

THE ANNA CITY CODE OF ORDINANCES

PART III - D

(SIGN REGULATIONS)

Current through December 13, 2011

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Article 1. General Regulations

Section 1. Definitions, Scope, Offenses, and Penalties

1.01 Short Title and Purpose

- (a) Short Title. The provisions set forth in this Part III-D of the Anna City Code of Ordinances shall be cited and referenced in this Part as "Sign Regulations."
- (b) Purpose. Signs use private land and the sight lines created by public rights-of-way to inform and persuade the general public by publishing a message. These Sign Regulations provide standards for the permitting, erection and maintenance of Signs. All Signs not specifically exempted in these Sign Regulations shall be erected and maintained in accordance with these standards. The general objectives of these standards are to promote health, safety, welfare, convenience and enjoyment of the public, and, in part, to achieve the following:
 - (1) Safety. To promote the safety of persons and property by providing that Signs:
 - (i) Do not create a hazard due to collapse, fire, collision, decay or abandonment;
 - (ii) Do not obstruct firefighting or police surveillance; and
 - (iii) Do not create traffic hazards by confusing or distracting motorists, or by impairing the driver's ability to see pedestrians, obstacles or other vehicles, or to see/read traffic signs and control devices.
 - (2) Communications Efficiency. To promote the efficient transfer of information in Sign messages by providing that:
 - (i) Those Signs which provide messages and information most needed and sought by the public are given priorities;
 - (ii) Businesses and services may identify themselves;
 - (iii) Customers and other persons may locate a business or service;
 - (iv) No person or group is arbitrarily denied the use of the sight lines from the public right-of-way for communication purposes; and
 - (v) 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 said

messages, according to the observer's purpose.

- (3) Landscape Quality and Preservation. To protect the public welfare and to enhance the appearance and economic value of the landscape, by providing that Signs:
 - (i) Do not interfere with scenic views;
 - (ii) Do not create a nuisance to persons using the public rights-of-way;
 - (iii) Do not constitute a nuisance to occupancy of adjacent and contiguous property by their brightness, size, height or movement;
 - (iv) Are not detrimental to land or property values; and
 - (v) Help effectively identify areas or places within the City, helping the observer to understand the City and orient himself or herself within it.

1.02 Definitions

The following words and phrases, when used in these Sign Regulations shall have the meaning ascribed to them by this section unless the context clearly indicates otherwise. All terminology used in these Sign Regulations and not specifically defined in this section shall retain its meaning in conformance with applicable publications of the American National Standards Institute or its successor body or if not defined therein the latest volume of Merriam-Webster's Collegiate Dictionary.

Alter means to change the size, shape or outline, Copy, nature of message, intent or type of Sign.

Apartment District shall include all zoning classifications designated for attached, duplex, and multi-family residences.

Attached Sign means a Sign mounted on a Building facade (or mounted on another structure that does not have the primary purpose of supporting a sign), as opposed to being constructed as part of a free-standing structure.

Banner means a sign composed of lightweight material either enclosed or not enclosed in a rigid frame, secured or mounted so as to allow movement of the Sign face, Surface, or component parts caused by movement of the atmosphere.

Building means a structure that has a roof supported by columns, and walls or air for the shelter, support or enclosure of Persons, animals or chattel.

Bulletin Board means a Sign containing information where a portion of such information may be periodically changed, providing that such change shall be effected by the replacement or interchange of letters, numbers, or

other graphic symbols by insertion, attachment or similar means. The use of slate, chalkboard, cardboard or similar material with pencil, chalk, crayon or similar types of marking is prohibited.

Canopy means a roof-like structure that extends horizontally more than one foot from the face of a Building wall and does not have a structural border.

City means the City of Anna, Texas.

City Council means the City Council of the City of Anna, Texas.

Building Official means the officer or Person within the City charged with the administration and enforcement of these Sign Regulations.

Copy means logos, characters, symbols or any other portion of a Sign that conveys a message or information.

Erect means to build, construct, attach, hang, place suspend or affix, and shall also include the painting of Signs on the exterior Surface of a Building or structure, and also includes the painting or affixing of Signs to the exterior or interior Surface of windows, and includes outdoor Signs and Signs located interior to a Building but readily visible from the exterior.

Existing Outdoor Advertising Sign means an outdoor Sign, display, light, device, figure, painting, drawing, message, plaque, placard, poster, billboard, logo or symbol, or other thing which is designed, intended, or used to advertise or inform if:

- (1) any part of the content of such Sign is visible from any place on the main-traveled way of a Regulated Highway;
- (2) such Sign was legally Erected within the City's corporate limits or the City's extraterritorial jurisdiction;
- (3) as of the effective date of these Sign Regulations the Texas Department of Transportation ("TxDOT") has issued a valid permit for such sign and such permit has not expired; and
- (4) as of the effective date of these Sign Regulations such Sign:
 - (a) does not exceed the maximum height limit as permitted under rules adopted by TxDOT under the authority of Transportation Code, Chapter 391, or as permitted on the TxDot issued permit, whichever height is less;
 - (b) does not exceed the maximum square footage of Surface area per Sign face allowed under TxDOT rules or on the TxDOT issued permit, whichever square footage is less;
 - (c) does not violate TxDOT's minimum spacing requirements between such Signs; and,

- (d) in the case of such sign in the City's corporate boundaries, the Sign does not violate the requirement of being within the confines of a "zoned commercial or industrial area," as such term or similar term(s) are defined by TxDOT or in the case of such sign in the City's extraterritorial jurisdiction, the Sign does not violate the requirement of being within the confines of an "unzoned commercial or industrial area," as such term or similar term(s) are defined by TxDOT.

Facing or Surface means the Surface or Surfaces of the Sign upon, against, or through which the message is displayed or illustrated on the Sign.

Free-Standing Sign means a Sign that is fastened to a self-supporting structure that is unattached to any Building or other structure.

Freeway means any major thoroughfare where right-of-way is 250 feet or greater and so designated by the City master Street plan.

Garage Sale has the meaning supplied under Part II, Article 10, Section 1. Note: these Sign Regulations do not apply to Garage Sale Signs, which are governed Part II, Article 10, Section 1 of this Code.

Gross Surface Area of Signs means the entire area within a single continuous perimeter enclosing the extreme limits of each Sign. A Sign having information on two Surfaces shall be considered as a single Sign, providing that the Surfaces are located back-to-back. A Sign having information on three or more Surfaces shall be calculated as the sum of all portions and evaluated as a single Sign. If two or more Signs share a single structure, each Sign or panel may be considered separately for square footage purposes, providing that each Sign or panel has no relationship to the others, and that the combined area of such Signs cannot exceed the total square footage allowed when evaluated as a single Sign. For Signs so constructed, where related portions are located on separate structures or Vehicles, the gross surface area shall be calculated as the sum of all portions and evaluated as a single Sign. Supports for Class 5 Signs having a large solid appearance shall be calculated as part of the gross surface area of the Sign. The gross surface area of Class 5 and Class 6 Signs less than six feet in height and used as an element of landscaping will be determined by measurement of a single continuous line enclosing the extreme limits of the Sign, providing that such calculation shall not include planter boxes, screening walls, retaining walls, and similar improvements.

Illuminated Sign means any Sign that has characters, letters, figures, designs, or outline illuminated directly or indirectly by electric lights, luminous tubes, or other means.

Internal Monument Sign means a Sign that is supported from the grade to the bottom of the Sign having or appearing to have a solid base and generally used to

provide direction to drive-through lanes and to Buildings and tenants within large multi-tenant retail, multifamily, or office developments.

Monument Sign means a Sign having or appearing to have a solid and opaque base and generally used to identify the name of a business or development.

Nameplate Sign means any sign showing only the name and address of the owner or occupant of the premises on which it is Erected.

Noncombustible Material means any material that will not ignite at or below a temperature of 1,200 Fahrenheit and will not continue to burn or glow at that temperature or shall have a flame spread of 25 or less.

Nonconforming Sign means a Sign other than an Existing Outdoor Advertising Sign that was lawfully in existence and was properly permitted by the City, to the extent such permitting was required as of the effective date of these Sign Regulations.

Off-Premises Sign means a Sign that pertains in any manner to a business, Person, organization, activity, event, place, service, or product not principally located or primarily manufactured on the premises on which the Sign is located.

On-Premises Sign means a Sign identifying or advertising a business, Person, or activity, and installed and maintained on the same premises as the business, Person, or activity.

Person means an individual, company, joint stock company, firm, proprietorship, business, corporation, organization, government or governmental subdivision or agency, business trust, estate, trust, partnership, co-partnership, association, and any other legal entity or their legal representatives, agents or assigns. Notwithstanding any other provision of the Code, each and every Code provision—including but not limited to every prohibition, requirement, and penalty—applies to both natural Persons and corporations, partnerships, and all other legal entities or organizations.

Pole Sign means a Free-Standing Sign in which the Sign face is mounted on one or more poles and the base of the Sign face is situated more than 12 inches above the ground.

Political Sign means a Sign that contains primarily a political message, including Sign indicating the name and/or displaying a picture of an individual seeking election or appointment to a public office, or relating to a forthcoming public election wherein qualified voters may cast votes for candidates or measures.

Primary System means that portion of connected main highways, which were designated by the Texas Transportation Commission as the federal-aid Primary System in existence on June 1, 1991 and any highway which is not on that system but which is on the National Highway System.

Private Real Property means privately owned land other than any part of privately owned land that is subject to an easement or other encumbrance that allows the City to use the property for a public purpose.

Projecting Sign means an Attached Sign that extends: (1) above the lowest roof line (except that a mansard-style roof shall be considered as part of the Building facade and not the roof for the purpose of Attached Sign location); (2) above the top of the exterior wall or facade of a Building; (3) out from the edge of the exterior walls of a Building; (4) out from a Building or structure Erected in an unsafe manner or in a manner that impedes the normal flow of pedestrian or vehicular movement; or (5) a Sign that otherwise extends from any part of a Building or structure and is not attached in a manner that prevents the Sign from swinging or otherwise moving as a result of the movement of the atmosphere.

Projecting Structures means covered structures of a permanent nature, which are constructed of approved building material, specifically excluding canvas or fabric material, and where such structures are an integral part of the main Building or permanently attached to a main Building and do not extend over public property; Projecting Structures include but are not limited to marquee, Canopy, and fixed-awning type of structures.

Public View means a view from any public or City right-of-way or access easement.

Regulated Highway means a highway on the interstate highway system or Primary System.

Roof Line means the height that is defined by the intersection of the roof of the Building and the wall of the Building; except, for mansard-type roofs, the Roof Line means the top of the lower slope of the roof. Roofs with parapet walls completely around the Building and not exceeding four feet in height may be considered as the Roof Line for the purposes of these Sign Regulations.

Searchlight means a device, consisting of a light source and a reflecting Surface behind it that projects a powerful beam of light in a particular direction.

Sign means any form of publicity advertising that directs attention to an individual, business, commodity, service, activity, cause, or product, by means of words, lettering, parts of letters, figures, numerals, phrases, sentences, emblems, devices trade names or trademarks, or other pictorial matter designed to convey such information and displayed by means of print, bills, poster, panels, paintings, murals, or other devices Erected on an open framework, or attached or otherwise applied on or to stakes, posts, poles, trees, Buildings, fences, or other structures or supports, including such structures or devices that have a primary purpose other than supporting, containing or otherwise displaying such information. This definition shall also include any device, fixture, placard, or structure that uses any color, form graphic, mural, painting, illumination, symbol, or writing to

advertise, announce the purpose of a Person or entity, or communicate information of any kind to the public.

Static Display means the use of displays or devices for the purpose of drawing or attracting attention to a location, site, business, or activity.

Street means any public roadway that affords the principal means of access to abutting property.

Structural Trim means the molding, battens, cappings, nailing strips, latticing, and platforms attached to the Sign structure.

Temporary Promotional Sign means the type of Signs described in further detail in Article 2, Section 5 of these Sign Regulations.

Unified Development Monument Sign is a Sign that is supported from the grade to the bottom of the Sign having or appearing to have a solid base and generally used to identify multiple tenants within a unified development.

Vehicle means any automobile, truck, camper, van, trailer, or any device capable of transporting Persons or property and shall be considered a "Vehicle" in both moving and stationary modes, irrespective of condition.

Zoning District means a portion of the territory of the City within which certain uniform regulations and requirements or various combinations thereof apply under the provisions of the City's Zoning Ordinance, as amended.

1.03 Territorial Scope

The provisions of these Sign Regulations apply everywhere within the City's corporate boundaries and its extraterritorial jurisdiction, except as specifically stated otherwise in these Sign Regulations.

1.04 Classification and Zoning Districts

In addition to meeting the requirements of the regulations set forth in this Article 1, Signs must be in compliance with the regulations set forth in Article 2 of these Sign Regulations to the extent that such regulations apply to any such Sign, subject to the allowances in these Sign Regulations for Nonconforming Signs.

1.05 Liability for Violations

The owner of a Sign, the owner or Person in control of or who operates the land or structure upon which the Sign is placed or located, or the Person in charge of Erecting, Altering, replacing, relocating or repairing the Sign or associated structures are jointly and severally liable for violations of any provision of these Sign Regulations and, therefore, each is subject to the penalty provided for the violation of these Sign Regulations.

1.06 Offense and Penalties

Any Person, firm, corporation or business entity violating any provision of these Sign Regulations shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined any sum not exceeding \$2,000, unless otherwise specifically set forth in these Sign Regulations. Each continuing day's violation under these Sign Regulations shall constitute a separate offense. The penal provisions imposed under these Sign Regulations shall not preclude the City from filing suit to enjoin the violation. The City retains all legal rights and remedies available to it pursuant to local, state and federal law.

Section 2. Generally Prohibited Signs

The following Signs and related objects are prohibited from being installed or publicly displayed at any location within the City's municipal boundaries or its extraterritorial jurisdiction, except as otherwise specifically prescribed within these Sign Regulations, and in that event only after authorized issuance of a City-issued Sign permit if required under these Sign Regulations.

- (a) Off-Premises Signs.
- (b) Moving and flashing Signs, including Signs that flash, revolve, rotate, swing, undulate or otherwise attract attention through the movement or flashing of lights, LEDs, or other parts, or through the impression of movement or flashing. However, this prohibition shall not apply to: (1) signs indicating only the time, temperature or other informational but non-commercial message(s); and, (2) Signs that are fully located within an enclosed Building and are not observable from the exterior of such Building.
- (c) Signs interfering with traffic. Signs that imitate an official traffic sign or signal, or which contain the words "stop," "go slow," "caution," "danger," "warning" or similar words used on official traffic Signs or signals. Signs which are of a size, location, movement, content, coloring or manner of illumination, which may be confused with or construed as a traffic control device or which hide from view any traffic or street sign or signal, or which obstruct the view in any direction at a street or road intersection.
- (d) Signs on parked Vehicles or trailers. Signs placed on or affixed to Vehicles or trailers that are parked on a public right-of-way, public property or private property so as to be visible from a public right-of-way where the apparent purpose is to advertise a product or direct people to a business or activity located on the same or nearby property, with the exception of signs described in Article 1, Section 3(e) of these Sign Regulations.
- (e) Painting, marking streets, sidewalks, Buildings, utility poles, trees. No Person shall attach any Sign, paper or other material to, or paint, stencil or write any name or number (except house numbers) on,

or otherwise mark on any sidewalk, curb, gutter, street utility pole, tree, public Building or structure unless authorized by these Sign Regulations or by the City Council or its delegated representatives.

- (f) Signs in, on or over public right-of-way, railroad right-of-way, public easements or designated fire lanes. No Person shall Erect or allow to be Erected any Sign in, on or over public rights-of-way and easements, railroad right-of-way or designated fire lanes unless specifically exempted by these Sign Regulations or unless Erected under a valid, unexpired permit as specifically set forth elsewhere in these Sign Regulations.
- (g) Signs on fences, railings, etc. No Person shall paint a Sign or attach a Sign, other than a nameplate, to the outside of a fence or railing.
- (h) Searchlights subject to limited use as follows:
 - (1) Searchlights are prohibited, unless specially permitted through the Building Official for a temporary, special event.
 - (2) Searchlights may be used after issuance of a special permit as part of a grand opening event in conjunction with the issuance of or expected issuance of a new occupancy permit once for a period up to three days per site provided such use does not create an adverse impact on surrounding development or the public health, safety, and general welfare. An application for such special permit shall be submitted to the Building Official and shall indicate the number of Searchlights, time of use, intended purpose, and location. If the use of the property should change, a new Searchlight permit may be sought with the issuance of a new occupancy permit for the property.
 - (3) If the applicant requests a Searchlight permit for reasons other than a grand opening event or requests additional days as part of a grand opening event or special event, a special exception shall be considered by City Council. An application for such exception shall be submitted at least 20 days prior to the scheduled City Council meeting at which the application will be considered, and shall indicate the number, time of use, intended purpose, and location. The fee for such permit application is as determined from time to time by City Council.
- (i) Directional Signs. Signs which direct vehicular and/or pedestrian traffic, which may display arrows, words, or other symbols to indicate directions to places, except those directional signs described in Article 1, Section 3(g), (h) and (p) of these Sign Regulations and only to the extent exempted therein.

- (j) Banners, except as permitted under Article 2, Section 5 of these Sign Regulations.
- (k) Signs that are in disrepair to the extent that the cost of repair would exceed 50% of the value of a similar Sign if purchased new and Signs in danger of falling or that are otherwise unsafe to the public.
- (l) Projecting Signs.
- (m) Displays that include strings of light bulbs not permanently mounted on a rigid background, used in connection with commercial premises for commercial purposes, other than traditional holiday decorations.
- (n) Signs that are located on or that interfere with the use of public sidewalks, required off-street parking areas, or Vehicle maneuvering areas.
- (o) Any unauthorized Sign on or attached to a public street light, utility pole, hydrant, bridge, traffic-control device, street Sign or other public structure or Building, or any Sign located in, on, over or within a public street, sidewalk, alley, easement or right-of-way.
- (p) Illuminated Signs, (illuminated from within or without) that are illuminated in such a manner, to such intensity, or without shielding, so as to constitute a hazard to the operation of motor Vehicles upon a street or substantially interfere with the reasonable enjoyment of residential property.
- (q) Signs that display obscene, indecent or immoral matter or contain advertisements for Sexually Oriented Businesses.
- (r) Signs located on private property without the consent of the owner of said premises.
- (s) Signs that use a revolving beam or beacon resembling any emergency Vehicle, or are located or illuminated in such a manner as to obscure or otherwise interfere with the effectiveness of an official traffic sign, signal or device, or so as to prevent any traveler on any street from obtaining a clear view of approaching Vehicles for a distance of at least 250 feet along the street.
- (t) All Signs not expressly allowed, exempted or permitted under these Sign Regulations.
- (u) Political Signs, except as allowed under Section 12 of this article.
- (v) New home builders directional Signs to subdivisions or other developments.

Section 3. Exemptions

The following Signs and related objects are generally allowed to be Erected and publicly displayed at any location within the City's municipal boundaries or its extraterritorial jurisdiction, except as otherwise specifically proscribed within these Sign Regulations and a City-issued Sign permit is not required in order to Erect and display any of the following Signs unless specifically set forth in this section.

- (a) Traffic Signs, Warning Signals and Legal Notices. These Sign Regulations shall not apply to railroad crossing Signs, railroad signals, danger or warning signs properly authorized by law, Signs authorized by statute or a state agency in accordance with the Texas Manual of Uniform Traffic Control Devices, and other traffic signals, public warnings, or legal notices provided that such objects are installed in a location and in a manner and condition required by federal or state statute, a state agency, or a municipal ordinance or authorized authority.
- (b) Nonconforming Signs as defined in these Sign Regulations, except that each such Sign must be permitted by the City as a Nonconforming Sign under the procedures set forth in these Sign Regulations for Nonconforming Sign permits.
- (c) Existing Outdoor Advertising Signs as defined in these Sign Regulations, except that each such Sign must be permitted by the City as a Nonconforming Sign under the procedures set forth in these Sign Regulations for Nonconforming Sign permits.
- (d) Public signs. Signs required by governmental bodies or agencies having proper jurisdiction for a public purpose by law, statute or ordinance. Public signs also include any Signs the City Council of the City decides by ordinance or resolution to Erect within its corporate boundaries, extraterritorial jurisdiction or any real property that it may own or control.
- (e) Signs on Vehicles or trailers are exempted only to the extent such Signs are incidental to the primary use of the Vehicle or trailer, provided that the Vehicle or trailer are in good mechanical repair and are not left in one place for more than 72 hours without being moved.
- (f) Flags of governmental, non-profit and/or tax exempt organizations, provided that the flag does not exceed 35 feet in height.
- (g) Governmental Signs. Signs Erected by a duly constituted governmental body, including traffic or similar regulatory devices, and instructional signs related to health, hazards, parking, swimming, dumping, and similar public health and instructional matters.

- (h) Signs Erected by the City that direct vehicular and/or pedestrian traffic, which may display arrows, words, or other symbols to indicate directions of facilities.
- (i) Address numerals. Address numerals and other similar information required to be maintained by law or governmental order, rule or regulation, provided that the content and size of the Sign may not exceed the requirements of such law, order, rule or regulation.
- (j) Athletic Signs. Signs used as scoreboards in athletic stadiums.
- (k) Instructional Signs. Signs, providing no advertising of any kind, Erected by governmental bodies or agencies and which provide direction or instruction to guide Persons to facilities intended to serve the public, including but not specifically limited to the Signs identifying restrooms, public telephones, public walkways, parking areas, areas or facilities accessible to disabled Persons, and other similar areas and facilities, provided such Signs do not exceed 32 square feet in area.
- (l) Decorations, lights, pennants and similar devices providing information regarding civic events, holidays, festivals or special events on public property with the permission and under the supervision of the City.
- (m) Holiday lights and decorations customarily displayed during holiday seasons.
- (n) Time and temperature Signs, provided that such Sign is an On-Premises Sign and the primary use of such Sign is to display current time and temperature.
- (o) "No trespassing" Signs, burglar alarm Signs, and similar security warning signs may be maintained provided they do not exceed 2 square feet in area.
- (p) Kiosk Signs in sign plaza structures located in the City's right-of-way, providing certain directions, and installed and maintained by the City or a contractor authorized by the City.

Section 4. Sign Permits Required

4.01 Sign Permits, Generally

- (a) It shall be unlawful for any Person to Erect, Alter, maintain, or relocate within the City any permissible Sign, other than Class 1, Class 2, or Class 3 Signs, without first obtaining a Sign permit from the Building Official and making payment of all required fees in the amounts set forth in Part IV, Article 6 of the Code. The permit may cover more than one Sign, but shall apply to only one applicant and one location. A Sign permit—not including special

permits for Searchlights, Garage Sale Signs, or other Signs that expressly expire after a specific time period under these Sign Regulations or under Part II, Article 10, Section 1 of the Code, governing Garage Sale Signs—issued by the Building Official shall expire one year after the date of issuance.

- (b) Repair. It shall be unlawful for any Person to repair any Sign requiring a permit when the value of such work exceeds \$200 without first obtaining a repair permit from the Building Official and making payment of the fee for said repair permit in the amount set forth in Part IV, Article 6 of the Code.

4.02 Nonconforming Sign Permits

- (a) For the purposes of this subsection 4.02, an Existing Outdoor Advertising Sign is deemed to be included within the meaning of Nonconforming Sign. Within six months of the effective date of these Sign Regulations, a Nonconforming Sign permit must be obtained from the Building Official. It shall be unlawful for any Person to maintain a Nonconforming Sign without obtaining a Nonconforming Sign permit within the six-month period set forth above and thereafter maintaining a valid permit for such Sign. A Nonconforming Sign permit shall expire one year after the date of issuance.
- (b) Application. The applicant for a Nonconforming Sign shall make the same application and is subject to the same procedures set forth in Section 5 of this Article.

Section 5. Application and Fees, Inspection

- (a) An application for a Sign permit to Erect, Alter, replace or relocate a Sign shall be submitted on forms provided by the Building Official and shall contain or have attached thereto the following information:
 - (1) Name, address, and telephone number of the applicant;
 - (2) Location of Building, structure, or lot to which or upon which the Sign is to be attached or Erected;
 - (3) Position and spacing of the Sign in relation to streets, right-of ways, and nearby Buildings or structures, including other Signs;
 - (4) Two blueprint or ink drawings of the plans and specifications are required, including electrical wiring, construction, type of materials, method of attachment to Building or structure, and foundation for Free-Standing Signs;
 - (5) Copy of stress sheets and calculations showing the structure is designed for dead load and wind pressure in any direction in the amount required

by these Sign Regulations and all other laws and ordinances of the City (the designing engineer for a Class 5 Sign shall seal his design calculations and stress sheets);

- (6) Name and address of the Person Erecting the Sign;
 - (7) If applicable, the zoning classification of the property on which the Sign is to be located, and the zoning classification of all property within 250 feet of the Sign location;
 - (8) A signed statement of the property owner, if a different Person than the applicant, approving the Sign plans and granting the applicant permission for the Erection of same;
 - (9) Any additional information or requirements set forth for a particular classification of Sign as set forth in Article 2 of these Sign Regulations; and,
 - (10) Such other information as the Building Official shall require to show full compliance with these Sign Regulations and all other laws and ordinances of the City.
- (b) The application fee shall be in the amount set forth in Part IV, Article 6. No permit shall be granted until the City receives the application fee.
 - (c) Repair. Application for Sign repair permits shall contain or have attached thereto the following information:
 - (1) Name, address, and telephone number of the Sign owner;
 - (2) Name, address, and telephone number of the Person providing the repair service;
 - (3) Location of Building, structure, or lot upon which Sign is located;
 - (4) Description of the repair activity to be performed and repair cost estimate; and
 - (5) Such other information as the Building Official shall require to show full compliance with these Sign Regulations and all other laws and ordinances of the City.
 - (d) Internally Illuminated Signs. Prior to issuance of a Sign permit for a Sign in which electrical wiring and connections are to be used, the electrical inspector shall examine the plans and specifications submitted with the application to ensure the compliance with the electrical requirements of the City and with the requirements of the Underwriters' Laboratories. The electrical inspector shall approve the application if it meets these requirements and disapprove it if it does not. Approval of such an

application by the electrical inspector is required before the Building Official or Building Official's designee may issue a Sign permit. An electrical permit is also required.

Section 6. Nonconforming Sign Repair, Demolition

A Sign that, having been permitted to remain in place as a Nonconforming Sign or Existing Outdoor Advertising Sign under the provisions of these Sign Regulations, is blown down or otherwise destroyed or dismantled for any purpose, other than maintenance operations or for changing the letters, symbols, or other matter on the Sign, shall not be repaired, rebuilt or reconstructed. For purposes of this section, a Sign or a substantial part of a Sign is considered to have been destroyed only if the cost of repairing the Sign is more than 50% of the cost of Erecting a new Sign of the same type at the same location.

Section 7. Variance Fees and Notification

An application for a variation to the conditions of these Sign Regulations shall be accompanied by a variance application fee in the amount in the amount set forth in Part IV, Article 6. Such application for a variance may cover more than one Sign, but shall apply to one applicant and one location. The notification for a variance application must appear in the official newspaper of the City at least seven days prior to the date on which the request is heard by the City's Board of Adjustment. The variation application must contain the following information:

- (a) Name, address, and telephone number of the applicant.
- (b) Location of Building, structure, or lot to which or upon which the Sign is to be attached or Erected.
- (c) Position of the Sign in relation to nearby Buildings or structures, including other Signs.
- (d) The zoning classification of the property on which the Sign is to be located, and the zoning classification of all property within 250 feet of the Sign location.
- (e) The specific variation requested and the reasons and justification for such requests.
- (f) Ten copies of the signage and site plan shall be required.

Section 8. Inspection

The Building Official shall inspect annually, or at such other times as deemed necessary; each Sign regulated by these Sign Regulations for the purpose of ascertaining whether the same is secure or insecure, whether it is consistent with approved plans as built, whether it still serves a useful purpose, and whether it is in need of removal or repair.

Section 9. Issuance and Term

It shall be the duty of the Building Official, upon the filing of an application for a Sign permit, to examine such plans and specifications and other data and the premises upon which it is proposed to Erect or repair the Sign, and if it shall appear that the proposed structure is in compliance with all the requirements of this Code, the building code and all other laws and ordinances of the City, a Sign permit shall be issued. If the work authorized under a Sign permit has not been completed within six months after date of issuance, the permit shall become null and void and there shall be no refund of any application fees or other associated fees.

Section 10. Appeals

All matters related to appeals or variances from the requirements of these Sign Regulations shall be brought before the City's Board of Adjustments in accordance with the City's Zoning Ordinance.

Section 11. Fees

Fees for the issuance of a Sign permit shall be determined from time to time by appropriate resolution of the City Council. If a fee that is adopted by resolution or ordinance conflicts with the fees set forth herein, then the most recently adopted fee shall prevail. The fee for a Sign permit for a Sign that was constructed without a permit shall be twice the cost of the standard permit fee.

Section 12. Political Signs

- (a) With the exception of the regulations and restrictions expressly set forth in this section, these Sign Regulations do not apply to Political Signs.
- (b) Political Signs may not be located anywhere with the exception of Private Real Property with the property owner's consent.
- (c) Political Signs must not:
 - (1) be illuminated;
 - (2) have any moving elements;
 - (3) exceed 36 square feet in area;
 - (4) exceed eight feet in height;
 - (5) be located in any public right-of-way or easement; or
 - (6) be in violation of any state or federal regulations or restrictions.
- (d) Political Signs regarding candidates or measures up for election may be displayed on Private Real Property beginning no earlier than 45 calendar days before a general or special election, and shall be

removed no later than seven days after the election.

- (e) Political Signs in violation of this subsection are strictly prohibited, and are subject to be removed and destroyed without notice.

Section 13. Substitution of Noncommercial Speech for Commercial Speech

Notwithstanding any other provision of these Sign Regulations to the contrary, any lawfully erected Sign displaying a commercial message may, at the option of the owner or person in control of the Sign, display a noncommercial message. The noncommercial message may occupy the entire Facing or any portion thereof. The Facing may be changed from commercial to noncommercial messages, or from one noncommercial message to another, as frequently as desired by the owner or controller of the Sign, in compliance with the rest of these Sign Regulations, provided that the Sign is not a prohibited Sign or sign-type and provided that the size, height, setback, dimensional, location and other criteria contained in these Sign Regulations are satisfied.

Article 2. Classification

Section 1. Classifications Identified

Signs are classified as follows:

- Class 1, minor Signs;
- Class 2, window Signs;
- Class 3, traffic-related Signs;
- Class 4, Temporary Promotional Signs;
- Class 5, major Free-Standing Signs;
- Class 6, Monument Signs;
- Class 7, major Attached Signs.

Section 2. Class 1, Minor Signs

- (a) Minor Signs in the use districts, when permitted and unless otherwise restricted or regulated under Article 1 of these Sign Regulations, may be either Free-standing or Attached, unless otherwise specified, and do not require approval by the City prior to Erection with the exception of permanent sales and lease Signs.
- (b) Specifically, Class 1 Signs shall include:
 - (1) Signs not exceeding eight square feet in area and not exceeding four feet in height in single-family, duplex and Apartment Districts, which advertise the sale, rental or lease of the premises upon which such Signs are located only. The number of such Signs shall be limited to one per lot or complex, except where such lot or complex is adjacent to more than one dedicated public Street, one additional Sign shall be allowed for such additional public Street;

- (2) Signs not exceeding 24 square feet in area and not exceeding eight feet in height in all districts, except single-family, duplex and apartment, which advertise the sale, rental or lease of the premises upon which such Signs are located only. The number of such allowable Signs shall be limited to one for tracts, sites or complexes having less than 200 feet abutting public or internal circulation Streets. For tracts, sites or complexes having 200 feet abutting public or internal circulation Streets, two such Signs shall be allowed plus one additional Sign for each additional 100 feet of abutment. In no event may the number of such Signs exceed four for a given tract. Such Signs shall be removed upon issuance of any occupancy permit;
- (3) Nameplate Signs not exceeding one square foot in area.
- (4) Political Signs. See Article 1, Section 12 for regulations and restrictions related to Political Signs.
- (5) Temporary construction Signs denoting the architect, engineer, contractor, subcontractor, and/or financier and temporary Signs denoting the future location of a particular business, retail center or institution subject to one such construction Sign and one such future location Sign per Street adjacent to the construction site or future location site and each Sign not to exceed 32 square feet in area, and providing such Signs do not extend above 15 feet in height, measured from ground level, and providing such Signs are located on the premises where construction or location being advertised is or will be occurring. Only one construction Sign and one future location Sign may abut a given Street. Such Signs shall be removed upon issuance of any occupancy permit.
- (6) Occupational Signs denoting only the name and profession of an occupant in a commercial, public, office or institutional Building and not exceeding three square feet in area. Such Signs may not extend above the roofline.
- (7) Memorial Signs or tablets, names of Buildings and date of Erection when cut into any masonry Surface or when constructed of bronze or other Noncombustible Materials. Such Signs shall not exceed four square feet in area for each wall facing a street.
- (8) Flags, emblems and insignia of the United States, federal agencies, and any state or local governmental body including corporate and logo flags, and decorative displays for holidays or legal public demonstrations which do not contain advertising and are not used as such. Corporate and logo flags shall be limited to one per site when accompanied by a U.S. and/or state flag of

equal size or larger. Corporate logo flags shall be limited in size to 40 square feet for sites of less than one acre, 60 square feet for sites of more than one acre but less than five acres, and 96 square feet for sites of five or more acres, and 40 square feet for sites in residential zoned districts regardless of acreage.

- (9) Signs not exceeding three square feet in area may be suspended from the side of a Projecting Structure. Such Signs must be eight feet above a walkway.
- (10) Signs not exceeding 16 square feet and not exceeding six feet in height for establishments providing engine fuel sales, which advertise prices of fuel on premises, providing such Sign shall be permanently attached to a structure; no establishment shall have more than one Sign per Street front.
- (11) Signs not exceeding one square foot in area affixed to windows or doors, which identify emergency telephone numbers, hours and security information.
- (12) Signs on sites used by public, charitable, or religious institutions in any use district where such Signs are an integral part of the site architecture or landscaping, For residential subdivision identification Signs, the Signs shall be attached to the screening wall or landscaping planter and may not exceed 24 square feet in area and six feet in height. A maximum of two Signs per adjacent public Street shall be allowed. All other sites shall not be allowed more than one Free-Standing Sign and one Attached Sign. Attached Signs shall not exceed 24 square feet in area and shall be located entirely below the Roof Line of the Building, Attached Signs for educational institutions shall be permissible in these districts; providing, however, no more than one major Attached Sign and one attached Bulletin Board will be allowed per Building. The letters for the Attached Sign shall be not more than 12 inches in height and the Bulletin Board shall be no more than 25 square feet in size. Free-Standing Signs shall not exceed 24 square feet in area and six feet in height, except for religious institutions, which shall not exceed 60 square feet in area.
- (13) Signs in any district not to exceed three square feet to advertise available employment.
- (14) Signs containing Street address numbers, providing that such numbers shall be no larger than 12 inches in height, and providing that Street address numbers shall be limited to not more than two sets per Building.
- (15) Signs not exceeding 24 square feet in area and not exceeding six feet in height in single-family, duplex, and Apartment Districts which identify a

new home as being a builder's or contractor's model open to the public for inspection. Each Building in a subdivision may have one model home Sign, Such Sign shall be removed prior to the home being occupied as a residence.

Section 3. Class 2, Window Signs

Window Signs in the use districts, where permitted, do not require a Sign permit and do not require approval by any municipal agency prior to Erection. In no event may Signs be located on the window Surface internally or externally in any manner to obscure more than 25% of the visible window area available in the absence of any Signs, Where multiple windows exist fronting on a single Street or sidewalk, the 25% visibility shall be maintained for the total window area on such Street or sidewalk. Specifically, Class 2 Signs shall include:

- (a) Signs painted on the external or internal Surface of the window of an establishment in commercial or retail districts with water-durable paint on external Surfaces.
- (b) Signs (except posters), Banners or displays located on the internal Surface of the window of an establishment in commercial or retail districts only.
- (c) Posters, providing such posters are not located on the external Surface of the window.
- (d) Decorations intended to direct attention to and stimulate citizens' interest in public events, providing such Signs are painted on the external Surface of the window and a 25% visibility requirement is maintained.
- (e) Signs attached to the external Surface of a window of a retail or commercial establishment if of water-durable paint or non-combustible material and Signs attached to the internal Surface of a window which define the name, proprietor, telephone number, or address of such retail or commercial establishment.

Section 4. Class 3, Traffic-Related Signs

Traffic-related Signs in the use districts, where permitted, require a Sign permit and must be submitted to the Building Official and approved by the Building Official and traffic engineer. Submission to the Building Official shall include, but not be limited to, a site drawing showing the location of the proposed Sign, a dimensional drawing showing size of Signs and content of Signs, a designation of the material or materials to be used, and the proposed method of Erection. Specifically, Class 3 Signs shall include:

- (a) On-Premises directional Signs not exceeding eight square feet, providing such directional Signs do not contain advertising and are not used as such.

- (b) On-Premises Signs not exceeding eight square feet, and not exceeding four feet in height, denoting locations for ingress and egress or prohibiting ingress and egress which may or may not have directional indication, providing such Signs do not contain advertising and are not used as such.

Section 5. Class 4, Temporary Promotional Signs

Temporary Promotional Signs in the use districts, where permitted, require a Sign permit to be issued by the Building Official prior to Erection. Submission to the Building Official shall include, but not be limited to, a drawing or sketch showing the type, size, height, and location of the Temporary Promotional Sign (including flags) along with a description of the means of attachment or support, and the stated purposes of the promotion. Temporary Promotional Signs are limited to permissive Signs in this section. A promotion for a site, center, complex, or subdivision shall be interpreted as a promotion for each and every establishment within such site, center, complex, or subdivision. Specifically, Class 4 Signs shall include:

- (a) Signs, flags, Banners, or balloons promoting a merchandise program, opening of a retail or commercial establishment, or center, special program of a public institution, or the opening of a single-family subdivision or multi-family complex, providing that such Sign shall have a maximum single use period of 30 days for the initial permit for a new business and a 21-day permit thereafter. Such Sign shall have a minimum period between permits of seven days and a maximum number of four permits per year. The use of balloons shall be restricted to the initial 30-day permit. The size of a Banner shall be limited to one square foot per length of lease space up to a maximum of 200 square feet.
- (b) Free-Standing Signs for the purpose of identifying location of or direction to subdivisions, home builders' and Developers' sites. On-Premises Signs may not exceed 96 square feet in area and may not exceed 15 feet in height. Off-Premises directional Signs shall not exceed 32 square feet in area and may not exceed 15 feet in height. One Sign shall be allowed for parcels of 30 acres or less. One additional Sign shall be allowed for each additional 30 acres or any part thereof of development. Permits shall be granted for a maximum period of six-month intervals. Nonresidential Signs shall be removed upon issuance of an occupancy permit for the nonresidential structure.
- (c) Temporary Promotional Signs whether Off-Premises or On-Premises, flags, or pennants Erected by a local chamber of commerce, public library, and other local non-profit organizations or local governmental entities and containing messages directly related to a special event sponsored by the organization. For the purpose of this subsection, the term "local" means an organization with an organizational presence within

the City's corporate limits or its extraterritorial jurisdiction. A "Non-Profit Organization" means an organization that is, or based on the nature of its operations is fully eligible to be, a "Non-Profit Corporation" as that term is defined under Tex. Rev. Civ. Stat. Ann. Art. 1396-1.02(3), as amended, and which has one or more of the following or similar purposes: charitable, benevolent, religious, eleemosynary, philanthropic, patriotic, civic, missionary, educational, scientific, social, fraternal, athletic, aesthetic, agricultural, horticultural, or being dedicated to the conduct of professional, commercial, industrial, or trade associations. A permit issued for Signs described under this subsection shall allow a maximum of four Temporary Promotional Signs which shall not exceed 32 square feet, and a maximum of 20 Temporary Promotional Signs which shall not exceed three square feet. Only one permit shall be issued per event on a first-come, first-served basis. For Off-Premises Temporary Promotional Signs, written permission from the property owner is required. A property owner may submit a master list to be placed on file with the building official identifying all users that have permission to use their premises to display Temporary Promotional Signs. Signs shall not be located within any public right-of-way. Such Signs may be displayed no more than 30 days prior to the event and must be removed within two days after the conclusion of the event. The locations of such Signs must be approved by the Building Official for safety purposes. Such signs may not be lighted. Permits under this subsection shall be limited to six events per organization per calendar year.

Section 6. Class 5, Major Free-Standing Signs

6.01 Generally

- (a) A Class 5 Major Free-Standing Sign is a Free Standing Sign such as a Pole Sign that is not classified as a Class 1, Class 2, Class 3, or Class 4 Sign. Pole Signs that are classified as Class 5 Major Free-Standing Signs ("Class 5 Pole Signs") are prohibited, except as permitted by subsection (b), below.
- (b) Class 5 major freestanding Signs On-Premises Sign may be located on property that:
 - (1) is adjacent to U.S. 75/Central Expressway or S.H. 121, provided that said Signs must be located within a distance of 50 feet from the right-of-way line of the linear segment of said respective thoroughfare and situated so as to be viewed from said respective thoroughfare; or
 - (2) was part of a parent tract, any part of which was adjacent to and within the U.S. 75/Central Expressway Corridor as

of January 1, 2007, provided that said Sign is located adjacent to a thoroughfare other than U.S. 75/ Central Expressway and is no more than 50 feet from the edge of said thoroughfare and situated so as to be viewed from said thoroughfare.

- (c) Major Free-standing Signs, when permitted, shall be designed and constructed to withstand a wind pressure of not less than 30 pounds per square foot of area, and shall be constructed to receive dead load as required in the building code or other ordinances of the City. All major Free-standing Signs shall be placed in concrete bases or footings. Major Free-standing Signs may be constructed only of materials that are noncombustible or slow-burning in the case of plastic inserts and faces and may be supported by Noncombustible Material only and finished in a presentable manner; wood or non-painted steel supports are specifically prohibited. Heavy timber and other materials may be used if approved by the Building Official. Major Free-standing Signs shall be protected by wheel or bumper guards when required by the Building Official. Major Free-standing Signs shall not have attached any guys or braces. Major Free-standing Signs must be located a minimum of 30 feet from an adjoining private property line and a minimum of 60 feet from any other Sign and may not be located within 100 feet of any single-family residential zoned property. No major Free-standing Sign may contain any Copy, advertisement or display any content that pertains in any manner to a business, Person, organization, activity, event, place, service, or product not principally located or primarily manufactured on the premises on which the Sign is located.
- (d) Height, area and permissible number regulations for such Signs are specified in Tables 3-5 of these Sign Regulations.
- (e) No permit for a major Free-standing Sign shall be issued unless the application therefore contains a letter of approval and request from the owner of the

real property where such Sign is to be constructed. No major Free-standing Sign shall be constructed so that the minimum clearance thereof is less than nine feet if any portion thereof overhangs a driveway, parking space, sidewalk, or other public or private right-of-way for the passage of Vehicles or pedestrians. All major Free-standing Signs designed to be constructed at an overall height of eight feet or less from ground level shall be landscaped around the base of the Sign in an area equal to four square feet for each square foot of Sign and base area. Specifically, major Free-standing Signs shall include:

- (1) Signs Erected in apartment, office, technical office and industrial districts to identify an establishment, center, complex, occupation, district or institution.
- (2) Signs Erected in retail and commercial districts to identify a center or complex or to identify a single establishment and/or advertise the occupants, services or products of a single establishment. Such Signs shall be termed as "single-usage major Free-standing Signs."
- (3) Signs Erected in retail and commercial districts to identify a center or complex or to identify multiple establishments and/or advertise multiple occupants, services or products of a center or complex. Such Signs shall be termed as "multiple-usage major Free-standing Signs."
- (4) Signs Erected in retail and commercial districts as menu boards are limited to one such Sign per eating establishment with drive-through service.
- (5) Signs Erected in industrial districts to identify a center, complex or establishment.

6.02 Pole Sign Regulations

Where permitted under this Section and other applicable provisions of these Sign Regulations, Pole Signs shall conform to the following restrictions and limitations:

Table 1. Major Free-Standing Signs

	0 – Foot to 70 Feet ROW of the Street			71 – Feet to 99- Feet ROW of the Street			100- Feet to 250 Feet ROW of the Street		Freeway (including Section 6.01 b 2)
Minimum width of lot frontage (linear feet)	50	100	150	50	80	100	100	200	125
Copy Area** Maximum square footage per side	20	30	40	50	60	70	80	100	150/200/500 (See also Section 6.03, this article.)
Setback from adjacent property line (linear feet)*	5	5	10	10	10	15	15	15	15
Maximum height	3.5	8	10	20	20	20	24	24	35

* Setback from Street ROW is 3.5 feet.

** Copy area is defined as area between structural members of Sign structure.

6.03 Multi-Use Signs

- (a) A multi-use Sign that identifies a coordinated development site of more than one use, such as a shopping center, office center, or industrial park, may have a Sign area not larger than 200 square feet if the coordinated development site has five tenants or less and 500 square feet if the coordinated development site has more than five tenants. The lowest part of the Sign Copy area shall be at least 10 feet higher than the surrounding grade. A multi-use Sign may contain a directory or listing of the occupants within a center or multi-use development, provided that the directory portion of the Sign shall not exceed 80% of the total Sign area. If a directory is utilized, the remainder of the Sign area shall contain only the identification of the entire center or entire development.
- (b) When determining requirements for allowable detached Pole Signs under Table 1, first determine the right-of-way width adjacent to the subject lot, and then determine the lot frontage. Next, determine the maximum square footage per side, setback from adjacent rights-of-way and the maximum height by reading vertically below the applicable lot frontage. To calculate the height of a Sign, measurement shall be made from the top of the curb adjacent of the Street upon which a Sign faces or from the natural ground level, if above curb level, to the top of the Sign. (Construction of a berm or earthen mound for the purpose of increasing height of signage is prohibited.) For the purpose of calculating the distance from a Street right-of-way line where the existing Street right-of-way width is less than that required in the thoroughfare plan and Subdivision Ordinance, such distance shall be measured from the line of such right-of-way as required by such plan or ordinance (adding equal amounts to each side of the existing right-of-way) rather than from the existing right-of-way line. Freeways are as proposed by the thoroughfare plan of the City.
- (c) No detached Sign shall be Erected within 20 feet of a Street intersection, unless the bottom of the Sign exceeds 42 inches in height above ground level, and the Sign is set back from the right-of-way as stated in Table 1.
- (d) If two of the allowable detached Signs are combined into one detached Sign, then the signage may exceed by 50% the total allowable signage of the largest permitted Sign up to a maximum of 200 square feet per side.
- (e) When electrical service is provided to detached Signs, all such electrical service shall be underground.
- (f) There shall be a minimum 500 foot distance between a Pole and/or pylon Signs for the same shopping center on the same lot.
- (g) There shall be a minimum of 150 feet in distance between a Pole/pylon Signs that identify adjacent freestanding businesses on separate lots or separate shopping centers on separate lots.
- (h) Automobile dealership Signs.
 - (1) Number per lot.
 - (i) Primary detached Signs. There shall not be more than one primary Sign for each franchise up to a maximum of three primary Signs per dealership.
 - (ii) Secondary detached Signs. Secondary Signs shall be permitted only if used for pre-owned automobiles and limited to one per dealership.
 - (2) Area, location and height requirements.
 - (i) Primary detached Signs. All primary detached Signs shall conform to provisions within this Code.
 - (ii) Secondary detached Signs. Secondary Signs shall be limited to one-half of the area of the primary detached Sign and a maximum of 24 feet in height.
 - (i) Relocation of Signs due to right-of-way acquisition
 - (1) The Building Official may allow the Sign to be relocated on the property, even within the required setback, but in no case shall the Sign be located in an area that poses a safety hazard or blocks visibility.
 - (2) Should the Building Official deny the proposed relocation, the applicant may appeal this decision to the City Council.
 - (3) Development identification Signs. Project information or identification detached Monument Signs are permitted at the entrances of major offices or industrial park developments located on more than one lot and bisected by one or more publicly dedicated Streets. They shall be allowed under the following size restrictions:

Table 2. Development Identification Signs

Size	Maximum Size (square feet)	Maximum Height (feet)
Under 10 acres	36	6
10 acres and above	64	8

(j) Real estate Signs.

- (1) Generally. One real estate Sign, not exceeding 32 square feet in Sign area and 12 feet in height, shall be permitted on tracts of 50 acres or less, and not exceeding 96 square feet in area and 16 feet in height for tracts of land over 50 acres. On tracts of 50 acres or greater with 1,000 feet of frontage adjacent to the public right-of-way, a Sign not to exceed 200 square feet per side and 16 feet in height shall be permitted. The Sign shall be removed no later than 30 days after the closing of the real estate conveyance. For setback requirements, refer to Table 1. Such Signs shall not require a permit if they measure 32 square feet or less.
- (2) Construction sites. On Building construction sites, one Sign shall be permitted for all participating Building contractors and subcontractors, one for all participating professional firms, one for all participating lending institutions and one for each property owner on the construction site, subject to a maximum of three Signs for each construction site, each such Sign to be 32 square feet in Sign area or less, and that such Signs must be removed prior to the issuance of a certificate of occupancy for said Building.

Section 7. Class 6, Monument Signs

7.01 Generally

- (a) Monument Signs in the use districts, where permitted, require a Sign permit to be issued by the Building Official prior to Erection. Monument Signs shall be designed and constructed to withstand a wind pressure of not less than 30 pounds per square foot of area, and shall be constructed to receive dead load as required in the building code or other ordinances of the City.
- (b) All Monument Signs shall be placed in concrete bases or footings.
- (c) Monument Signs may be constructed only of materials that are noncombustible or slow-burning in the case of plastic inserts and faces and may be supported by Noncombustible Material only, and finished in a presentable manner; wood or non-painted steel supports are specifically prohibited. Heavy timber and other materials may be used if approved by the Building Official.

- (d) Monument Signs that provide identification or advertisement of a specific business, service, product, Person, organization, place or Building shall be termed "single-use Monument Signs." Monument Signs that provide identification or advertisement of multiple businesses, services, products, Persons, organizations, places, or Buildings shall be termed "multiple-use Monument Signs." Monument Signs must be located a minimum of 30 feet from adjoining private property lines and a minimum of 100 feet from any single-use Monument Sign and 250 feet from any multiple-use Monument Sign, except sites abutting two public Streets, in which event one Sign per Street frontage is permitted, providing that no Sign is located within 100 feet of any residential zoned property. All Monument Signs throughout a center or complex on the site shall be constructed of the same material and design. The mixing of Monument and other types of Free-Standing Signs within a center or complex is prohibited.
- (e) Monument Signs shall be landscaped around the base of the Sign in an area equal to four feet for each square foot of Sign and base area. No Monument Sign shall obstruct the vision of traffic on public Streets or be constructed so as to interfere with site lines at elevations between 2.5 feet and eight feet above the top of the adjacent roadway curb within a triangular area formed by the intersection of adjacent curb lines from a point on each curb line 20 feet from the intersection. Monument Signs shall be limited to a height of six feet or less, and a Copy area of 80 square feet for single-use Signs and 120 square feet for multiple-use Signs.
- (f) The design, materials, and finish of an individual Monument Sign shall match those of the Buildings on the same lot. An individual Monument Sign shall contain at minimum one foot masonry base around all sides of the Sign. Back-lit Signs shall be inset into the pedestal of the Sign rather than attached or applied to the pedestal.
- (g) Signs constructed in conjunction with unified development and internal Monument Signs shall be consistent with the building elements and materials of unified development Signs within the unified development and internal Monument Signs on the same lot and within the unified development.
- (h) Monument Signs are permitted to contain electronic variable messages subject to the following conditions:

- (1) variable message Monument Signs shall only be permitted along a major thoroughfare or greater as designated on the Thoroughfare Plan, as it exists or may be amended.
- (2) variable message Monument Sign characters shall have a minimum height of 10 inches and a maximum height of sixteen inches.
- (3) variable message Monument Signs shall not be animated, flash, travel, blink, fade, or scroll.
- (4) variable message Monument Signs shall remain static for not less than fifteen seconds.
- (5) variable message Monument Signs are permitted to contain time and temperature displays. The time and temperature displays shall remain static for not less than three seconds.
- (6) variable message wall Signs are also permitted but only one variable message Sign, either Monument or wall, is permitted per lot.

7.02 Internal Monument Signs

(a) Conditions of use

- (1) Time - A Sign permit shall not be issued to Erect or place an internal Monument Sign on a property until a site plan and/or Final Plat has been approved by the City Council for development of the property and after issuance of a building permit on a Building on the property.
 - (2) Place - An Internal Monument Sign is permitted only in conjunction with a non-residential use and in a non-residential Zoning District. Minimum front yard setback is 75 feet from the property line.
 - (3) Manner - The design, materials, and finish of Internal Monument Signs shall match those of the Buildings on the same lot. Signs constructed in conjunction with unified development and individual Monument Signs shall be consistent with the Building elements and materials of the unified development Signs within the unified development and individual Monument Signs on the same lot and within the unified development. If a property averages more than two Internal Monument Signs per acre, a Sign coordination plan as described in Article 2, Section 7.04 shall be approved for the placement of the Signs.
- (b) The maximum area of an Internal Monument Sign is six square feet.
- (c) The maximum height of an Internal Monument Sign is 30 inches.

7.03 Unified Development Monument Signs

(a) Conditions of use

- (1) Time - A Sign permit shall not be issued to Erect or place a Unified Development Monument Sign on a property until a site plan has been approved by the City Council for development of the property and after issuance of a building permit for a Building within the unified development zone.
- (2) Place –
 - (i) A Unified Development Monument Sign shall be located within a unified development zone, which shall consist of multiple lots with the same subdivision name or multiple lots that were depicted on the same concept plan, preliminary site plan, or site plan, and be united through common Building architecture, color, and materials, landscaping, and parking.
 - (ii) A Unified Development Monument Sign is permitted on the same lot as an individual Monument Sign, but the total number of Unified Development Monument Signs and individual Monument Signs located within a unified development zone shall generally not exceed the number of lots located within the unified development zone.
 - (iii) The minimum front yard setback for a Unified Development Monument Sign is 15 feet from the property line. No minimum side and rear yard setbacks are required for a Unified Development Monument Sign, but such Sign shall not be located closer than 75 feet to another Unified Development Monument Sign or an individual Monument Sign.
- (3) Manner –
 - (i) A Unified Development Monument Sign shall be constructed of materials and a design consistent with the Buildings located on the property. A Unified Development Monument Sign shall contain a minimum one foot masonry border around the Sign. A Unified Development Monument Sign constructed entire of masonry materials shall satisfy the border requirement.
 - (ii) The maximum area of a Unified Development Monument Sign shall be based on the size of the unified development zone. The maximum area of a Unified Development Monument Sign for a unified development zone of five acres or less is 60 square feet. For every whole acre over five acres, the area of the Sign may be increased by 12 square feet with the maximum area of a Unified Development Monument Sign being 168 square feet.
 - (iii) The maximum height of a Unified Development Monument Sign is 16 feet.
 - (iv) Architectural embellishments for Unified Development Monument Signs are

encouraged. Exceptions in maximum height and area may be considered through the review of the Sign coordination plan described in Article 2, Section 7.04 of these Sign Regulations.

- (v) One Unified Development Monument Sign is permitted per Street frontage of the unified development zone. One additional Unified Development Monument Sign is permitted along a Street for each additional 750 linear feet, or portion thereof, of Street frontage that exceeds 750 linear feet of Street frontage.
- (vi) Prior to City consideration of a unified development zone, all property owners located within a proposed unified development zone must submit notarized letters to the City authorizing the creation of the unified development zone. A lot shall only be included in a single unified development zone.

7.04 Sign Coordination for Unified Development Plan

- (a) A Sign coordination plan is required to be prepared for variance requests. A Sign coordination plan is also required prior to the permitting of specified Signs to determine overall Sign locations on a property, the relationship of the Signs to surrounding existing, proposed, and future improvements, and to determine consistency and uniformity among Buildings and Signs with a unified development zone or residential development. The Sign coordination plan shall be submitted to the Planning and Zoning Commission for review and approval.
- (b) A Sign coordination plan shall contain the following information:
 - (1) Elevations of the Signs illustrating the materials of construction, colors, lighting, font of letters, and dimensions of the Signs. If the Sign is to be attached to a Building, the elevation shall be a composite of the Sign and the Building.
 - (2) Elevations depicting the size of the Signs in relation to the size of the Buildings within the development.
 - (3) A plan drawn to concept plan, preliminary site plan, or site plan specifications of the site illustrating the location of existing and proposed Signs on the property and, if required by City staff, on adjacent properties.
 - (4) Other information to illustrate the consistency and uniformity of the Signs.
 - (5) For Unified Development Signs, the Sign coordination plan shall identify a unified development zone. Only those properties and businesses included within the unified development zone shall be included on the Unified Development Signs Erected within the unified development zone.

- (c) For non-residential and multifamily developments, the Sign coordination plan shall be submitted to the City for review with a concept plan, preliminary site plan, or site plan of the property. For single-family and two-family developments, the Sign coordination plan shall be submitted to the City for review with a concept plan, preliminary plat, or final plat of the property.
- (d) A Sign coordination plan required of specified Signs shall be submitted to the Planning and Zoning Commission for review and approval. Should the Planning and Zoning Commission deny a Sign coordination plan, the plan will be forwarded to the City Council for review and consideration. The City Council may approve or deny the plan. The City Council's decision is final.

Section 8. Class 7, Major Attached Signs

Major Attached Signs in the use districts, where permissible, require a Sign permit to be issued by the Building Official prior to Erection. Major Attached Signs shall be constructed only of materials that are noncombustible or slow-burning in the case of plastic inserts and faces. Combustible materials may be used, providing the Sign is attached to a wall with a minimum of two-hour fire resistive rating. Major Attached Signs placed on heavy wood construction may be of combustible materials, but in no case shall they be internally illuminated. The permissible size of major Attached Signs shall be as defined in each use district. Major Attached Signs shall specifically include:

- (a) Any Sign not defined as a minor Sign or window Sign and affixed directly or indirectly to the exterior of any Surface of any Building, to a Projecting Structure of a Building or to any outdoor structure, providing that such Sign shall not extend above the Roof Line of a mansard-type roof, and providing that such Sign shall not extend more than four feet above the Roof Line for non-mansard roof structures in retail and commercial districts only. Such Sign shall be so designed, constructed and attached so as to withstand a wind pressure of not less than 30 pounds per foot.
- (b) Any Sign not defined as a minor Sign and located more than four feet above the Roof Line of a Building, providing such Sign is directly affixed to and not extending above or beyond an integral part of the structure of the Building, other than the roof, and without the use of supporting poles, towers, guys, or braces of any type, and providing such Signs shall be so designed, constructed, and attached so as to withstand a wind pressure of not less than 30 pounds per square foot.
- (c) Any Sign painted or attached directly on the roof Surface of a Building intended to be visible from the air where such roof Surface, when projected to ground level, forms an angle with the ground plane of less than 25 degrees, providing such Signs shall contain only the identification of an establishment, directional information of value to air transportation, and services available and of interest to air transportation users.

ARTICLE 3 - Regulation by Use District

Section 1. Generally

The classification of Signs allowed in each use district shall be only those as defined in this article and subject to the conditions specified in this article.

Section 2. Single-Family Residential District

The single-family residential use district as referenced herein shall include all zoning classifications/districts designated as detached single-family residences usage.

- (a) Class 1. Minor Signs shall be permissible in these districts except where restricted to retail and commercial districts as specified in Article 2.
- (b) Class 3. Traffic-related Signs shall be permissible in these districts.
- (c) Class 4. Temporary Promotional Signs shall be permissible in these districts except where restricted to retail or commercial districts as specified in Article 2.

Section 3. Apartment Districts

Signs shall be permitted in the Multiple-Family Residential District only as follows:

- (a) Class 1. Minor Signs shall be permissible in these districts except where restricted to retail and commercial districts as specified in Article 2.
- (b) Class 3. Traffic-related Signs shall be permissible in these districts.
- (c) Class 4. Temporary Promotional Signs shall be permissible in these districts except where restricted to retail or commercial districts as specified in Article 2.
- (d) Class 5. To the extent permitted under Article 2, Section 5.01 of these Sign Regulations, Major Free-Standing Signs shall be permissible in these districts. However, no Free-Standing Sign shall exceed an area of 25 square feet, and providing that no more than one Free-standing (or major attached) Sign per adjacent public Street for an apartment complex shall be permitted, and providing that the height shall not exceed eight feet.
- (e) Class 7. Major Attached Signs shall be permissible in these districts, providing no more than one major Attached Sign (or major Free-Standing Sign) per adjacent public Street for an apartment complex shall be permitted: and providing that the area of the Attached Sign does not exceed 40 square feet.

Section 4. Industrial Districts

Signs shall be permitted in the Industrial District as follows:

- (a) Class 1. Minor Signs shall be permissible in these districts, except where restricted to retail and commercial districts as specified in Article 2.
- (b) Class 2. Window Signs shall be permissible in these districts.
- (c) Class 3. Traffic-related Signs shall be permissible in these districts.
- (d) Class 4. Temporary Promotional Signs shall be permissible in these districts, but be limited to Free-Standing Signs for the purpose of identifying location of or direction to an industrial subdivision.
- (e) Class 5. To the extent permitted under Article 2, Section 6.01 of these Sign Regulations, Major Free-Standing Signs shall be permissible in these districts. One major Free-Standing Sign 25 square feet in area and six feet in height may be Erected on sites or less than 10 acres. One major Free-Standing Sign 60 square feet in area and 20 feet in height shall be permitted for industrial sites of 10 acres or more, and providing that one additional Free-Standing Sign shall be permitted for each additional 10 acres. In any event, no more than one major Free-Standing Sign shall be permitted per industrial Building per each adjacent public Street.
- (f) Class 7. Major Attached Signs shall be permissible in these districts, except where restricted to retail and commercial districts as specified in Article 2. Such Signs shall be entirely below the Roof Line of the Building. Buildings with single Street frontage shall be allowed two Attached Signs. Buildings with frontage on more than one Street shall be allowed one major Attached Sign per elevation per Street frontage. For single-story Buildings intended for multiple occupancy and where the integral architectural design provides for separate features for attaching Signs each tenant shall be allowed a maximum of 15 square feet of Sign area. The area of other major Attached Signs allowed herein shall not exceed 5% of the wall area on which it is Erected or lease space frontage.

Section 5. Office, Retail, and Commercial Districts

The office, retail, and commercial use districts as referenced herein shall include all zoning classifications/districts designated for office, local retail, or commercial usage.

- (a) Class 1. Minor Signs shall be permissible in these districts.
- (b) Class 2. Window Signs shall be permissible in these districts.
- (c) Class 3. Traffic-related Signs shall be permissible in these districts.
- (d) Class 4. Temporary Promotional Signs shall be permissible in these districts.

- (e) Class 5. To the extent permitted under Article 2, Section 6.01 of these Sign Regulations, Major Free-Standing Signs shall be permitted in these districts. Single-usage major Free-Standing Signs, as described in Article 2, shall not exceed the standards set forth in Table 1. The number of Signs shall be limited by the following:
- (1) For sites of less than 10 acres, one single-usage major Free-Standing Sign shall be permitted.
 - (2) Eating establishments with drive-through service are permitted one menu board Sign per site, limited to 30 square feet, eight feet high, and located no closer than 30 feet to adjacent property lines.
 - (3) For sites of 10 acres, but less than 15 acres, two single-usage major Free-Standing Signs shall be permitted or one single-usage major Free-Standing Sign and one multiple-usage major Free-Standing Sign shall be permitted.
 - (4) For sites of 15 acres or greater, three single-usage major Free-Standing Signs shall be permitted, or one multiple-usage major Free-Standing Sign and two single-usage major Free-Standing Signs shall be permitted or two multiple-usage major Free-Standing Signs shall be permitted, providing that only one multiple-usage major Free-Standing Sign may be located per public Street frontage.
 - (5) For sites exceeding 15 acres on which Signs are desired in excess of the above regulations, a total Sign plan for the site may be submitted to the Board of Adjustments for consideration as a variance from the requirements of this section.

- (f) Class 6. Monument Signs shall be permissible in these districts.
- (g) Class 7. Major Attached Signs shall be permissible in these districts subject to the following conditions and restrictions:
- (1) An Attached Sign may have an area not exceeding that calculated by multiplying the length of the Building front by two feet. This calculation shall be termed base allowable area. In no event may an Attached Sign exceed a maximum allowable area of 200 square feet.
 - (2) A permissible Attached Sign located at a height above 20 feet shall be permitted an increase in the base allowable area and an increase in the maximum allowable area. Such increases shall not exceed two square feet in area, over that allowed for a Sign located at 20 feet of height, for each additional one foot in height above 20 feet.
 - (3) Attached Signs may be located on each exposed face of a Building; however, the sum of the area of all Attached Signs shall not exceed twice the base allowable area nor shall exceed twice the maximum allowable area as specified in above subsections 5(g)(1) and 5(g)(2) of this section.

Section 6. Summary of Districts

The following tables summarize the permissible classes of Signs in the use districts defined in this article, and all restrictions pertaining to area, height and number of Signs unless otherwise noted. These tables do not summarize all regulations included in this Code.

Table 3. Residential Districts (Single and Multi-family)

Districts	Permissible Classes	Max. Area	Max. Height	Max. Number
Single-family and duplex district	1, 3, 4	*	*	*
	Subdivision Sign	24 sq ft	6 ft	2 per adjacent public Street
Educational institutions	Bulletin Board	25 sq ft	Below Roof Line	1 per Building
	Attached Sign	12 inch letter	Below Roof Line	1 per Building
Public, charitable, or religious institutions	Free-Standing Sign	24 sq ft **	6 feet	1 per site
	Attached Sign	24 sq ft	Below Roof Line	1 per site
Apartment District	1, 3, 4	*	*	*
	5	25 sq ft	8 ft	1 of either class per adjacent public Street
	7	40 sq ft	8 ft below Roof Line	

*Refer to Article 2.

** Religious Institution – 60 sq. feet.

Class 1-Minor Signs; Class 2-Window Signs; Class 3-Traffic-related Signs; Class 4-Temporary Promotional Signs; Class 5-Major Free-Standing Signs; Class 6-Monument Signs; Class 7-Major Attached Signs

Table 4. Industrial Districts

Permissible Classes	Max. Area	Max. Height	Max. Number
1, 2, 3	*	*	*
4 (On-Site)	96 sq ft	15 ft	1 for sites of 30 acres or less; 1 additional for each additional 30 acres or any portion thereof
4 (Off-Site)	32 sq ft	15 ft	
5	25 sq ft	6 ft	1 for sites less than 10 acres but not more than 1 per building per adjacent public Street
5	60 sq ft	20 ft	1 for sites more than 10 acres and 1 additional for each additional 10 acres, but not more than 1 per building per adjacent public Street
6	80 sq ft	6 ft	1 Single-use sign
6	120 sq ft	6 ft	1 Multi-use sign
7	5% of the wall area to which attached	Below Roof Line	1 per building or lease space within building—1 per Street frontage for building or lease space with multiple Street frontages

* Refer to Article 2.

Class 1-Minor Signs; Class 2-Window Signs; Class 3-Traffic-related Signs; Class 4-Temporary Promotional Signs; Class 5-Major Free-Standing Signs; Class 6-Monument Signs; Class 7-Major Attached Signs

Table 5. Retail and Commercial Districts

Permissible Classes	Max. Area	Max. Height	Max. Number
1, 2, 3, 4, 5	*	*	*
6			
(a) Single usage Sign	80 sq ft	6 ft	1 per street frontage and 100 ft from another monument sign
(b) Multiple-usage Sign	120 sq ft	6 ft	1 per street frontage and 250 ft from another multiple-use monument sign
7	Sign area may not exceed 2 times the length of building front or 200 square feet, whichever is less, for Signs at heights of 20 feet or less. Above 20 feet in height, an additional 2 sq. ft. is allowed per additional foot of height	Below Roof Line for mansard type roofs. Limited to 4 ft. above Roof Line for non-mansard type roofs. May extend higher if attached to an integral architectural feature of the building other than the roof.	Sum of all attached Sign area on a building may not exceed twice the area allowed for a single Sign. Attached signs may be located on each exposed face of the building.

* Refer to Article 2.

Class 1-Minor Signs; Class 2-Window Signs; Class 3-Traffic-related Signs; Class 4-Temporary Promotional Signs; Class 5-Major Free-Standing Signs; Class 6-Monument Signs; Class 7-Major Attached Signs

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