt from DRB review, unlimited in number, but must conform to all dimensional standards. Flagpoles and other mounting structures require a building permit.*

F. Special Events: *Flags used for the purpose of promoting community activities or the sponsors thereof shall be exempt from the application procedure described in this title and shall instead be subject to the requirements associated with acquiring a Special Events Permit from the Town of Vail.*

11-7-2: Private No Parking Signs:

~~A. Size: Private no parking signs shall not exceed two (2) square feet in size and shall be composed of natural colors according to subsection 11-5-2D of this title. Private no parking signs shall read as follows:~~

PRIVATE PARKING

UNAUTHORIZED VEHICLES

WILL BE TOWED BY OWNER

11-7-3: Public Information Signs:

~~A. Description: All public information signs shall include any display board or kiosk with the intended use of locating posters, handouts, and cards identifying community activities, special events, and personal information.~~

~~B. Size, Height, Number, Location, Design, Lighting And Landscaping: Subject to design review.~~

~~C. Special Provisions: All display boards and kiosks shall be constructed, erected, and maintained by the town of Vail or with the permission thereof.~~

11-7-4 11-7-2: Residential Nameplate Signs:

~~A. Description: A residential nameplate sign identifies a house by displaying the family name and/or the home name and the address.~~

1. Size: Size shall not exceed one-half (1/2) square foot per ~~single family or duplex structure or one-half (1/2) square foot for each multi-family unit dwelling unit~~.
2. Height: No part of the sign shall extend above eight feet (8') ~~from above~~ existing grade.
5. Design: Wall mounted, *freestanding*, or projecting/hanging, subject to design review. ~~A freestanding sign may be used for a single family or duplex dwelling structure.~~
8. Special Provisions: ~~Nameplate signs in HDMF, LDMF, MDMF zones shall be restricted to one wall mounted sign per living unit in structures having two (2) or more living units. Further, such structures having three (3) or more living units may have one exterior wall mounted nameplate residential sign directory, provided that the individual nameplates signs of the directory are of a standard design and size. All joint directory nameplate signs shall be kept current~~

11-7-5: Subdivision Entrance Signs:

~~A. Description: A subdivision entrance sign identifies the entrance to a major subdivision, condominium complex, or group of apartment buildings that have at least one hundred (100) linear feet of frontage along a vehicular/pedestrian way.~~

1. Size: ~~Combined size of all faces of a multisided sign may not exceed twenty (20) square feet.~~
2. Height: ~~No part of the sign shall extend more than eight feet (8') from existing grade.~~
3. Number: ~~Limited to a maximum of one sign per major entry providing access to a subdivision. Final decision as to the determination of a major entry shall be at the discretion of the staff, subject to design review.~~
4. Design: ~~Subject to design review.~~
5. Lighting: ~~Indirect or pan channeled.~~

~~6. Landscaping: Subject to design review.~~

11-7-3: Neighborhood Signs:

A. Description: *In all residential zone districts, any property or portion of a property under common ownership or management shall be allowed additional signage within the area under common ownership or management. The common space must be common to more than 4 units to qualify for a neighborhood sign.*

B. Number: One (1) sign per curb cut accessing the common space.

C. Area: Combined area of all neighborhood signs shall not exceed twenty (20) square feet.

D. Height: No part of a neighborhood sign shall extend more than eight feet (8') above finished grade.

11-7-6 11-7-4: Construction Signs:

A. Description: ~~A sign permitted to identify and describe a project under construction.~~

1A. Area: ~~In all residential zone districts, the area of any construction sign shall not exceed eight (8) square feet. In all other zone districts, The area of any construction sign shall not exceed twenty (20) eight (8) square feet. with a horizontal dimension no greater than ten feet (10').~~

2B. Height: The top of a construction sign shall be no higher than eight feet (8') ~~from above~~ grade.

3C. Number: One (1) sign per *approved* construction site *entrance*.

4-D. Location: Construction signs shall be mounted parallel and flush to the building wall or construction fence adjacent to the street or major pedestrianway to which the construction site abuts.

5-E. Lighting: Not permitted.

6-F. Type Of Sign: Construction signs shall not be freestanding signs.

~~7. Design: Subject to design review.~~

~~8. Landscaping: Not applicable.~~

9-G. Display Duration: Construction signs may be displayed upon issuance of the associated building permit(s) and shall be removed prior to the issuance of a certificate of occupancy.

10. Content: ~~No content other than listed below shall be included on a construction sign:~~

a. Construction signs shall include the following information:

(1) Physical address of the construction site.

- (2) Building permit number(s).
 - (3) Construction project name(s).
 - (4) One emergency contact, including one individual and business name, one telephone number and one e-mail address.
- b. Construction signs may include the following additional information:
 - (1) One business logo of the emergency contact.
 - (2) Brief factual description of the construction project.
 - (3) One website address.
 - (4) One quick response (QR) code.
 - (5) An artist rendering of the finished construction project.
 - (6) Proposed construction completion date.

11. Special Provisions: Signs identifying dangerous or hazardous conditions associated with a construction site are exempt from design review as further regulated by section 11-9-1, "Exempt Signs", of this title.

H. Construction signs must comply with the current building code adopted by the Town of Vail and any other relevant state or federal law.

11-7-7: Traffic Control Signs For Private Property:

- A. Description: A traffic control sign shall be placed in order to relieve vehicular and pedestrian traffic congestion and promote the safe and expedient flow and parking of traffic on private property.
 - 1. Size: All vehicular traffic control signs shall not exceed one square foot except for multipurpose signs which shall not exceed four (4) square feet and except for private parking signs which shall not exceed two (2) square feet. All pedestrian traffic control signs shall not exceed one square foot, except multipurpose signs, which shall not exceed four (4) square feet, subject to design review.
 - 2. Height: No part of the sign shall extend above six feet (6') from existing grade.
 - 3. Number: Subject to design review.
 - 4. Location: Location shall be subject to design review, with approval from the town engineer for any sign placed adjacent to a public street or way.
 - 5. Design: Subject to design review.
 - 6. Lighting: Subject to design review.
 - 7. Landscaping: Subject to design review.
 - 8. Special Provisions:

- a. ~~May be either freestanding or wall mounted, with same size requirements.~~
- b. ~~No sign shall contain any advertising, but may identify the owner by name.~~

11-7-8 11-7-5: Entertainment Theater Signs:

Theaters and movie/media rental business will be allowed three (3) poster in the front window at any one time. The allowable area of each **entertainment theater** sign may be up to eight (8) square feet, subject to design review approval.

Entertainment signs for theaters Theater signs may be electronic signs. When used as ~~an entertainment a theater~~ sign, the illumination levels of an electronic sign must be adjusted to the ambient light conditions and be no brighter than is necessary for clear and adequate visibility. When used as ~~an entertainment a theater~~ sign, electronic signs shall not emit light between the hours of eleven o'clock (11:00) P.M. and seven o'clock (7:00) A.M. the following day.

11-7-9: Garage and Yard Sale Signs:

- A. ~~Garage sale and yard sale signs temporarily erected on residential property are subject to the following:~~
 - 1. ~~Type: Garage and yard sale signs may be freestanding or wall signs.~~
 - 2. ~~Quantity: There shall be a maximum of one sign upon the advertised property and one directional sign off site.~~
 - 3. ~~Area: The maximum area of any single sign shall not exceed one and one-half (1¹/₂) square feet.~~
 - 4. ~~Height: The height of the sign shall not exceed five feet (5') from the grade at the base of the sign.~~
 - 5. ~~Display Duration: The allowed signs shall only be displayed within twenty four (24) hours prior to the start of the sale and during the period of time that the garage or yard sale is in progress.~~

11-7-10 11-7-6: Open House Signs:

- A. ~~Description: Signs advertising and directing vehicular traffic to an open house are subject to the following:~~
 - 1. ~~Type: The sign may be freestanding or a wall sign.~~
 - 2. ~~A. Number: There shall be a maximum of one sign on the property where the open house is being conducted and three (3) vehicular directional signs off site. For each real property that is actively listed for sale, as evidenced by such parcel's listing in a multiple listing service or other real estate listing service, one (1) temporary sign is allowed.~~

3-B. Location: *An Open House Sign is allowed at a street corner on the street from which the main entrance to the property is accessed. It must be placed in a manner to not obstruct the flow of traffic or impede in the safe usage of the Right-of-Way.*

- a.** *An on site open house sign shall be located on the specific property being shown, and shall not be located off site (including at real estate offices).*
- b.** *Vehicular directional open house signs are prohibited within the Colorado department of transportation's (CDOT's) North Frontage Road, South Frontage Road, Bighorn Road, and Interstate 70 rights of way.*
- c.** *Vehicular directional open house signs are prohibited within any designated public pedestrian area.*
- d.** *Vehicular directional open house signs are prohibited on private property without the consent of the property owner.*
- e.** *Vehicular directional open house signs shall not obstruct any public street, sidewalk, recreational path or any public snow removal operations.*

4-C. Area: The area of any ~~single on site open house sign or vehicular directional open house sign~~ shall not exceed three (3) square feet.

5-D. Height:-The height of any ~~single on site open house sign or vehicular directional open house sign~~ shall not exceed ~~five feet (5')~~ ~~four feet (4')~~ as measured from the top of the sign to the grade at the base of the sign.

6-E. Display Duration: *This sign is only allowed during the period of time when the property is open for viewing to the public without an appointment (aka an "open house").*

- a.** *On site open house signs and vehicular directional open house signs may be displayed up to one hour before the beginning of the open house and must be removed no later than one hour after the conclusion of the open house.*
- b.** *On site open house signs and vehicular directional open house signs may only be displayed between eight o'clock (8:00) A.M. and eight o'clock (8:00) P.M. on a daily basis.*
- c.** *On site open house signs and vehicular directional open house signs shall not be displayed for more than three (3) consecutive days.*

7. ~~Design: Not subject to design review.~~

8. ~~Lighting: Not permitted.~~

9. ~~Special Provisions: No flags, pennants, banners, bunting, balloons, any other similar items may be attached to an on site open house sign or a vehicular directional open house sign.~~

11-7-12 Vehicular Signs:

~~Any vehicles displaying the name of the business associated with said vehicle shall be used on a regular basis for service and delivery or other vehicular needs related to that business activity. Vehicular signs shall not be used for the sole purpose of advertising a business, as determined by the administrator.~~

11-7-13 Promotional Event Posters:

~~A. Description: A sign depicting an event in the community that is not an exclusive advertisement for the business in which it is displayed.~~

~~B. Number: No more than ten (10) promotional event posters shall be displayed by a business.~~

~~C. Area: The area of promotional event posters shall not exceed twenty five percent (25%) of the total window area. Promotional event posters do not count toward window sign area calculations.~~

~~D. Height: The top of any promotional event poster shall not extend more than twenty-five feet (25') above existing grade.~~

~~E. Location: All promotional event posters shall be displayed inside windows of a business.~~

~~F. Type Of Sign: Promotional event posters shall be window signs.~~

~~G. Duration: Promotional event posters shall be removed within three (3) days of completion of the promoted event.~~

11-7-14 11-7-8: Public Parking and Loading Signs for Private Property:

A. Description: A public parking and loading sign is permitted for private properties which provide "public unstructured parking" or "public parking structures" as defined by section 12-2-2, "Definitions Of Words And Terms", of this code, with a minimum of twenty five (25) parking spaces and/or loading bays for use by the public. These public parking spaces must be above and beyond the requirements of title 12, chapter 10, "Off Street Parking And Loading", of this code.

~~7. Landscaping: Subject to design review.~~

~~8. Special Provisions:~~

~~a. Public parking and loading signs shall include language and/or symbols identifying parking and/or loading bays available for use by the public on no less than fifty percent (50%) of the total sign area.~~

~~b. Signs may identify the owner or the project name and logo.~~

~~c. Changeable copy may be allowed to identify the availability of parking spaces and/or loading bays.~~

11-7-15 11-7-9: Ski Base Area Signs:

A. Description: These regulations apply to all signs erected within the ski base areas. ~~These regulations are intended to provide the ski base areas with the signs necessary to operate the ski mountain. These signs are necessary to clearly communicate the multisessional recreational activities available on the ski mountain.~~ There shall be a sign program addressing the needs of both the winter and summer seasons. ~~The intent of these regulations is to provide the highest level of guest services while maintaining the highest quality resort character.~~ It is not the intent of these regulations to provide a competitive advantage to on mountain commercial uses.

7. Landscaping: Subject to design review.

8. Special Provisions:

- ~~a. A sign program is required in accordance with the provisions of chapter 8 of this title.~~
- ~~b. Signs shall permit the advertising of multisessional recreational activities available on the ski mountain as provided by the operator of the ski mountain.~~
- ~~c. Signs advertising on mountain third party corporate sponsors or logos as determined at the sole discretion of the town's reviewing agencies, eating and drinking establishments, retail stores and establishments, and other commercial uses shall be prohibited.~~

11-7-16: Informational and Directional Sign for Public Parking on Private Property:

~~A. Description: An informational and directional sign shall be described as a portable sign with the intended use of directing the public to private property locations where vehicle parking is available for daily and/or hourly use by the public and advertising the daily and/or hourly rate.~~

~~B. Applicability: An informational and directional sign shall only be allowed for property having obtained approval from the town for daily and/or hourly use of parking spaces by the public.~~

~~C. Number And Location: Subject to review and approval of the administrator.~~

~~D. Size And Design: All informational and directional signs shall comply with the standards prescribed in exhibit A of this section, as applicable.~~

EXHIBIT A
INFORMATIONAL AND DIRECTIONAL
SIGN FOR PUBLIC PARKING
ON PRIVATE PROPERTY

E. Special Provisions:

- 1. An informational and directional sign shall only be displayed when the daily use of parking spaces are available to the public.**
- 2. The daily and/or hourly rate shall be displayed and remain current at all times.**
- 3. The penalty for violating any provision of this regulation shall be the revocation of the approval and the immediate removal of the sign upon written notice from the administrator. Any action of the administrator may be appealed to the design review board, pursuant to this title.**

F. Expiration: The provisions of this section shall expire on November 19, 2013.

11-7-10: Restaurant Signs:

A. Description: Additional signage allowed for all eating and drinking establishments within the Town of Vail, subject to the following standards.

B. Display Boxes:

- 1. Number: Each business shall be allowed up to two (2) display boxes per business frontage, per subsection C5 of this section.**
- 2. Area: Businesses shall be allowed up to six (6) square feet of display box area per business frontage. No single display box shall exceed six (6) square feet, and no business frontage shall display more than six (6) square feet of display box area.**
- 3. Height: The height of the highest part of the display box shall not extend more than six feet (6') above existing grade.**
- 4. Location: Display boxes shall be displayed on the business frontage.**

C. Specials Boards:

- 1. Number: Businesses shall be allowed one specials board per business frontage.**
- 2. Area: Specials boards shall not exceed three (3) square feet.**
- 3. Height: The height of the highest part of the specials board shall not extend more than six feet (6') above existing grade.**
- 4. Location: Specials boards shall be attached to menu boxes, except where the administrator determines there is a practical difficulty by making the following**

findings, in which case the specials board may be attached to a wall or deck railing on the business frontage:

- a. That there exists no ability to attach the specials board to the menu box in the existing or proposed location of the menu box; and*
- b. That there exists no ability to relocate the existing or proposed menu box to a location that meets the requirements of this title, and allows for attachment of the specials board to the menu box.*

11-7-11: Additional Temporary Signage:

- A. Description:** *Each property within the Town of Vail shall be allowed, without a permit, one (1) additional temporary sign, subject to the following standards.*
- B. Size:** *No temporary sign shall not be greater than three (3) square feet in area.*
- C. Height:** *No part of a freestanding sign shall extend above four (4) feet above the finished grade.*
- D. Design:** *Temporary signage falling under this provision shall be freestanding or window signs.*
- E. Timeframe:** *No sign falling under this provision shall be displayed for more than fourteen (14) days per year. Additional Temporary signage may only be displayed between eight o'clock (8:00) A.M. and eight o'clock (8:00) P.M. on a daily basis.*

11-9-1: Exempt Signs:

- B. Notices posted by governmental officers in the performance of their official duties;**
- C-B. Government signs *and signs erected by government employees in the course of their work*, including directional signs, to control traffic or for other regulatory purposes;**
- D-C. Works of "fine art", including murals, which do not advertise a product or business and which have been approved by the town of Vail's art in public places board (AIPPB) *A mural that has received approval by the Art in Public Places Board;***
- E D. Temporary decorations or displays, when they are commonly associated with any national, local or religious holiday; *however, such holiday decorations shall be removed once their condition has deteriorated such that they are no longer attractive;***
- H. The inscription of names (or dates) of buildings, when etched into masonry in one location on any business or premises, and in conformity with chapter 6, "Business And Building Identification Signs", of this title. *Each letter of an inscription may not exceed two inches (2") in height and the total engraved area may not occupy more than three (3) square feet of the surface of the building;***
- I. Signs in the I-70 right of way, which are regulated by the Colorado department of transportation (CDOT);**

~~J. All political signs, as defined in chapter 2 of this title;~~

~~K. Sale signs;~~

~~L. Business operation signs;~~

~~M. Open/closed signs;~~

~~N. Promotional Event Posters~~

~~O. Garage and yard sale signs; and~~

G. Private Warning Signs

11-9-2: Prohibited Signs:

E. Any sign **advertising for** a business or service having been vacated for ninety (90) or more days. This provision does not apply to permanent signs accessory to seasonal businesses, provided there is clear intent to continue operation of the business;

~~N. Going out of business signs; and~~

~~O. Portable signs, except official government signs, open house signs, and ski base signs.~~

N. Vehicular signs as defined by this Title.