

**City of Aztec  
Ordinance 2014-439**

**Amending Chapter 20 Signs, Article II and Article IV**

**WHEREAS**, Chapter 20, Signs, was last revised in 2012; and

**WHEREAS**, Chapter 20, Signs, there had been discussion regarding permitting and charging fees for garage/yard sale signs and a 180 moratorium was passed through resolution; and

**WHEREAS**, the Community Development Department proposes several changes to the Sign Code to address the garage sale sign, some other issues discovered while reviewing the code, as well as removing the formula/table assigning sign development standards based on the adjacent roadway speed.

**NOW, THEREFORE BE IT ORDAINED** by the Governing Body of the City of Aztec, New Mexico that Chapter 20, Article II and Article IV, has been amended as follows:

## ARTICLE II. ADMINISTRATION

### Sec. 20-2-1. Permitting.

1. Applicants who wish to erect new permanent or temporary signs, or those seeking to complete significant modifications (i.e., a modification that costs 50% or more than the replacement cost of the original sign) of existing signs, must obtain a permit from the City prior to installation/modification of the signs. Review of applications for sign permits shall be concurrent in the instance that multiple departments must approve applications.
2. Upon submission of a completed application, the City shall have 10 ~~standard~~ business days to review the application for a sign permit. ~~Standard b~~Business days are identified as Monday through Friday and do not include holidays, as recognized by the City of Aztec.
3. A permit shall be issued on or before the end of the 10 business day review period if the application for a new sign or sign modification complies with the regulations contained in Sign Code.
4. Issuance of a City of Aztec Sign Permit does not exempt the applicant from the rules and regulations of the Highway Beautification Act identified in NMSA 67-12-1 et. seq., as amended. ~~Applicants may be required to obtain an outdoor advertising permit from the New Mexico Department of Transportation. Depending on the proposed sign location, an applicant may be required to obtain an outdoor advertising permit from the New Mexico Department of Transportation.~~ Approval of a sign permit by the City of Aztec does not guarantee approval of a New Mexico Department of Transportation permit for outdoor advertising.
5. If the City does not issue a determination within the 10 business day period, the sign permit ~~is shall be deemed automatically~~ approved.
6. ~~If An~~ application for a sign permit ~~may is be~~ denied ~~within the 10 business day review period by~~ the City ~~shall inform the applicant of the reasons the application fails to comply with the standards contained in Sign Code. within the 10 business day review period if the application fails to comply with the standards contained in Sign Code.~~ The City's decision may be delivered in person, or by certified mail or other form of signature confirmation. ~~shall inform the applicant of the reasons for denying the application for a sign permit by certified mail or other form of signature confirmation.~~ Once the City has provided the applicant with the reasons for denying the sign permit, the application request will be ~~considered~~ closed by the City ~~unless it is resubmitted per Section 7 or appealed per Section 8 below.~~
7. Upon ~~receiving a denied sign permit application~~ denial of an application for a sign permit, the applicant ~~has shall have~~ 15 ~~standard~~ business days (from ~~date of~~ signature receipt of ~~for~~ denial letter) to revise and resubmit the application for review by the City.
- 7-8. ~~In the alternative,~~ <sup>^</sup>the applicant may also appeal the decision of the City to the City Commission within the 15 ~~standard~~ business days ~~time period~~. Appeals shall be made in writing to the Aztec City Commission and shall be delivered to the Aztec City Clerk. The City Commission shall review the City's denial of ~~said the applicant's~~

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application via a Quasi Judicial Hearing process at a regularly scheduled Commission Meeting.

8.9. Upon a final determination by the City Commission, unsuccessful applicants may seek to appeal to the court of competent jurisdiction.

9.10. All approved Permits shall expire 180 calendar days from the date of issue, at which time the permit shall be considered void/expired. Failure to complete construction and installation of approved sign(s) within the 180 calendar day time period shall require submission of a new application and payment of all associated fees.

### Sec. 20-2-2. Comprehensive Sign Plan (CSP).

A Comprehensive Sign Plan (CSP) may be submitted that permits consideration of unique conditions, flexibility and creativity to address a particular locations site and its constraints, special circumstances. ~~Such All CSPs is~~ must be submitted for ~~subject to~~ approval ~~by to~~ the City Commission via a Quasi Judicial Hearing process. The CSP application of such plan cannot be viewed as imposing impose more restrictive requirements ~~than permitted by than~~ the basic standards allow. ~~The CSP may result in permitting, but rather, may permit~~ additional signs, ~~and/or permitting greater sign display area, or increasing other basic limitations.~~ The approval may be subject to conditions such as increased landscaping or fencing on the site to mitigate potential impacts resulting from an approved CSP, based on the applicant's demonstration of unique characteristics of the design, building, and/or site and appropriate landscaping associated with the signs. Once approved, subsequent applications for specific signs may be approved administratively when the proposed sign is in compliance with the approved CSP. ~~a CSP has been approved, subsequent applications for specific signs shall be approved administratively when the proposed sign is in compliance with the approved CSP. It is important to note a CSP approval~~ Approval of a CSP for a development site does not remove the requirement ~~of to obtain~~ sign applications, permits, or ~~pay associated required~~ fees.

### Sec. 20-2-3. Enforcement.

1. Inspection. All signs for which a permit is required shall be subject to inspection. The Community Development Department may inspect all permitted signs during construction and installation, or upon completion of construction and installation, to ensure adherence to the stipulations of the sign permit, as approved by the City. All signs may be re-inspected at the discretion of the Community Development Department.
2. Revocation. A sign permit may be revoked by the Community Development Department for a permit holder's failure to construct/install a sign as approved by the City or for attempts to construct/install a sign utilizing an expired/void permit. Any subsequent reapplication for a sign permit shall be subject to all applicable fees, as identified in Chapter 16, Article 9, Division 1 of Aztec Municipal Code.
3. Stop Work Orders. The Community Development Department shall issue a Stop Work Order to any person or organization attempting to construct/install a sign in the City without a valid permit. Persons or organizations in receipt of a Stop Work Order shall cease development activities immediately; failure to do so shall result in a penalty assessment as identified in 20-2-8.

4. Removal of Signs. The City Engineer, City Public Works Director or the New Mexico Department of Transportation (on applicable streets) may require signs extending into the right-of-way to be modified or moved if streets are widened, or other improvements are made in the right-of-way, which result in the creation of unsafe conditions. The modification or moving of signs in the right-of-way will be at the owner's expense. If a nonconforming sign is moved under this requirement, it may be re-erected on the site without being brought into conformance but may not be altered in any way.

1) Temporary Signs. The City shall have the authority to remove, without notice, any temporary signs within the public right-of-way or on public property.

#### **Sec. 20-2-4. Disposal of Signs; Costs, Prohibition.**

Any sign removed by the City pursuant to the provisions of this article shall be considered refuse and become the property of the City. The City shall dispose of the sign as it deems appropriate. The cost of removal, storage and/or disposal of the sign by the City shall be considered a debt owed to the City by the owner of the sign and/or the owner of the property as identified using information obtained the San Juan County Assessor's, and may be recovered in appropriate court action by the City. The cost of removal shall include any and all incidental expenses, including legal fees, incurred by the City in connection with the sign's removal, storage and/or disposal.

#### **Sec. 20-2-5. Exemptions.**

The following are exempt from the regulations of this Sign Code and do not require sign permits, but may be subject to other codes adopted by the City of Aztec, where applicable:

1. Any public purpose/safety sign or any other notice or warning required by a valid and applicable federal, state or local law, regulation or resolution.
2. Works of art, such as murals, that do not include a commercial message.
3. Cultural, religious and other holiday lights and decorations containing no commercial message.
4. Flags.
5. Building markers.
6. Scoreboards on athletic fields.
7. Signs inside a building, not visible from a public roadway or public access.
8. Decals and/or logos affixed to windows or door glass panels, such as those indicating membership in a business group or identifying credit cards accepted at the establishment.
9. Signs displayed during the course of a special event by an organization that has been issued a Special Event Vendor Permit by the City. This exemption shall only apply to

signs displayed at the location for which the Special Event Vendor Permit has been issued.

10. The use of business logos, identification or advertising on vehicles primarily and actively used for business purposes or personal transportation and that, when parked, are not parked in such a manner as to constitute a violation of code under 20-2-6.5(c).--.

11. A maximum of three (3) temporary, noncommercial, accessory signs are allowed on all zoned lots; in the case of Mobile Home Parks, each mobile home space is permitted the same sign allowance. Such signs may not exceed (3) square feet each in area and must be anchored to prevent movement from wind.

#### **Sec. 20-2-6. Prohibited Signs.**

The following signs are prohibited in the City:

1. Abandoned signs.
2. Billboards.
3. Animated, flashing, rotating signs and festoons, signs containing strobe lights, inflatable signs, tethered balloons, banners, pennants, searchlights, streamers, exposed light bulbs, strings of lights not permanently mounted to a rigid background, and any clearly similar features employed to advertise or draw attention to a commercial activity, except those specifically permitted by Sign Code in Section 20-2-5, or special event signs or banners permitted in Section 20-4-7, or electronic message centers as permitted in Section 20-4-5.
4. Signs placed on or painted on a motor vehicle or trailer parked with the primary purpose of providing signage not otherwise allowed by the Sign Code; prohibited is any sign displayed on a parked trailer or truck or other vehicle where the primary purpose of the vehicle is to advertise a product, service, business, or other activity. Also prohibited is any sign temporarily, attached or displayed on a trailer and driven through the City with the primary purpose of advertising a product, service, business, or other activity. This prohibition on vehicle signs shall include but not be limited to:
  - 1) Vehicle signs for which the advertising medium utilized on the vehicle is a sign, device, or structure separate from the vehicle.
  - 2) Vehicle signs for which the copy is readily changeable, including but not limited to repainting such sign, device, or structure.
  - 3) Vehicle signs for which the total sign area exceeds fifty (50) percent of the surface area of the vehicle and the vehicle is parked on the street or on the business premises to which the advertising relates or in reasonable proximity thereto and the location of the advertising is reasonably calculated to direct an observer towards the business. It shall be considered that advertising was the principal purpose of the parking of the vehicle, notwithstanding the fact that the vehicle is driven to and from the business premises on a daily basis.

5. Signs containing any words or symbols that would cause confusion because of their resemblance to highway traffic control or direction signals, or signs that interfere with the effectiveness of any official traffic light, sign or signal.

~~5-6.~~

~~6-7.~~ Merchandise, equipment, products, vehicles or other items which are not available for purchase, but are intended to attract attention, or for identification or advertising purposes.

~~7-8.~~ Signs, to include snipe signs, posters and handbills, affixed to any structures, fences, trees or other natural vegetation, rocks, utility poles, streetlights or street signs, public benches or any other form of public property or within any public right-of way or on public property unless explicitly permitted by these regulations or explicitly identified as a Public Bulletin or Community Announcement Board.

~~8-9.~~ Roof signs, unless architecturally incorporated into the façade of the building on a parapet wall or similar extension of an exterior wall. Projecting signs that extend above the roof line are permissible provided they extend no further than three (3) feet above the roof line.

~~9-10.~~ Signs which emit smoke, visible vapors, particles, sound or odor shall not be permitted. Open flames used to attract public attention to a place of business or to an advertising sign shall not be permitted.

~~10-11.~~ No mirror device shall be used as part of a sign. Mirror finishes on signs are permitted provided such finishes are not directly illuminated with the intention of creating a reflective surface.

~~11-12.~~ Signs which encroach upon or otherwise impede any public right-of-way, unless explicitly permitted in this code.

#### **Sec. 20-2-7. Violations.**

It shall be unlawful to erect, construct, install, alter, modify, or move any sign or sign structure in the City or cause or permit the same to be done in violation of any of the provisions of this Sign Code.

#### **Sec. 20-2-8. Penalty.**

Any person, firm, corporation or organization violating any provision of this Sign Code shall be subject to penalties as identified in Sec. 1-8; a separate offense shall be deemed committed on each day during which a violation occurs or continues.

**ARTICLE IV. SIGNS PERMITTED BY ZONE DISTRICT**

The signs permitted in each zone district are those indicated in Sec. 20-4-1 and Sec. 20-4-3. All signs permissible are still subject to regulations based on sign type and sign location relative to zone district. All maximum numbers displayed are per lot unless otherwise noted.

**Sec. 20-4-1. Signs Permitted in Agricultural and Residential Zone Districts.**

*Table 20-4-1.1 Signs Permitted in Agricultural and Residential Zone Districts.*

	<i>Types Allowed</i>	<i>Maximum Number Allowed</i>	<i>Permitted Sign Area</i>	<i>Maximum Height</i>
Single Residential or MH Parcels or Single Spaces in MH Parks <sup>(1)</sup> (R-1, MH)	Freestanding or Monument	1	6 sq ft (total area permitted per lot)	3 ft
	Wall	1	6 sq ft (total area permitted per lot)	N/A
Entrances to Residential Subdivisions, MH Parks, Multiple-Family Complexes (R-1, R-2, MH)	Freestanding or Monument	1 per ingress/egress to development	64 sq ft each	4 ft
	Wall	1 per building frontage	5% of façade	N/A
Agricultural Zone Districts (A-1)	Freestanding or Monument	1	48 sq ft	6 ft
	Wall	1	25 sq ft	N/A
Permitted Non-Residential Uses in R-1, R-2, MH and A-1 <sup>(2)</sup>	Freestanding or Monument	1 per lot, 2 if corner lot (1 per street frontage)	32 sq ft	4 ft
	Wall	1 per building frontage	10% of façade	N/A
Permitted in O-1 Office/ Institutional				
Permitted in C-1, C-2 Lot Width 100' or more	Wall	<u>1 per building frontage</u>	<u>Not to exceed</u>	
	Pylon	<u>Not to exceed 200 sq. ft. in area</u>	<u>Maximum Height = 30 ft.</u>	
Permitted in C-1, C-2, & M-1 Lot frontage of <del>400</del> <u>less than 100' or less</u>	Ground Mounted – 1 per each site	Not to exceed 32 square feet	Maximum height = 6 ft.	Not permitted in Downtown

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	Wall	1 per building frontage	10% of façade	
	Free Standing- 1 per each site	Not to exceed 50 sq. ft. in area	Maximum height = 30'	
Permitted in C-1, C-2 & M-1 Lot frontage over 100' or with corner lots having frontages each over <del>400'</del> 300' or more	Ground mounted – 1 per frontage	Not to exceed 32 square feet	Maximum height = 6 ft	Not permitted in Downtown
	Wall	1 per buiding frontage	10% of facade	
	Free Standing – 2 per each site, 1 per each frontage	Not to exceed 200 sq. ft	Maximum height = 30'	<u>Not permitted in Downtown</u>

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(1) May be subject to private restrictions imposed by Mobile Home Parks.  
(2) Instructional signs are permitted with no sign area or number limit, provided such signs meet the definition provided in code.

**Sec. 20-4-2. Development Standards in Agricultural and Residential Zones.**

- Electronic Message Centers. EMCs are allowed, by Special Use Permit only, on properties with permitted non-residential uses (such as churches and schools) in a residential zone (R-1, R-2 or MH Zone Districts); EMCs are not allowed in agricultural zone districts. Requirements for approved EMCs (such as maximum display area and transition time) for permitted non-residential uses in residential zone districts shall be subject to individual review and approval by City Commission.
  - The following EMC display features and functions are prohibited in residential zone districts: scrolling, traveling, flashing, spinning, rotating, fade, dissolve, any other moving effects, and all dynamic frame effects or patterns of illusionary movement or simulated movement.
- Illuminated Signs. The only signs which may be illuminated in residential districts are EMCs permitted by Special Use Permit or those freestanding or monument signs identifying entrances to residential subdivisions, mobile home parks or multiple family complexes, as identified in Section 20-4-1; illuminated signs are not allowed in agricultural zone districts. All illuminated signs shall adhere to regulations identified in Section 20-4-6.

**Sec. 20-4-3. Signs Permitted in Commercial Zone Districts.**

Table 20-4-3.1 Signs Permitted in Commercial Zone District.

	Zone District					
	O-1	C-1	C-2	M-1	M-2	PUD <sup>(3)</sup>
Wall Sign	✓ <sup>(1)</sup>	✓ <sup>(1)</sup>	✓	✓	✓	○

Projecting Sign		○	○	○			○
Directory Sign		✓	✓	✓	✓	✓	○
Building Identification Signs		✓	✓	✓	✓	✓	✓
Freestanding Sign:	Multiples Businesses <sup>(2)</sup>	✓ <sup>(1)</sup>	✓ <sup>(1)</sup>	✓	✓	✓	○
	Single Business	✓ <sup>(1)</sup>	✓ <sup>(1)</sup>	✓	✓	✓	○
Freestanding Sign: For the identification of the project or development		✓	✓	✓	✓	✓	○
Electronic Message Centers		✓	✓	✓	✓	✓	○
Illuminated Signs		✓	✓	✓	✓	✓	○

✓ The sign would generally be permitted.

○ These signs could be permitted depending on the design characteristics (building, parking arrangement, pedestrian circulation, etc.) and whether adequate space is available.

(1) In lieu of wall signs organizations may install one (1) projecting sign per primary building frontage. Organizations electing to utilize a projecting sign in lieu of wall signs may not erect a freestanding sign.

(2) In multiple tenant centers, each business may not be entitled to its own freestanding sign.

(3) Comprehensive Sign Plan is required for sign development/installation in all PUD zone districts.

**Sec. 20-4-4. Development Standards in Commercial Districts.**

1.—Wall Signs. The basic allowance for wall signs shall be limited to 'n' square feet of sign area for each lineal foot of building or tenant frontage and shall be determined by the classification of the road upon which the building fronts, based on road speed and type (simple or complex), as follows:

*Table 20-4-4.1. Wall Sign Basic Allowances.*

		Road Speed (mph)					
		20-30 Simple	20-30 Complex	35-45 Simple	35-45 Complex	50-60 Simple	50-60 Complex
Sign Area (total square feet per lineal foot of building frontage) <sup>(4)</sup>	Minimum	1.5	1.5	2	2	2.5	2.5
	Maximum	2	2	2.5	2.5	3	3

<sup>(4)</sup> Calculation Example: Maximum sign area for a building with 20 feet of building frontage on a 25 mph road (classified as simple) would be 40 square feet (2 x 20).

1) The minimum sign area for each tenant with building frontage shall not be less than 20 square feet.

2)—Each tenant may have multiple wall signs as long as the total wall sign area does not exceed five percent (5%) of the gross floor area or 30% of the building façade.

~~whichever is less, the allowances established for wall signs and provided the sign(s) meet all specifications identified in Table 20-4-4.1.~~

- ~~2)~~
- 3) The wall sign or signs, shall not be greater than eighty (80%) percent of the length of the tenant space or the length of the building frontage for single tenant buildings.
- 4) Wall signs may not extend above the top of the building wall upon which they are mounted.
- 5) ~~The area of any wall sign may be increased by twenty five (25%) percent when the building is setback at least two hundred (200) feet from the public right-of-way and may be further increased an additional twenty five (25%) percent for each additional two hundred (200) feet of setback, or fraction thereof, up to a maximum increase of one hundred (100%) percent.~~
- ~~6)5)~~ Additional wall sign area is permitted for a secondary frontage which shall be equal to ~~100%~~80% of the primary sign area ~~allowance based on allowances selected above in Table 20-4-4.1;~~ a) Additional wall sign area must appear on the secondary frontage and may not be added to the maximum permissible area for the primary frontage.
- ~~7)6)~~ The following additional wall signs may be permitted in excess of the wall sign area permitted in Table 24-4-4.1:

a) Projecting Signs. ~~Projecting signs are allowed in O-1, C-1 and C-2 zone districts for buildings that have no setback from the street or sidewalk or for buildings with attached canopies. Projecting signs are permitted, in addition to the allowances for wall signs, when designed and placed for the purpose of identifying the businesses for a pedestrian walking along the same side of the street as the business they seek or under a continuous canopy projecting from the building. Projecting signs are allowed in O-1, C-1 and C-2 zone districts for buildings that have no setback from the street or sidewalk or for buildings with attached canopies.~~

i. Design.

- a. Projecting Signs shall have a maximum area of ten (10) square feet.
- b. The bottom of the sign shall be a minimum of eight (8) feet above the sidewalk.
- c. the sign shall not project more than three (3) feet from the wall of the building on which the sign is placed (measured as the distance between the building façade and the innermost side of the projecting sign nearest the building).
- d. and no two adjacent projecting signs shall not be closer than fifteen (15) feet
- e. Signs should be oriented toward pedestrians passing on the sidewalk of the building rather than automobiles or pedestrians on the other side of the street.
- f. Mounting hardware for blade signs should be attractive and an integral part of the sign design. Metal brackets with decorative and complex

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shapes are encouraged  
where appropriate to add to the character of the building.

g. Signs should never cover architectural details and should be integrated with

architectural façade elements.

h. Blade signs should have two finished sides that are consistent on both sides.

i. Blade signs should be consistent with downtown wall sign design guidelines.

ii. j. ~~Projecting signs shall have a maximum area of ten (10) square feet; the bottom of the sign shall be a minimum of eight (8) feet above the sidewalk; the sign shall not project more than three (3) feet from the wall of the building on which the sign is placed (measured as the distance between the building façade and the innermost side of the projecting sign nearest the building); and adjacent projecting signs shall not be closer than fifteen (15) feet.~~

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b) Directory Sign. In addition to the wall signs otherwise permitted by these regulations, an additional sign may be permitted up to a maximum of sixteen (16) square feet for the purpose of identifying upper floor tenants or first floor tenants that do not have building frontage.

c) Instructional Sign. Instructional signs are permitted with no sign area or number limit, provided such signs meet the definition provided in code.

d) Window Signs. Permanent window signs shall not exceed twenty-five (25) percent of the area of a window or, in cases of buildings with numerous windows, shall not exceed twenty-five (25) percent of the total area of all windows combined. The total area of all window signs, including both permanent and temporary signs, shall not exceed fifty (50) percent of the window area or, in cases of buildings with numerous windows, shall not exceed fifty (50) percent of the total area of all windows combined.

e) Additional Wall Sign Area for Multiple Story Buildings. Additional sign area is permitted on each of the building's primary and secondary frontages according to the following:

- i. For a building with two (2) floors the additional permitted sign area is 20 square feet for each eligible frontage.
- ii. This additional permitted sign area may be increased by 10 square feet for each additional building floor.
- iii. Wall signs utilizing allowances for additional sign area based on multiple building stories must be placed at the height (i.e. the story) for which the bonus has been granted.

2. Projecting Signs. Organizations electing to install a projecting sign in lieu of wall signs may do so with the following provisions:

- 1) The projecting sign must be installed on the primary building frontage.

- 2) Projecting signs shall have a maximum sign area of two (2) feet per lineal feet of primary building frontage. *Calculation Example: Maximum sign area for a building with 20 feet of primary building frontage would be 40 square feet (2x20).*
- 3) The bottom of the sign shall be a minimum of eight (8) feet above the sidewalk or walking surface.
- 4) The sign shall not project more than six (6) feet from the wall of the building on which the sign is placed (measured as the distance between the building façade and the outermost side of the projecting sign farthest from the building).
- 5) Projecting signs shall not extend more than three (3) feet above the roof line.
- 6) Adjacent projecting signs shall not be closer than fifteen (15) feet.
- 7) The following additional signs may be permitted:
  - a) Directory Sign. In addition to the projecting sign permitted by these regulations, a wall sign may be permitted up to a maximum of sixteen (16) square feet for the purpose of identifying upper floor tenants or first floor tenants that do not have building frontage.
  - b) Instructional Sign. Instructional signs are permitted with no sign area or number limit, provided such signs meet the definition provided in code.
  - c) Window Signs. Permanent window signs shall not exceed twenty-five (25) percent of the area of a window or, in cases of buildings with numerous windows, shall not exceed twenty-five (25) percent of the total area of all windows combined. The total area of all window signs, including both permanent and temporary signs, shall not exceed fifty (50) percent of the window area or, in cases of buildings with numerous windows, shall not exceed fifty (50) percent of the total area of all windows combined.
  - d) Wall Signs. Wall signs are permissible on secondary building frontages, subject to all regulations, as identified in this Code.
3. Freestanding Signs. The sign area, height and location specifications for freestanding signs shall be determined by the [zoning district . ~~classification of the road upon which the building fronts, based on road speed and type \(simple or complex\), as identified in Table 20-4-4.2~~](#)
  - 1) No portion of a freestanding sign shall be in, or project over, a public right-of-way.
  - 2) Sign Angle. The angle of freestanding signs in relation to the oncoming traffic flow shall be between 45 and 135 degrees.
  - 3) Number of Signs. Freestanding Signs shall be limited to one (1) per lot. If a lot has frontage that exceeds three hundred (300) lineal feet on any given roadway, one (1) additional such sign on such frontage shall be permitted; and for each multiple of three hundred (300) lineal feet of frontage thereafter, one (1) additional such sign shall be permitted for each separate street frontage. Unless otherwise regulated by

specific reference herein, the area and height above grade of any freestanding sign shall not exceed the amounts specified in Table 20-4-4.2.

- 4) Directional Signs. Directional signs shall be permitted in addition to all other signs when they are of such size and location that satisfy the intended Directional purpose and based on their size, location, and intended purpose will not constitute additional advertising. Directional signs shall be permitted without limitation as to number or size and may include the name of the business or logo
- 5) Instructional Sign. Instructional signs are permitted with no sign area or number limit, provided such signs meet the definition provided in code.

Table 20-4-4.2 Freestanding Signs Basic Area Allowances.

		<i>Road-Speed (mph)</i>					
		<i>20-30 Simple</i>	<i>20-30 Complex</i>	<i>35-45 Simple</i>	<i>35-45 Complex</i>	<i>50-60 Simple</i>	<i>50-60 Complex</i>
<i>Sign-Area (sf)</i>	<i>Minimum</i>	25	35	70	70	160	160
	<i>Maximum</i>	45	50	100	120	200	240
<i>Setback</i>	<i>Minimum</i>	12'	12'	12'	12'	12'	12'
	<i>Maximum</i>	20'	20'	25'	25'	30'	30'
<i>Sign-Height</i>	<i>Minimum</i>	12'	12'	12'	12'	12'	12'
	<i>Maximum</i>	25'	25'	30'	30'	35'	35'

1. Accessory Signs. Accessory signs are permissible in commercial zone districts provided the following standards are met:
  - 1) Accessory signs are prohibited in the following forms:
    - a) Wall Signs installed on a primary building frontage (wall signs installed on a secondary building frontage are permissible).
    - b) Window Signs.
    - c) Projecting Signs.
  - 2) Only one accessory sign is allowed per lot.
  - 3) Accessory signs may not exceed fifty (50) percent of the total allowable sign area for a lot.

**Sec. 20-4-5. Changeable Copy Signs/Electronic Message Centers (EMCs).**

1. Changeable copy by non-electronic means may be utilized on any permitted sign.
2. Only one (1) EMC is permitted per lot for each street on which the development fronts and the sign is visible.

3. All EMCs are required to have automatic dimming capabilities in order to bring the EMC lighting level at night into compliance with Section 20-4-6.
4. The following EMC display features and functions are prohibited in O-1 zone districts and any zone district adjacent to a residential zone district: continuous scrolling and/or traveling, spinning, rotating, and similar moving effects, and all dynamic frame effects or patterns of illusionary movement or simulating movement. Scrolling utilized as a function to transition between message frames is permissible.
5. The following EMC display features and functions are prohibited in all zone districts: flashing and full motion video or film display via an electronic file imported into the EMC software or streamed in real time into the EMC.

*Table 20-4-5.1. Electronic Message Centers Basic Allowances.*

<i>Zone District</i>	<i>Minimum Display Time</i>	<i>EMCs as a Maximum % of the Total Freestanding Sign Area Permitted on the Lot</i>	<i>EMCs as a Maximum % of a Single Sign</i>
O-1	30 sec	30%	50%
C-1	30 sec	50%	50%
C-2	15 sec	50%	100%
M-1	15 sec	50%	100%
M-2	15 sec	50%	100%

**Sec. 20-4-6. Sign Illumination Standards.**

Signs may be illuminated consistent with the following standards:

1. Signs that have external illumination, whether the lighting is mounted above or below the sign face or panel, shall have lighting fixtures or luminaries that are fully shielded to ensure that light or glare from the sign does not shine above the horizontal plane of the top of the sign or onto any public right-of-way or adjoining property. Signs that have internal illumination shall have sign faces with opaque, non-reflective backgrounds.
2. The lighting for signs shall not create hazardous or excessive glare to pedestrians and/or motorists, either on a public street or right-of-way or on any private premises, and will not obstruct traffic control or any other public information signs.
3. All illuminated signs must meet the requirements of the New Mexico Night Sky Protection Act [NMSA 1978, Chapter 74, Article 12].

**Sec. 20-4-7. Temporary Sign Regulations.**

1. Signs that meet the standards of this section are exempt from the standards for permanent signs and are not counted in the maximum total square footage of signage allowed on any particular property, site or lot.
2. A permit must be obtained for the display of temporary signs.

3. Temporary signs are signs not intended for permanent installation and are to be used for a limited amount of time. Types of temporary signs include, but are not limited to, real estate signs, construction site signs, banners, special event signs (whether these events are related to commercial or noncommercial activities), advertising vehicles and development signs.

4. Off-premise, temporary signs are permissible, subject to landowner approval.

4-5. Signs advertising garage sales are required to obtain a temporary sign permit to identify the locations of any off premise advertising signs. However there will be no fee charged for obtaining a garage sale sign permit.

5-6. Temporary signs must be securely anchored to prevent movement from wind and to ensure public safety.

6-7. The number of temporary signs on a lot shall not exceed three at any given period of time.

- 1) In the O-1, C-1, C-2, M-1 and M-2 zone districts, one temporary banner sign no larger than thirty-two (32) square feet in size is permitted per structure or, on a multi-tenant structure, per tenant frontage. In no case may a lot have more than two (2) temporary banners.
- 2) In the A-1, C-1, C-2, M-1 and M-2 zone districts one (1) temporary freestanding sign is allowed per zoned lot. Temporary freestanding signs may be up to thirty-two (32) square feet in area and must still meet location and site criteria as identified by this Sign Code.
- 3) In the O-1, C-1, C-2, M-1 and M-2 zone districts temporary window signs are permitted, subject to the area regulations identified in Sec. 20-4-4.

7-8. A temporary sign may only be displayed for thirty calendar days. Applicants may renew permits for the display of temporary signs for two (2) additional thirty day periods for a maximum possible display time of ninety (90) consecutive days. Off-premise temporary signs do not qualify for display time extensions.

- 1) Real Estate and Political and Noncommercial Signs may be displayed on zoned lots any time of the year with no maximum display period and no permit requirements; such signs must still meet location and size criteria as identified by this Sign Code and shall be counted in the consideration of maximum number of temporary signs permissible on a zoned lot.
- 2) Temporary Signs for approved special events (as recognized and approved by the City Commission or the City Lodger's Tax Advisory Board) may be displayed at approved public locations and/or over public streets; such signs must meet all design and construction specifications of the City and shall be installed by City staff. Special Event Signs are limited to a maximum thirty (30) day display period with no renewal and may be subject to shorter display periods, as directed by the City Commission or the City Lodger's Tax Advisory Board.

8-9. Sandwich Board Signs. Sandwich Board Signs may be used in C-1 zone districts with no maximum display limitations on lots containing a structure for which the primary

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building frontage encompasses 100% of the primary property frontage, provided the following standards are met.

- 1) Only one Sandwich Board Sign is permitted per lot.
- 2) The sign is only displayed during hours for which the business or institution is open to the public.
- 3) The sign is entirely outside the street, roadway or parking area and is not placed in City planting boxes or landscaping.
- 4) The sign must maintain physical contact with the building façade at all times
- 5) The sign is no larger than ten (10) square feet.
- 6) The sign is anchored to prevent movement in the wind.
- 7) The sign does not obstruct a continuous through pedestrian zone of at least four (4) feet in width.
- 8) The sign does not obstruct pedestrian and wheelchair access from the sidewalk to any of the following:
  - a) Transit stop areas;
  - b) Designated handicapped/disabled parking spaces;
  - c) Handicapped/disabled access ramps;
  - d) Building exits, including fire escapes.