

TOWN OF TAOS

SIGN PERMIT

APPLICATION PACKET

PLANNING, COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT



SIGN PERMIT APPLICATION

Planning, Community and Economic Development Department
 400 Camino de la Placita
 Taos, NM 87571
 Phone (575-751-2016
 Fax (505) 751-2026



SG20 ____ - _____

Please complete all sections below in blue or black ink. Applications will not be accepted if all sections are not complete and all required documentation is not submitted.

(Check one)

- New Business
- Existing Business - Business License Number _____

BUSINESS INFORMATION

Business Name			
Mailing Address			
City ST Zip Code			
Property Address (Physical Location of Business)			
Business Phone Number		Cell Phone Number	
Business Owner (Applicant)			
Mailing Address			
City ST Zip Code			
E-Mail Address			

PROPERTY OWNER INFORMATION

Name			
Mailing Address			
City ST Zip Code			
Home/Work Phone Number		Cell Phone Number	
E-Mail Address			

AGENT INFORMATION

Name			
Mailing Address			
City ST ZIP Code			
Home/Work Phone Number		Cell Phone Number	
E-Mail Address			

SIGN INFORMATION

Name and mailing address of person attaching or erecting sign	
Contact Telephone #	
Name of Person/Business and mailing address creating sign	
Contact Telephone #	

Sign #1 This Sign is: An Existing Sign A New Sign

Type of Sign: _____ Material of Construction _____

Dimensions: _____ x _____ = _____ Method of Attachment _____
(Length) (Width) (Square Footage)

Will this sign be illuminated? (Circle one) YES NO If yes, what is the total lumen output? _____

If Wall Mounted – Façade which sign will be affixed? (Circle one) North South East West

Square footage of façade: _____ x _____ = _____ x .10 = _____
(Height) (Length) (sq. ft. allowed for sign)

Sign #2 This Sign is: An Existing Sign A New Sign

Type of Sign: _____ Material of Construction _____

Dimensions: _____ x _____ = _____ Method of Attachment _____
(Length) (Width) (Square Footage)

Will this sign be illuminated? (Circle one) YES NO If yes, what is the total lumen output? _____

If Wall Mounted – Façade which sign will be affixed? (Circle one) North South East West

Square footage of façade: _____ x _____ = _____ x .10 = _____
(Height) (Length) (sq. ft. allowed for sign)

Sign #3 This Sign is: An Existing Sign A New Sign

Type of Sign: _____ Material of Construction _____

Dimensions: _____ x _____ = _____ Method of Attachment _____
(Length) (Width) (Square Footage)

Will this sign be illuminated? (Circle one) YES NO If yes, what is the total lumen output? _____

If Wall Mounted – Façade which sign will be affixed? (Circle one) North South East West

Square footage of façade: _____ x _____ = _____ x .10 = _____
(Height) (Length) (sq. ft. allowed for sign)

SIGN PERMIT APPLICATION SUBMITTAL CHECK LIST

The following submittals are required in order to be considered for a Sign Permit. Please complete and submit this completed application along with the required documentation as outlined in Section 16.20.010.5 Sign Ordinance of the Town of Taos Municipal Code. Complete application packet shall be submitted to the Planning, Community and Economic Development Department. Incomplete, inadequate or late submittals will result in delay or rejection of the request for a Sign Permit. Please contact staff with questions regarding the submittals required herein.

***NOTE: ALL DRAWINGS MUST BE DRAWN TO SCALE**

- Completed Sign Permit Application
- Sign Permit Fee - \$2.00 per square foot – Minimum \$47.00
- A description or a sketch (minimum scale 1" = 20') of the proposed site of the proposed signage showing its position upon the lot, building or structure in relation to identified adjacent lots, buildings or structures and public rights-of-way and any existing signage.
- A sketch (minimum scale 1" = 20') or digital rendering, or a digital photo of the proposed signage clearly displaying its graphic and lettering content, its overall dimensions, the manner and materials of its construction, and the proposed method of attachment to the building or structure or the ground where it will be situated.
- Photographs of the surrounding area taken from each elevation of the building or structure
- Submit a narrative explaining how the Sign Permit applied for will not create a danger to the public health, safety or welfare, nor cause an extraordinary expense, nor create a nuisance.
- Must adhere to the requirements in Chapter 16.20.010.5 Sign Ordinance and Chapter 15.28 Outdoor Lighting of the Town of Taos Municipal Code

Agreement and Signature

I, the undersigned, understand that any discussions and/or other communications between any authorized representative for this application and any/all Town of Taos Staff members regarding this application do not constitute the entire review of this application and that additional and/or alternate conditions and/or requirements above and beyond those that may have been discussed may be required. I also realize that failure to include applicable application material(s) may result in the rejection of my application or delays in the approval process. I also certify that the signature(s) affixed to this application are those for the property owner and authorized agent. If I am the agent, I am including an owner's affidavit.

Property Owner Name (printed)	
Signature	
Date	
Applicant / Agent Name (Printed)	
Signature	
Date	

Attached:

Chapter 16.20.010.5 Sign Ordinance

For Office Use Only

Date Application Received: Stamped by Town of Taos.

Zone _____

Fee _____ x \$2.00 = \$ _____ or Minimum fee of \$47.00
(Square Footage)

APPROVED

REJECTED – Reason(s) _____

Applicant Reviewed By: _____ DATE: _____

16.20.010.5: SIGN REGULATIONS:

16.20.010.5.1: BACKGROUND; INTENT AND PURPOSE; OBJECTIVES OF THE SIGN REGULATIONS:

This section [16.20.010.5](#) shall be known and may be cited as the *SIGN ORDINANCE*, an ordinance to regulate the construction, repair, alteration, display and maintenance of signs within the town of Taos.

A. Background:

1. It is recognized that businesses compete with each other and try to "keep up with the competition". In doing so many try to put up signs bigger than those around them because they feel those they have are not visible enough. If someone puts up a bigger sign then eventually others will want to do the same. Clutter and confusion result, worsening the perceived lack of visibility. Such a proliferation of signs leads to visual pollution, creating significant traffic hazards for motorists and pedestrians.

Drivers are distracted, visibility is impaired, access is impeded, and clear vision at intersections is prevented.

2. Appropriate sign regulations can indirectly spur economic development, while cluttered proliferation can hurt. High quality developments with well designed signs attract other high quality developments. Sign clutter gives the impression that a community does not care about its appearance. There is a need to balance the public's right to know, a businesses' right to advertise, and a community's desire to limit the extent of visual pollution and resulting hazards from the proliferation of signs and sign clutter.
3. Signs which do nothing to help motorists or pedestrians identify a place or help them get to it are the ones which tend to most directly contribute to sign clutter. Therefore, in order to avoid sign clutter, sign messages should direct and confirm correct routes to a site; inform of a site's general organization, elements and layout; identify and name the site; and regulate on site operations. Signs can use words, symbols, objects, or a combination of these to convey their message. These messages must be simple and direct. Verbiage must be minimized to be more easily and safely read by motorists and pedestrians.
4. Proportions of signs need not be uniform for all businesses. What is important is that signs do not dominate a site or building facade, but instead visually accent and appear to fit within the context and character of the building or site, and adjacent businesses.
5. The primary consideration for sign location is visibility. Signs need to be located so they are not obstructed by other signs or architectural features. Poorly located signs can be obstacles and hazards. Signs need to be far enough away from rights of way but still close enough to them, and high enough off the ground but not too high off the ground, in order to be seen while not visually dominating the area.
6. The primary function of signs is to index the environment; that is, to tell people where they can find what. Other subordinate purposes should be tolerated, but remain auxiliary and secondary to indexing. The amount, type, size, height, location, and illumination of signs need only be the minimum necessary to allow motorists to see them, recognize the activity they represent, and safely slow their vehicle in time to access the establishment, and/or to allow pedestrians to recognize the activity they represent.
7. It is further recognized that there are generally accepted and empirically derived standards for the type, size, spacing, area, and setback of signs based upon the speed limits and number of vehicular traffic lanes on the street that the activity fronts. These standards are generally intended to allow signs that can be recognized at a given distance by a motorist, allowing them to safely slow down, turn into and access the site for which the sign advertises.
8. However, these standards do not account for the peculiar characteristics of the town's business corridors. These characteristics include, but are not limited to, unusually narrow widths and shallow depths of commercial properties fronting on the town's major thoroughfares; the proximity of existing buildings and signs to each other and to property and rights of way; traffic flows and congestion levels; and the goals and objectives of the town's master plan and this title.
9. The town of Taos has thus determined that these peculiar characteristics warrant modifications to the generally accepted and empirically derived sign standards. The regulations and standards of this section [16.20.010.5](#) represent these modifications and are considered the minimum amount of regulation necessary to achieve a substantial government interest for public safety, aesthetics, and protection of property values.

B. Intent And Purpose:

1. The intent of these sign regulations is to create the legal framework for a comprehensive and balanced system of regulating signs and outdoor advertising. Such regulations are concerned with communication along sidewalks, streets, and highways, and deal with symbols and letters as they appear on signs, banners, storefronts, marquees, canopies, and all other stationary visual media whether located on or off the premises of the activity to which the message pertains.
2. The purposes of these sign regulations are:
 - a. To encourage the effective use of signs as a means of communication in the town of Taos;
 - b. To maintain and enhance the aesthetic environment and quality of life within the town;
 - c. To maintain and enhance the town's ability to attract sources of economic development and growth;

- d. To avoid the visual clutter that is potentially harmful to traffic and pedestrian safety, property values, business opportunities, and community aesthetics and appearance;
- e. To improve pedestrian and traffic safety;
- f. To minimize the abundance and size of signs to reduce motorist distraction and the loss of safe sight distance;
- g. To minimize the possible adverse effect of signs on nearby public and/or private property;
- h. To preserve the value of property by assuring the compatibility of signs with surrounding land uses;
- i. To support and complement land use objectives as set forth in the town's master plan and this title;
- j. To protect the public safety, health and welfare; and
- k. To enable fair and consistent enforcement of these sign regulations.

C. Objectives: A sign may be erected, placed, established, painted, created or maintained in the town of Taos only in conformance with the restrictions, procedures, standards, exemptions and requirements of this section [16.20.010.5](#). The objectives of this section [16.20.010.5](#) are more specifically set forth herein as:

1. To prevent the proliferation of signs which is unduly distracting to motorists and nonmotorized travelers, reduces the effectiveness of signs directing and warning the public, causes confusion, reduces desired uniform traffic flow, and creates potential for vehicular accidents.
2. To reduce visual pollution and physical obstructions caused by a proliferation of signs that could diminish the town's image, property values and quality of life.
3. To protect the general public from damage and injury caused by the distractions, hazards and obstructions generated and caused by the proliferation of signs.
4. To protect and enhance the aesthetic quality of the town of Taos by encouraging signs which are compatible with conforming existing signs, have good viewing qualities with passing motorists, and are compatible with buildings and streets, through the establishment of specific standards for various areas in the town.
5. To reduce visual distractions and obstruction to motorists traveling along, entering or leaving streets.
6. To authorize the use of signs which are compatible with their surroundings, appropriate to the activity that displays them, expressive of the identity of individual activities and the community as a whole, and legible in the circumstances in which they are seen.
7. To keep signs within a reasonable scale with respect to the buildings to which they relate.
8. To prohibit all signs not specifically permitted by this section [16.20.010.5](#).
9. To provide for the enforcement of the provisions of this section [16.20.010.5](#).
10. To prevent signs that are potentially dangerous to the public due to structural deficiencies, disrepair or distraction to motorists.
11. To prevent the placement of signs in a manner which will conceal or obscure other signs, directional and/or warning signs, or signs of adjacent businesses.
12. To keep the number and size of signs at a level reasonably necessary to identify a business enabling the public to locate goods, services and facilities without excessive difficulty and confusion by restricting the number and placement of signs.
13. To prevent hazards due to collapse, fire, collision, decay or abandonment of signs.
14. To establish a permit system to allow signs suitable for the sign area in which it is located that complies with the regulations and permit procedures contained herein.
15. To protect the public right to receive messages, especially noncommercial messages such as religious, political, economic, social, philosophical and other types of information protected by the first amendment of the United States constitution. (Ord. 13-02, 2013)

16.20.010.5.2: ADOPTION BY REFERENCE OF STATE HIGHWAY RULES:

The town adopts the right of way rules and regulations of the New Mexico state highway department regarding uses of the right of way (ROW) owned by the state of New Mexico. (Use note: Please consult the New Mexico administrative code title 18, transportation and highways, chapter 20, traffic safety, part 5, removal of encroachments, obstructions, abandoned motor vehicles and for restriction of vending. That section generally prohibits the display of signs on any state highway ROW, including NM 64 in the town of Taos.) (Ord. 13-02, 2013)

16.20.010.5.3: SIGN PERMITS FOR PERMANENT SIGNS; REGULATORY OVERSIGHT:

Any person, corporation, or other entity, shall first obtain a sign permit prior to the erection, alteration, or relocation of any sign. The code administrator or designee shall have regulatory oversight of the permitting and inspection of all signs and the enforcement of these sign regulations. (Ord. 13-02, 2013)

16.20.010.5.4: APPLICATION FORM FOR SIGN:

Every application for a sign permit pursuant to these sign regulations shall be made on the sworn application supplied by the code administrator, and must include the following:

- A. All information required on the application;
- B. A description or a sketch of the proposed site of the proposed sign, showing its position upon the lot, building or structure in relation to identified adjacent lots, buildings or structures, and public rights of way, easements, and any existing sign at that location;
- C. A sketch, digital rendering, or a digital photo of the proposed sign itself, clearly displaying its graphic and lettering content, its overall dimensions, the manner and materials of its construction, and the proposed method of attachment to the building or structure, or the ground, where it will be situated;
- D. Such other information as may from time to time, be deemed necessary by the code administrator or designee to ensure compliance with these sign regulations and other ordinances of the town of Taos. (Ord. 13-02, 2013)

16.20.010.5.5: FEES:

- A. The fee imposed upon all permanent signs shall be a nonrefundable payment of two dollars (\$2.00) per square foot of the entire sign area proposed or forty seven dollars (\$47.00), whichever is greater. Square footage shall be calculated as length multiplied by width, in feet, from farthest edge to farthest edge of each sign area.
- B. The fee imposed upon all temporary signage shall be a nonrefundable payment of twenty four dollars (\$24.00).
- C. The fees imposed upon all signs may, from time to time, be adjusted by a resolution of the town council of the town of Taos; and that body may likewise, in the interest of public order, public safety or aesthetics, impose other or additional requirements or surcharges for particular types of signage. (Ord. 13-02, 2013)

16.20.010.5.6: ISSUANCE AND DISPLAY OF PERMIT FOR SIGN:

- A. It shall be the duty of the code administrator or designee to examine all sign permit applications for compliance with the provisions of these sign regulations; and issue a sign permit, or an explanatory denial thereof, within ten (10) business days of the filing of the complete application. Any explanatory denial of an application must include a statement concerning why the application is denied, citing the specific reasons for the denial.
- B. A current town of Taos sign permit shall be prima facie evidence of compliance with these sign regulations, as well as of the payment in full of all required fees, surcharges, penalties, interest thereon, and costs assessed; and it grants the holder thereof a nontransferable permit to display the approved sign for the specific location indicated on the permit application and resulting sign permit.

C. Every recipient of a sign permit shall be responsible for retaining said permit and to provide evidence of the permit when requested by the code administrator or designee. (Ord. 13-02, 2013)

16.20.010.5.7: OVERSIGHT, INSPECTION AND REVOCATION OF SIGN PERMIT:

- A. The code administrator or designee shall conduct regular inspections of all signs in order to verify compliance with the provisions of these sign regulations.
- B. The code administrator or designee shall have the authority to enter upon any lot, property, or premises, at any reasonable time and with reasonable notice to the property owner, to inspect the sign thereon or within.
- C. The code administrator or designee shall ascertain that all signs upon a premises or property has been properly permitted and in compliance with the provisions of these sign regulations. Any noncompliance shall be subject to the penalty clause of this section [16.20.010.5](#). (Ord. 13-02, 2013)

16.20.010.5.8: APPEALS AND VARIANCES:

- A. An applicant for a sign permit may appeal the final decision of the code administrator or designee to the planning and zoning commission or, as applicable, the historic preservation commission.
- B. An applicant for a sign permit may apply to the planning and zoning commission for a variance to the standards and provisions of these sign regulations. The planning and zoning commission, in hearing and deciding upon any application for a variance from the provisions of these sign regulations, may properly consider a balance between the following:
 - 1. That a literal application of the provisions of these sign regulations would cause undue financial hardship to the applicant because of conditions that are unique to the building, structure, premises, or lot, upon which the proposed signage is to be situated;
 - 2. That the granting of applicant's request for a variance from the provisions of these sign regulations would not be materially detrimental to the public, or to property owners, or existing businesses, in the immediate vicinity of the proposed signage;
 - 3. That the granting of applicant's request for a variance from the provisions of these sign regulations would not be contradictory to the intent, general purposes and objectives of these sign regulations, any other sections of this title, nor any other ordinance of the town of Taos;
 - 4. That, in the case of multi-tenant centers, the requested variance nevertheless substantially meets the goals of the town of Taos vision 2020 master plan or its successor master plan, comprehensive plan or similar document approved by the Taos town council;
 - 5. That, in the case of multi-tenant centers, the requested variance assures that signage visible from public rights of way does not exceed the design and dimension requirements set forth elsewhere in these sign regulations;
 - 6. No variance from the provisions of these sign regulations may allow more than a twenty percent (20%) increase in the size, sign area, height or other sign dimension set forth in these sign regulations.

C. All appeals and variances shall be conducted according to the criteria and procedures specified in this title. (Ord. 13-02, 2013)

16.20.010.5.9: GENERAL DESIGN REGULATION OF ALL SIGNS:

All signs must adhere to the following minimum standards:

- A. All permanent signs shall relate to the purpose of the specific business entity displaying same, shall be consistent upon any premises in basic design, style, color and manufacture.
- B. No sign may be constructed of, or incorporate, any reflective material or internal illumination that will constitute a visual hazard to drivers along public rights of way; nor may they be painted, in whole or in part, with fluorescent colors.
- C. The height of any sign shall not exceed twenty feet (20').
- D. The maximum total sign area of the permanent signs for each place of business must not exceed sixty (60) square feet.
- E. The maximum total sign area of the temporary sign must not exceed twenty four (24) square feet, and does not count toward the sixty (60) square foot maximum sign area for permanent signs.
- F. The combination of the total sign area of all permanent signs and all temporary signs must not exceed eighty four (84) square feet.
- G. No single permanent freestanding sign may exceed forty (40) square feet in sign area.
- H. All of the mounted wall signs shall not exceed ten percent (10%) of the building facade upon which it is affixed, but may be a minimum of twelve (12) square feet in sign area if the area of the facade does not permit a sign larger than twelve (12) square feet. (Ord. 13-02, 2013)

16.20.010.5.10: NUMBER AND TYPES OF SIGNS PERMITTED:

A. Number Of Signs Permitted:

- 1. An applicant may be permitted no more than three (3) permanent signs for each place of business.
- 2. An applicant may be permitted no more than four (4) temporary sign permits per year and only when there is a thirty (30) calendar day lapse period between temporary sign permits. Temporary sign permits shall be valid for a maximum period up to sixty (60) days and shall be valid for only one temporary sign per temporary sign permit.

B. Types Of Signs Permitted:

- 1. An application for a permanent sign may be permitted for a combination of the following signs:
 - a. Wall Mounted Sign: Wall mounted signs are limited to ten percent (10%) of the area of that portion of the facade to which it is affixed. Wall mounted signs shall not extend above the roofline or parapet of the structure.
 - b. Cutout Letter Sign: Signs consisting of cutout lettering and logo, with no borders or background defined on the building wall, or signs constructed of carved wood or similar material that provides articulation and depth to the sign, will be calculated at one-half ($1/2$) of the area of the smallest rectangle that would wholly contain each of the letters and logo (if applicable).
 - c. Hanging Sign: Hanging signs may display two (2) faces, although only one face shall be calculated as the total sign area. All hanging signs shall provide a minimum of seven and one-half feet ($7\frac{1}{2}$ ') of vertical clearance from the average grade to the bottom of the sign.
 - d. Projecting Sign: Projecting signs may display two (2) faces, although only one face shall be calculated as the total sign area. All projecting signs shall be engineered to withstand a gusting wind velocity of ninety (90) miles per hour, as per the building code of the town of Taos.
 - e. Freestanding Sign: Freestanding signs consist of, but are not limited to, monopole signs and monument signs. Freestanding signs may display two (2) faces, although only one face shall be calculated as the total sign area. All freestanding signs shall be engineered to

- withstand a gusting wind velocity of ninety (90) miles per hour, and bear a dead weight load of forty (40) pounds per square foot; as set forth in the building code of the town of Taos.
- f. A-Frame Signs: A-frame signs shall not have a sign area greater than six (6) square feet on each face and shall be placed in a specific location approved by the code administrator or designee. A-frame signs must only be placed during business hours.
2. An application for a temporary sign may be permitted for one temporary sign not to exceed sixty (60) consecutive days which directs attention to a business, product, service, or entertainment conducted, sold or offered on the premises upon which the temporary sign is located, provided there is a thirty (30) consecutive day lapse between temporary sign permits. Temporary signs must be affixed to the facade of the building of the business it is advertising. (Ord. 13-02, 2013)

16.20.010.5.11: MULTI-TENANT CENTER SIGNS:

A. All applicants for a multi-tenant center sign are required to submit a master sign program to the code administrator or designee prior to the issuance of any sign permit for the overall premises. The master sign program should include signs which are compatible in design among all tenant businesses within the multi-tenant center in order to foster integration of all signs with the architectural style of the building or complex of buildings.

B. Multi-tenant centers are permitted the following forms of signage:

1. One multi-tenant center freestanding sign per street frontage shall be permitted to display the name and street address of the center and the names of the tenants of the center.
 - a. The street address shall be no less than three (3) square feet and shall be excluded from the calculation of the sign area.
 - b. The name of the center shall be no greater than ten percent (10%) of the total sign area and shall not be included in the calculation of the total sign area.
 - c. The maximum sign area for a multi-tenant freestanding sign shall be as follows:
 - (1) For a multi-tenant center which has two (2) to five (5) tenants, the maximum sign area shall be sixty (60) square feet.
 - (2) For a multi-tenant center which has six (6) to nine (9) tenants, the maximum sign area shall be eighty (80) square feet.
 - (3) For a multi-tenant center which has ten (10) or more tenants, the maximum sign area shall be one hundred (100) square feet.
 - d. The sign area of a sign for each tenant in a multi-tenant center shall be distributed evenly among all tenants.
 - e. Multi-tenant center freestanding signs may contain two (2) faces, although only one face shall be calculated as the total sign area as described in this section.
 - f. All multi-tenant center freestanding signs shall be engineered to withstand a gusting wind velocity of ninety (90) miles per hour, and bear a dead weight load of forty (40) pounds per square foot; as set forth in the building code of the town of Taos.
 - g. Individual multi-tenant center freestanding signs may not be closer than one hundred feet (100') to one another.
2. One multi-tenant center wall sign shall be allowed and shall not exceed ten percent (10%) of the building facade to which it is affixed. Multi-tenant center wall signs shall not extend above the roofline or parapet of the structure. (Ord. 13-02, 2013)

16.20.010.5.12: TRADITIONAL NEIGHBORHOOD DEVELOPMENT DISTRICT; APPLICABLE SECTIONS:

The traditional neighborhood development district contains specific regulations for signs in that district and can be found in this title. (Ord. 13-02, 2013)

16.20.010.5.13: THE HISTORIC OVERLAY ZONE; SPECIAL RULES, REGULATIONS, AND RESTRICTIONS:

All signs within the historic overlay zone shall comply with the special regulations, particular restrictions, or prohibitions of this section in addition to the general provisions of these sign regulations.

- A. Freestanding signs shall not exceed twelve feet (12') in height.
- B. Other than an internally lit menu sign, any internally lit sign, LED, and time and temperature sign is prohibited in the historic overlay zone.
- C. Neon tubing signs are prohibited unless a preexisting nonconforming sign is said to be of historic significance or is a contributing feature of a locally designated contributing building or is registered as a state cultural property or a federally listed historic property.
- D. A sign may be painted on the wall of a building, provided that the total sign area does not exceed twenty (20) square feet and consists of no more than two (2) words. The words must only advertise the product or service made available (e.g., "pharmacy" or "art gallery"). Any such sign painted on a wall which is proposed to exceed twenty (20) square feet or exceed two (2) words or bear a specific product or business name may be approved only after receiving a certificate of appropriateness from the historic preservation commission.
- E. An A-frame sign shall not exceed four (4) square feet.
- F. A temporary sign shall not exceed twelve (12) square feet within the Taos Plaza.
- G. A-frame signs are prohibited within the Taos Plaza. (Ord. 13-02, 2013)

16.20.010.5.14: CONDITIONALLY EXEMPT SIGNS:

The following types of signs are conditionally exempt from these sign regulations and do not require a sign permit provided they comply with the design criteria defined in this section. Any exempt sign which does not meet the design criteria will be deemed in noncompliance with these sign regulations.

- A. Bulletin Boards: A single on site exterior bulletin board shall not exceed eight (8) square feet in sign area, nor exceed seven feet (7') in overall height.
- B. Construction Sign: No more than two (2) construction signs shall be permitted per project location provided that each construction sign is no larger than twenty four (24) square feet in sign area and no greater than six feet (6') in height.
- C. Commercial Sign Walker: One commercial sign walker shall be allowed per each place of business provided that sign area does not exceed three (3) square feet in sign area. Commercial sign walkers shall be prohibited within the historic overlay zone (HOZ).
- D. Directional Sign: No more than two (2) directional signs shall be allowed per premises, provided they do not exceed six (6) square feet nor three feet (3') in height.
- E. Drive-Through Menu Sign: Drive-through menu signs are exempt from these sign regulations provided they do not exceed two (2) in number per premises. Drive-through menu signs shall not be located in the street frontage facade of the building.
- F. Election Campaign Sign: An election campaign sign is exempt from the provisions of these sign regulations provided they do not exceed five (5) in number per site location, nor exceed six (6) square feet in sign area per sign area, and are posted with the consent of the property owner. All such signs shall not be placed earlier than sixty (60) days prior to the election, and shall be removed within three (3) days after the election. These signs shall not be posted on any right of way or town of Taos property.

- G. Garage Sale And Yard Sale Sign: One on site sign announcing a garage or yard sale event shall be wholly exempt from the provisions of these sign regulations provided it is located on the premises where the sale is to be held. No more than three (3) off site signs announcing a garage or yard sale event shall likewise be wholly exempt from the provisions of these sign regulations provided they are posted with the consent of the owner of the premises. Such sign shall not be displayed for a period of more than two (2) consecutive days prior to the event and must be removed by the entity or individual who posted them within one day of the conclusion of the event.
- H. Gasoline Station Price Sign: One on site single or double faced gasoline price sign is wholly exempt from the provisions of these sign regulations provided they do not exceed twelve (12) square feet per each sign area and do not bear any advertising or logo other than a gasoline brand name and price. No more than one double faced price sign is permissible at any one location.
- I. Government Sponsored Special Event Sign: A temporary sign erected, or authorized, by the town of Taos which advertises a community event.
- J. Menu Sign: Menu signs shall be no greater than six (6) square feet and shall be mounted on the facade near the entrance of the restaurant or eatery.
- K. Memorial Sign: On site memorial signs are wholly exempt from the provisions of these sign regulations provided they are permanently attached to the building or structure to which they refer and do not exceed three (3) square feet in sign area.
- L. Noncommercial Sign: Permanent, civic, church, service club, political, or other noncommercial signs or emblems, whether for a charitable purpose, a religion, a cause, an idea, an ideology, or any other noncommercial purpose, are exempt from these sign regulations.
- M. Real Estate (Residential) Sign: Real estate (residential) signs are limited to one such sign per street frontage, which may be double faced, and which shall not exceed six (6) square feet in sign area, nor exceed five feet (5') in height above the average grade below. Such sign shall be removed within three (3) days of the rental, leasing or sale closing of the property.
- N. Real Estate (Commercial, Industrial, Agricultural) Sign: Real estate (commercial, industrial, agricultural) signs are limited to one such sign per street frontage, and which may be double faced, and which may not exceed twelve (12) square feet in sign area, nor exceed eight feet (8') in height above the average grade below. Such sign shall be removed within three (3) days of the rental, leasing or sale closing of the property.
- O. Street Address Sign: Street address signs shall not exceed three (3) square feet per each sign area. Whenever possible and practical, the street address of the property shall be clearly visible to the public.
- P. Subdivision Sign: Subdivision signs shall not exceed twelve (12) square feet in sign area and shall not exceed six feet (6') in height. Subdivision signs shall be located at the main intersection or intersections entering into the subdivision.
- Q. Time And Temperature Sign: Time and temperature sign (prohibited in the historic overlay zone) shall not exceed twelve (12) square feet per each sign area, nor exceed an overall height of six feet (6'). Time and temperature signs are not permitted, or allowed by any variance process, within the historic overlay zone.
- R. Window Signs: The total of all window signs shall not exceed twenty percent (20%) of all of the window area visible to the public. (Ord. 13-02, 2013)

16.20.010.5.15: EXEMPT SIGNS:

The following types of signs are fully exempt from these sign regulations and do not require a sign permit:

- A. Government, school, or hospital signs.
- B. Government sponsored wayfinding signs.
- C. Historic or commemorative marker.
- D. Noncommercial flag.
- E. Picketing sign.
- F. Signs required by law. (Ord. 13-02, 2013)

16.20.010.5.16: SPECIFICALLY PROHIBITED SIGNS:

In order to accomplish the intent and purposes and to fulfill the objectives of these sign regulations, the following types of signs are strictly prohibited and shall not be permitted:

- A. Signs that flash, blink, rotate, or varies its degree of internal illumination;
- B. Signs with any moving parts;
- C. Signs utilizing or incorporating an audio device;
- D. Billboards;
- E. Commercial flagpole signs;
- F. Inflatable signs;
- G. Animated signs;
- H. Signs which obstruct the view of an operator of any motor vehicle upon any right of way, as determined by the "clear sight triangle" as defined within this title, or as may hereafter be defined therein, or as defined by the town of Taos "Access Management Manual" or its successor documents, or as may hereafter be defined therein;
- I. Signs erected or placed on the ground within, or suspended or projecting above, a right of way. This prohibition is in accordance with state law, rules or regulations promulgated by the entity in control of or owning the property. Directional, safety and construction related signs or other signs placed within or above a right of way by or with the permission of a governmental entity with jurisdiction is excepted from this prohibition, provided there is a valid and substantial public health, safety, welfare or aesthetic reason for such sign;
- J. Signs bearing a similarity in style or design with commonly seen traffic signs or signals, and making use of such words as "stop", "look", "danger", or similar phrase or symbol, which tend to mislead, confuse, or impede the orderly flow of either pedestrian or vehicular traffic;
- K. Signs illuminated by floodlights or spotlights not complying with the dark skies ordinance of the town of Taos;

- L. Signs that restrict the free ingress or egress of any sidewalk, window, door, or fire exit;
- M. Signs projecting above a roofline, eave, or parapet;
- N. Signs spanning any public walkway or public access area whose lower edge is less than seven feet (7') above the average grade below;
- O. Signs that are hazardous, or in dilapidated and dangerous physical condition, or from which nails, tacks, screws, wires, or sharp objects of any nature may protrude;
- P. Commercial signs constructed of cardboard, paper, cloth, or other nondurable material;
- Q. Signs attached to a tree, fence, utility pole, transit facility enclosure, or street seating, within any state or town right of way;
- R. The use of neon or LED or similar illumination device to graphically outline any building, exterior walls, fence or other structure;
- S. Commercial signs placed on or affixed to a sidewalk or stairs unless specifically permitted by these sign regulations;
- T. Signs shall not be affixed to public property except for banners and other signs placed with permission of the town of Taos or other governmental entity that owns the property at locations where rental of space for such banners or signs is permitted, and except for signs affixed by the governmental entity that owns the public property. (Ord. 13-02, 2013)

16.20.010.5.17: NONCOMPLIANT, UNSAFE, OBSOLETE SIGNS:

Upon the determination of the code administrator or designee that any sign is in violation of these sign regulations by reason of being situated or intruding upon a public right of way, or creating an immediate danger or peril to public safety, a verbal notification shall be issued to the holder of the sign permit, or to the owner, agent, entity or individual enjoying the beneficial use of the noncompliant sign, or both, to take down and remove same within two (2) hours or such shorter period as public safety may require in the circumstances; after which the noncompliant sign may be removed by the town of Taos with the costs of removal assessed against the property owner, the holder of the sign permit, or the noncompliant owner, agent, entity or individual, or both and will be subject to the penalty clause of this section [16.20.010.5](#).

Upon the determination of the code administrator or designee that any sign is obsolete or abandoned and no longer advertises or informs of a bona fide, existing business or trade, or a product or service being offered at any premises, structure, or lot, or advertises or promotes a person and/or place and/or event for a fixed date that has passed, a written or verbal notice shall be issued to the holder of the sign permit, or to the owner, agent, entity or individual enjoying the beneficial use of the premises, structure, or lot upon which the noncompliant signage is situated, or both, to take down and remove same within seventy two (72) hours; after which the noncompliant signage may be removed by the town of Taos with the costs of removal assessed against the property owner, the holder of the sign permit, or the noncompliant owner, agent, entity or individual, or both and will be subject to the penalty clause of this section [16.20.010.5](#).

Upon the removal of any noncompliant, unsafe, obsolete or abandoned sign, the building, structure, or lot from which the sign is removed shall, within ten (10) days thereafter, be cleaned, patched, painted, or otherwise remediated by the owner, agent, entity or individual responsible for the premises. All supports, stanchions, brackets, mounts, attachments, or other sign connecting devices shall be removed, leaving no visible evidence. The code administrator or designee shall inspect and certify compliance; or alternatively, issue written notice for further remediation within a specified time, after which the noncompliant remnants may be removed or remediated by the town of Taos, and the costs of same assessed against the property owner, the noncompliant permit holder, or owner, agent, entity, or

individual responsible and will be subject to the penalty clause of this section [16.20.010.5](#). (Ord. 13-02, 2013)

16.20.010.5.18: PREEXISTING LEGAL NONCONFORMING SIGNS:

All existing permitted signs shall be deemed allowable to the following extent:

- A. An existing permitted sign, as well as an existing permitted sign annexed into the town of Taos, that is not in compliance with these sign regulations shall be allowed to be used as a preexisting legal nonconforming sign until such time as the sign, not to include the sign's message or content, is altered, replaced, or improved.
- B. Alteration, improvement, or replacement of any one preexisting legal nonconforming sign located on the premises shall require all signs upon the property to conform to these sign regulations.
- C. Changing the message on a sign that continues to advertise a business upon the property shall not cause said sign to lose its preexisting legal nonconforming status.
- D. Any temporary legal nonconforming signs located must be removed within thirty (30) days of the effective date of these sign regulations. (Ord. 13-02, 2013)

16.20.010.5.19: PENALTY:

- A. Upon the determination of the code administrator or designee that any sign is in violation of these sign regulations, the property owner, the holder of the sign permit, or the owner, agent, entity, or individual responsible will be fined not less than fifty dollars (\$50.00) for the first offense, and not less than one hundred fifty dollars (\$150.00) for the second offense.
- B. Upon the determination of the code administrator or designee that a third offense of any sign violation to these sign regulations, the property owner, the holder of the sign permit, or the owner, agent, entity, or individual responsible shall be deemed guilty of a petty misdemeanor and upon conviction thereof, shall be fined not less than fifty dollars (\$50.00) nor more than three hundred dollars (\$300.00).
- C. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punished as such hereunder. (Ord. 13-02, 2013)

16.20.010.5.20: SEVERABILITY OF PROVISIONS:

The provisions of these sign regulations are severable; and if any section, subsection, paragraph or part of these regulations is held to be invalid, unenforceable, unconstitutional, or inapplicable to any person or circumstance, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect, impair, or render void, the remainder of these sign regulations. (Ord. 13-02, 2013)

16.20.010.5.21: EFFECTIVE DATE:

The provisions of these regulations shall become effective five (5) days after its publication unless otherwise provided by law. (Ord. 13-02, 2013)

16.20.010.5.22: DEFINITIONS:

A-FRAME SIGN: A self-supporting sign consisting of two (2) equal faces that is easily relocated and shall be displayed only during the hours of operation of the business.

ABANDONED SIGN: A sign that is subject to removal or designation as a nonconforming sign because it is in a state of disrepair or is in any state of repair and is located upon a vacant building or lot for more

than one hundred eighty (180) consecutive days.

ANIMATED SIGN: A sign whose face changes to simulate motion or changes messages in intervals of less than five (5) minutes.

AUDIO DEVICE: Any device which emits a sound that is audible to the general public.

BANNER: A temporary sign constructed of durable cloth, paper, plastic or other nonrigid material that is affixed to a building through grommets by rope, hooks, or similar anchors. All banners must be attached to the facade of the building of the business it is advertising.

BILLBOARD: A freestanding sign advertising goods, products, or services of dimensions larger than those permitted by these sign regulations and which advertises a good, product, or service in a separate location from where the business is located.

BOX BACKLIT SIGN: An internally lit permanent sign where the illumination originates completely within the sign structure. Box backlit signs shall comply with the requirements of wall signs.

BULLETIN BOARD: Cork backed boards or boards surfaced with similar material that allow for information to be affixed to said surface with a tack, staple, or similar anchor.

CANOPY SIGN: A sign which is on a canopy affixed to a building.

COMMERCIAL FLAGPOLE: Fabric affixed to a pole which advertises a business, product, or service.

COMMERCIAL SIGN WALKER: Any person who carries a sign in any manner that displays a commercial message.

CONSTRUCTION SIGN: A sign which identifies an architect, builder, contractor, subcontractor, material supplier, financing entity or others participating in any construction, design or alteration on the property on which the sign is located. It may also include a picture or representation of the structure under construction.

CUTOUT LETTERING SIGN: A permanent sign whose design incorporates the use of separate letters individually mounted without using any backboard or raceway.

DARK SKIES ORDINANCE: Town of Taos ordinance 99-2.

DIRECTIONAL SIGN: A sign that guides a pedestrian or vehicle to an entrance, exit, or similar function on a property. Directional signs shall not have a height greater than three feet (3').

DRIVE-THROUGH MENU SIGN: A sign located at a drive-through that provides a menu of items that may be purchased from a vehicle at a pick up window.

ELECTION CAMPAIGN SIGN: A sign which conveys a political message in relation to an election or candidate.

EXTERNALLY ILLUMINATED SIGN: A sign which is illuminated by a light source external to the sign structure that complies with the town of Taos dark skies ordinance. Said external illumination may be placed in front of or behind the sign provided it is external to the sign structure.

FACADE: The exterior side of a building facing a sidewalk or a road, street or highway frontage. In the case of a business within a multi-tenant center, the facade shall be limited to only the space of the tenant.

FLASHING SIGNS: A sign which sequentially changes its illumination.

FREESTANDING SIGN: A permanent sign which is not attached to a building or wall. A freestanding sign may display two (2) faces, and shall be engineered to withstand a gusting wind velocity of ninety (90) miles per hour; and bear a dead weight load as set forth in the building code of the town of Taos. Only

one sign area of a double faced sign shall be calculated in the sign area.

GARAGE SALE AND YARD SALE: A sign used to advertise sales at residential properties.

GOVERNMENTAL, SCHOOL, OR HOSPITAL SIGN: Sign erected, posted, or displayed by federal, state or local governmental authorities or a hospital.

GOVERNMENTAL SPONSORED WAYFINDING SIGN: Wayfinding signs sanctioned by the town of Taos and/or the state of New Mexico are wholly exempt from the provisions of these sign regulations.

HANGING SIGN: A sign which is mounted to the ceiling of a portal, post, or similar structure over a sidewalk or a walkway.

HEIGHT OF A SIGN (Also HEIGHT): The distance measured from the average grade of the foundation of the sign structure to the highest portion of the sign.

HISTORIC OR COMMEMORATIVE MARKER: A marker placed upon a building, structure, property, or embedded in a sidewalk listing its inclusion on the local, state, or national register of historic places or in commemoration of a person, place or event as approved by the Taos town council.

HISTORIC OVERLAY ZONE: The area as depicted as the historic overlay zone upon the most recently approved zoning map of the town of Taos.

INFLATABLE SIGN: Any sign which uses a gas or air to inflate in order to be deployed.

INTERNALLY LIT SIGN: Any sign whose light source originates within the sign structure.

LED/LIGHT EMITTING DIODE SIGN: A sign which uses light emitting diodes for illumination. Interior static neon, LED, or otherwise illuminated window signs displaying messages such as "open" or advertisements are wholly exempt from the provisions of these regulations, provided they do not exceed, cumulatively, three (3) square feet in total sign area. LED or similarly lit changeable message signs shall be considered static provided that the message is not animated and the message that is displayed does not change on a cycle of less than five (5) minute intervals.

LOGO: A graphic or artistic symbol, picture, stylized lettering and other images used to identify a particular business or product.

MARQUEE SIGN: A sign with changeable letters displaying entertainment or event offerings within an area of public assembly such as a theater, motion picture theater, or convention center. A marquee sign, whether as a part of a mounted sign or a freestanding sign will be included in the maximum sign area for a permanent sign.

MENU SIGN: A sign in a display case or similar sign provided on the exterior of a restaurant or eatery listing food and drink offerings and their prices provided on the premises.

MEMORIAL: A sign commemorating a historic or public event, individuals, or landmarks significant to local or national history.

MONOPOLE SIGN: A freestanding sign supported by a pole structure that is less than the width of the sign area affixed to it.

MONUMENT SIGN: A freestanding sign affixed to a solid structure that is equal to or greater than the width of the sign.

MOUNTED SIGN: A sign which is affixed to a building, wall or similar structure.

MULTI-TENANT CENTER: Multi-tenant centers are those premises where two (2) or more businesses share a common building or location; a building or group of buildings with more than one tenant and have the same address, located on the same parcel or share adjoining walls.

MULTI-TENANT CENTER MASTER SIGN PROGRAM: A map illustrating the location and type of each multi-tenant center sign.

MULTI-TENANT CENTER SIGN: Any one of the following:

Multi-Tenant Center Directional Sign: A sign bearing arrows, words, or legends such as "self-service", "drive-through", "parking", "closed", "open", "office", "restrooms", or displaying the premises' logo or street address and is visible from public roadways.

Multi-Tenant Center Directory Sign: A sign listing multiple tenants and may include a map depicting the location of tenants.

Multi-Tenant Center Freestanding Sign: A freestanding sign located along a street frontage advertising the name and street address of the center and the names of the tenants of the center.

Multi-Tenant Center Name Wall Sign: A wall sign depicting the name of the multi-tenant center.

NEON TUBING SIGN: A sign which uses neon tubing as a part of the sign.

NONCOMMERCIAL FLAG: A cloth depicting the symbols associated with a nation, state, city, town, or other organization. The display of national, state, municipal or other noncommercial flags is wholly exempt from the provisions of these regulations provided the flags are suitably maintained, securely mounted, their display creating no impediment to traffic, no danger or peril to public safety. The national flag must be flown in accordance with applicable federal regulations.

NONCOMMERCIAL SIGN: A sign identifying a religious, civic, philanthropic or other noncommercial organization or containing any noncommercial message that such an organization or an individual wishes to convey.

PERMANENT SIGN: A sign permanently affixed to the ground, wall, or other structure.

PERMIT: The written approval of a sign permit application issued by the code administrator approving the use of a sign or signs.

PICKETING SIGN: A handheld sign which shall remain in a person's control at all times and which is not subject to these sign regulations.

PORTAL: A covered entrance, porch, or walkway adjacent to or affixed to a building.

PREEXISTING LEGAL NONCONFORMING SIGN: A sign erected prior to the latest amendment to these sign regulations that does not conform to the requirements of this section [16.20.010.5](#). Changing the message on an existing sign face is not either a continuation or an expansion of a nonconforming sign.

PROJECTING SIGN: A sign supported by a cross member above the sign face and affixed to a pole, wall, or other structure and hangs.

REAL ESTATE COMMERCIAL, INDUSTRIAL, OR AGRICULTURAL SIGN: A sign advertising the sale, rental or lease of a commercial, industrial or agricultural property upon which it is located.

REAL ESTATE RESIDENTIAL SIGN: A sign advertising the sale, rental or lease of a residential property upon which it is located.

RIGHT OF WAY OR PUBLIC RIGHT OF WAY: "Highway right of way" means all roads, patrol yards, and rest areas owned, controlled, or maintained by the highway department. The term "road" means the entire width of the right of way and shall include, but not be limited to: travel lanes, roadside, shoulder, median, ditches, culverts, ramps, turnouts and construction and maintenance easements.

SIGN: Any surface lettering and/or graphics or pictures, or any similar device used to identify or advance

any message.

SIGN AREA: The total physical dimensions of the size of the sign as measured by the product of the width multiplied by the height. The sign area includes the sign trim and logo but not any support structure. The sign area shall consist of the total area of all signs on the premises for calculation of allowable sign coverage under this section [16.20.010.5](#).

SIGNS REQUIRED BY LAW: Signs required by law to conduct business for approved uses within any town of Taos zoning district are wholly exempt from the provisions of these sign regulations.

STREET ADDRESS SIGN: A sign which depicts the numerical address of a property.

STREET FRONTAGE: A property line bordering a public roadway.

SUBDIVISION SIGN: A sign identifying a residential or commercial subdivision.

TEMPORARY SIGN: Any nonpermanent sign permitted for display not longer than thirty (30) consecutive days which directs attention to a business, product, service, or entertainment conducted, sold or offered on the premises upon which the sign is located, provided there is a ninety (90) day lapse period between sign permits. Limit of one such sign permit within one calendar year.

TIME/TEMPERATURE SIGN: A sign informing the public of the time and/or temperature, whether freestanding or mounted.

TRADITIONAL NEIGHBORHOOD DEVELOPMENT (TND) DISTRICT: The area as depicted as the traditional neighborhood development district upon the most recently approved zoning map of the town of Taos.

WALL SIGN: Any sign affixed to an exterior wall.

WINDOW SIGN: Any sign placed within, painted on, or otherwise affixed to the glazing of a window. (Ord. 13-02, 2013)