

**TOWN OF PARACHUTE, COLORADO  
PLANNING COMMISSION  
RESOLUTION NO. 2021-07-PC**

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**A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF PARACHUTE, COLORADO RECOMMENDING THAT TOWN COUNCIL APPROVE AMENDMENTS TO TITLE 15 OF THE MUNICIPAL CODE ADDRESSING MISCELLANEOUS UPDATES.**

**WHEREAS**, the Town Council of the Town of Parachute initiated a text amendment to Title 15 “Land Use Regulations” of the Parachute Municipal Code to make miscellaneous updates to Title 15, as set forth in the draft Ordinance enclosed as **Exhibit A** (the “Text Amendment”);

**WHEREAS**, pursuant to Section 15.05.201 of the Parachute Municipal Code, the Text Amendment is reviewed by the Planning Commission and Town Council;

**WHEREAS**, the Planning Commission reviewed the Text Amendment at a duly-noticed public meeting to consider and hear public comments;

**WHEREAS**, the Planning Commission finds that the Application conforms with the review criteria set forth in Section 15.05.206 of the Parachute Municipal Code; and

**WHEREAS**, based on the recommendation of Town Staff, the testimony of the witnesses and the documents made a part of the record of the public meeting, the Planning Commission recommends that the Town Council approve the Text Amendment in the form of the Ordinance presented to Planning Commission.

**NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE TOWN OF PARACHUTE, COLORADO, AS FOLLOWS:**

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The Planning Commission hereby recommends the Town Council approve the Text Amendment addressing miscellaneous updates to Title 15, as set forth in **Exhibit A**.

**SO RESOLVED** by a vote a vote of 5 to 0, of the Planning Commission of the Town of Parachute at a regular meeting held at Town Hall in the Town of Parachute, Colorado, on the 13<sup>th</sup> day of May, 2021.

**PLANNING COMMISSION OF THE  
TOWN OF PARACHUTE, COLORADO**



By

Tim Olk, Chair

**ATTEST:**

Lucy Spalenka, Town Clerk

**TOWN OF PARACHUTE**  
**ORDINANCE NO.794-2021**

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**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PARACHUTE,  
COLORADO, AMENDING TITLE 15, OF THE MUNICIPAL CODE**

**WHEREAS**, the Town of Parachute (“Parachute” or the “Town”) is a home-rule municipality organized under Article XX of the Colorado Constitution and with the authority of the Parachute Home Rule Charter; and

**WHEREAS**, the Parachute Planning Commission recommended adoption of this ordinance at a hearing held at its regular meeting on May 13, 2021; and

**WHEREAS**, the Town Council wishes to amend Title 15 of the Parachute Municipal Code (the “Code”) to address various text amendments as proposed by the Town Manager; and

**WHEREAS**, the Town Council of the Town of Parachute finds and declares that it is in the interest of the public health, safety, and welfare to amend the Code as set forth in this Ordinance.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE  
TOWN OF PARACHUTE, COLORADO THAT:**

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. Section 15.01.225 “Public notice requirements” of the Parachute Municipal Code is hereby amended with double underlined text added and ~~strike through language~~ deleted.

15.01.225 Public notice requirements

\* \* \*

D. Notice shall be posted by the Town on the subject property at least fifteen (15) days in advance of the hearing. The notice shall be posted on a sign with a minimum sign face size of twenty-two inches (22") by twenty-six inches (26"), ~~and a minimum letter size of one inch (1").~~

\* \* \*

Section 3. Section 15.04.175 “Fencing and Screening” of the Parachute Municipal Code is hereby amended with double underlined text added and ~~strike through language~~ deleted.

15.04.175 Fencing and screening.

A. All fences, hedges and walls may be permitted in the required yards of any zoning district subject to the following conditions and requirements:

1. All fences and walls are subject to the building code requirements.
2. It shall be the responsibility of the property owner to locate all property lines. No fence, hedge or wall may extend beyond or across a property line unless with the joint agreement of the abutting property owner.
3. No fence, hedge, wall or sign shall be placed nearer than twelve inches (12") to any public sidewalk.
4. No barbed wire or sharp-pointed or electrically charged fence shall be permitted except in an industrial zoning district.
5. Fences or walls shall not exceed seven feet (7') in height except a higher fence may be required by the Town as a condition of approval as a special use. The height shall be measured at the finished grade on the side nearest the street or abutting property.
6. Fences or walls shall be properly maintained in good repair so as not to be unattractive, dangerous or a public nuisance and effectively serve the purpose for which they are intended. For the purposes of this section, good repair shall mean that there are no broken, missing, or severely weathered portions of the fence or wall.

\* \* \*

Section 4. Chapter 15.06 “Sign Regulations” of the Parachute Municipal Code is hereby amended with double underlined text added and ~~strike through language~~ deleted.

#### Article 1. Purpose and Applicability

##### **15.06.110 Purpose and intent.**

A. *Purpose.* These sign regulations are established to safeguard the health, safety, convenience, order and welfare of all residents of the Town of Parachute, Colorado. The purpose

of this chapter is to provide a balanced and fair legal framework for the design, construction, and placement of signs that:

1. Promote the safety of persons and property by ensuring that signs do not create a hazard by:
  - a. Confusing or distracting motorists; or
  - b. Impairing drivers' ability to see pedestrians, obstacles or other vehicles, or to read traffic signs;
2. Promote the efficient communication of messages, and ensures that persons exposed to signs are not overwhelmed by the number of messages presented;
3. Protect the public welfare and enhances the appearance and economic value of the local real estate landscape by reducing and preventing sign clutter;
4. Ensure that signs are compatible with their surroundings, and prevent the construction of signs that are a nuisance to occupants of adjacent and contiguous property due to brightness, reflectivity, bulk, or height;
5. Enhance property values and business opportunities;
6. Encourage common character through common elements;
7. Assist in wayfinding; and
8. Provide fair and consistent permitting and enforcement among all applicable uses and end-users.

B. *Intent.* It is the intent of these regulations to provide for the proper control of signs in a manner consistent with the First Amendment guarantee of free speech. It is not the intent of these regulations to regulate signs based on the content of their messages. Rather, this chapter advances important, substantial, and compelling governmental interests.

1. The incidental restriction on the freedom of speech that may result from the regulation of signs hereunder is no greater than is essential to the furtherance of the important, substantial, and compelling interests that are advanced by this chapter.
2. The Town has an important and substantial interest in preventing sign clutter (which is the proliferation of signs of increasing size and dimensions as a result of

competition among property owners for the attention of passing motorists and pedestrians), because sign clutter:

- a. Creates visual distraction and obstructs views, potentially creating a public safety hazard for motorists, bicyclists, and pedestrians;
  - b. May involve physical obstructions of streets or sidewalks, creating public safety hazards;
  - c. Degrades the aesthetic and essential historic character of the Town, making the Town a less attractive place for tourism, commerce, and private investment; and
  - d. Dilutes or obscures messages displayed along the Town's streets through the proliferation of distracting structures and competing messages.
3. The Town has a substantial and/or compelling interest in preventing traffic accidents.
  4. The Town has a substantial and/or compelling interest in preventing negative impacts associated with temporary signs. Temporary signs may be degraded, damaged, moved, or destroyed by wind, rain, snow, ice, and sun, and after such degradation, damage, movement, or destruction, such signs harm the safety and aesthetics of the Town's streets if they are not removed.
  5. Certain types of speech, including but not limited to written and graphic speech, are not constitutionally protected due to the harm that they cause to individuals or the community.
  6. Signage may be restricted in areas of historic significance or in areas where design guidelines and ordinances have been duly adopted by the Town.

#### **15.06.120 Application.**

The provisions of these regulations shall apply to the display, construction, erection, alteration, use, maintenance, and location of all signs within the Town of Parachute.

A. If any provision of this chapter conflicts with any other adopted Town code that regulates signs, the more restrictive standards shall apply. Appeals for the application of the lesser of the restrictive regulations may be made to the Town Administrator.

B. The Town recognizes other regulations pertaining to signage (i.e., state of Colorado, Department of Highways, “Rules and Regulations Pertaining to Outdoor Advertising,” effective January 1, 1984, and as may be amended). Where any provision of this chapter covers the same subject matter as other regulations, the more restrictive regulation shall apply.

C. Nothing in this chapter shall be construed as a defense to a violation of applicable state or federal law.

D. The content of signs related to marijuana businesses is restricted by state laws and regulations, and both the advertising and sale of marijuana are prohibited by federal law. The Town has no authority to supersede state or federal marijuana laws.

E. Signs shall be permitted in the various zoning districts as accessory structures in accordance with these regulations.

F. All signs displayed, constructed, erected or altered after the date of the adoption of these regulations shall be in conformance with the provisions of these regulations. All signs that are existing at the time of the adoption of these regulations shall not be altered or enlarged without being brought into conformance with these regulations.

G. Existing signs which do not conform to the specific provisions of these regulations are designated as nonconforming signs. All nonconforming signs shall be removed or brought in conformance with these regulations on or before the earlier to occur of the following events:

1. The sign is relocated or replaced.
2. The structure, ~~or size,~~ or message content of the sign is altered in any way except towards compliance with these regulations. This does not refer to change of copy or normal maintenance.
3. The sign suffers more than fifty percent (50%) appraised damage or deterioration, as determined by the Town code enforcement official or duly certified professional.
4. The expiration of two (2) years from the effective date of the ordinance adopting these regulations (February 1, 2017); provided, however, that all existing signs with flashing, moving, blinking, chasing or other animation effects not in conformance with the provisions of these regulations shall be adjusted such that such flashing, moving, blinking, chasing or other animation effects shall cease within sixty (60) days of the effective date of the ordinance adopting these regulations (February 1, 2017).

## Article 2. Administration and Procedures

### **15.06.210 Permit required.**

Unless otherwise provided by these regulations, all signs shall require sign permits and payment of fees as described in these regulations.

A. In addition to the required sign permit, a building permit may be required by the Town Manager for signs incorporating structural elements or signage that is affixed to the structure with a semi-permanent or permanent method, including mortar, metal fasteners or construction adhesive, or attached to buildings. Electrical permits will be required for illuminated signs or other signs with electrical components. Illuminated signage permits shall include a photometric study that illustrates any and all signage will not cause a detrimental impact to the overall lighting for either pedestrian or vehicular uses.

B. Changing or replacing the copy on an existing sign shall not require a permit.

### **15.06.220 Permit procedure.**

A. An application for a sign permit shall be submitted on a form provided in Appendix [1](#).

B. The applicant may choose to apply for a single permit for multiple signs in a unified or coordinated development by filing a master sign plan in accordance with PMC [15.06.240](#).

C. Upon receipt of a complete application the Town Manager and code enforcement officer shall review the same for compliance with this chapter and all applicable building code requirements, and approve, approve with conditions, or deny the application.

D. The Town Manager ~~shall have~~ reserves the right to inspect the proposed sign location prior to acting on the application, and shall also have the right to inspect the sign after construction to insure compliance with this chapter and any conditions of approval.

E. The Town Manager reserves the right to request additional information and documentation for verification of purposes for signage after physical inspection of proposed location.

F. A sign permit shall lapse and have no further effect unless a sign has been erected in compliance with the terms and conditions of the permit within three (3) months ~~one (1) year~~ after the date of the sign permit approval.

G. A denial of a sign permit by the Town Manager may be appealed to the Board of Adjustment. All appeals to the Board of Adjustment shall be in accordance with the procedures provided in PMC 15.01.330.

**15.06.230 Minor modifications to sign standards.**

A. The Town Manager shall be authorized to grant minor modifications of any sign standard, including but not limited to sign area modifications of ~~ten~~ twenty percent (~~10%~~20%) or less, subject to the approval criteria noted in subsection (C) of this section. Such actions may be taken in order to encourage the implementation of alternative or innovative practices that provide equivalent benefits to the public.

B. An applicant requesting a modification to the sign standards that does not qualify as a minor modification must obtain a variance per PMC 15.01.330.

C. Approval Criteria. Minor modifications may be approved by the Town Manager only upon a finding that all of the following criteria have been met:

1. The requested modification eliminates an unnecessary inconvenience to the applicant and will have no significant adverse impact on the health, safety or general welfare of surrounding property owners or the general public;
2. Any adverse impacts resulting from the minor modification will be mitigated to the maximum extent practical; and
3. The requested minor modification is either:
  - a. Of a technical nature and is required to compensate for some practical difficulty or unusual aspect of the site or the proposed sign; or
  - b. An alternative or innovative design practice that achieves to the same or better degree the objective of the existing design standard sought to be modified.

**15.06.240 Master sign plan.**

For any multi-tenant retail center, industrial park or other unified form of commercial site development or redevelopment, the applicant shall submit a master sign plan that consists of coordinated and/or shared signage for the entire development.

- A. In general, signs shall have mutually unifying elements which may include uniformity in materials, color, size, height, letter style, sign type, shape, lighting, location on buildings, and design motif.
- B. Materials and textures of signs shall be compatible with the architectural character of the site and building. Supporting sign structures of freestanding signs shall match the primary finish and colors of the associated building(s).
- C. Where possible, freestanding signs shall integrate tenant signs into a single sign structure, yet singular sign structures shall be limited in size per pertinent sign classifications or designations.
- D. Directional signage systems shall be of a unified graphical system. Such signage shall be placed in consistent locations near site entries, key points on the internal automobile and pedestrian circulation system, building entries, seating areas, and sidewalk intersections.
- E. In reviewing an applicant's submittal of a master sign plan conforming to the provisions of this section, the Town Manager may vary standards for area, height and number of individual signs.
- F. The Town Manager may approve up to a twenty percent (20%) change in one or more dimensional standards (area and/or height) based on the applicant demonstrating that the change is warranted by a master sign plan that represents exceptional design.

**15.06.250 Exempt signs.**

Generally, the following types of signs are exempt from the sign permit requirements of PMC 15.06.210, subject to the provisions of this section. Exempt signs shall otherwise be in conformance with all applicable requirements of this chapter, and the construction and safety standards of the Town. All signs not listed in this section (and that are not prohibited under PMC 15.06.260) require a sign permit pursuant to PMC 15.06.210.

- A. Signs erected by the Town or by any federal, state or county government agency.
- B. Signs required by federal, state or local law or regulation.
- C. Flags that are affixed to permanent flagpoles or flagpoles that are mounted to buildings (either temporary or permanent).

- D. Signs being carried by a person; provided, that such signs are not set down, ~~or~~ propped on objects, or objects temporarily affixed to the ground.
- E. Window signs, as defined in PMC 15.06.510. In addition, any sign displayed on a window of or inside a residential building, and any sign inside a nonresidential building that is not visible through a window.
- F. Temporary decorations or displays, if they are clearly incidental to, customarily, or commonly associated with any national, state, or local holiday or religious celebration; such decorations or displays may be of any type, number, area, height, location, illumination or animation.
- G. Wave banners subject to the standards in PMC 15.06.330(B).
- H. One (1) banner limited to a maximum sign area of eight (8) square feet located on a residential structure. All other banners as defined in PMC 15.06.510 shall be subject to a sign permit.
- I. Sidewalk signs, as defined in PMC 15.06.510 and subject to the standards in PMC 15.06.330(C).
- J. Site signs, as defined in PMC 15.06.510 and subject to the standards in PMC 15.06.330(D).
- K. Swing signs, as defined in PMC 15.06.510 and subject to the standards in PMC 15.06.330(E).
- L. Yard signs, as defined in PMC 15.06.510 and subject to the standards in PMC 15.06.330(F), including political or campaign signage.
- M. Directional signs as defined in PMC 15.06.510 which do not exceed four (4) square feet in sign area and four feet (4') in height (except when used on a vehicular clearance structure), limited to six (6) such signs per property.
- N. Incidental signs as defined in PMC 15.06.510 which do not exceed two (2) square feet in sign area.
- O. Inflatable signs, as defined in PMC 15.06.510 and limited to one (1) per nonresidential property.
- P. Murals and works of art, as defined in PMC 15.06.510.

Article 3. Standards

**15.06.310 Sign standards by zoning district.**

Signs in all zoning districts shall be subject to the standards set forth in this section. The number, types and sizes of signs set forth in Tables 6.1 and 6.2 shall also comply with the standards by sign type listed in PMC 15.06.320 and 15.06.330.

A. *Standards for Residential Zoning Districts.* Signs in the LDR, MDR and HDR zoning districts shall be subject to the limitations and standards in Table 6.1.

Table 6.1. Standards for Residential Zoning Districts

<b>Sign Type</b>	<b>Maximum Number</b>	<b>Maximum Area</b>	<b>Maximum/Minimum Height <u>including installed height</u></b>
Monument Sign	1 per nonresidential use; 1 per entrance to a subdivision, multifamily housing complex or mobile home park	36 square feet <u>per side (face foot measurement)</u>	No higher than 6 feet
Site Sign	1 per street frontage	100 square feet	No higher than 8 feet
Swing Sign	1 per street frontage	8 square feet, inclusive of riders	No higher than 6 feet
Wall Sign	1 per single-family or two-family dwelling with a home occupation or home business	10 square feet	No higher than eave or parapet line
	1 per principal multifamily building, per street frontage	<del>32</del> <u>24</u> square feet	No higher than eave or parapet line
	1 per nonresidential use	<del>32</del> <u>24</u> square feet	No higher than eave or parapet line
Yard Sign	1 per street frontage	6 square feet per sign	No higher than 4 feet

B. *Standards for Nonresidential Zoning Districts and Uses.* Signs in the RA, OTC, NC, HT, SC, LI, GI and P Zone Districts shall be subject to the limitations and standards in Table 6.2.

Table 6.2. Standards for Nonresidential Zoning Districts

<b>Sign Type</b>	<b>Maximum Number</b>	<b>Maximum Area</b>	<b>Maximum/Minimum Height</b>
Awning Sign	Unlimited, within maximum area requirements	0.5 square feet of signage for <u>(per)</u> each linear foot of awning, up to a maximum of 32 square feet	No higher than roof or parapet line; 8 feet minimum height pedestrian clearance <u>and a maximum height placement of 15 feet.</u>
Banners	1 banner per legal lot of record, displayed on a building wall	0.5 square feet for each linear foot of exterior wall up to a maximum area of 100 square feet	No higher than roof or parapet line for wall banner
	1 freestanding wave banner per legal lot of record	<del>50</del> <u>24</u> square feet	No higher than 12 feet for wave banner
Canopy Sign	Unlimited, within maximum area requirements	0.5 square feet of signage for each linear foot of canopy, up to a maximum of 32 square feet	No higher than roof or parapet line; 8 feet minimum height pedestrian clearance; 14 feet minimum height vehicular clearance <u>and a maximum height placement of 20 feet.</u>
Freestanding Pole Sign	1 per street frontage of principal building, plus 1 additional for street frontages in excess of 500 feet	150 square feet. An electronic message center may be integrated up to 50% of allowed sign area	No higher than 30 feet

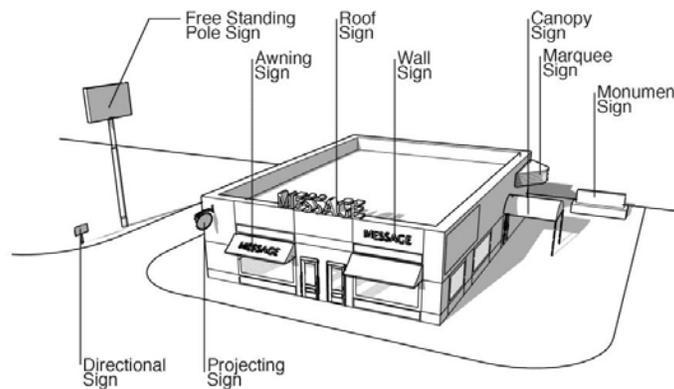
<b>Sign Type</b>	<b>Maximum Number</b>	<b>Maximum Area</b>	<b>Maximum/Minimum Height</b>
	1 per principal building within 500 feet of an I-70 interchange	300 square feet. An electronic message center may be integrated up to 50% of allowed sign area	No higher than 60 feet
Marquee Sign	1 per principal building	<del>120</del> <u>60</u> square feet per sign face, up to a maximum of 3 faces	No higher than roof or parapet line; 8 feet minimum height
Monument Sign	1 per street frontage	<del>80</del> <u>48</u> square feet. An electronic message center may be integrated up to 50% of allowed sign area	No higher than 8 feet <u>in total height</u>
Projecting Sign	1 per <del>use</del> <u>business or rental space (whichever is less)</u>	15 square feet	No higher than wall (single story building)/bottom of second story window (multi-story building); 8 feet minimum height, <u>and a maximum height of 15 feet</u>
Roof Sign	1 per principal building	0.5 square feet of area per lineal foot of exterior wall frontage, up to a maximum of <del>100</del> <u>50</u> square feet	No higher than 4 feet above roofline, parapet or fascia on a flat roof; no higher than roofline on a peaked or mansard roof
Sidewalk Sign	1 per use	8 square feet <u>(including multiple facing sides)</u>	No higher than 4 feet
Site Sign	1 per street frontage	<del>100</del> <u>48</u> square feet	No higher than 8 feet

Sign Type	Maximum Number	Maximum Area	Maximum/Minimum Height
Swing Sign	1 per street frontage	8 square feet, inclusive of riders	No higher than 6 feet
Wall Sign	Unlimited, within maximum area requirements	1 square foot of area per lineal foot of exterior wall frontage <u>along addressed ROW</u> , up to a maximum of 200 square feet	No higher than the eave line
Yard Sign	1 per street frontage	6 square feet	No higher than 4 feet

C. *Sign Allowance.* The total aggregate sign area permitted for any use in a residential or nonresidential zoning district shall not exceed three hundred (300) square feet, with the exception of uses that qualify for a freestanding pole sign adjacent to an I-70 interchange, in which case the total aggregate sign area shall not exceed four hundred fifty (450) square feet.

15.06.320 Permanent Signs.

Figure 6.1. Permanent Sign Types



SIGN TYPES: Permanent

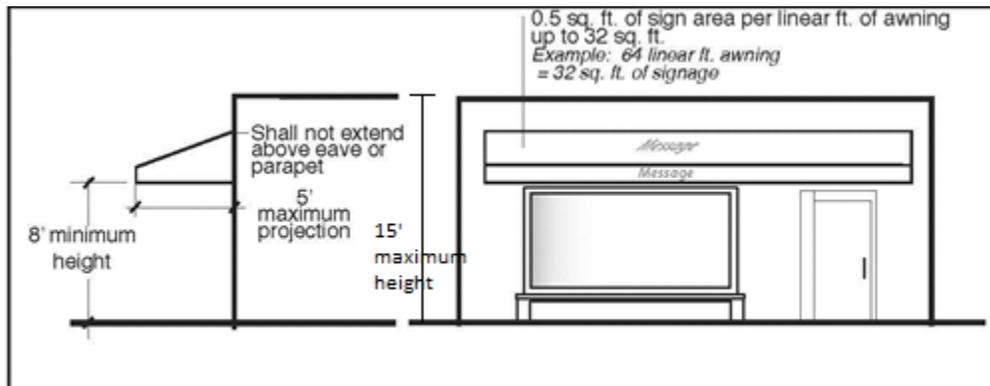
A. *General.* The following standards are applicable to all permanent signs:

1. *Owner Consent.* No sign permit shall be issued for any permanent sign on private property without written consent of the property owner or the owner's authorized agent.
2. *Lighting.* No illuminated signs are allowed in the residential zone districts. Unless otherwise specified by these regulations, all permanent signs in the nonresidential zone districts may be illuminated. The light from any light source intended to illuminate a permanent sign shall be so shaded, shielded or directed so that the light intensity or brightness shall not cause glare to affect surrounding properties, or cause glare to affect safe vision of pedestrians or operators of vehicles moving on public or private streets, driveways or parking areas. In addition, no sign may utilize:
  - a. An exposed incandescent lamp with an external reflector and without a sunscreen or comparable diffusion; or
  - b. Any revolving beacon light.

B. *Awning Signs.*

1. *Location.* Signs may be placed only on awnings that are located on first and second story building frontages, including those fronting a street, parking lot or pedestrian way. An awning may include a printed or mounted sign. No sign mounted to an awning shall project beyond, above or below the face of an awning.
2. *Quantity, Area and Height.* Sign quantity and area shall comply with the requirements established in PMC 15.06.310. No structural element of an awning shall be located less than eight feet (8') above finished grade. Awnings on which signs are printed or mounted shall not extend over a public right-of-way more than seven feet (7') from the face of a supporting building. No awning, with or without signage, shall extend above the roof line of any building.
3. *Lighting.* Awnings may be externally and internally illuminated ~~only~~.

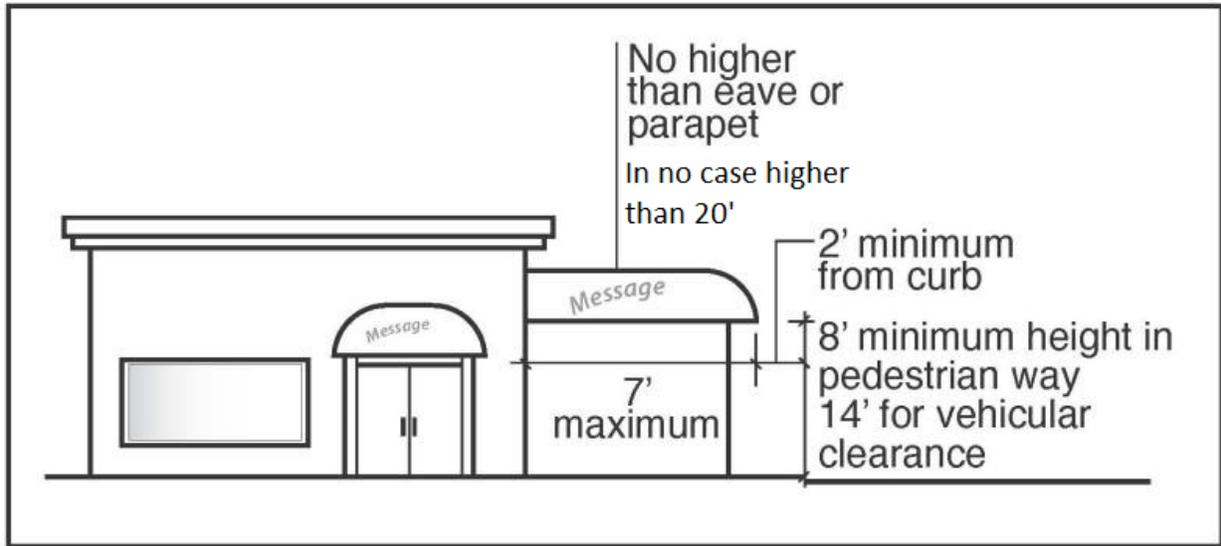
Figure 6.2. Awning Sign Detail



C. Canopy Signs.

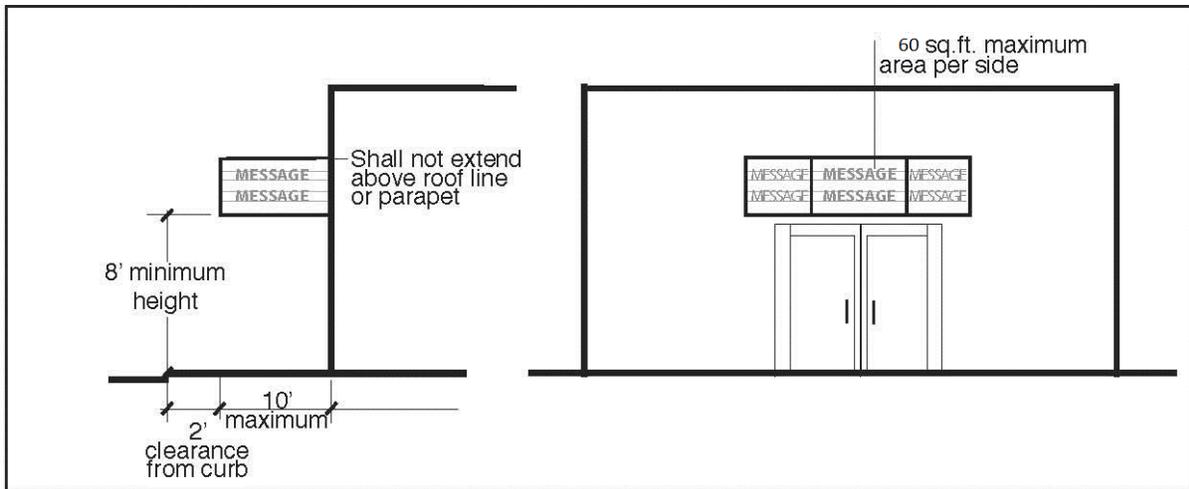
1. *Location.* Signs may be placed on canopies that front a street, parking lot or pedestrian way. A canopy may include a printed or mounted signage. No sign mounted to a canopy shall project beyond, above or below the face of a canopy.
2. *Quantity, Area and Height.* Sign quantity and area shall comply with the requirements established in PMC 15.06.310. No structural element of a canopy sign shall be located less than eight feet (8') above finished grade in a pedestrian way, or less than fourteen feet (14') above finished grade in a vehicular way. Canopies on which signs are printed or mounted shall not extend over a public right-of-way more than seven feet (7') from the face of a supporting building, and be no closer than two feet (2') to a curb line. No canopy, with or without signage, shall extend above the roof line of any building. No canopy sign shall project above the top of the canopy upon which it is mounted. However, a sign may project horizontally from the face of a canopy the distance necessary to accommodate the letter thickness and required electrical equipment, but not more than twelve inches (12").
3. *Lighting.* Canopies may be internally or externally illuminated ~~only~~.

Figure 6.3. Canopy Sign Detail



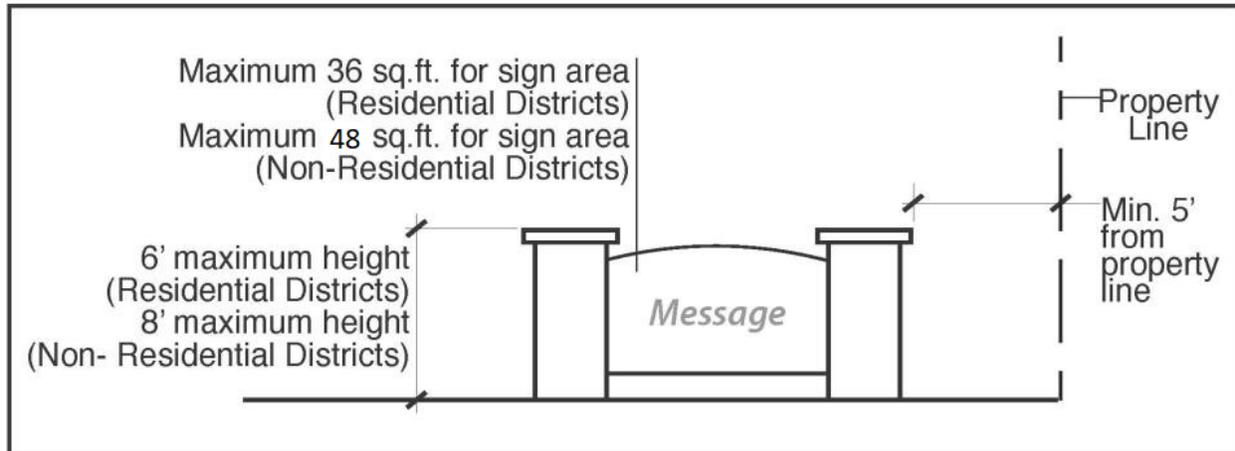
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Figure 6.5. Marquee Sign Detail



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Figure 6.6. Monument Sign Detail

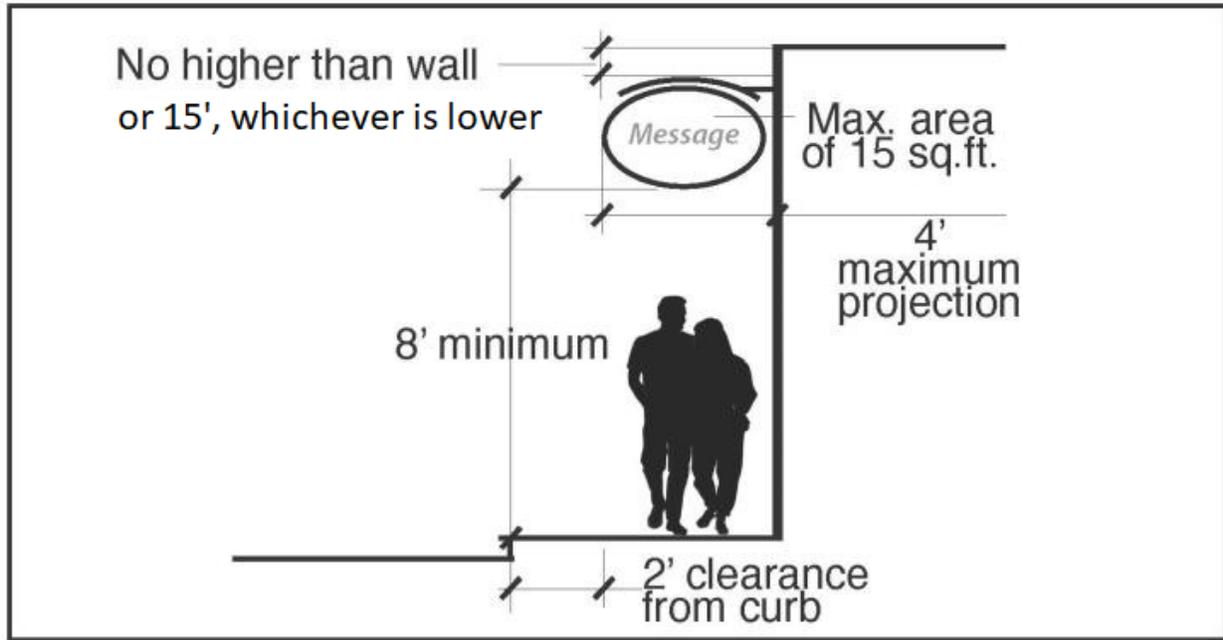


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G. Projecting Signs.

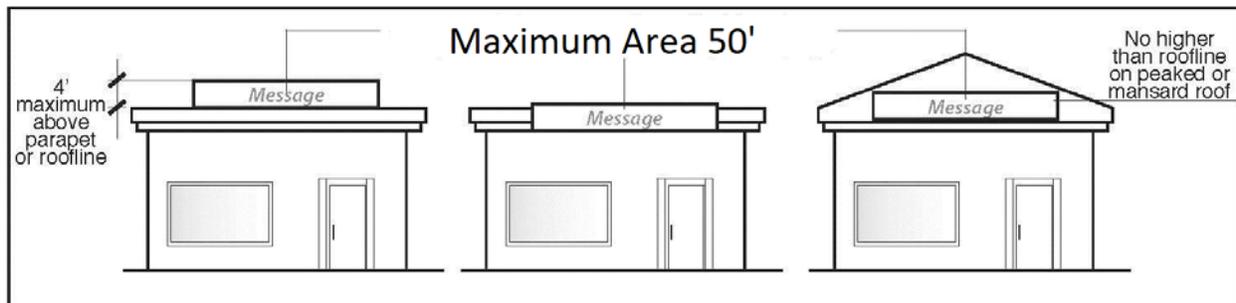
1. *Location.* Projecting signs shall be placed on a ground floor facade, except for businesses located above the ground level with direct exterior pedestrian access.
2. *Quantity, Area and Height.* A projecting sign shall comply with the quantity, area and height requirements established in PMC 15.06.310. No structural element of a projecting sign shall be located less than eight feet (8') above finished grade. Projecting signs shall not be higher than the wall from which the sign projects if attached to a single story building, or the height of the bottom of any second story window if attached to a multi-story building. Projecting signs shall not extend more than four feet (4') from the face of a supporting building, and be no closer than two feet (2') to a curb line.
3. *Lighting.* Projecting signs ~~shall not be illuminated~~ may be internally or externally illuminated, provided that the lighting does not cause detriment to vehicular or pedestrian mobility or safety..

Figure 6.7. Projecting Sign Detail



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Figure 6.8. Roof Sign Detail



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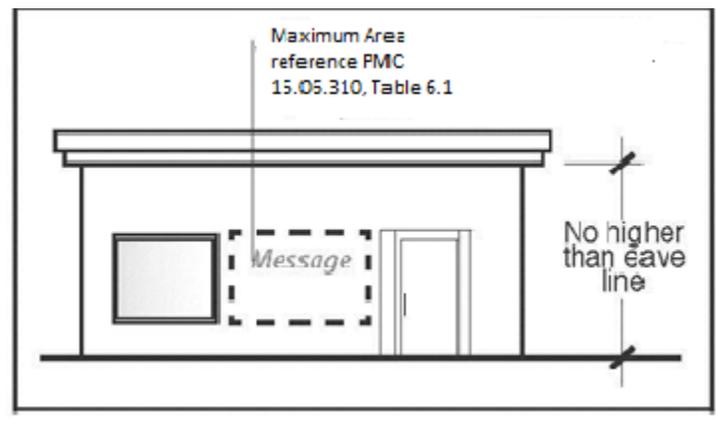
I. Wall Signs.

1. *Location.* A wall sign shall not obstruct any portion of a window, doorway or other architectural detail.

2. *Quantity, Area and Height.* A wall sign shall comply with the quantity, area and height requirements established in PMC 15.06.310. No sign part, including cut-out letters, may project from the building wall more than required for construction purposes and in no case more than twelve inches (12").

3. *Lighting.* Wall signs may be internally or externally illuminated.

Figure 6.9. Wall Sign Detail



J. Electronic Message Centers.

1. *Location.* Up to twenty-five percent (25%) ~~fifty percent (50%)~~ of the allowed sign area of a freestanding pole or monument sign in a nonresidential zoning district may be occupied by an electronic message center. Existing signage proposed for conversion to the use of an electronic message center shall conform to the sign standards in this article prior to issuance of a sign permit. Nonconforming signs shall not be eligible for conversion to an electronic message center.

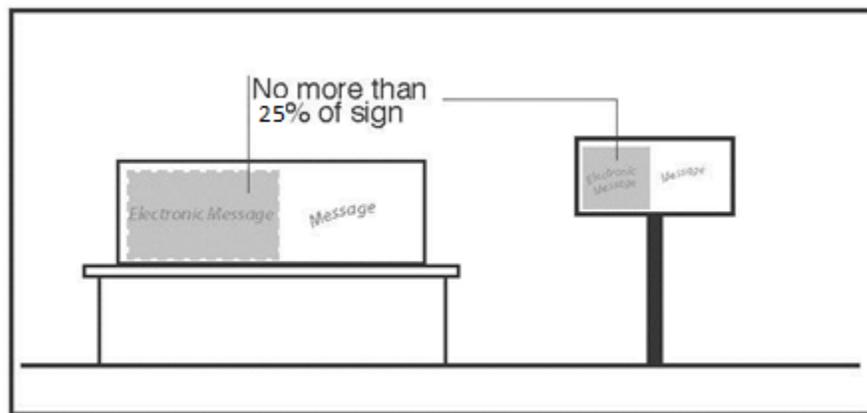
2. *Quantity, Area and Height.* An electronic message center shall comply with the quantity, area and height requirements established for freestanding pole or monument signs in PMC 15.06.310.

3. *Lighting.* Lighting from the electronic message center shall not exceed three-tenths (0.3) foot candles between dusk to dawn as measured from the sign's face. The electronic message center shall have automatic dimmer software or solar sensors to control brightness for nighttime viewing. The intensity of the light source shall not produce glare, the effect of which constitutes a traffic hazard. Documentation shall be

provided from the sign manufacturer which verifies compliance with auto dimming and brightness requirements.

4. *Transition Method.* The electronic message center shall be limited to static messages, changed only through either dissolve or fade transitions, which may otherwise not have movement, or the appearance or optical illusion of movement, of any part of the sign structure, design, or pictorial segment of the sign, including the movement of any illumination or the flashing, scintillating or varying of light intensity.
5. *Transition Duration.* The transition duration between messages shall not exceed one (1) second.
6. *Message Hold Time.* The message hold time shall be a minimum of twenty (20) seconds for signage outside of the I-70 Corridor. The message hold shall be no longer than ten (10) seconds for signage within the I-70 Corridor.

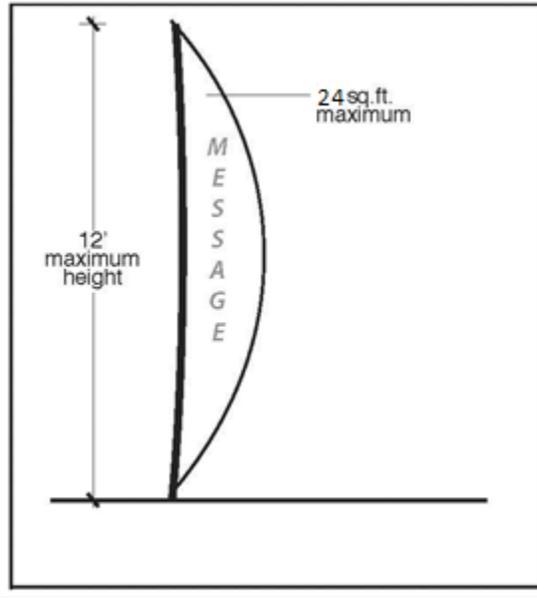
Figure 12-5. Electronic Message Center Detail



15.06.330 Temporary signs.

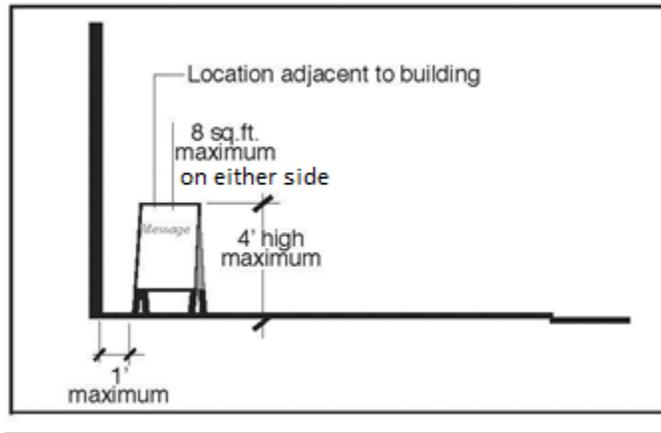
\* \* \*

Figure 6.12. Wave Banner Detail



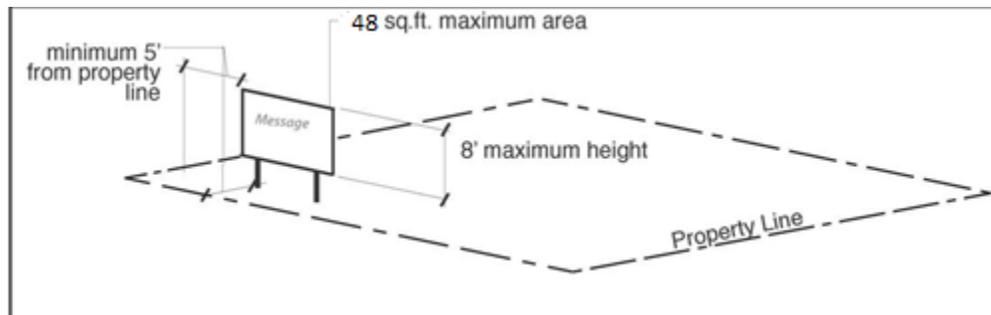
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Figure 6.13. Sidewalk Sign Detail



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Figure 6.14. Site Sign Detail



\* \* \*

15.06.340 Sign measurement.

A. Computation of Sign Area.

1. The area of a sign face shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof that will encompass the extreme limits of the message, logo, symbol, name, photograph, writing, representation, emblem, artwork, figure or other display used to differentiate the sign from the backdrop or structure against which it is placed (see Figure 6.17).
2. Any supporting framework, bracing, poles, fence or wall, or architectural feature or landscape element that is clearly incidental to the sign display shall not be computed as sign area. Signage that includes structures or frameworks that are decorative or integral to the design intent of the signage shall have their framework calculated in the overall calculation.
3. Architectural treatments that aid in integrating the signage with the building design are encouraged, but any such treatment shall not be created for the purpose of visually enlarging the size of the sign. If more than ten percent (10%) of any wall or roof surface of any nonresidential building or any accessory structure to a nonresidential use is painted, finished or surfaced in a distinctive color scheme that includes some or all of the same colors, shapes, symbols, images, patterns or textures used on any sign identifying an owner, tenant or user of the building, and the Town Manager determines that such wall or roof surfaces serve as a sign for an owner, tenant or user of the building, such

wall or roof area shall be counted as signage and shall be subject to the limitations on signage area in Table 6.2.

4. All sign faces visible from one (1) point shall be counted and considered part of the maximum total sign area allowance for a sign.

a. When two (2) identical sign faces are placed back to back so that both faces cannot be viewed from any point at the same time, and are part of the same sign structure, the sign area shall be computed by the measurement of one of the two (2) sign faces, unless otherwise noted in the above sections.

b. When the sign has more than two (2) display surfaces, the area of the sign shall be the area of largest display surfaces that are visible from any single direction.

#### 15.06.420 Sign installation.

A. All permanent signs and all components thereof, including sign structures and sign faces, shall be installed in compliance with adopted building and electrical codes.

B. Except for flags, window signs and temporary signs conforming to the requirements of this chapter, all signs shall be constructed of high quality durable materials and shall be permanently attached to the ground, a building, or another structure by direct attachment to a rigid wall, frame, or structure. No plywood signs shall be permitted.

C. No signs shall be installed so as to obstruct any fire escape, required exit, window or door opening used as a means of egress.

D. No sign shall be installed in any form, shape, or manner which will interfere with any opening required for ventilation, except that signs may be erected in front of and may cover transom windows when not in violation of the provisions of the adopted building code.

E. Signs shall be located in such a way as to maintain horizontal and vertical clearance of all overhead electrical conductors in accordance with adopted electrical code specifications, depending on voltages concerned. However, in no case shall a sign be installed closer than forty-eight inches (48") horizontally or vertically from any conductor or public utility guy wire, or as recommended by the local public utility company.

1. Every electric sign shall have affixed thereon an approved Underwriters' Laboratories label, or all wiring of such sign as approved by the state electrical inspector,

and all wiring connected to such sign shall comply with all provisions of the applicable regulations of the Town relating to electrical installations.

F. Any person installing, altering, or relocating a sign for which a sign permit has been issued shall notify the Town Manager upon completion of the work within forty-eight (48) hours of completion.

1. The Town Manager may require that he be notified prior to the installation of certain signs.
2. The Town Manager may require a final inspection of any installed sign, including an electrical inspection and inspection of footings on freestanding signs.

#### 15.06.430 Sign maintenance.

All signs, both currently existing and constructed in the future, and all parts and components thereof, shall be maintained in a safe condition in compliance with all building and electrical codes, and in conformance with this chapter.

A. All signs, including sign structures and sign faces, shall be kept in good repair so as not to be distracting, unattractive, dangerous or a public nuisance and effectively serve the purpose for which they are intended. For the purposes of this section, good repair shall mean that there are no loose, broken, torn or severely weathered portions of the sign structure or sign face.

B. All signs shall be properly maintained. Exposed surfaces shall be clean and painted if paint is required. Defective parts shall be replaced.

C. All electronic message centers shall be equipped with a malfunction display and the ability to automatically shut off if a malfunction occurs. An electronic message center under repair shall be shut off. External signage shut off switches shall be allocated in a location for electronic message signage.

D. The Town Manager shall have the right under PMC 15.06.440 to order the repair or removal of any sign which is defective, damaged or substantially deteriorated, as defined in the adopted building code.

#### 15.06.440 Sign alteration and removal.

A. Altering or Moving Existing Signs.

1. Any alteration to an existing sign, other than for a change of copy or for maintenance, shall require a new sign permit pursuant to PMC 15.06.210. Alterations shall include, without limitation:

- a. Changing the size of the sign;
- b. Changing the shape of the sign;
- c. Changing the material of which the sign is constructed;
- d. Changing or adding lighting to the sign;
- e. Changing the location of the sign; or
- f. Changing the height of the sign.

2. Existing nonconforming signs may be altered in any way that does not change the size, height, background, shape or location of the sign without bringing the entire sign into conformance; provided, that the cost of the alteration is less than fifty percent (50%) of the sign's replacement cost.

B. *Sign Removal or Repair.* In addition to any other remedies available under this chapter, the Town Manager may issue a written notice to sign owners of the need to remove or repair a sign, as follows:

1. Any sign that does not meet the requirements set forth in this chapter and does not qualify as a legal nonconforming sign under PMC 15.06.120.
2. Any sign that has not been used in a bona fide manner as a sign for a consecutive period of thirty (30) days and deemed abandoned by the Town Manager.
3. Any sign that is in disrepair or unsafe and deemed hazardous by the Town Manager.
4. Any sign identifying a business, professional or industrial establishment that has moved from the premises.

C. Violations.

1. The Town Manager may inspect any sign and shall have authority to order the painting, repair, alteration or removal of a sign and/or sign structure that is prohibited or

constitutes a hazard to safety, health or public welfare by reason of abandonment or inadequate maintenance, dilapidation or obsolescence.

2. When in the opinion of the Town Manager, a violation of these regulations exists, the Town Manager shall issue a written order to the alleged violator. The order shall specify those sections of these regulations of which the individual may be in violation and shall state that the individual has fifteen (15) days from the date of the order in which to correct the alleged violation or to appeal to the Board of Adjustment.

3. In the event that corrections are not completed in the allocated timeframe, or the sign owner has failed to make a good-faith effort to do so, the Town Manager may, at his discretion, provide a written citation for signage violations, pursuant to Sec. 15.01.280 of the PMC.

D. *Removal by Town.* The Town Manager may cause the removal of an illegal sign in cases of emergency, or for failure to comply with the written orders of removal or repair. After removal or demolition of the sign, a notice shall be mailed to the sign owner stating the nature of the work and the date on which it was performed and demanding payment of the costs as certified by the Town Manager together with an additional ten percent (10%) for inspection and incidental costs.

1. If the amount specified in the notice is not paid within thirty (30) days of the notice, it shall become an assessment upon a lien against the property of the sign owner, and will be certified as an assessment against the property for collection in the same manner as the real estate taxes.

2. The owner of the property upon which the sign is located shall be presumed to be the owner of all signs thereon unless facts to the contrary are brought to the attention of the Town Manager, as in the case of a leased sign.

\* \* \*

Section 5. Chapter 15.08 "Fence Regulations" of the Parachute Municipal Code is hereby amended with double underlined text added and ~~strike through language~~ deleted.

15.08.010 Permit required.

All new construction and rehabilitation of fences within the Town of Parachute, regardless of location, material type, or height above finished grade, shall require a building permit prior to

installation. Except as otherwise provided in this chapter, fences located entirely on a single property and not within a property's front-yard setback shall be permitted. A permit shall be required when a section of fence longer than five (5) linear feet requires improvement, repair, replacement, or installation.

15.08.020 Application and review.

A. *Application Requirements.* Prior to the construction or placement of any new fence in the Town that is not approved as a part of a new development permit, the owner of the property upon which the fence is to be constructed or placed shall submit to the Town the following:

1. Proof of ownership of the subject property, including but not limited to mortgage, deed paperwork, or other items clearly documenting rights of ownership.
2. Evidence of agreement(s) with adjacent property owners upon whose property any portion of the fence will extend, if any.
3. A description of the fence including all materials to be used in its construction; color; height; and width, regardless of width of fascia materials. ~~if greater than two and one half inches (2 1/2").~~
4. A survey or improvement location certificate issued within the last fifteen (15) years and evidencing current property conditions. This requirement may be waived in the sole discretion of the Town Manager.
5. A site map identifying the location of the planned fence as well as any utilities, easements, rights-of-way, and front-yard setback, if applicable. This requirement may be waived in the sole discretion of the Town Manager.
6. ~~An application fee of fifty dollars (\$50.00).~~

B. *Administrative Review.* Any fence meeting the strict application of maximum height, materials, and setbacks required in this chapter and located entirely on a single property and not within a property's front-yard setback shall be subject to administrative review.

C. *Special Review.* Any fence that is not subject to administrative review shall be subject to special review procedures as set forth in PMC 15.01.220.

15.08.030 Maximum height.

A. No fence shall exceed seven feet (7') in combined height, except as permitted in an approved development plan or by special review.

B. Staggered fencing, due to topographic or other site constraints, may not be taller than seven feet (7') in height at a single point.

C. The maximum height of a fence placed in a front-yard setback shall be four feet (4'), except that:

1. Notwithstanding PMC 15.02.140, no fence in the Old Town Center Zone District shall exceed four feet (4') in height along the frontage when aligned directly in front of a building.

2. For properties with an elevated front yard that causes a four-foot (4') fence to rise higher than four feet (4') above the elevation of the curb, fences of a nonopaque material such as chain link or slotted wood shall be used to preserve views.

D. Fence height shall be measured from the finished grade directly beneath the fence.

15.08.040 Corner fences.

On corner lots, no opaque fence over thirty inches (30") in height above the elevation of the curb shall be placed in the intersection of a triangular area formed by three (3) points as established by (A) the intersection of the flowline at the corner; (B) measuring thirty feet (30') back from this intersection on each flowline; and (C) connecting the two (2) ends of the legs to form a triangle. This triangle area is noted as required to remain clear due to line of sight and pedestrian or vehicular safety concerns. This section shall not require the removal or modification of any fence existing before August 1, 2017; unless substantial changes are made to an area greater than five (5) linear feet, in which case the fence shall become compliant this this Chapter.

15.08.050 Materials – prohibitions.

A. *Material Permitted.* Fences shall be constructed from materials which are commonly used for fencing and shall not be constructed from railroad ties, wood pallets, tires, rubble or salvaged

material. Commonly used fence materials include wood, brick, stone, split railing, chain-link, wire, vinyl, ornamental iron work. Materials not listed are subject to approval by Town Manager.

B. *Prohibition.* No person shall construct, maintain, or cause to be constructed or maintained any fence of barbed wire, razor wire, and electric unless specifically authorized in an approved development plan, through special review as set forth in PMC 15.01.220 or where used to control the movement of permitted livestock.

C. *Nonconforming Fences.* Fences constructed from materials not permitted under this section prior to the effective date of the ordinance codified in this section and not otherwise being authorized in the Town shall be permitted to exist as nonconforming fences, but shall not be repaired or replaced with similar materials.

D. *Maintenance.* Fences shall be maintained consistent with PMC 15.04.175.

#### 15.08.060 Right-of-way setback – Removal.

No fence shall be constructed or placed within eighteen inches (18") of any public street or sidewalk. Fences existing before August 1, 2017, shall be permitted to remain within the setback requirement of this section and may be maintained or repaired for a maximum of five (5) linear feet, but shall not be replaced if removed, whether by the property owner or the Town. For the purposes of this section, any change in material type, or replacement of fifty percent (50%) or more of a fence's anchoring or posts in any straight line section of a fence shall require such straight line section of the fence to be deemed a removal of the fence.

#### 15.08.070 Repair Timeframe and Citation Value

Property owners and/or tenants shall have a maximum of thirty (30) calendar days to repair fences to the standards contained in this Chapter. Repair calendar date will begin on the postmark date of the violation letter. The calendar days shall not be abbreviated or altered due to holidays, weekends, or other reasons. A citation value for this violation shall carry a value of no less than \$40.00 per month, per infraction. Monthly fines can compound and collect interest at the maximum allowable rate per the State of Colorado. No waiver of citation fees is allowed.

\* \* \*

Section 6. A new Chapter 15.10 – Recreational Vehicles, is hereby adopted as set forth below.

**Chapter 15.10**  
**RECREATIONAL VEHICLES AND TRAILERS**

**15.10.010 Intent.**

It is the intent of this chapter to provide for the orderly storage of recreational vehicles and trailers. It is also the intent of this chapter to define habitation of recreational vehicles. This chapter is intended to supplement all applicable state and local regulations.

**15.10.020 Purpose.**

Recreational vehicles and trailers may be parked or stored on private property in all zoning districts except that no recreational vehicles shall be permitted to be stored or used for habitation anywhere in the Town, except as permitted herein. Recreational vehicle parks, trailer parks, and campgrounds may be conditionally permitted by the Planning Commission under the rules and regulations of this Title.

**15.15.030 Definitions.**

A. "Campground" means a lot or parcel of land occupied or intended for temporary occupancy by recreational vehicles or tents for travel, recreational or vacation usage for short periods of stay and containing a potable water source and public toilet facilities.

B. "Habitation" means to "use for living space" and shall include, but not be limited to, acts of sleeping, cooking, bathing, occupying as a dwelling, or any stay within the recreational vehicle not directly related to its driving. The following factors may constitute acts to be considered indicative of "habitation":

1. Evidence of a person entering and exiting the vehicle;
2. Connection of the vehicle to sewer, water, or electrical systems;
3. Use of a power generator;
4. Accessory structures about the vehicle;
5. Illumination of the interior of the vehicle;
6. Window masking;
7. Expanded bays "pop-outs."

C. "Recreational vehicle" or "RV" means a vehicular-type unit primarily designed as temporary living quarters for recreational, camping, travel or seasonal use that either has its own motive power or is mounted on, or towed by, another vehicle. The basic types of RV entities are: camping trailer, fifth wheel trailer, motor home, park trailer, travel trailer, truck camper, and tiny house trailer which are individually defined as follows:

1. "Camping trailer" is a vehicular portable unit mounted on wheels and constructed with collapsible partial side walls that fold for towing by another vehicle and unfold at the campsite to provide temporary living quarters for recreational, camping or travel use.
2. "Fifth wheel trailer" is a vehicular unit, mounted on wheels, designed to provide temporary living quarters for recreational, camping or travel use, of such size or weight as not to require special highway movement permit(s), of gross trailer area not to exceed four hundred (400) square feet (37.2m<sup>2</sup>) in the set-up mode, designed to be towed by a motorized vehicle that contains a towing mechanism that is mounted above or forward of the tow vehicle's rear axle.
3. "Motor home" is a vehicular unit designed to provide temporary living quarters for recreational, camping or travel use, built on or permanently attached to a self-propelled motor vehicle chassis or on a chassis cab or van that is an integral part of the completed vehicle.
4. "Park trailer" is a recreational vehicle that meets the following criteria:
  - a. Built on a single chassis mounted on wheels;
  - b. Having a gross trailer area not exceeding four hundred (400) square feet in the set-up mode;
  - c. Certified by the manufacturer as complying with ANSI A119.5.
5. "Travel trailer" is a vehicular unit, mounted on wheels, designed to provide temporary living quarters for recreational, camping or travel use, of such size or weight as not to require special highway movement permits when towed by a motorized vehicle, and of gross trailer area less than three hundred twenty (320) square feet (29.7m<sup>2</sup>).
6. "Truck camper" is a portable unit constructed to provide temporary living quarters for recreational, travel or camping use, consisting of a roof, floor and sides, designed to be loaded onto and unloaded from the bed of a pickup truck.

7. "Tiny house trailer" is a portable housing unit built on or permanently attached to a single chassis mounted on wheels or on a trailer and constructed to provide temporary living quarters for recreational, travel or seasonal use, consisting of a roof, floor and sides.

D. "Recreational vehicle park" or "RV park" is a tourist facility for parking motor homes, travel trailers and other recreational vehicles.

E. "Recreational/Utility Trailer" means a wheeled trailer for the purposes of transporting recreational equipment, materials, animals, and other items and is not for used for habitation (e.g. boat trailer, horse trailer, OHV trailer).

F. "Storage trailer and van" means a wheeled van or container unit not manufactured as a motorized vehicle or intended for long-term or short-term occupancy, but designed and manufactured for the primary purpose of storage and/or transporting commodities and goods.

G. "Trailer park" means any parcel or adjacent parcels of land in the same ownership which is utilized for occupancy, either free of charge or for revenue, together with any building, structure or enclosure. This term shall not be construed to mean tourist facilities.

H. "Used" or "occupied" see definition of "habitation."

I. "Vacation usage" means occupancy that does not exceed a consecutive seventy-two (72) hour period within a seven (7) day week. The property owner shall apply for a vacation use permit which may be granted upon approval by the permitting official. No more than three (3) vacation use permits may be issued in a calendar year.

#### **15.10.040 Storage of RVs and Trailers.**

A. Street parking. No RV, Recreational/Utility Trailer, or Storage Trailer shall be parked or stored for more than seventy-two (72) consecutive hours within any seven (7) day period on any public property or right-of-way within the municipal corporate boundaries.

B. Storage on residential property. RVs, Recreational/Utility Trailers, or Storage Trailers parked in a driveway or immediately adjacent to and parallel to the driveway may not encroach into the right-of-way such that any part of the RV extends over any sidewalk, curb, or public travel way.

C. Multiple RVs, Recreational/Utility Trailers, or Storage Trailers stored on property. Property owners may have no more than one RV, Recreational/Utility Trailer, or Storage Trailer stored on their property unless the following criteria are met:

1. A minimum of 1,250 square feet per RV, Recreational/Utility Trailer, or Storage Trailer is provided;
2. The R, Recreational/Utility Trailer, or Storage Trailer V is setback from all property lines by five feet (5'-0");
3. A six foot tall (6'-0") solid wall or fence screens the RV, Recreational/Utility Trailer, or Storage Trailer from the neighbors and street;
4. Off-street parking requirements are met.

**15.10.050 Habitation.**

A. Habitation of any parked or stored RV shall be prohibited, with the following exceptions:

1. Exceptions:

- a. When the RV is situated in an approved RV or trailer park;
- b. Vacation usage as defined in section 15.15.030;
- c. When a valid conditional use permit is obtained for RV habitation in conjunction with construction in accordance with subsection B of this section.

B. Habitation of a RV when used in conjunction with construction.

1. A RV may be used for temporary living quarters for not more than eighteen (18) months while the occupant thereof is constructing a permanent dwelling on the same property. Before a RV will be permitted in such an instance, the owner of the property or the person intended to occupy the RV shall secure a conditional use permit for the RV from the planning commission. Such permit shall be granted upon the receipt of a signed statement by the applicant that a permanent dwelling will be constructed within eighteen (18) months thereafter. Construction must start within sixty (60) days of RV placement. Only one (1) RV shall be permitted on any parcel of land during the construction or repair of a permanent dwelling.

- a. A repair shall be considered for purposes of subsection B when the repair will cause a condition that disallows the home owner from occupying the inside of the home during the repair construction. Repairs that are minor and can be confined within the interior shall not be considered.

- b. Multiple RVs may be allowed on projects that are not located within the residential zoning districts when construction is expected to continue for more than ninety (90) days and the project is valued at \$1,000,000.00 or more.

**15.10.060 Utilities.**

Legally parked or stored RVs may be connected to an approved source of electricity in conformance with the adopted building and safety codes referenced under section 15.15.080 Compliance with other laws and regulations. Except for legally established RV parks, direct water and sewer connections cannot be made to hook up to any RV unless permitted by an approved conditional use permit. Additionally, propane tanks must be shut off and disengaged from the RV when stored. Vacation usage, as defined in 15.15.030, shall not be construed to allow temporary servicing of the RV with water or sewer connections. No generator may be used in any RV in the municipality unless it is for temporary servicing or during a lapse of electrical power in the area in which the RV is located.

**15.10.070 RV maintenance.**

It is unlawful and a public nuisance to park, store, or leave standing in public view, upon any public or private property, any RV that is wrecked, dismantled, unregistered, inoperative or otherwise unsightly. Any RV shall be deemed unsightly when body parts rust or become corroded, paint becomes faded, chipped, or peeled, or the RV exterior becomes otherwise dilapidated.

**15.10.080 Compliance with other laws and regulations.**

It is the intent of this chapter to supplement any state and local regulations which may be applicable. Standards adopted in Title 15 governing buildings and construction apply to the regulation of RVs, except for International Building Code and International Residential Code.

**15.10.090 Fees.**

The assembly may by resolution establish fees to be paid by applicants for any type of inspection, permit, approval or other municipal processing under this chapter.

**15.10.095 Enforcement.**

This chapter shall be enforced by the Town Manager or his designee.

**15.10.100 Penalties.**

Except where otherwise specifically stated, violations of provisions of this chapter shall be noncriminal infractions, subject to a penalty of one hundred dollars (\$100.00). Each day of continuing noncompliance, following the municipality's issuance of a notice of noncompliance, shall be a separate violation.

Section 7. If any provision of this Ordinance is found to be unconstitutional or unlawful, such finding shall only invalidate that part of portion found to violate the law. All other provisions shall be deemed severable and shall continue in full force and effect