

§ 9.2.22 SIGNS

(A) DEFINITIONS.

(1) **SIGN** means any device used for visual communication or display to public view of letters, words, numerals, figures, statutes, devices, emblems, pictures or any parts or combinations thereof designated to inform or advertise or promote merchandise, services, activities, or politically related information except for the following:

(a) Signs required by law or signs of a duly-constituted governmental body.

(b) Signs placed by a public utility for the safety, welfare, or convenience of the public.

(c) Temporary Holiday Decorations.

(d) Any item of merchandise normally displayed within a show window of a business.

(e) Non-illuminated names of building, dates of erection, monument citations, commemorative tablets and the like when carved into stone, concrete, metal or any other permanent type construction and made an integral part of a permitted structure or made flush to the ground.

(f) Indoor signs not intended to be read from outside.

(2) **BILLBOARD** is a board, panel, or tablet used for the display of posters, painted or printed advertising matter, either illuminated or non-illuminated, that directs attention to goods, merchandise, entertainment, or services offered elsewhere other than the premises where the sign is located. A sign that directs attention to a business, commodity, services or entertainment conducted, sold or offered at a location other than the premises on which the sign is located.

(3) **BUILDING-MOUNTED SIGN** is a sign entirely supported by or through a building; this category shall include canopy, roof and wall signs.

(4) **CLEAR SIGHT TRIANGLE** is the area formed by a line measured from the corner of the property back twenty-five feet (25') along each right-of-way, and connected by a line drawn between them to form a triangle.

(5) **CODE ENFORCEMENT OFFICER** is the officer and other designated authority charged with the administration and enforcement of this Section. A code enforcement official shall be a Village employee authorized by the Mayor.

(6) **DIRECTOR** is the Director of the Planning and Zoning Department of the Village of Los Ranchos.

(7) **FREE-STANDING SIGN** is a sign attached to or supported from the ground and not attached to a building; signs on walls or fences which are not an integral part of a building are FREE-STANDING SIGNS.

(8) **GRAPHIC SHAPE SIGNS** are signs which incorporate a logo.

(9) **HOME OCCUPATION SIGNS** are signs permitted to a business holding a valid home occupation permit (non-deminimis) granted by the Village of Los Ranchos.

(10) **MULTI-TENANT SIGN** is a single structure or composite sign containing information regarding multiple businesses on a single premise.



(11) **MURAL** is an artistic expression painted or similarly created on exterior wall surface which does not incorporate words or letters, and which does not advertise a business, product or service provided on or off the premises.

(12) **NEON TUBING** is electric discharge tubing manufactured in shapes that form letters, parts of letters, skeleton tubing, outline lighting, other decorative elements, or art forms, and filled with various inert gases.

(13) **NONCOMMERCIAL MESSAGES** are those messages not related to a commercial advertising sign. Whenever commercial speech would be permitted, noncommercial speech will be allowed.

(14) **OFF-PREMISE SIGN** is a sign whose content does not refer to a business or merchant doing business on the premises where the sign is displayed.

(15) **ON-PREMISE SIGN** is a sign whose contents relate to the premises on which it is located, referring exclusively to the name, location, products, persons, accommodations, services or activities of or on those premises, or the sale, lease or construction of those premises.

(16) **PAINTED WALL SIGN** is any sign which is applied with paint or similar substance on the surface of a wall, which incorporates graphic devices including letters or words, and which advertises a business, product or service. A painted wall sign is a building mounted sign and must meet all regulatory requirements of a building mounted sign.

(17) **PENNANT** is any plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, often in a series, and designed to move in the wind.

(18) **POLITICAL CAMPAIGN SIGN** is a sign, which indicates an individual, party or issue that will be placed on the federal, state or local election ballot in the subject calendar year.

(19) **PORTABLE SIGN** is any sign designed to be moved easily and not permanently affixed to the ground, or to a structure or building.

(20) **SANDWICH BOARD SIGN** is an A-frame sign which is not permanently affixed to a structure or to the ground, and which does not exceed twelve (12) square feet in area on each of the two sign faces.

(21) **SIGN FACE** is the area of a sign made available by the sign structure for the purpose of displaying the advertising message.

(22) **SIGNATURE SIGN** is a sign built in the shape of an object or graphic and used to convey a message.

(23) **SNIPE SIGN** is a temporary sign affixed to trees, fences, utility poles, street furniture or any other device or structure in the public right-of-way.

(24) **TEMPORARY SIGN** is any sign, banner, pennant, valance or advertising display intended for display for a limited period of time only and not permanently mounted.

(B) PROHIBITED SIGNS. The following signs are prohibited and shall be removed or brought into conformance with § 9.2.22, Signs:

(1) Signs which contribute to confusion of traffic control or resemble traffic control lighting; unauthorized signs, signals, markings or devices which purport to be or are imitations of official traffic control devices or railroad signs or signals; or signs which



obstruct the visibility of or interfere with the effectiveness of any official traffic control devices or any railroad signs or signals.

(2) Rotating, flashing or oscillating or still beacons of light and any lights that violate the Dark Skies provisions, § 9.2.20.

(3) Electronic message boards with moving messages.

(4) Portable metal frame signs, illuminated or non-illuminated, mounted on wheels or not, whether or not affixed by chains or otherwise made to appear to be permanent to a site.

(a) Portable signs existing at the time of May 19, 2008 are Grandfathered only as long as the sign remains on the original premises and is not relocated.

(b) Sandwich boards unless already permitted before May 19, 2008.

(5) Signs with Audible Devices.

(6) Signs on the public right-of-way; except for name and address signs on mailboxes.

(7) Any signs on the public right-of-way that impede pedestrian access.

(8) Off-premises signs.

(9) Signs in clear sight triangle at a roadway or driveway intersection.

(10) Abandoned signs, signs in disrepair and signs that advertise businesses or services that are no longer in operation or available.

(11) Billboards not already existing.

(12) Banner-type signs:

(a) Banners advertising alcoholic beverages;

(b) Real Estate banners;

(c) "Deal" banners (lower interest rates, special sales events);

(d) Any banner not meeting the criteria of § 9.2.22(I).

(13) Pendants on wires or ropes.

(14) Snipe signs for more than three (3) days, except those signs advertising lost pets.

(15) Advertisement signs for residential development other than one (1) sign for general contractor with parcel permit.

(C) BILLBOARDS.

(1) All existing billboards and portable signs will be removed from the Village by March 31, 2011.

(2) No new billboards will be permitted under this Section.

(D) GENERAL REGULATIONS.

(1) All permanent and temporary signs require a sign permit from the Village.

(2) A sign shall not be erected, re-erected, constructed or altered except as provided for in this Section and after a permit for same has been issued by the Village.

(3) Application for sign permit shall be made in writing upon forms furnished by the Village.

(a) Plans or other pertinent information necessary to construction of the sign, including location by elevation drawing, dimensions, graphic reproduction must be submitted with the sign application.



(4) A separate permit shall be required for a sign or signs for each registered business entity.

(5) A permit shall be required by each tenant with signage on a single free-standing multi-tenant sign for multi-tenant buildings or structures.

(6) A sign permit shall lapse if the business license for the premises lapses or is revoked, or is not renewed.

(a) A sign permit shall lapse if the business activity on the premises is discontinued for a period of one hundred eighty (180) days or more.

(7) New tenants in a premises with an existing free standing sign are required to obtain sign permits per (1) through (5).

(8) All permanent free-standing signs require a building permit from the Village and must meet all applicable State electrical, and mechanical codes and the Village of Los Ranchos Municipal building codes.

(a) A new sign permit is not required for the maintenance or repair of an existing conforming sign. Maintenance and repair includes re-facing and repainting of existing signs provided neither the size nor structure of the sign is changed.

(b) Modifications, excluding repairs, to nonconforming signs are prohibited unless the signs are brought into conformance in accordance with this Section.

(9) Sign permits for signs that meet the requirements of the general regulations and do not require variance or other special approvals may be approved by the designated Planning and Zoning Official.

(10) Signs containing noncommercial speech are permitted anywhere that advertising or business signs are permitted, subject to the same regulations applicable to such signs.

(E) COMMERCIAL SIGN SIZE AND SPECIFICATIONS.

(1) All individual commercial free-standing signs shall have a maximum of forty (40) square feet on each of a maximum of two (2) sides.

(a) For individual businesses with free-standing signs, a maximum of twenty (20) square feet is allowed for building mounted signage.

(2) Multi-tenant signs, identifying all businesses located on one (1) premise or in one (1) building or cluster of buildings are allowed a maximum of fifty (50) square feet of printed area. Maximum overall sign shall not exceed sixty five (65) square feet.

(a) The perimeter of measurable area includes all embellishments such as pole covers, framing, decorative roofing, support structures or decorative bases including planters. There shall be no written advertising copy on said area, except the name of the complex at the top.

(b) Each business, located within the complex, is allowed twenty (20) square feet of building mounted sign.

(3) Larger signs may be approved by the Planning and Zoning Commission for large buildings and large developments through a site development review and application approval process, if in scale with the size of the building, or distance from the roadway.



(a) For businesses facing directly on a major street and not in shopping centers or complexes, for every linear foot of distance that a building-mounted sign is set back from the nearest street right-of-way line, an increase of one (1) square foot of sign area may be permitted, provided, no sign shall be increased to exceed five percent (5%) of the total area on the side of the building where it is mounted.

(4) For Shopping Centers or complexes where § 9.2.22(E)(3)(a) does not apply due to pre-existing buildings and the nearest street right-of-way is in excess of fifty (50) feet, the designated zoning official may approve appropriately scaled signage after taking into consideration the distance from the street and other, existing signage within the complex.

(5) The maximum area allowed for signs shall include any signs painted on windows or other surfaces of the property.

(6) Co-op businesses at a single premise, such as those selling antiques, are considered as one (1) business regarding sign regulations.

(7) If a property is bordered by more than one (1) roadway, it may have one (1) building-mounted sign on each side facing a roadway, but only one free-standing sign.

(8) Measurement of signs:

(a) The area of each sign face on a sign shall be measured as a rectilinear line of not more than eight (8) sides, drawn around and enclosing the perimeter of each printed advertising or information area.

(b) The area shall then be summed and totaled to determine the total area.

(9) Only those sandwich board signs with existing approved permits at the time of May 19, 2008 shall be allowed and shall be displayed only during the hours of operation of the business.

(10) Signs upon a vehicle are permitted, provided that any such vehicle with a sign is not conspicuously parked by a roadway so that it constitutes advertising in and of itself; such vehicles may be used for bona fide delivery and other vehicular purposes.

(F) HEIGHT.

(1) Maximum height placement of an attached sign shall not exceed the maximum building height for the zone area, nor shall it exceed a maximum of five (5) feet above the parapet of the building.

(2) A free-standing sign shall not exceed twenty (20) feet in height from the elevation of the edge of roadway closest to the base of the sign.

(3) Free-standing signs shall be placed a minimum of six (6) feet away from any driveway or side street.

(a) Free standing sign posts shall not exceed 6x6 (or larger if structurally required) wood square or metal round of equivalent size.

(4) The bottom of a free-standing sign located closer than fifteen (15) feet to the road right-of-way shall be no less than eight (8) feet above ground level to maintain the clear site triangle.

(G) DESIGN.



(1) Signs shall reflect and be compatible with the architecture and scale of the building or structure of the business.

(2) Permanent signs which are designed for the use of changeable letters or message boards as part of the overall design are allowed.

(3) Signs which use a shape design to indicate the type of merchandise or service provided in commercial establishment are allowed and will be given considerations regarding size. Examples include the Chase Hardware Store hammer, Dan's Boots and Saddles black horse, and the Green Valley Meats pig.

(H) LIGHTING.

(1) Signs may be illuminated by ground or structure mounted fixtures that are shielded in such a manner that there is no illumination beyond the sign face.

(2) All signs must meet the Dark Skies provisions, § 9.2.20.

(3) There shall be no light fixture mounted in such a manner as to have the lens exposed to vehicular traffic or pedestrians.

(4) No portion of an illuminated sign shall exceed a luminance of two hundred (200) foot lamberts at night if such sign is located within fifty (50) feet of a residential zone.

(5) No sign nor part of a sign shall move, flash or rotate.

(6) No sign nor part of a sign shall change its illumination more than once an hour.

(7) Time and temperature signs may be permitted by the Village through the Site Plan Approval process.

(8) Such digital reader boards permitted by the Village may not contain any moving graphics, may not vary in intensity and may not change displayed information more than once every twenty (20) seconds.

(I) BANNERS.

(1) All banners must obtain a sign permit from the Village of Los Ranchos.

(2) Permissible banners:

(a) Apartment buildings with rental units are permitted one 20 square foot banner per building advertising for rent.

(b) Multi-unit commercial complexes are permitted one 20 square foot banner per building advertising for rent, to be removed immediately upon rental of unit.

(c) Grand opening (coming soon, etc.) banners, with permit, are permissible thirty (30) days prior to opening, but must then be replaced with permanent signage with permit.

(d) Seasonal banners are permitted for thirty (30) days duration during the month of the holiday or event. (Christmas, Chili Season, Balloon Fiesta, etc.) with permit.

(e) An application for specialty banners may be made to the Planning and Zoning Commission, which will consider approval in view of lot size, distance from street, height, number and dimensions of banners requested, purpose, neighborhood congestion, and over all aesthetics.

(J) OTHER SIGNS.



(1) Signs, twelve (12) square feet or less in area, advertising agricultural products on the premises where grown, or agricultural services on the premises where provided, and limited to one (1) sign per premise are permitted.

(2) A residential premise may have one temporary sign advertising a garage, yard or estate sale of six (6) square feet, on each of two (2) sides, for a maximum of three (3) days per sale, no more than once per month, with no permit required.

(3) Subdivision signs shall be approved at the time of subdivision approval and shall be part of the Site Development Plan for the subdivision.

(K) POLITICAL CAMPAIGN SIGNS.

The purpose of this Ordinance is to promote the free flow of ideas and candidates related to political campaigns for the education and benefit of the residents of the Village and the candidates. The Village finds a compelling public interest of informed participation in the democratic political process justifies diverse treatment of political campaign signs which may not be available for other signage. Implementing this purpose justifies the allowing of signs in the public rights-of-way of major streets that may not be allowed under other provisions of the Codified Ordinances. The Village further finds that it is not in the best interest of the residents of the Village for any signage to be allowed which interferes with a clear sight triangle at all intersections including intersections with private streets, or blocks any pedestrian or bicycle path, or blocks any directional or traffic safety signs or signals and that it is unsightly, detrimental to the aesthetics of the community and a nuisance for political campaign signs to be left for an extended period of time after the event for which they were posted has occurred. The following standards and provisions are hereby declared to be applicable to political campaign signs.

(1) All political campaign signs require a sign permit from the Village. Only one (1) permit will be required for each candidate, regardless of the number of signs placed. Permits will be issued at no cost. The application for the permit must include the contact information for the individual or organization responsible for the signs.

(2) Political campaign signs will be allowed on private residentially zoned property under the following conditions:

(a) All signage must observe the clear sight triangle for traffic safety and shall not block any traffic lane, pedestrian or bicycle path or lane, and shall not block or interfere with any directional or traffic safety signs or signals.

(b) All signs meet the standards and requirements for signs other than political campaign signs on residentially zoned property.

(c) The person or committee listed in the application for the sign shall be responsible for removal of the sign after the election. If the sign(s) is (are) not removed within fifteen (15) days after the election is held the Village may remove the sign(s) and the party listed in the application or the candidate will be responsible for the cost associated with removal.

(3) Political campaign signs will be allowed on the public rights-of-way only on Rio Grande Boulevard, El Pueblo Road, Ranchitos Road, Chavez Road, Osuna and Fourth Street. Signs permitted pursuant to this section shall at no time impair line of sight for vehicular traffic or be placed so as to impair travel on any traffic lane or block any pedestrian or bicycle lane and shall not block or interfere with any directional or traffic safety signs or signals. Signs in the public rights-of-way must be removed in accordance with the provisions



of paragraph (2) (c) above.

(4) Political campaign signs on commercially zoned property must comply with the size standards and other requirements for nonpolitical campaign signs in the location at which the sign will be placed.

(5) All political campaign signs must comply with all statutes and regulations adopted by the state of New Mexico.

(L) REAL ESTATE SIGNS.

(1) All realtors listing property for sale in the Village must obtain a Parcel Permit in accordance with § 9.3.3, Application for Permit to Sell, Construct and/or Remodel Real Estate in the Village Limits.

(2) A commercial lot or building may have one temporary sign of twelve (12) square feet on each of two sides indicating availability of such lot or building for sale or lease.

(3) A family dwelling, non-commercial lot or building, or a residential lot or building may have one (1) temporary sign of eight (8) square feet indicating availability for sale or lease on the property.

(a) One off-premise real estate sale sign may be placed on property not offered for sale, with the permission of the property owner, or in the public right-of-way, for any sale properties which have frontage only on dead end streets.

(b) Real estate “Open House” signs may be placed by real estate agents or homeowners at the intersections of public rights-of-way one hour before opening and may remain in place until one hour following the closing.

(M) CONSTRUCTION SIGNS.

(1) On premises under construction on commercially zoned property, one (1) single faced sign shall be permitted for the prime licensed building contractor. Parcel Permits are required per § 9.3.3, Application for Permit to Sell, Construct and/or Remodel Real Estate in the Village Limits.

(2) On premises under construction on commercially zoned property, one (1) single faced sign, in addition to prime contractor’s sign, may list sub-contractors, lending institutions, etc.

(a) Each sign’s area not to exceed twelve (12) square feet.

(b) Such sign shall be confined to the site of the construction, and shall be removed within fourteen (14) days after the beginning of the intended use of the project or the issuance of the certificate of occupancy, whichever is earlier.

(c) Such signs must be placed to abide by the building setback limits of the lot on which construction is taking place.

(3) Construction projects on residentially zoned property may display one (1) single faced sign with a maximum area of eight (8) square feet per legally defined parcel for primary contractor.

(N) EXEMPTIONS.

(1) Notwithstanding any part of this Section, all free-standing permitted signs as they existed on May 19, 2008 are exempt from restrictions contained herein until such signs change.



(a) Legal signs include those otherwise nonconforming signs that have been previously permitted by the Village.

(O) CONFORMANCE.

(1) Except as provided herein, the owner of any lot or premise on which exists a sign that does not conform with the requirements of this Section and for which there is no current and valid sign permit shall be obligated to remove such sign or, in the case of a nonconforming sign, to bring it into conformity with the requirements of this Section and obtain a valid sign permit.

(a) For any sign on property annexed, applications for sign permits shall be submitted within six (6) months of the effective date of the annexation or within such period as may be established in an annexation agreement between the Village and the landowners.

(b) Signs that are the subject of applications received after May 19, 2008 shall be subject to all of the terms and conditions of § 9.2.22(D).

(P) GENERAL PROVISION FOR UPKEEP AND MAINTENANCE OF SIGNS.

(1) Any sign which has fallen into disrepair or is in a deteriorated state must be repaired, repainted, re-surfaced or otherwise brought out of its deteriorated and unsightly condition.

(2) The business and property owner will be notified in writing stating that the sign is deteriorated or in disrepair and given thirty (30) days in which to address the problem.

(3) Should the situation not be remedied within the thirty (30) day period, the Village designated official shall proceed with a Code Enforcement Case according to § 9.2.24 Implementation, Enforcement and Penalties.

(Q) VARIANCE. Variances from the terms of this Section may be considered by the Planning and Zoning Commission.

(R) APPROVAL. Sign permits for signs that meet the requirements of the general regulations and do not require variance or other special approvals may be approved by the designated Planning and Zoning Official.

(S) FEES. Fees for applications and permitting of signs shall be as established by resolution of the Board of Trustees of the Village of Los Ranchos de Albuquerque.

(T) ENFORCEMENT.

(1) The provisions of this Section shall be enforced by such persons who are appointed by the Mayor as zoning enforcement officers. Such persons shall be employees of the Village and shall have the power to issue citations for the violation of this Section. Such citations shall be heard by the Village of Los Ranchos municipal court.

(2) It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use or maintain any sign or sign structure in this jurisdiction, or cause or permit the same to be done contrary to or in violation of the provisions of this Section.

(3) Any person, firm or corporation violating any provision of this Section shall be fined not less than fifty dollars (\$50), nor more than five hundred dollars (\$500) for each offense.



(4) A separate offense shall be deemed committed on each day during on or which a violation occurs or continues after ten (10) days of notice of violation from the Village.

(5) Erection or placement of a sign without a sign permit from the Village will be charged double fee for the permit when applied for or one hundred dollars (\$100.00), whichever is less, if applied for within ten (10) days of notification by the Village. If no sign permit has been obtained within ten (10) days, then provisions 1-4 apply.

(6) The Planning and Zoning Director or his/her designee may revoke a sign permit if:

- (a) an error was made by staff in issuing the sign permit;
- (b) the information provided by the applicant was misleading or untrue; or
- (c) the sign erected differs from or does not meet the specifications authorized by the sign permit.

(U) **AUTHORITY.** The Planning Director or designee is hereby given the authority to interpret and implement the zoning code for the Village.

(V) **SEVERABILITY.** If any section, subsection, paragraph, sentence, clause, phrase, or part hereof is for reason declared unconstitutional or invalid, the validity of the remaining portions hereof shall not be affected since it is the expressed intent of the Board to pass each section, subsection, paragraph, clause, phrase and every part thereof separately and independently of every other part.

(W) **EFFECTIVE DATE, REPEAL, AND PUBLICATION.** This Section shall take effect and be in full force May 19, 2008.

