

**Exhibit -1
To the Design Review Criteria
Aspen Village**

**ASPEN VILLAGE
SIGN REGULATIONS**

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Sec. 1 PURPOSE AND INTENT

- A. General purpose: The purpose of these sign regulations is to regulate commercial and non-commercial signage for the Aspen Village Planned Unit development.
- B. Permitting of all signage is required and shall be submitted in conformance with the Town of Pagosa Springs Sign Code.
- C. These regulations are to be utilized in conjunction with the town of Pagosa Springs Sign Code. Aspen Village Design Review Committee reserves the right to amend and revise the following Sign regulations whenever they deem necessary.

Sec. 2 DEFINITIONS

All words used in the Sign Code, except where specifically defined herein, shall carry their customary meaning when consistent with the context in which they are used. The following words as set forth shall have the meanings as hereinafter defined:

- ADVERTISING:** An attempt to arouse a desire to buy products, real estate, or services or patronize an establishment open to the public.
- ANIMATED SIGN:** Any sign or part of a sign which changes physical position by any movement or rotation.
- AWNING:** A device attached to a building when the same is so erected as to either permit its being raised or retracted to a position against the building when not in use, or to provide shade.
- BANNER:** Any advertisement devise composed of flexible cloth, plastic, paper, or similar material and affixed by wires, ropes, or other temporary methods.
- BUILDING FRONTAGE:** The portion of a building which faces and is most nearly parallel to a public or private street.
- CANOPY:** A structure, other than an awning, attached to a building and carried by a frame supported by the ground or sidewalk.
- CHANGEABLE COPY SIGN:** A sign whereon provisions are made for letters or characters to be placed in or upon the surface area either manually or electronically to provide a message or picture.
- DIRECTIONAL SIGN:** Any sign that directs the movement of pedestrian or vehicular traffic without reference to or including the name of a product sold or service performed on the lot.
- DISPLAY SURFACE:** The area made available on the sign structure for the purpose of displaying the message (also see "Face").

ELECTRICAL SIGN:	Any sign containing electrical wiring. This does not include signs illuminated by an exterior light source.
ERECT:	To install or mount a sign.
FACE:	The surface or sign upon, against or through which the advertising is displayed or illuminated.
FLAG-GOVERNMENT:	Any advertising composed of flexible cloth, plastic, or similar material that is affixed to a line or pole and which may display local, state or federal emblems, seals or colors.
FLAG-NONGOVERNMENT:	Any device composed of flexible cloth, plastic or similar material that is affixed to a line or pole and which may display emblems, business or corporate logos, symbols or illustrations.
FREESTANDING SIGN:	A sign which is supported by one or more columns or braces extending from the ground and by no means is attached to any part of any building.
FAÇADE:	The front of a building including entries, parapets and rooflines, especially the principal face.
FRONTAGE:	Any boundary line of a lot or parcel of land that coincides with the right-of-way of a street.
GOVERNMENT SIGNS:	Signs erected by government or government agencies for regulatory and informational purposes.
HOLIDAY DECORATIONS:	Temporary decorations, strings of lights, or displays, clearly incidental to and customarily associated with any state, local or religious holiday.
ILLEGAL SIGN:	Any sign that has not received a valid sign permit.
ILLUMINATED SIGN:	A sign lighted by or exposed to artificial lighting either by lights in the sign or lights directed towards the signs.
INDIRECT ILLUMINATION:	Light only from a concealed light source outside the sign face that reflects upon the sign face.
INTERNAL ILLUMINATION:	Light from a source concealed or contained within the sign and that becomes visible through a translucent surface.
MAINTAIN:	To preserve, repair or replace.
MURAL-ADVERTISING:	A picture or decoration which is painted on or otherwise applied directly to an external wall and is visible from public view containing advertising of any kind.

NONCONFORMING: SIGN:	A sign which was lawfully erected, altered, moved or maintained under previous sign codes and received a valid sign permit but does not conform to the provisions of the Sign Code or been granted a variance from the Sign Code.
NON-PROFIT SIGN:	Signage used in conjunction with events sponsored by non-profit agencies.
OFFSITE SIGN:	A sign that conveys a political or ideological message or directs attention to a business, product, commodity, service, entertainment or attraction sold, offered or existing elsewhere than upon the same lot where such sign is displayed.
OWNER:	The fee owner of a sign, the lessee of the sign, the fee holder of the property upon which the sign is located, the lease holder of such property or the individual, person or business who has purchased the copy on a sign.
PARAPET:	The top of a wall that forms the upper portions of a building façade.
PEDESTRIAN- ORIENTED SIGN:	A sign located in such manner as to be generally viewed by a person who is walking. Typically, such signs are located within the first story of a building or directly on the ground.
PENNANT:	Any advertising device made of flexible material such as cloth or plastic, displayed singly or in multiples and attached to a rope or line.
PERMANENT SIGN:	A sign that is permanently affixed or attached to the ground or to a structure.
POLITICAL SIGN:	A non-commercial sign that either displays a message conveying political or ideological views or supports a specific political candidate for elections.
PORTABLE SIGN:	A sign that is painted or otherwise mounted upon a vehicle, van, truck, trailer, automobile, bus, railroad car or other vehicle.
PREMISES:	The physical location where an activity is routinely conducted, which may include the primary structure, parking facilities and private roadways.
PROJECTING SIGN:	Any sign, other than a wall sign, which projects from and is attached to a building face with the signage face set perpendicular to the face of the building and is solely

supported by a building wall. Projecting signs located over sidewalks or public ways shall be placed not less than 8'6" from the travel way to the base of the sign and may extend a maximum distance of 12" from the wall to the face of the sign.

- PROPERTY/PARCEL:** A contiguous area of land with a defined legal boundary.
- PUBLIC USE:** Uses that are owned and operated by Local, State or Federal government.
- ROOFLINE:** The upper most edge of a roof or parapet.
- ROOF MOUNTED SIGN:** A Sign, any part of which is located on or attached to a roof whose height or width does not extend above or beyond the roofline.
- SANDWICH SIGN:** A sign placed directly on the ground and out of the public right-of-way and which shall be removed nightly.
- SIGN:** Any object, device, display or structure which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, motion, illumination or projected images.
- TEMPORARY SIGN:** A sign that would otherwise be classified as a permanent sign in that it identifies an establishment, service(s) or product(s) provided on a site, but are not permanently affixed to the ground or a building.
- UNUSED (ABANDONED) SIGN:** An unused or abandoned sign that received a valid sign permit and that meets any of the following criteria:
- a. A sign that identifies an establishment, product(s) or service (s) that no longer exists or is no longer provided on the premises where the sign is located.
 - b. A sign that identifies a time, event or purpose which has passed or no longer applies.
 - c. A sign that is vacant of copy.
- USER:** See definition of "Owner".

VARIANCE:	A special ruling or allowance which does not require compliance with a specific portion of the Sign Regulations.
VENDING MACHINE SIGN:	A sign on a vending machine identifying the products therein.
WALL MOUNTED SIGN:	A sign painted on or mounted against a wall of a building or structure that extends no more than twelve (12) inches from the wall surface upon which it is attached or whose height does not extend beyond the highest point of the wall and whose display surface is parallel to the face of the building.
WINDOW SIGN:	Any sign visible from the exterior of a building which is painted, attached, glued, or otherwise affixed to a window or depicted upon a card, paper or other material and placed on, taped or displayed from a window for the specific purposes of advertising.
YARD/GARAGE SALE SIGNS:	Temporary placards, posters and signs placed in front of a yard or property advertising sale of goods.

Sec. 3 EXEMPT SIGNS

- A. The following signs are exempt from permit requirements, but shall otherwise be in conformance with all requirements contained in the Sign Regulations.
1. Construction Signs – Not exceeding nine (9) square feet in size. Such signs shall be removed prior to the issuance of a Certificate of Occupancy.
 2. Flags-Government – Limited to no more than two (2) per parcel.
 3. Flag-Nongovernmental – Limited to no more than one (1) per parcel and shall not contain any advertising.
 4. Holiday Decorations – May be erected for no more than forty-five (45) consecutive days per holiday.
 5. Non-Profit Signs – On-site signs six (6) square feet or smaller may be displayed for up to thirty (30) days before the sponsored event, and must be removed no more than three (3) days following the event. On-site signs exceeding six (6) square feet, and any off-site non-profit signs, must be reviewed and approved in accordance with section 21,9.9.B.5.e., and the remaining provisions of the Sign Code.
 6. Political Signs – Signs six (6) square feet or smaller may be displayed for up to

thirty (30) days before the sponsored political event or election, and must be removed no more than three (3) days following the event or election. Signs exceeding six (6) square feet must be reviewed and approved in accordance with section 21.9.9.B.5.f, and the remaining provisions of the Sign Code.

7. Real Estate Signs – Residential: One (1) per street frontage, no more than five (5) square feet, including riders. Commercial: One (1) per street frontage, no more than five (5) square feet, including riders. Parcels with more than one street frontage or 2 acres: two (2) per commercial lot, with each sign no more than (5) square feet, including riders. No real estate sign larger than the size specified above will be allowed.

8. Vehicle Signs – Signs attached to a vehicle and incidental to the primary use of the vehicle.

9. Window Signs – Signs occupying no more than fifty (50) percent of window area.

10. Yard/Garage Sale Signs- Signs not exceeding (6) square feet in area and two (2) feet in overall height, and which shall be removed within three (3) days of the yard/garage sale. Signs of this type can not be placed within the Town right of way.

Sec. 4 PROHIBITED SIGNS

A. The following signs, as defined in the Sign Code, are prohibited within Aspen Village:

1. Murals-Artistic or Advertising, unless specifically approved by the Aspen Village Design Review Committee.

2. Billboards.

4. Inflatable figures, shapes or mascots used for advertising purposes, unless otherwise permitted herein.

5. Flashing Signs – Signs with lights or illumination that flash, move, rotate, scintillate, blink, flicker, vary in intensity, vary in color, or use intermittent electrical pulsations.

6. Nongovernmental Flags used for advertising purposes.

7. Offsite Signs, unless otherwise permitted under a specific provision in the Sign Code.

8. Pennants and Streamers.

9. Search Lights or Beacons.

10. Signs in the public right-of-way.

Sec. 5 ADMINISTRATIVE PROCEDURES

A. Permits Required: All signs, except as exempted in Section 3, shall not be erected, re-erected, placed, moved, constructed, reconstructed, altered or displayed unless a sign permit has been issued by the Town of Pagosa Springs and approval has been granted in writing by the Aspen Village Design Review Committee. No permit shall be issued for a sign unless all appropriate provisions of the Sign Code have been complied with or have been waived or altered in accordance with procedures contained herein. Any electrical sign must also receive an electrical permit.

B. Sign Permit Process:

1. Procedures for New Individual Signs: Signs which are to be individually erected for existing developed properties, vacant properties or involve a change in sign structures or a change in business identification shall be processed in accordance with the following requirements:

a. An application for a new sign permit shall be submitted by the sign owner and shall include the following information:

- (1) Sign elevations (drawings, renderings or pictures) indicating height, overall dimensions, colors, materials, proposed copy, lettering detail form and illumination specifications.
- (2) A site plan indicated the height, location and overall dimensions for all existing and proposed signs on site.
- (3) Outline of building elevations showing all existing and proposed signs.
- (4) Sign permit fees as required.

b. Review of the application shall be by the Aspen Village Design Review Committee. Said review is to ensure it complies with the provisions of the Master Declarations of Aspen Village and the Town of Pagosa Springs Sign Code, it will then be forwarded to the Town Administrative Officer to:

- (1) Approve the request and issue a sign permit; or
- (2) Approve the request subject to modification and issue a permit accordingly; or
- (3) Refer the application to Design Review board in conformance with the Comprehensive Sign Program; or
- (4) Issue the sign permit in accordance with the Design Review Board requirements; or
- (5) Deny the request based on a failure to comply with provisions of this Sign Code citing the specific sections(s) of noncompliance.

- c. A complaint or formal appeal of the above decision may be made under the provisions of Section 21.9.2. of the Town of Pagosa Springs Sign Code.

C. Review Process:

1. Variances: An applicant or sign owner may seek a variance from provision of these regulations by submitting all information required for the issuance of a sign permit to the Aspen Village Design Review Committee for review. After variance approval from Aspen Village applicant will then need to submit permit with the town for review and approval prior to implementation.

Sec. 6 SIGN STANDARDS

- A. Permanent Sign Standards: The following standards apply to all permanent signs. The chart at the end of this section entitled "Table A" lists the allowed sign types and maximum allowable area for each parcel.

Area: The total exposed surface devoted to a sign message, including ornamentation, embellishment and symbols, but excluding supporting structures. See Table A for specified allowable sign area. Below are additional area definitions and specifications:

- a. Single-Faced Signs: The area of a sign with one (1) sign face shall be calculated as the total area of the face. In the case of cutout letters, display, symbols, statuary or logs, the area will be calculated as that area which can be enclosed within a rectangle, series of attached rectangles or other geometric shapes.
 - b. Double-Faced Signs: The area of a sign with two (2) sign faces shall be calculated as one (1) sign face only as long as the sign faces are identical and parallel.
 - c. Multi-faced (3 or more) Signs: The sign area shall be computed as the sum of the area of all sign faces.
 - d. Multiple Signs: Whenever more than one (1) sign is hung continuously or placed on a freestanding or projecting structure, the combination of signs shall be considered as one sign for the purpose of computing sign area and determining the number of signs on a parcel.
2. Height: The maximum height for any commercial freestanding sign and supporting structure is not to exceed fifteen (15) feet. The maximum height for any residential freestanding sign and supporting structure is not to exceed five (5) feet. Measurement is calculated from the average grade at the base of the sign to the top of the highest point of the sign. In no case

shall any sign exceed the height of any building for which signage is provided.

3. Location: Conform to the Town of Pagosa Springs Sign Code with the following addition:
 - a. No sign shall be placed within 10 feet of any property line.
4. Illumination: Internally illuminated signage is allowed only on parcels listed in Table A. Internally illuminated signage on these lots may either front onto the street specified or be mounted on the building facing 90 degrees to the road. All other signage on all lots shall be externally illuminated in accordance with the Town of Pagosa Springs Sign Code.
5. Landscaping: Conform to Town of Pagosa Springs Sign Code.
6. Structural and Safety Considerations: Conform to Town of Pagosa Springs Sign Code.

B. Sign Types are limited to those listed in Table A:

1. Free Standing
2. Wall-Mounted
3. Projecting Signs
4. Roof Mounted Signs
5. Internally Illuminated



TABLE A-ALLOWABLE SIGNAGE FOR ASPEN VILLAGE

<u>Parcel #</u>	<u>Total Frontage</u>	<u>Hwy 160 Frontage</u>	<u>Total Allowable Sign Area Per Parcel</u>	<u>Allowable Sign Types</u>	<u>Notes</u>
Block 3, Lot 5	251		100 SF	II,WM,PS	II fronts Hwy 160 (MAX. 75 SF)
Block 3, Lot 6	232		50 SF	WM,PS	
Block 3, Lot 2	406		100 SF	WM,PS	
Block 3, Lot 1	82		50 SF	WM,PS	
Block 3, Lot 4	178		50 SF	II,WM,PS	II fronts Hwy 160 (MAX. 75 SF)
Block 3, Lot 3	159		50 SF	II,FS,WM,PS	II fronts Hwy 160 (MAX. 75 SF)
Open Space A	N/A	N/A	N/A		
Block 4, Lot 3	187		50 SF	WM,PS	
Block 4, Lot 2	389		100 SF	WM,PS	
Block 4, Lot 4	407	326	100 SF	II,WM,PS	II fronts Hwy 160 (MAX. 75 SF)
Block 4, Lot 1	563	144	100 SF	II,WM,PS	II fronts Hwy 160 (MAX. 75 SF)
Block 8, Lot 4	564	111	200 SF	II,WM,PS	II fronts Hwy 160 (MAX. 75 SF)
Block 8, Lot 3	1349	618	100 SF	II,FS,WM,PS,RM	II fronts Hwy 160 (MAX. 75 SF)
Block 8, Lot 2	425	203	100 SF	II,WM,PS	II fronts Hwy 160 (MAX. 75 SF)
Block 8, Lot 1	446	107	200 SF	II,WM,PS	II fronts Hwy 160 (MAX. 75 SF)
Block 9, Lot 5	630	237	200 SF	II,WM,PS	II fronts Hwy 160 (MAX. 75 SF)
Block 9, Lot 4	339	173	100 SF	II,WM,PS	II fronts Hwy 160 (MAX. 75 SF)
Block 9, Lot 3	244	121	100 SF	II,WM,PS	II fronts Hwy 160 (MAX. 75 SF)
Block 9, Lot 2	224	140	100 SF	II,WM,PS	II fronts Hwy 160 (MAX. 75 SF)
Block 9, Lot 1	217	170	100 SF	II,WM,PS	II fronts Hwy 160 (MAX. 75 SF)
D1	280		100 SF	WM,PS	
D2	82		50 SF	WM,PS	
Block 6, Lot 3	182		50 SF	WM,PS	
Block 6, Lot 2	282		50 SF	WM,PS	
Block 7, Lot 1	1590		200 SF	II,FS,WM,PS	II, Corner of Boulder & Cornerstone or fronts Hwy
Block 6, Lot 1	154		24 SF	FS, WM	
Block 5, Lot 5	177		50 SF	WM,PS	
Block 5, Lot 1	249		100 SF	WM,PS	
Block 5, Lot 2	238		100 SF	WM,PS	
Block 5, Lot 3	510		150 SF	WM,PS	
Block 5, Lot 4	129		50 SF	WM,PS	
Open Space B	N/A	N/A	N/A		
Block 1 & 2, Lot 1	1291		48 SF	FS, WM	
SIGN TYPE LEGEND					
FS=FREESTANDING SIGN					
PS=PROJECTING SIGN					
WM=WALL MOUNTED SIGN					
II=INTERNALLY ILLUMINATED SIGN					
RM=ROOF MOUNTED SIGN					
revised 2-27-07					

