

CITY OF EDGEWATER
ORDINANCE NO. 2016 - 14
SERIES OF 2016

AN ORDINANCE AMENDING SUBSECTION 16-19-60(B) OF THE EDGEWATER MUNICIPAL CODE, CONCERNING THE CALCULATION OF SIGN AREA, TO PROVIDE THAT AWNING SIGN AREA INCLUDES ONLY THAT PORTION OF AN AWNING OCCUPIED BY TEXT AND/OR GRAPHICS

WHEREAS, pursuant to its home rule authority under Sec. 6 of Article XX of the Colorado Constitution and pursuant to Article 23 of Title 31, C.R.S., the City of Edgewater, Colorado (“City”) possesses the authority to regulate the zoning and use of land within its jurisdiction; and

WHEREAS, pursuant to this authority, the City previously adopted zoning regulations, codified as Chapter 16 of the Edgewater Municipal Code (“Code”); and

WHEREAS, Article 19 of said Chapter 16 regulates signs and Section 16-19-60 thereof governs how various sign measurements are calculated; and

WHEREAS, Code subsection 16-19-60(b) generally provides that sign area shall include the entire surface area of a sign, including nonstructural trim; and

WHEREAS, the Edgewater City Council (“Council”) finds and determines that measuring awning sign area to include the entire surface area of an awning, including those that are blank, may discourage the location and use of awnings as signs in the City because of the potential for such awnings to consume a large portion of a business’ permitted maximum aggregate sign area; and

WHEREAS, the Council further finds that the discouragement of awning signs is contrary to the goals of the City’s sign regulations, which include to “[e]nsure signs . . . contribute in a positive way to the City’s visual environment, express local character and help develop a distinctive image for the City”; and

WHEREAS, the Council finds that awnings and awning signs contribute to this goal by adding visual interest to the City’s commercial buildings and streetscapes, by providing shelter and shade to customers and passers-by and by injecting an urban commercial environment with a neighborhood feel; and

WHEREAS, the Council therefore wishes to eliminate this potential discouragement of awning signs by amending the manner in which awning sign area is calculated to include *only* the area of the awning covered by text and graphics.

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

Section 1. Subsection 16-19-60(b) of the Code, concerning the calculation of sign area, is hereby amended as follows:

(b) Area. Except as otherwise provided herein, ~~S~~ign area is the entire surface area of a sign, including nonstructural trim. Only one (1) side of a double-faced freestanding or projecting sign shall count toward the aggregate size measurement, provided that both sides are identical.

(1) Standard geometric shapes. When the surface area of a sign consists of a conventional geometric shape, such as a circle, an oval, a rhombus, a trapezoid or a triangle, the accepted mathematical formulas for calculating area will be used to determine the surface area of a sign.

(2) Cutout letters. Sign area for cutout letters or display applied directly to the building surface and lacking a defined border or trim shall include the total area within the periphery of the cutout letters on display, which can be enclosed within a rectangle or series of attached rectangles.

(3) Irregular geometric shapes. If a sign consists of a symbol or statuary, or an irregular geometric shape without an accepted mathematical formula for calculating area, the entire surface area of the symbol or statuary, which can be enclosed within a rectangle or the closest geometric shape, shall be determined as the sign area.

(4) Awning sign area includes only that area of an awning occupied by text and/or graphics. The area of said text and/or graphics shall be defined and calculated as set forth in paragraphs (1) through (3) of this subsection, as applicable.

Section 2. Severability. Should any one or more sections or provisions of this Ordinance be judicially determined to be invalid or unenforceable, such determination shall not affect, impair or invalidate the remaining sections or provisions of this Ordinance, it being the intent of the City Council of the City of Edgewater that such invalid or unenforceable provisions are severable.

Section 3. Safety Clause. The City Council hereby finds, determines, and declares that this ordinance is promulgated under the general police power of the City, that it is promulgated for the health, safety, and welfare of the public, that this ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare, and that this ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 4. Effective Date. This ordinance shall become effective in accordance with the Home Rule Charter of the City of Edgewater.

INTRODUCED, READ, PASSED ON FIRST READING AND ORDERED PUBLISHED this 7th day of July, 2016.

/s/ Kris Teegardin
Kris Teegardin, Mayor

ATTEST:

/s/ Pam Anderson
Pam Anderson
Interim City Clerk

PASSED AND ADOPTED ON SECOND READING AND ORDERED PUBLISHED this ___ day of _____, 2016.

Kris Teegardin, Mayor

ATTEST:

Pam Anderson
Interim City Clerk

APPROVED AS TO FORM:

Thad Renaud, City Attorney

CERTIFICATE OF PUBLICATION

STATE OF COLORADO)
)
CITY OF EDGEWATER) SS:
)
COUNTY OF JEFFERSON)

I, Pam Anderson, Interim City Clerk, in and for said City of Edgewater, in the County of Jefferson, in the State of Colorado, do hereby certify that Ordinance 2016-14 was published in full on the City website in accordance with Section 1-3-50 of the Edgewater Municipal Code on

July 25, 2016. In witness whereof, I have hereunto set my hand and the seal of the City of Edgewater, this 25th day of July, 2016.

/s/ *Pam Anderson*

Pam Anderson

Interim Edgewater City Clerk

Action	Date
Workshopped	
First Reading	July 21, 2016
Posted	July 25, 2016
Publication	July 25, 2016
Second Reading	
Sent to Codifier	
Posted	
Publication	
Enacted	