

**ORDINANCE NO. XXX
SERIES 2019**

AN ORDINANCE ADOPTING A NEW SIGN CODE FOR THE CITY OF LOUISVILLE

WHEREAS, the City of Louisville is a Colorado home rule municipal corporation duly organized and existing under laws of the State of Colorado and the City Charter; and

WHEREAS, pursuant to such home rule authority and state law, including but not limited to C.R.S. § 31-23-301 et seq., the City has adopted procedures and standards pertaining to the regulation of signs within the City, which are set forth in Chapter 17.24 of the Louisville Municipal Code; the Downtown Louisville Sign Manual; and the City of Louisville Mixed Use, Commercial and Industrial Development Design Standards and Guidelines; and

WHEREAS, the City Council desires to adopt and incorporate into the Louisville Municipal Code a new Sign Code for the City of Louisville (the “Sign Code”), which Sign Code includes standards and guidelines for all signs in the City; and

WHEREAS, in connection therewith, the City Council desires to repeal the Downtown Louisville Sign Manual and make corresponding amendments to Chapter 17.24 of the Louisville Municipal Code and the City of Louisville Mixed Use, Commercial and Industrial Development Design Standards and Guidelines; and

WHEREAS, the City has held public workshops to discuss and gather feedback and comments on the Sign Code; and

WHEREAS, after a duly noticed public hearing, where evidence and testimony were entered into the record, the Louisville Planning Commission has recommended the City Council adopt the Sign Code and this ordinance; and

WHEREAS, the City Council has reviewed the recommendation of the Louisville Planning Commission and desires to adopt the Sign Code and this ordinance; and

WHEREAS, City Council has provided notice of a public hearing on said ordinance by publication as provided by law and held a public hearing as provided in said notice.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOUISVILLE, COLORADO:

Section 1. The foregoing recitals are hereby affirmed and incorporated herein by this reference as findings of the City Council.

Section 2. Chapter 17.24 of the Louisville Municipal Code is hereby repealed and reenacted to read as follows:

**Chapter 17.24
Signs**

Sec. 17.24.010 Sign Code.

Sec. 17.24.020 Violation; penalty.

Sec. 17.24.010. Sign Code

A. There is hereby adopted by reference and incorporated into this Title the City of Louisville Sign Code (“Sign Code”), which Sign Code is set forth in full as Appendix A to this Chapter. The sign requirements, standards and guidelines contained in the Sign Code may be amended from time to time in the manner set forth in Chapter 17.44. A copy of the Sign Code shall be made available to applicants for a sign permit.

B. Any sign proposed for construction or placement within the City shall be regulated solely by and comply with the Sign Code, as adopted and amended from time to time by ordinance of the City Council.

Sec. 17.24.010. Violation; penalty.

Any person who violates any of the provisions of the Sign Code shall be subject to the penalty provided in Section 1.28.010.

Section 3. The following definitions in Chapter 17.08 of the Louisville Municipal Code are hereby repealed in their entirety: Sec. 17.08.435 (“Sign”); Sec. 17.08.440 (“Sign, advertising”); Sec. 17.08.445 (Sign, animated); Sec. 17.08.450 (“Sign, arcade”); Sec. 17.08.455 (“Sign, bulletin board”); Sec. 17.08.460 (“Sign, business”); Sec. 17.08.465 (“Sign, construction”); Sec. 17.08.470 (“Sign, flashing”); Sec. 17.08.475 (“Sign, ground”); Sec. 17.08.480 (“Sign, identification”); Sec. 17.08.485 (“Sign, illuminated”); Sec. 17.08.490 (“Sign, nameplate”); Sec. 17.08.495 (“Sign, projecting”); Sec. 17.08.500 (“Sign, real estate”); Sec. 17.08.505 (“Sign, roof”); Sec. 17.08.510 (“Sign, wall”); and Sec. 17.08.515 (“Sign, window”).

Section 4. Section 17.08.585 of the Louisville Municipal Code is hereby amended to read as follows (words to be deleted are ~~stricken through~~):

Sec. 17.08.585. Variance.

Variance means a legal modification of applicable zoning district provisions, such as yard, lot width, yard depth, ~~sign~~, setback, and off-street parking and loading

regulations, granted due to the peculiar conditions existing within a single piece of property.

Section 5. Section 17.16.180.B.4 of the Louisville Municipal Code is hereby amended to read as follows (words to be added are underlined; words to be deleted are ~~stricken through~~):

Sec. 17.16.180. Temporary uses.

B. *Additional provisions applicable to temporary uses.* Temporary uses shall be subject to the following additional regulations:

4. *Signs.* Signs associated with temporary uses shall comply with the City of Louisville Sign Code adopted pursuant to chapter 17.24 of this title. ~~In addition to compliance with the sign provisions of chapter 17.24 of this title, the following requirements shall apply to temporary uses:~~

a. ~~Temporary uses shall be limited to one freestanding, wall, banner, sandwich board, construction, or window sign per street frontage;~~

b. ~~Total sign area shall not exceed 64 square feet per temporary use;~~

c. ~~Signs shall not be located off site or in public right-of-way.~~

Section 6. Section 17.16.280 of the Louisville Municipal Code is hereby amended to read as follows (words to be deleted are ~~stricken through~~):

Sec. 17.16.280. Design Handbook and Sign Manual for Downtown Louisville to apply.

Any addition, remodeling, relocation, construction, or other improvement within Downtown Louisville and requiring a building permit or any other permit from the city shall comply with all requirements of Design Handbook for Downtown Louisville, as adopted and amended from time to time. ~~Any sign proposed for construction or placement in Downtown Louisville shall be regulated solely by and comply with the Downtown Louisville Sign Manual, as adopted and amended from time to time.~~

Section 7. Section 17.16.290 of the Louisville Municipal Code is hereby amended to read as follows (words to be deleted are ~~stricken through~~):

Sec. 17.16.290. Industrial Development Design Standards and Guidelines to apply.

Any addition, remodeling, relocation, construction, or other improvement to an industrial property or project within the city and requiring a building permit, ~~sign permit~~, or any other permit from the city shall comply with all requirements of City of Louisville Industrial Development Design Standards and Guidelines, as adopted and amended from time to time.

Section 8. Section 17.16.300.B of the Louisville Municipal Code is hereby amended to read as follows (words to be deleted are ~~stricken through~~):

Sec. 17.16.300. Mixed use design standards and guidelines to apply.

B. Applicability. Any addition, remodeling, relocation, construction, or other improvement within the mixed use residential (MU-R) or a commercial community (CC) zone district and requiring a building permit, ~~sign permit~~, or any other approval or permit from the city shall comply with all requirements of the City of Louisville Mixed Use Development Design Standards and Guidelines, as adopted and amended from time to time.

Section 9. Section 17.28.020 of the Louisville Municipal Code is hereby amended by the addition of a new subsection D to read as follows (words to be added are underlined):

Sec. 17.28.020. Scope.

D. Except for those requirements specifically waived or modified in the planned unit development process approved hereunder, the sign requirements, standards and guidelines contained in the City of Louisville Sign Code adopted pursuant to chapter 17.24 of this title shall apply to applications under this chapter.

Section 10. Section 17.52.100 of the Louisville Municipal Code is hereby amended to read as follows (words to be added are underlined):

Sec. 17.52.100. Temporary permits.

Temporary permits for buildings to be constructed and used for storage incidental to the construction of buildings on the property and for signs advertising a subdivision or tract of land or the lots thereon shall be subject to section 17.16.180, the City of Louisville Sign Code adopted pursuant to chapter 17.24, chapter 17.60 and any other applicable provisions of this title.

Section 11. Section 15.04.180 of the Louisville Municipal Code is hereby amended to read as follows (words to be deleted are ~~stricken through~~):

Sec. 15.04.180. Design Handbook for Downtown Louisville to apply.

Any addition, remodeling, relocation, construction, or other improvement within Downtown Louisville and requiring a building permit, ~~sign permit~~, or any other permit from the city shall comply with all requirements of the Design Handbook for Downtown Louisville, as adopted and amended from time to time.

Section 12. Section 15.04.190 of the Louisville Municipal Code is hereby amended to read as follows (words to be deleted are ~~stricken through~~):

Sec. 15.04.190. Industrial and Commercial Development Design Standards and Guidelines to apply.

Any addition, remodeling, relocation, construction, or other improvement to an industrial property or project within the city and requiring a building permit, ~~sign permit~~, or any other permit from the city shall comply with the requirements of City of Louisville Industrial Development Design Standards and Guidelines (IDDSG) and the Commercial Development Design Standards and Guidelines (CDDSG) as adopted and amended from time to time.

Section 13. Section 12.16.060 of the Louisville Municipal Code is hereby amended to read as follows (words to be added are underlined; words to be deleted are ~~stricken through~~):

Sec. 12.16.060. ~~Permit required for f~~Flags and banners.

It shall be unlawful for any person to place or cause to be placed across or above any street in the city any flag, banner, or similar sign or symbol unless allowed by the City of Louisville Sign Code adopted pursuant to chapter 17.24 of this code ~~without first obtaining a proper sign permit from the city manager or his authorized agent. A sign permit shall be issued upon written application showing the desired sign is to be displayed in connection with a national, state, or local celebration or holiday. Political advertisements or banners are prohibited under this section.~~

Section 14. The Downtown Louisville Sign Manual is hereby repealed in its entirety.

Section 15. Sections 7.1 to 7.5 of the City of Louisville Commercial Development Design Standards and Guidelines are hereby repealed and reenacted to read as follows:

7.1 Compliance with Sign Code.

Signs shall comply with the City of Louisville Sign Code, as amended from time to time.

Section 16. Sections 7.1 to 7.5 of the City of Louisville Industrial Development Design Standards and Guidelines are hereby repealed and reenacted to read as follows:

7.1 Compliance with Sign Code.

Signs shall comply with the City of Louisville Sign Code, as amended from time to time.

Section 17. Section 13 of the City of Louisville Mixed Use Development Design Standards and Guidelines is hereby amended to read as follows (words to be added are underlined; words to be deleted are ~~stricken through~~)::

13. Sign Design. ~~The policy, standards, and guidelines for sign design stated in Section 7 of the CDDSG shall apply in the MU-R and CC Zone Districts only to signage placed on a building fronting an arterial street or in a yard or setback adjacent to an arterial street. All other signage in the MU-R District shall comply with the City of Louisville Sign Code, as amended from time to time. sign standards applicable in the Louisville Downtown Area, as stated in the Design Handbook for Downtown Louisville.~~

Section 18. For any Planned Unit Development (PUD) under Louisville Municipal Code Chapter 17.28 that is approved, unexpired and currently effective as of the effective date of this ordinance, the approved PUD plan shall apply to the extent that said plan includes specific sign allowances and/or restrictions that directly conflict with the City of Louisville Sign Code adopted herein. In lieu thereof, the property owner may elect to fully comply with the City of Louisville Sign Code in the area of the conflict.

Section 19. If any portion of this ordinance is held to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each part hereof irrespective of the fact that any one part be declared invalid.

Section 20. The repeal or modification of any provision of the Municipal Code of the City of Louisville by this ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture, or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings, and prosecutions for the

enforcement of the penalty, forfeiture, or liability, as well as for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.

Section 21. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

INTRODUCED, READ, PASSED ON FIRST READING, AND ORDERED PUBLISHED this ____ day of _____, 2019.

Robert P. Muckle, Mayor

ATTEST:

Meredyth Muth, City Clerk

APPROVED AS TO FORM:

Kelly PC, City Attorney

PASSED AND ADOPTED ON SECOND AND FINAL READING, this ____ day of _____, 2019.

Robert P. Muckle, Mayor

ATTEST:

Meredyth Muth, City Clerk