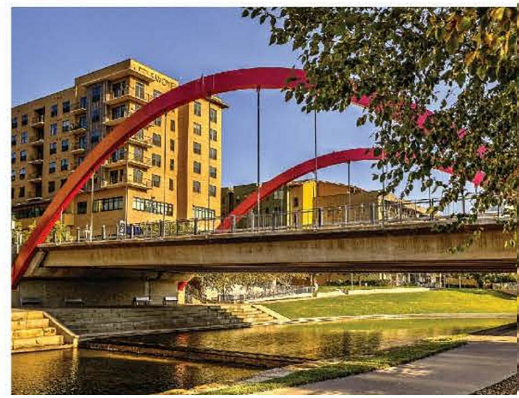
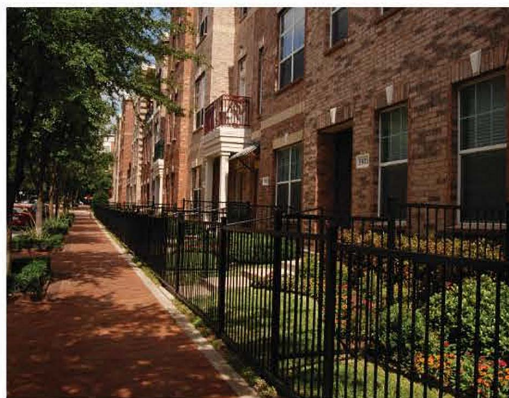


ADDISON, TEXAS



UNIFIED DEVELOPMENT CODE SIGN REGULATION EXCERPTS

2.6.5. Sign Permit

A. Purpose

The Sign Permit procedure is intended to provide a mechanism for enforcement of the sign regulations of this UDC in order to:

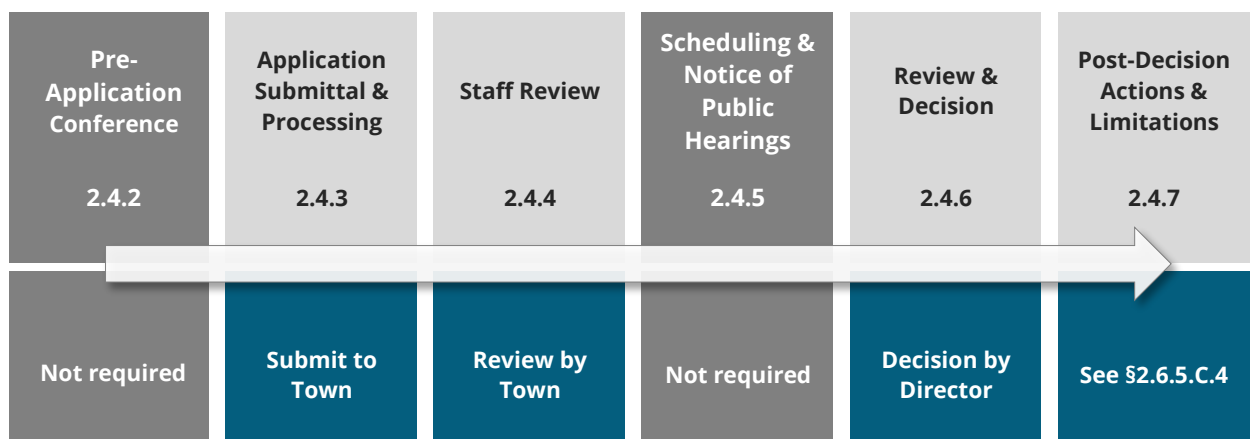
1. Establish for all signs located on any premises a reasonable and impartial means to permit adequate communication;
2. Control confusing sign displays that present a hazard to pedestrians and motorists along streets;
3. Ensure light, air, and open space;
4. Protect the natural beauty and environment of the Town;
5. Safeguard and enhance property values;
6. Protect public and private investment in buildings and open spaces;
7. Protect the public health, safety, and general welfare; and
8. Comply with all state and federal laws and settled case law applicable to the Town concerning freedom of expression.

B. Applicability

No person shall cause a sign to be erected, constructed, relocated, altered, repaired, or maintained until a permit for such has been issued and the fee paid, except as otherwise provided in this UDC.

C. Sign Permit Procedure

The process diagram below identifies the applicable steps from §2.4: *Common Review Procedures*, that apply to the review of Sign Permit applications. Additions or modifications to the common review procedures are noted below.



1. Application Submittal & Processing

The application shall be submitted, accepted, revised, and may be withdrawn, in accordance with §2.4.3: *Application Submittal and Processing*, with the following modification:

a. Application Contents

All applications for permits under this article shall include a drawing to scale of the proposed sign, all existing signs maintained on the premises and visible from the right-of-way, a Site Plan or property survey, and façade plan indicating the proposed location of the sign and specifications.

2. Staff Review

The staff shall review the application in accordance with §2.4.4: *Staff Review*.

3. Review and Decision

The application shall be reviewed and decided upon by the Director in accordance with §2.4.6: *Review and Decision*, and the review criteria in §2.6.5.D: *Review Criteria*.

4. Post-Decision Actions and Limitations

All common procedures in §2.4.7: *Post-Decision Actions and Limitations*, shall apply with the following modifications:

a. Electrical Permit

Prior to issuance of a Sign Permit for a sign in which electrical wiring and connections are to be used, an electrical permit must be obtained. The electrical inspector shall examine the plans and specifications submitted with the application to ensure compliance with the Electrical Code. No sign shall be erected in violation of the Electrical Code.

b. Lapse of Sign Permit

A Sign Permit shall lapse automatically if not renewed or if the Certificate of Occupancy of business registration for the premises expires, is revoked, or is not renewed.

c. Duration

If the work authorized by a Sign Permit issued under this UDC has not commenced within 180 days after the date of issuance, the permit shall become null and void.

d. Abandoned Signs

Within 30 days after any business has abandoned its location or tenant space, the building or former tenant owner, or the building or former tenant agent, or the person having beneficial use of the building, structure, or the lot or tract where such business was located shall remove all signs related to such business or have the sign face replaced with a weatherproof, blank face constructed of professional quality materials. Plywood is prohibited.

e. Notice of Condemnation

Signs adjudged by the Director to be structurally unsafe or to be more than 50 percent destroyed or dilapidated may be referred to the Board of Zoning Adjustment for consideration for condemnation. A condemnation letter will be sent to the owner of the property stating that the sign must be demolished within 15 days of the receipt of the letter. If the sign is not removed within the period allotted, the Town may remove the sign at the property owner's expense.

D. Review Criteria

In reviewing a proposed Sign Permit application, the review and decision-making body shall consider the general approval criteria in §2.4.6.C: *General Approval Criteria*, and the standards in §5.9: *Signs*.

- ii. Security lighting on a parcel in District 1 that shares a common lot line with a parcel located in Districts 2 or 3 shall comply with specifications for light levels and maximum mounting heights as noted in District 2.
- iii. Security lighting for entrances, stairways, and loading docks shall not exceed five footcandles at the designated area illuminated.

H. Service Station Canopies

1. Canopies shall be illuminated so that the minimum horizontal illuminance at grade level is at least five footcandles. The maximum horizontal illuminance under canopies shall be 25 footcandles.
2. Light fixtures mounted on canopies shall be installed so that the lens cover is recessed or flush with the bottom surface (ceiling) of the canopy or the fixture.
3. Lights shall not be mounted on the top or sides of the canopy. The sides (fascias) of the canopy shall not be illuminated for any purpose, with the exception of internally illuminated signage which shall comply with the sign regulations of this UDC.

5.8.6. Installation and Maintenance**A. Compliance with Building Code and other Applicable Codes**

Exterior lighting fixtures shall comply with the Building Code and other applicable codes as adopted by the Town.

B. Maintenance

Exterior lighting shall be maintained in good structural condition at all times.

C. Electrical Service Underground

New electrical service required for exterior lighting shall be located underground unless the fixtures are directly mounted on utility poles.

5.9 Signs**5.9.1. Purpose**

The regulation of the location, size, and placement of signs is necessary to enable the public to locate goods, services, and facilities located within the corporate limits of the Town, to encourage the general attractiveness of the community, and to protect property values. The general objectives of these standards are to promote public health, safety, and welfare, and specifically to achieve the following:

A. Safety

To promote the safety of persons and property by providing that signs do not:

1. Create a hazard due to collapse, fire, decay or abandonment;
2. Obstruct public safety response; and/or
3. Create traffic hazards by confusing or distracting pedestrians.

B. Communications Efficiency

To promote the efficient transfer of information in sign messages providing that:

1. Signs that provide messages and information most needed and sought by the public are given priority;
2. Businesses and services may identify themselves;
3. Customers and other persons may locate a business or service;

4. No person or group is arbitrarily denied the use of the sight lines from the public right-of-way for communication purposes; and
5. Persons exposed to signs are not overwhelmed by the number of messages presented and are able to exercise freedom of choice to observe or ignore such messages, according to the observer's purpose.

C. Landscape and Built Environment Quality and Preservation

To protect the public welfare and to enhance the appearance and economic value of the landscape, by providing signs that:

1. Do not interfere with scenic views;
2. Do not create a nuisance to persons using the public rights-of-way;
3. Do not create a nuisance to occupants of adjacent and contiguous property by their brightness, size, height or movement;
4. Are not detrimental to land or property values;
5. Do not contribute to visual blight or clutter; and
6. Are architecturally compatible and harmonious with the structure to which they pertain and to neighboring structures.

5.9.2. Authority and Jurisdiction

The terms and conditions of this section shall apply to all signs located within the Town, pursuant to TLGC Chapter 216. The provisions of this section shall be administered and enforced by the Director. Allegations of errors in orders, decisions, and/or determinations by the Director shall be handled in accordance with §2.10.4: *Appeal of Administrative Decision*.

5.9.3. General Procedures**A. Permit Required****1. Sign Permit**

- a. Except as provided in §5.9.5, no person shall erect, construct, enlarge, alter, repair, display, maintain, or use a sign, whether temporary or permanent, until a permit for the same has been issued by the Director in accordance with §2.6.5: *Sign Permit*.
- b. Each sign shall require a separate Sign Permit.

2. Electrical Permit

Each sign requiring the installation of an electric power source shall require a separate electrical permit and inspection as required in the Electrical Code.

3. Building Permit

When determined by the Building Official a sign, pole or structure must be sealed by a professional engineer for structural and/or electrical compliance with the Building and Electrical Codes.

B. Contractor Registration Required

1. No person shall install or erect, relocate, or maintain any sign, or contract for such service, until such person has applied through the Development and Neighborhood Services Department for a Contractor Registration to install, erect, relocate, and maintain such sign, and such registration has been approved and issued, except as otherwise provided in this section.
2. All sign contractors shall comply with the licensing requirements of Texas Occupations Code §§1305.160, 13.05.166, and 13.05.167.

5.9.4. Removal of Certain Signs

A. Removal of Public Nuisance or Hazardous Signs

All of the following signs shall be considered a public nuisance, and the Town may, without notice, remove and impound any of the following signs:

1. Any sign erected or existing that constitutes a traffic hazard;
2. Any sign erected without a permit, either prior to or after the adoption of this section, if a permit was required;
3. Any sign erected in violation of the provisions of this section; and
4. Any sign erected in or over a public right-of-way, either prior to or after adoption of this section.

B. Recovery and Disposal of Impounded Signs

1. Impounded signs may be recovered by the owner within 15 days of the date of impoundment by paying the fee established by the Town.
2. Signs not recovered within 15 days of impoundment may be disposed of by the Town in any manner it shall elect.

5.9.5. Signs Allowed Without Sign Permit

All signs listed in this section may be erected and maintained under the conditions listed and shall not require a Sign Permit, provided all other provisions of this section are met.

A. Signs in Airport Overlay District

Air side signs that are located outside the view of primary public areas and/or on the rear or side of buildings shall not require a Sign Permit. All primary, secondary, and tertiary signs as defined in the Airport Master Plan that are visible from the primary public areas of the airport including the public right-of-way, access roads, pedestrian areas, and parking areas, shall require a Sign Permit.

B. Construction Banner Signs

1. Construction banner signs shall be allowed without a Sign Permit subject to the following:
 - a. Such signs shall not be erected prior to the issuance of a building or Site Development Permit for the project to which the sign pertains and shall be removed prior to the issuance of a certificate of occupancy.
 - b. Such signs shall be affixed to construction fences and firmly attached on all four corners.
 - c. No sign shall contain more than 36 square feet in sign area.
2. All other construction signs shall require a Sign Permit.

C. Flags

Flags shall be allowed without a Sign Permit subject to the following:

1. Flags are limited to three per property.
2. Each flag shall not exceed 40 square feet in size.
3. Flagpoles shall not exceed 30 feet in height.
4. Flags smaller than six square feet are exempt from the limitations of §§5.9.5.C.1 and 5.9.5.C.2 above.
5. Approval of an alternative sign design as set forth in §5.9.6 is required for flags or flagpoles that exceed the above size and height limitations.

D. Government Signs

Signs required to protect the public health, safety, and welfare of the Town and other regulatory purposes, including traffic signs, emergency and warning signs, information signs erected by the Town or other

government agency, signs required to be displayed by law and signs of public service companies indicating danger and/or aids to service or safety shall be allowed without a Sign Permit.

E. Menu Boards and Drive-Through Signs

Menu boards placed for the purpose of listing food or beverages available for sale and signs adjacent to, within, or above drive-through or drive-in lanes directing vehicles shall be allowed without a Sign Permit.

F. Residential Property

Residential property signs shall be allowed without a Sign Permit subject to the following:

1. A residential property may display up to three detached, non-illuminated signs per lot. Each sign shall not exceed six square feet.
2. Temporary signs during an election event are not subject to the three-sign limit set forth in above and shall comply with §5.9.8.B and V.T.C.A. Election Code §259.003, as amended.

G. Signs not Readable from the Public Right-of-Way

Signs shall be considered not readable from the public right-of-way and therefore allowed without a Sign Permit subject to the following:

1. The sign or display is located entirely inside of a building and not visible from the building's exterior; or
2. Any letters, figures, or symbols are less than two inches in height and project no more than one inch from the surface on which the sign is mounted.

H. Vehicular Signs

Vehicular signs shall be allowed without a Sign Permit and may be attached to vehicles subject to the following:

1. The vehicle is owned and operated by the Town or another governmental entity; or
2. The primary purpose of the vehicle is not for display of the sign; and
3. The signs are painted upon or applied directly to an integral part of the vehicle;
4. The vehicle is in operating condition, currently registered and licensed to operate on public streets, and actively used in the daily function of the business to which such sign relates; and
5. The vehicle, when on the premises of the business to which such sign relates, shall be parked in a location that does not unreasonably impact standard operating businesses.

I. Window Signs

Window signs shall be allowed without a Sign Permit subject to the following:

1. Each sign shall be no more than four square feet in area.
2. Signs in windows visible from public rights-of-way are limited to 20 percent of the total area of each architecturally distinct ground floor window area.
3. The outlining of a window on two or more of any sides with lighting, gaseous tubing, or similar means shall constitute 100 percent of the total window area as a sign.
4. In buildings with multiple tenants, these provisions shall be applied to each individual tenant based on the size of the windows located within that portion of the facade adjacent to the tenant's leased premises.

J. Works of Art

Works of art, including murals, that do not advertise a product or business as determined by the Director shall be allowed without a Sign Permit provided they comply with the dimensional standards for wall signs in the applicable district.

5.9.6. Alternative Sign Designs

A. Purpose

It is not the intention of these regulations to discourage innovation. Applications for alternative sign designs may be submitted that, while clearly not conforming to this section and thus not allowable under these criteria, have obvious merit in not only being appropriate to the particular site or location, but also in making a positive contribution to the visual environment.

B. Approval Criteria

The City Council may approve an alternative sign design if it:

1. Is necessary because enforcement of the requirement prevents any reasonable opportunity to provide adequate signs on the site, considering the unique features of a site including its dimensions, landscaping, or topography;
2. Will not have a substantially adverse effect on neighboring properties; and
3. Will not substantially conflict with the purpose and standards of this article.

5.9.7. Prohibited Signs

The following signs are specifically prohibited, except as otherwise prescribed within this section:

A. Animated or Moving Sign

Any sign that includes animation, parts which move, or flashing or blinking lights that may be distracting to motorists. This includes feather signs and a person holding or carrying wind devices, flags, balloons, or other sign structures. This prohibition does not include time and temperature signs. Signs that have copy that changes, moves, flashes, or blinks in no less than 8-minute intervals shall not be considered as animated.

B. Building Code

Any sign in violation of the Building Code.

C. Hazardous or Nuisance Signs

Any sign illuminated to an intensity to cause glare or brightness to a degree that could constitute a hazard or nuisance. Moving, flashing, intermittently lighted, changing color, beacons, revolving or similarly constructed signs shall not be allowed.

D. Electronic/Digital Sign

Any sign or portion thereof that displays electronic, static images, static graphics, or static pictures, with or without text information, defined by a small number of matrix elements using light emitting diodes (LEDs), fiber optics, light bulbs, other illumination devices, or a combination thereof, within the display area where the message change sequence is accomplished immediately or by means of fade, repixelization, or dissolve modes. Noncommercial components of electronic signs are exempt from this prohibition.

E. Fence Sign

Any sign painted on or attached to the outside of a fence, railing or a wall that is not a structural part of a building, whether or not such fence, railing or wall is on the property line, except as a temporary sign which shall conform to §5.9.108: *Election Event Signs*.

F. Imitation of Emergency Signs and Signals

Any sign using any combination of forms, colors, or lights which imitate emergency signs or signals.

G. Inflatable Sign

Any inflatable sign, including balloons, anchored to the ground, a building or other structure.

H. Interchangeable Copy

Any sign that allows for manual interchangeable copy, unless directly associated with and located on the same lot as a vehicle fuel station.

I. Luminescent Gaseous Tubing

Any sign that uses exposed tubes that contain luminescent inert gases, including, but not limited to, neon, argon and krypton, and that are visible from the exterior of structures, except as an attached sign which shall conform to §5.9.10: *Permanent On-Site Signs*.

J. Mobile Billboards

Any wheeled vehicle equipped with one or more poster panel units used primarily for the display of general advertising, by means of traversing upon any public street or parking on any public street in a manner that the advertising image(s) on the vehicle are visible from any portion of the public right-of-way.

K. Off-Premises Signs

Any off-premises sign is prohibited, unless specifically allowed by this UDC.

L. Portable Signs

Portable signs are prohibited.

M. Roof Signs

Any sign on the roof or project over the roofline of a building. This does not apply to signs located above structural elements of the building, but remain below the roof of the facade on which the sign is located.

N. Searchlights

Searchlights are prohibited.

O. Signs in Rights-of-Way

Any sign that is erected or affixed within or projected over any public right-of-way or extended across a railroad right-of-way. This includes signs attached to or painted on any sidewalk, curb, gutter, street, tree, or public or private utility pole or structure. No sign shall be erected closer than 10 feet from the existing public right-of-way except as otherwise authorized by this section.

P. Wind-Driven Signs

Any sign consisting of one or a series of two or more banners, flags, pennants, ribbons, spinners, streamers, captive balloons or other objects or material fastened in such a manner as to move, upon being subjected to pressure by wind or breeze.

5.9.8. Temporary Signs**A. Standards Applicable to All Temporary Signs****1. Sign Location**

- a. Signs shall be located so as not to create a hazard for pedestrian or vehicular traffic and comply with minimum setback and vision triangle requirements.
- b. Unless otherwise specified in this section, temporary signs approved per this section may be located off-premises with the permission of the property owner, and may be allowed on a parcel in addition to the maximum amount of temporary and permanent signage permitted on that parcel.

2. Sign Illumination

Illumination of temporary signs is prohibited.

3. Sign Permit

Unless otherwise specified in this section, temporary signs require a Sign Permit.

B. Election Event Signs

Election event signage shall be allowed without a Sign Permit subject to the following:

1. Duration

For a period of 60 days prior to a state, local, or national election, election event signs may be permitted by this section. The election event signs shall be removed within two days following the election.

2. Size and Features

No election event sign shall:

- a. Have a sign area greater than 36 square feet;
- b. Exceed eight feet in height;
- c. Be illuminated; or
- d. Have any moving elements.

3. Location

- a. Election event signage shall be located on private real property with the consent of the property owner. For purposes of this requirement, "private real property" does not include real property subject to an easement or other encumbrance that allows a municipality, including the Town, to use the property for a public purpose.
- b. Election event signs are not permitted within the public right-of-way or on any real property owned by the Town, with the following exceptions:
 - i. On properties with single-family attached or detached dwellings, election event signs may be placed in any portion of the front or side yard that may include the public right-of-way, if the sign is placed at least three feet away from the edge of the street. In locations with sidewalks, signs must be located behind the sidewalk so as to not obstruct the sidewalk.
 - ii. On any Town-owned property that has been designated as an election polling place, election event signs may be placed in an area designated by Town staff while the property is serving as an active polling place. Such signs shall not:
 - a. Have an effective area greater than three square feet.
 - b. Exceed 18 inches tall and 24 inches wide.
 - c. Be illuminated.
 - d. Have any moving elements.

C. Public or Private Special Event Signs

Unless sponsored by the Town and open to the public, special event signs shall comply with the following:

- 1. A maximum of one banner sign per vendor internal to the premises and up to 10 banners on the perimeter oriented outwards may be issued in conjunction with a special event permit or Temporary Use Permit. The Director may determine that a special event should be further limited or allowed additional signage based on the total area of the event, number of vendors, and potential adverse impact to neighboring properties.
- 2. The permit shall specify the location and removal dates of the temporary signs allowed in conjunction with the permit. If dates are not specified in the permit, such signs may be displayed no more than 14 days prior to the special event and must be removed within two days after the conclusion of the special event.

3. Banner signs shall not exceed 50 square feet of sign area, per side. Yard signs shall not exceed six square feet in sign area, per side.
4. Banner signs shall not be located in the public right-of-way and shall be firmly affixed to a stabilized structure such as tent or table on all four corners.

D. Temporary Sidewalk Signs

1. Temporary sidewalk signs are only permitted in the M-4 zoning district and within the M-1, M-2, M-3, and PD zoning districts for businesses that have an entrance immediately adjacent to a public sidewalk, businesses within a multi-tenant structure, or as permitted by previously approved Sign Districts or Master Sign Plans.
2. Each tenant shall be allowed one sidewalk sign.
3. Each sign shall not exceed six square feet in sign area.
4. A minimum of four feet of clear sidewalk shall be maintained at all times.
5. Such signs shall be displayed during operating business hours only.

E. Temporary Banner Signs

1. Temporary banner signs are prohibited in all zoning districts in the Town except for the following:
 - a. Any nonresidential establishment may display one banner sign for a maximum of 60 consecutive days at the same location, one time during the first three months after the issuance of a certificate of occupancy or change in ownership; or
 - b. The Director may allow additional temporary banner signs displaying a noncommercial message for a maximum of 30 days.
2. Temporary banners allowed by §§5.9.8.E.1.a and 5.9.8.E.1.b above shall not exceed 50 square feet in sign area.
3. Contractor registration is not required for the installation of a temporary banner sign when approved and installed by the business operator.

F. Undeveloped Real Estate Site Signs

1. On undeveloped real estate sites, each lot may have one non-illuminated sign per each public right-of-way provided that each frontage is at least 300 feet in length and the signs are spaced at least 50 feet apart. Such signs shall not be placed on public or private utility or light poles and shall not be located within the public right-of-way, including roadway median strips.
2. The sign shall not exceed 36 square feet in sign area per sign face.
3. The sign shall be a maximum height of 16 feet.
4. Signs up to 20 square feet in sign area per face shall be set back a minimum of 10 feet from the property line and signs up to 36 square feet in sign area per face shall be set back a minimum of 15 feet from the property line.
5. The sign shall comply with the vision triangle standards in §5.4.6: *Vision Triangle*.

5.9.9. General Sign Regulations

A. Sign Measurement and Calculations

1. Sign Area

Sign area is calculated as the area enclosed by drawing a rectangle of horizontal and vertical lines that fully contain all extremities of the sign, including architectural design elements such as decorative bordering, but exclusive of the sign supports.

2. Sign Height

Sign height is measured as the vertical distance between ground elevation and the top of the sign, including all backgrounds and support structures, exclusive of any filling, berming, mounding, or landscaping, solely done for the purpose of locating the sign.

3. Sign Setback

The setback of a sign is measured from the property line to the outermost perimeter of the sign, including support structures unless an alternative measurement is designated in this section or approved by the Director.

B. Signs Displaying Noncommercial Messages

Notwithstanding any other provision of this section, any sign that may display a commercial message may also display a noncommercial message, either in place of or in addition to the commercial messages, so long as the sign complies with other requirements of this section or other ordinances that do not pertain to the content of the message displayed.

C. Lighting

1. No sign lighting shall reflect onto any structure or constitute a hazard to the safe and efficient operation of vehicles upon a street.
2. Signs shall not exceed 0.3 footcandles over ambient light conditions.

D. Maintenance

1. Every sign in the Town, regardless of whether any permit is required for such sign, shall be maintained in a safe, presentable and sound structural and operational condition at all times, including the replacement of nonfunctioning, broken, defective, or missing parts including lighting elements, painting, repainting, cleaning and any other acts required for the maintenance of such sign. All signs and sign supports, brackets and frames shall be kept painted or otherwise treated to prevent rust, rot or deterioration.
2. Damaged or deteriorated signs shall be repaired within 30 days of notification by the Town.
3. Signs not meeting the standards imposed by this section shall be subject to removal or repair as set forth in §5.9.4: *Removal of Certain Signs*.

5.9.10. Permanent On-Site Signs**A. Applicability**

This section shall apply to all attached and detached signs in the Mixed-Use and Nonresidential zoning districts.

B. Requirements by Sign Type

Unless otherwise allowed by §5.9.10.C: *Additional Allowances for Specific Sign Types*, all signs shall comply with the following standards:

Table 5.9-1: Requirements by Sign Type			
Sign Type	Attached	Detached	
		Pole	Monument
Number	1 attached sign per tenant (See §§5.9.10.C and 5.9.10.D for additional allowances)	1 detached sign per lot street frontage [1] (See §5.9.10.C for additional allowances)	

Table 5.9-1: Requirements by Sign Type

Sign Type	Attached	Detached	
		Pole	Monument
Area	1.5 square feet of sign area for each linear foot of building frontage [2] [3]	Single-tenant: 42 square feet (maximum) Multi-tenant: 84 square feet (maximum)	Single-tenant: 48 square feet in sign area per side (maximum) Multi-tenant: 72 square feet in sign area per side [4]
Dimensions	In the Mixed-Use and Nonresidential zoning districts, no wall sign shall have a length that exceeds 75 percent of tenant frontage.	Single-tenant: 7 feet wide × 6 feet high × 1 foot deep (maximum) Multi-tenant: 7 feet wide × 6 feet high × 1 foot deep (maximum) [4] 2 feet high (minimum)	Not applicable
Height	Not applicable	20 feet (exact)	Single-tenant: 6 feet (maximum) Multi-tenant: 8 feet (maximum)
Setback	Not applicable	10 feet (minimum) from the property line given that the sign does not impede pedestrian and vehicular access or visibility and is not situated between the sidewalk and curb	

Notes:

[1] If a property has more than one street frontage, the freestanding Sign Permitted for each frontage must be located adjacent to that frontage, and the minimum permissible horizontal distance between freestanding signs on the same property is 50 feet.

[2] Allowances for individual occupancies within a multi-tenant building shall be calculated on leased or occupied length of frontage. If the lot on which the building is located has frontage on more than one right-of-way, each street frontage shall be counted for purposes of determining attached sign allowance.

[3] For back-lit awnings, the area of the sign shall be based on the area of the awning that is back-lit or illuminated.

[4] No single tenant shall occupy more than 36 square feet of sign area per side on a multi-tenant sign.

C. Additional Allowances for Specific Sign Types**1. Site Directional Signs**

Site directional signs may be erected at any occupancy or upon any site, other than a single-family detached or duplex dwelling, provided that such signs shall comply with the following:

- a. Each sign shall not exceed two square feet in sign area.
- b. Each sign shall not exceed 30 inches tall above grade.
- c. Each sign shall be set back at least 10 feet from the back of curb provided it complies with vision triangle standards and does not impede pedestrian or vehicular movement or visibility, and located behind the sidewalk..
- d. A maximum of two site directional signs per public access drive may be located on each parcel.
- e. Site directional signs must be spaced at least 25 feet apart.

D. Additional Allowances for Specific Zoning Districts**1. M-2, M-3, M-4, CL, CG, and LI**

Each tenant shall be allowed one additional projecting or under-canopy sign. The sign:

- a. Shall not extend more than 36 inches from the building façade.
- b. Shall not exceed 24 inches in height.
- c. Shall be located a minimum of eight feet above grade.

2. CL, CG and LI

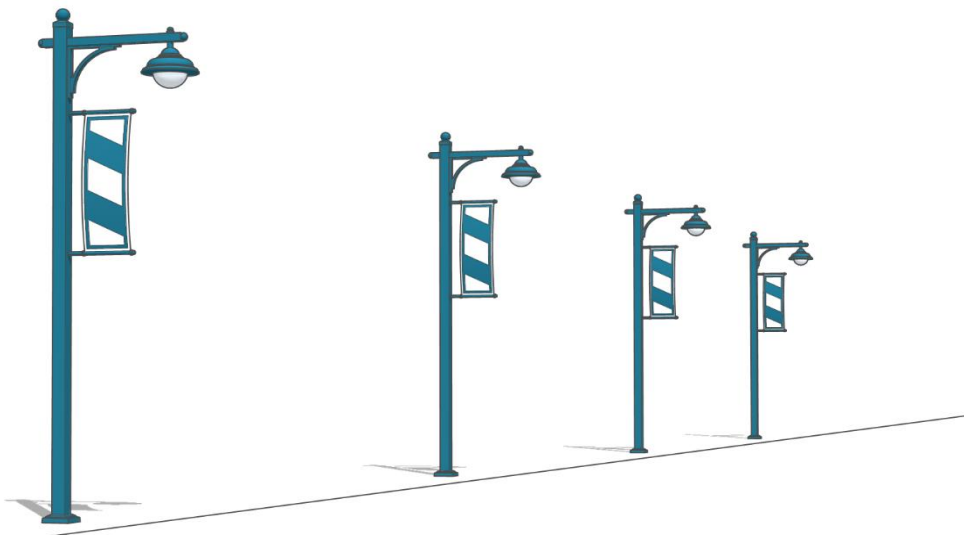
Attached signs located at a height of up to 36 feet are limited to one and one-half square feet of sign area for each linear foot of building frontage not to exceed 200 feet. All other provisions of §5.9.10.B shall apply.

E. Additional Standards for Pole-Mounted Banners

All pole-mounted banner signs shall:

1. Maintain a minimum eight-foot clearance from grade level to the bottom of the banner;
2. Not exceed two feet in width and six feet in length.

Figure 5-26: Pole-Mounted Banners

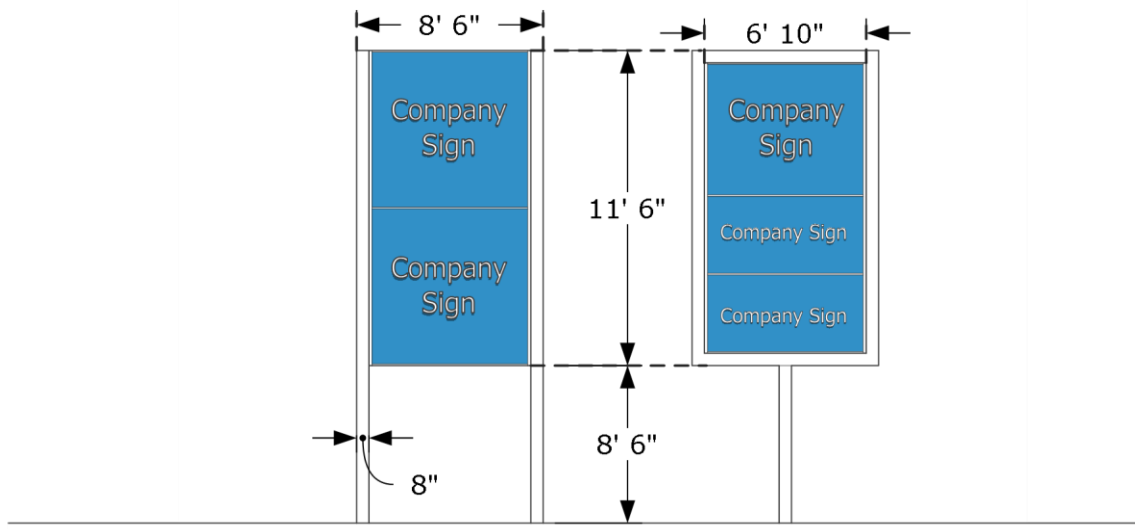
**F. Sign Materials****1. Wall Signs**

Metal backing is required for all attached wall signs. Wood backing is prohibited.

2. Pole Signs

- a. Sign supports shall consist of round or steel structural steel tubing or masonry wrapped steel supports up to 50 square inches in area. Structural support tubing shall be limited to single- or double- support structures and installed in accordance with the figure below. Unpainted metal, or metal subject to ordinary rusting shall not be used.

Figure 5-27: Pole Sign Supports



- b. The sign face shall be a plastic or metal sheet. Unused panels shall be solid neutral colors.
- c. The sign supports and cabinet color shall be compatible with currently installed pole signs to the maximum extent practicable.

3. Monument Signs

Plastic faces may be used on monument signs provided only the letters, numbers or logo elements emit light.

G. Location

1. Attached Signs

- a. All signs shall be mounted parallel to the building surface to which they are attached.
- b. No sign shall project more than 18 inches from the surface to which they are attached.
- c. No sign shall be located on the roof or project over the roofline of a building. This does not apply to signs located on structural elements that project above the roofline of the building, but that remain below the uppermost point of the facade on which the sign is located.

2. Detached Signs

- a. Detached signs shall comply with the vision triangle standards as set forth in §5.4.6: *Vision Triangle*.
- b. Detached signs shall be no closer than 150 feet apart, with no two detached signs of any type being closer than 50 feet apart, measured from center to center of both signs.

5.9.11. Master Sign Plan

A. Purpose

For some developments, alternative standards and flexibility in the established standards may enhance the aesthetic qualities of the development and the community. Approval of a Master Sign Plan allows for unified presentation of signage throughout a development site, flexibility to provide for unique environments, and pre-approval of designs and design elements to make sign review more efficient.

B. Applicability

A Master Sign Plan shall be available for multi-tenant buildings, commercial, and mixed-use developments containing more than one building in a Mixed-Use, Commercial, or Planned Development zoning district.

C. Master Sign Plan Requirements

1. An application for a Master Sign Plan shall be submitted by the single developer, property owner, or property management company for the site or if all property owners within the development provide their approval, a managing member may be identified to submit an application for a Master Sign Plan and any amendments to a Master Sign Plan.
2. An application for a Master Sign Plan shall identify all proposed signage for an entire parcel or development site and shall include the following information:
 - a. Sign dimensions and approximate locations;
 - b. Materials and colors;
 - c. Proposed illumination, including illumination levels;
 - d. Maximum numbers of tenant signs per sign face;
 - e. A design theme with illustrative examples of each sign type and the proposed general locations of each sign type;
 - f. A demonstration that the Master Sign Plan will improve the aesthetics of the development and will not have an adverse impact on the use, enjoyment, or value of adjacent properties; and
 - g. Any other maps, drawings or materials as required by the Director (including a colored rendering of the sign(s) to adequately describe the sign proposal. The application and any exhibits shall become the property of the Town).

D. Standards**1. Prohibited Signs and Sign Elements**

Prohibited signs and sign elements are not eligible for inclusion in a Master Sign Plan unless specifically indicated in this section.

2. Architectural Theme

All signs shall be architecturally integrated into or complimentary to the design of the building(s) and character of the site, and shall use similar and coordinated design features, materials, and colors. The Master Sign Plan shall establish an integrated architectural vocabulary and cohesive theme for the development site.

3. Review Criteria

The height, area, number, and location of signs permitted through the Master Sign Plan may deviate from the standards of this section and shall be determined based on the following criteria:

- a. §§5.9.11.D.1 and 5.9.11.D.2 above;
- b. The overall size of the development site and the scale of the use or uses located or anticipated to be located there (larger land areas and scales of use tend to favor larger signs and/or more signs);
- c. Relationship between the building setback and sign location (additional signage may be appropriate for buildings with less visibility, particularly where buffering is providing an aesthetic and/or environmental benefit to the Town);
- d. Length of frontage on a public right-of way (larger frontages may justify more or larger signs, particularly if the size of the frontage tends to prevent sign clutter from multiple adjacent parcels);
- e. Access and visibility to the site;

- f. Intended traffic circulation pattern and the need for wayfinding;
- g. Hierarchy of signage;
- h. Relationship between the site and adjacent uses; and
- i. The desired function of the site.

4. Nonconforming Signs

If there are existing signs on-site, they shall be treated in accordance with §5.9.12: *Nonconforming Signs* upon adoption of the Master Sign Plan.

E. Master Sign Plan Review**1. Generally**

An application for a Master Sign Plan shall be reviewed as part of the Major Site Plan process in §2.6.2: *Site Plan Review*.

2. Planning and Zoning Commission Approval

Master Sign Plans require approval by and a public meeting with the Planning and Zoning Commission.

F. Individual Sign Permits

Individual Sign Permits are required for signs installed in compliance with an approved Master Sign Plan that conforms with the provisions of this section.

G. Amendments

1. A Master Sign Plan may be amended by the Director if the proposed amendments do not:
 - a. Deviate from the original approval of number of signs and size of signs by more than 10 percent;
 - b. Include significant changes to the locations of three or more signs; and
 - c. Result in a significant change to the architectural theme.
2. If the proposed amendments exceed the standards above, a full Master Sign Plan review is required.

H. Sign Districts

Those areas previously established as sign districts shall comply with the standards in Appendix A.

5.9.12. Nonconforming Signs**A. Purpose**

The purpose of this section is to ensure that in time all privately owned signs shall either conform to the provisions of this section or be removed.

B. Generally

1. No presently illegal sign shall be deemed to have been legalized unless such sign complies with all current standards under the terms of this section and all other ordinances of the Town.
2. Any sign that does not conform to all provisions of this section shall be either:
 - a. A nonconforming sign if it legally existed as a conforming or nonconforming sign under the terms of this section under prior ordinances; or
 - b. An illegal sign if it did not exist as a conforming or nonconforming sign under prior ordinances.

C. Repair and Removal

1. Except for nonconforming signs created by action of the Town or other government agency, no nonconforming sign shall be repaired or renovated, except to reface a sign without structurally

altering the shape and size of the sign. Otherwise, a nonconforming sign shall be brought into compliance with the provisions of §5.9: *Signs*.

2. Any nonconforming sign that is damaged in excess of 50 percent of its current value shall be demolished and not repaired unless such proposed repairs would bring the sign into compliance with the provisions of §5.9: *Signs*. Damaged signs shall be repaired within 30 days of notification by the Town.
3. Upon voluntary demolition of a primary structure, a nonconforming sign that identified the primary structure shall be removed or modified to comply with §5.9: *Signs* within 30 days of the completion of the demolition.
4. The Town will follow all applicable state regulations in the removal of nonconforming signs. Upon requirement of removal, the Town will institute any necessary procedures before any legal boards required by state legislation.

Sign, Air Side

A sign located in the area of an airport that is enclosed by a security barrier, to which aircraft have access, and to which the general public does not have access, including runways, taxiways, aprons, and ramps.

Sign, Landside

In the Airport Overlay District, signs that serve the passenger and cargo terminals and the access system, that includes parking, roads, public transport facilities, and loading and unloading areas.

7.3.3. Sign Definitions**Animation**

Copy or other images that flash or move or otherwise change.

Commercial Message

A message placed or caused to be placed before the public by a person or business enterprise directly involved in the manufacture or sale of the products, property, accommodations services, attractions, or activities or possible substitutes for those things which are the subject of the message and that:

- 1) Refers to the offer for sale or existence for sale of products, property, accommodations, services, attractions, or activities; or
- 2) Attracts attention to a business or to products, property, accommodations, services, attractions, or activities that are offered or exist or sale or for hire.

Copy

Letters, characters, illustrations, logos, graphics, symbols, writing or combination thereof, designed to communicate information of any kind, or to advertise, announce the purpose of, or identify the purpose of a person or entity, or to identify or advertise a business or business product, or to advertise the sale or lease of a premises.

Facade

Any separate face of a building, including parapet walls and omitted wall lines. Any part of a building oriented in the same direction, or in directions within 45 degrees of one another are considered a part of a single facade.

Festoon Lighting (String Lighting)

A string of outdoor lights suspended between two points as more fully defined in the National Electrical Code (NEC).

Flag

Any fabric or bunting containing distinctive colors, patterns, symbols or graphic depictions or text.

Luminescent Gaseous Tubing

Exposed tubes used in or as signs and which contain luminescent inert gases including, but not limited to, neon, argon and krypton.

Noncommercial Message

Any message that is not a commercial message.

Mural

A painting or picture applied to and made part of a wall which may be pictorial or abstract and is characteristically visually set off or separated from the background color or architectural environment.

Premises

A lot or tract, or a combination of contiguous lots or tracts if the lot or tract, or combination, is under single ownership and is reflected as a single premises in the plat records of the Town.

Roofline

For the purpose of Section 5.9, *Signs*, the uppermost line or point of the facade or parapet of a flat roof structure, or the lower edge of an eave, gable or rake of the uppermost sloped roof structure

Searchlight

An apparatus containing a light and reflector on a swivel, for projecting a strong, far-reaching beam in any direction.

Sign

Any device, flag, light, figure, picture, letter, word, message, symbol, plaque or poster visible from outside the premises on which it is located and designed to inform or attract attention.

Sign, Animated or Moving

Any sign that includes animation, parts which move, or flashing or blinking lights that may be distracting to motorists. This includes feather signs and a person holding or carrying wind devices, flags, balloons, or other sign structures.

Sign, Attached

Any sign attached to, applied on or supported by any part of a building (such as a wall, roof, window, under-canopy, awning, arcade, projecting or marquee) that encloses or covers usable space.

Sign, Banner

A temporary sign composed of lightweight material secured or mounted so as to allow movement caused by wind.

Sign, Construction Banner

A temporary banner erected and maintained on a site during the period of construction.

Sign, Detached

Any sign connected to the ground that is not an attached sign, but excluding signs on vehicles that are moving or are parked only temporarily, incidental to their principal use for transportation.

Sign, Electronic/Digital

Any sign or portion thereof that displays electronic, static images, static graphics, or static pictures, with or without text information, defined by a small number of matrix elements using light emitting diodes (LEDs), fiber optics, light bulbs, other illumination devices, or a combination thereof, within the display area where the message change sequence is accomplished immediately or by means of fade, repixelization, or dissolve modes.

Sign, Feather

A flexible or rigid pole to which one side of a flexible fabric, generally in the shape of a feather or similar shape, is attached, and which is used for the primary purpose of advertising or attention-getting by the public display of visually communicative images.

Sign, Fence

Any sign painted or attached to the outside of a fence, railing or a wall that is not a structural part of a building, whether or not such fence, railing or wall is on the property line.

Sign, Government

Signs required to protect the public health, safety, and welfare of the Town and other regulatory purposes, including traffic signs, emergency and warning signs, signs required to be displayed by law and signs of public service companies indicating danger and/or aids to service or safety shall be allowed without a Sign Permit.

Sign, Hazardous or Nuisance

Any sign illuminated to an intensity to cause glare or brightness to a degree that could constitute a hazard or nuisance including moving, flashing, intermittently lighted, changing color, beacons, revolving or similarly constructed signs.

Sign, Imitation of Emergency Signs and Signals

Any sign using any combination of forms, colors, or lights which imitate emergency signs or signals.

Sign, Inflatable

Any inflatable sign, including balloons, anchored to the ground, a building or other structure.

Sign, Interchangeable Copy

Any sign that allows for manual interchangeable copy.

Sign, Luminescent Gaseous Tubing

Any sign that uses exposed tubes that contain luminescent inert gases, including, but not limited to, neon, argon and krypton, and that are visible from the exterior of structures.

Sign, Mobile Billboards

Any wheeled vehicle used primarily for the display of general advertising, by means of traversing upon any public street or parking on any public street in a manner that the advertising image(s) on the vehicle are visible from any portion of the public right-of-way.

Sign, Monument

A freestanding sign having a low profile and made of stone, concrete, metal, brick or similar materials, including individual lettering, which repeat or harmonize with the architecture of the establishment it serves.

Sign, Menu Board and Drive Through

Menu boards placed adjacent to, within, or above drive-through or drive-in lanes directing vehicles.

Sign, Not Readable from the Public-Right-of-Way

A sign located entirely inside of a building and not visible from the building's exterior or a sign that displays letters, figures, or symbols less than two inches in height and project no more than one inch from the surface on which the sign is mounted.

Sign, Off-Premises

Any sign which is not located on the premise of the advertised business.

Sign, On-Site

Any sign that identifies or advertises the location, products, persons, accommodations, services or activities of or on the premises where the sign is located, or the sale, lease or construction of those premises.

Sign, Pole

A free-standing sign, usually double-faced, mounted on a round pole, square tube, or other fabricated element without any type of secondary support.

Sign, Portable

Any sign that is moveable and not permanently attached to the ground or to a structure or another sign permanently attached to the ground, excluding sidewalk signs.

Sign, Projecting

A sign attached to and projecting out from a building face or wall, generally at right angles to the building.

Sign, Residential Property

A sign located on a residential lot, excluding multifamily dwellings and assisted living and continuing care facilities.

Sign, Right-of-way

Any sign that is erected or affixed within or projected over any public right-of-way or extended across a railroad right-of-way.

Sign, Roof

Any sign on the roof or project over the roofline of a building. This does not apply to signs located above structural elements of the building, but remain below the roof of the facade on which the sign is located.

Sign, Sidewalk

A sign composed of a sign panel and spring-mounted supporting structure intended to be located on or near a sidewalk with the ability to be readily moved, and that is not affixed to a building, vehicle, or the ground. A-frame signs are not considered sidewalk signs.

Sign, Site Directional

A sign located at a vehicular access point or that directs vehicular or pedestrian movement within the premises on which the site directional sign is located.

Sign, Under-Canopy

A sign suspended beneath a canopy, ceiling, roof, marquee, or similar structure.

Sign, Vehicular

A sign or other advertising device painted on or otherwise affixed to a car, truck, trailer, or other similar vehicle.

Sign, Wind-Driven

Any sign consisting of one or a series of two or more banners, flags, pennants, ribbons, spinners, streamers, or other objects or material fastened in such a manner as to move, upon being subjected to pressure by wind or breeze.

Sign, Window

Any sign located on or within eight feet of an exterior window.

Sign Support

Any pole, post, strut, cable or other structural fixture or framework necessary to hold and secure a sign, providing that such fixture or framework is not imprinted with any picture, symbol or word using characters in excess of one inch in height, or is internally or decoratively illuminated.
