

ARTICLE XI. SIGN REGULATIONS¹

Sec. 1.0. Purpose and intent.

The purpose of this article is to achieve balance among the following differing, and at times, competing goals:

- A. To encourage the effective use of signs as a means of communication for businesses, organizations and individuals in the city;
- B. To provide a means of way-finding in the community, thus reducing traffic confusion and congestion;
- C. To provide for adequate business identification, advertising, and communication;
- D. To prohibit signs of such excessive size and number that they obscure one another to the detriment of the economic and social well-being of the city;
- E. To protect the safety and welfare of the public by minimizing the hazards to pedestrian and vehicular traffic;
- F. To differentiate among those signs that, because of their location, may distract drivers on public streets and those that may provide information to them while they remain in their cars but out of active traffic;
- G. To minimize the possible adverse effects of signs on nearby public and private property;
- H. To prohibit most signs with commercial messages in residential zoning districts, while allowing those commercial messages that relate to commercial activities lawfully conducted on individual properties within such districts;
- I. To provide broadly for the expression of individual opinions through the use of signs on private property;
- J. To prohibit new billboards in the city.

(Ord. No. 2006-046-PZ, 10-10-04)

Sec. 2.0. Definitions applicable to signs.

The following definitions are applicable for the purpose of the sign article of this appendix.

Awning/canopy sign. Lettering and/or logo printed upon or attached to a building awning or service station canopy. See illustration appendix.

Banner. Any sign of lightweight fabric or vinyl, or similar material temporarily mounted to a building or fence at one or more edges. National flags, state or municipal flags or the official flag of any institution shall not be considered banners. See illustration appendix.

¹Editor's note(s)—Ord. No. 2006-046-PZ, adopted Oct. 10, 2006, amended Art. XI in its entirety and enacted similar provisions as set out herein. the former Art. XI derived from Ord. No. 2000-034-PZ, adopted Dec. 26, 2000.

Billboard sign. Any off-premises outdoor advertising sign that is owned by a person, company or legal entity that engages in the renting or leasing of advertising space on signs for dissemination of information or for a business, service, commodity, activity, or entertainment at a location other than the premises on which said sign is located. This definition shall not include signs erected or maintained by the state department of transportation or by an entity authorized by the state providing direction or information to the traveling public.

Building face. All window and wall area of a building in one elevation exposed to public view. In the case of attached units with separate exterior entrances, such as in a shopping center, building face shall be apportioned to each unit.

Bulletin board sign. A portion of an on-premises sign containing general information or announcements of events or activities occurring at a business, institution or similar messages. Not to exceed 30 percent of the sign face. See illustration appendix.

Business sign. A sign which directs attention to a business or profession conducted, or to a commodity or service sold, offered or manufactured, or to entertainment conducted on the premises.

Canopy/awning sign. Lettering and/or logo printed upon or attached to a building awning or service station canopy. See illustration appendix.

Changeable copy sign (electronic). A sign board that is designed so that characters, letters, or illustrations can be electronically changed or arranged without altering the face or the surface of the sign, or a sign face that utilizes rotating vertical or horizontal panels or other moving parts to change the message. See illustration appendix.

Changeable copy sign (manual). A sign that is designed so that characters, letters, or illustrations can be manually changed or arranged without altering the face or the surface of the sign. See illustration appendix.

Commercial message. Words, symbols, logos, pictures or any combination thereof that identify or which direct attention to a business, commodity, service or entertainment sold or offered for sale or a fee.

Direct light. Light emitting from a source within or affixed to the sign face, and beaming outward from it.

DOT official business directional sign. A sign erected and maintained by the state or an entity authorized by the state to indicate to the traveling public the route and distance to public accommodations or commercial services for the traveling public.

Double-faced sign. A sign which has two display areas back to back, where one face is designed to be seen from one direction and the other face from another direction. In this instance only one face is considered in computing square footage. See illustration appendix.

Erect. To build, construct, attach, hang, place, suspend, or affix and shall include the painting of wall signs.

Flashing sign. A sign, the illumination of which is not kept constant in intensity at all times when in use, and which exhibits marked changes in lighting effects. This shall include signs containing animated, blinking, flashing, intermittent, traveling, and fluctuating lights, or which utilize liquid crystal display (LCD), plasma, video, or similar display, including arrangements that spell messages, simulate motion or form various symbols or images.

Illuminated sign. A sign lighted by or exposed to artificial lighting either by lights on or in the sign or directed towards the sign.

Indirect light. Light reflected from a separate outside source aimed toward it, including silhouettes on a background or reflected light.

Intermittent light. Any flashing, traveling, animated, blinking, or fluctuating light, liquid-crystal display (LCD), plasma, video, or similar display, including arrangements that spell messages, simulate motion or form various symbols or images.

Interstate high-rise sign. A sign identifying a business or commercial use situated within a delineated area near interstate interchanges, constructed so as to be visible to the traveling public.

Interstate high-rise sign zone. The following described areas where interstate high-rise signs may be located:

- A. *Interstate 59.* That area lying between I-59 and Green Drive and extending northeasterly to a line extended along the plane of the curve of Green Drive back to the Interstate. Also, that area lying between I-59 and Pineview Road extending to the north line of Section 23, Township 16 South, Range 1 West, then to the intersection of Hammond Road and Valley Road, then a line extended from the plane of Hammond Road back to the Interstate. Also that area lying south of Chalkville Mountain Road between I-59 and Service to a point along a plane extending from Hammond Road, as well as the area along Valley Road and extending 600 feet northwesterly from the westerly right-of-way line of Service Road between Chalkville Mountain Road and a line extended along a plane from Hammond Road. Also those properties lying north of Chalkville Mountain Road and abutting Service Road to Misty Ridge Drive and extending a line along the plane of Misty Ridge Drive to the Interstate.
- B. *Interstate 459.* That area on the north side of Gadsden Highway lying between I-459 and I-59 and a line extended along the plane of the intersection of Edwards Lake Parkway at Gadsden Highway, and on the south side of Gadsden Highway that area lying between a line extended along the same plane of the Edwards Lake Parkway intersection at Gadsden Highway to the railroad then back to the right-of-way of I-459.

Legible. A sign or message is "legible" when it can be understood by a person with an eighth-grade education (or more). Where this article requires a determination of "visibility" or "legibility," the standard shall be based on the eyesight of an adult eligible to receive an Alabama driver's license (wearing any corrective lenses required by such license). Where the height of the person is material to the determination, the person shall be presumed to be more than five feet and less than six feet tall.

Marquee sign. A sign located on a canopy projection on the front of a building.

Message board/reader board. A portion of an on-premises sign containing general information or announcements of events or activities occurring at a business, institution or similar message, not to exceed 30 percent of the sign face.

Monument sign. A sign which is elevated two feet or less, which is supported by structures or supports in or upon the ground and independent of support from any building. Also known as freestanding or ground signs. See illustration appendix.

Multibusiness sign. A single sign support that serves more than one business.

Neighborhood sign. A freestanding monument sign located at the principal entrance or entrances to a neighborhood.

Off-premises sign. A sign which directs attention to a business, commodity, service or entertainment conducted, sold or offered for sale at a location other than the premises on which the sign is located.

Permanent sign. A sign structure which is, or was originally designed, constructed, and intended to be permanently affixed to a building, structure or to the ground.

Person. Any person, firm partnership, association, corporation, company or organization, singular or plural, of any kind.

Political sign. Signs identifying or urging voter support for a particular election issue, political party, or candidate for public office. These signs shall be removed within 48 hours of the election to which they pertain. [See] section 3.0 and illustration appendix.

Portable sign. A sign that is designed to be transported, including, but not limited to, signs: with wheels removed; with chassis or support constructed without wheels; designed to be transported by trailer or wheels; an "A"- or "T"-frame sign attached temporarily or permanently to the ground, structure, or other signs; that is mounted on a vehicle for advertising purposes, parked, and visible from the public right-of-way, except signs

identifying the related business when the vehicle is being used in the normal day-to-day operations of that business; searchlight stands; hot-air or gas-filled balloons, or umbrellas used for advertising; flags which depict advertising; and banners.

Premises. A lot or tract of land upon which sign is located or is to be located.

Projecting sign. Any sign other than a wall sign affixed to any building or wall whose leading edge extends beyond such building or wall, or in some cases may be suspended from above as from a sidewalk canopy. For the purposes of this definition, a blade sign shall be considered the same as a projecting sign. See illustration appendix.

Public information/public interest signs. A permanent sign, illuminated or nonilluminated, erected on public property and maintained by the city for dissemination of general information and matters of public interest.

Shopping center sign. A permanent, on premise sign, illuminated or nonilluminated, that identifies the name of a shopping center development, and may include tenant identification. For purposes of this definition a shopping center shall:

1. Have at least 400 feet of public road frontage (frontage may include outparcels);
2. Be located on a lot with a minimum size of five acres (acreage not including outparcels);
3. Have shared parking or driveways with all uses on site (access must include outparcels);
4. Have over ten retail spaces (retail spaces not including out parcels), and have one management authority (management could include out parcels).

Such signs may also be subject to approval of a master signage plan as set out in section 25.0. See illustration appendix.

Sight triangle. A triangular area established at the intersection of two streets or a street and a driveway where clear sight distance is maintained for motorists. In the case of two intersecting streets having a total of two lanes (a single lane in each direction), the sight triangle is formed by connecting two legs extending 75 feet from the center of an intersection along the center line of the street rights-of-way. In the case of a driveway, or other channel for vehicle entrance or exit, intersecting a street, each leg of the triangle shall be 15 feet along the street right-of-way and driveway edge. Roads with multiple lanes may require additional sight distance. This shall be determined by the engineering and inspections department. See illustration appendix.

Sign. A name, identification, image, description, display or illustration which is affixed to, painted on, or represented directly or indirectly upon a building, structure, or piece of land, and which directs attention to any object, product, place, activity, facility, service, event, attraction, person, institution, organization or business and which is visible from any street, right-of-way, sidewalk, alley, park or other public property together with any and all poles, beams, columns, posts, and foundations which offer structural support, and any ornamental attachments. Customary displays of merchandise or objects and material without lettering placed behind a store window are not considered signs or parts of signs.

Sign area. The surface area of a sign shall be computed as including the entire area within a regular geometric form or combinations of regular geometric forms comprising all of the display area of the sign and including all of the elements of the matter displayed. Structural frames and members not bearing advertising matter shall not be included in computation of surface area. On a two-sided sign, only one face is counted in computing sign area. For signs with three or more faces, all faces will be calculated cumulatively. See illustration appendix.

Sign face. That part of a sign that is or can be used for advertising purposes. See illustration appendix.

Sign height. The height of a freestanding sign shall be computed as the distance from the base of the sign at the finished grade of the site upon which the sign is located to the top of the highest attached component of the sign. For the purposes of this measurement, finished grade shall be construed to be the established grade after

sign construction exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign.

Sign maintenance/repair. Any cleaning, touchup painting, poster panel replacements on billboards, or bulb replacement, which does not alter the basic design, structure, size or electrical service to the sign is exempt from permit. See subsection 7.0D. Any maintenance or repair to improve the structural integrity of the sign must be permitted and design drawings submitted, if applicable. Sign maintenance which involves repainting the entire sign face, or making any changes to the content of the sign face, must be permitted.

Streamers. Fringe, strips, or flags commonly attached to a cord and strung between two or more points. Streamers are not considered signs unless they contain wording, trademarks, or emblems in which case they are treated as banners. See section 24.0 and illustration appendix.

Temporary sign. Any sign not originally designed, constructed or intended to be permanently affixed to a building, structure or the ground. Temporary signs shall be removed by the party or parties posting or erecting them, and where stipulated, within the specified time period. See illustration appendix.

Thoroughfare. A public, unobstructed street open at both ends such as a main road or highway. For the purpose of this sign ordinance, these shall be limited to Highway 11 (Main Street), Chalkville Road, Watterson Parkway, and Deerfoot Parkway.

Tourist-oriented directional sign. A sign erected and maintained by the state, county or city or an entity authorized by the state, county or city to indicate to the traveling public the route and distance to points of scenic, historic, cultural, educational, and recreational interest.

Wall sign. Any sign painted on or attached to and erected parallel to the face of, or erected and confined within the limits of, the outside wall of any building and supported by such wall or building and which displays only one advertising surface. See illustration appendix.

Window sign. Any sign placed inside or upon a window facing the outside and which is intended to be viewed or seen from the exterior. Customary displays of merchandise or objects and material without lettering placed behind a store window are not considered signs or parts of signs. See illustration appendix.

(Ord. No. 2006-046-PZ, 10-10-04; Ord. No. 2016-007-PZ, § 1, 4-12-16)

Sec. 3.0. General regulations and prohibited signs.

- A. No sign shall be erected or maintained at any location where by reason of its position, working, illumination, shape, symbol, color, form or character it may obstruct, impair, obscure, interfere with the view of, or may be confused with any authorized traffic sign, signal or device, or interfere with, mislead, confuse, or disrupt traffic safety or flow.
- B. No portion of a sign shall obscure visibility between a height of three and ten feet within a sight triangle, as defined in section 2.0. The engineering and inspections department may approve the location of a sign within a sight triangle upon a finding that due to alignment, topographical, or other unique considerations, the proposed sign location would not interfere with traffic visibility.
- C. Signs incorporating any noisy mechanical device (whistles, horns, sirens, or any other noisy audible devices) are expressly prohibited.
- D. No sign of any type or foundation or support thereof shall be placed in a public street or highway right-of-way, except neighborhood signs as addressed in subsections 22.0D. and E.
- E. No sign shall have animated, blinking, flashing, intermittent, traveling or fluctuating lights, liquid-crystal display (LCD), plasma, video, or similar displays, including arrangements that spell messages, simulate motion or form various symbols or images or other illuminating devices which have a changing light intensity,

brightness or color except that a sign on which the message changes no more than one time per minute does not violate this section.

- F. No sign shall have a sign face that utilizes rotating vertical or horizontal panels or other moving parts to change the message.
- G. No sign shall interfere with traffic visibility for entrance onto and exit from the lot and adjacent lots and the visibility of traffic flow through nearby intersections. Unless provided for elsewhere in this ordinance, all monument signs shall be located not closer than 15 feet from the pavement edge of the street or thoroughfare to which said sign is directed.
- H. No illuminated sign, other than a permanent neighborhood identification sign or an institutional sign shall be permitted within 100 feet of any residential zoning district of the city.
- I. The area around all signs shall be kept clean and clear of trash and litter and shall present a neat and clean appearance. It shall be the responsibility of the sign owner/lessor or property owner to maintain all signs in a safe and proper operating manner at all times.
- J. Each sign must contain a complete message or display.
- K. All temporary signs shall have the installation date noted either on the front or on the back of the sign so expiration may be tracked.
- L. Signs shall not be attached to trees, utility poles, rocks, or street lights, or to fences except as otherwise provided for herein.
- M. No signs shall be placed on any public property except in accordance with the specific provisions of this article.
- N. All signs shall conform with applicable provisions of the building code in effect in the city at the time of the application, which will provide a comprehensive set of construction standards for signs. These specifications include wind loads, vibration resistance, seismic loads, acceptable supports, allowable stresses, materials, and electrical wiring, as the same may be amended. Signs that, by reason of size, materials, design or location are not subject to such building code by its terms shall not be affected by this section.
- O. No person may, for the purpose of increasing or enhancing the visibility of any sign, damage, trim, destroy, or remove any trees, shrubs, or other vegetation within any right-of-way (unless express written authorization is obtained from the agency having jurisdiction over the right-of-way) or on any area where landscaping is required by city regulations.
- P. No billboard shall be permitted. However, a sign which expresses a person's opinion, such as freedom of speech expressions, has no premise and can be erected if in conformity with the sign regulations for that respective zone in which the sign is located.
- Q. Any sign erected at a height in excess of 80 feet shall be constructed in such a manner as will allow for the future addition of telecommunication arrays or antennae.
- R. Any signage square footage limitations shall include window and door signage.
- S. Window and door signage shall not be placed on more than 25% of the square footage of all windows and doors.
- T. A Projecting Sign shall be limited to one per building side, but shall not count towards the maximum number of wall or window signs per building side or any sign square footage limitations.

(Ord. No. 2006-046-PZ, 10-10-04; Ord. No. 2016-007-PZ, § 4, 4-12-16)

Sec. 4.0. Approved and prohibited sign illumination and materials.

- A. *Illumination.* Unless otherwise stated herein, sign illumination may be achieved via internal or external illumination of reasonable intensity to solely illuminate the sign. The light source shall not be of sufficient brightness to cause glare or other nuisances to adjacent land uses. If externally illuminated, illumination shall be achieved via a white, steady, stationary light of reasonable intensity that is directed solely at the sign. The light source shall be shielded from adjacent buildings and streets and shall not be of sufficient brightness to cause glare or other nuisances to adjacent land uses.

Exposed neon is prohibited for signs and shall not be incorporated into the design of a principal or accessory structure allowed to flash or change color.

- B. *Building materials for sign backgrounds, frames, supports, and ornamentation.*

1. Building materials for signs shall be durable, have low maintenance, and shall not adversely impact adjacent uses.
2. The various parts of signs shall be compatible in design quality. Freestanding signs shall not be in the shape of a sponsor name or motif (such as soda bottles, hamburgers, boot, and so forth).
3. The following materials are considered to be appropriate for freestanding sign backgrounds, frames, supports, and ornamentation:
 - a. Brick;
 - b. Natural stone, including panels. The use of natural materials is favored; however, the use of imitation stone is appropriate;
 - c. Stained split-face block;
 - d. Wood;
 - e. Exterior finish and insulation systems (EFIS), or similar material, in combination with brick, split-face block, or stone;
 - f. Metal panels, when used in combination with brick, split-face block, or stone;
 - g. Plastic, or other synthetic materials, when used in combination with brick, split-face block, or stone.
4. The following materials are prohibited for sign backgrounds, frames, supports, and ornamentation:
 - a. Exposed metal poles. For sign bases supported by poles, the poles shall be enclosed by a masonry veneer;
 - b. Smooth-face concrete blocks, whether painted or unpainted;
 - c. Metal panels, when used without brick, split-face block, or stone;
 - d. Plastic, or other synthetic materials, when used without brick, split-face block, or stone.

(Ord. No. 2006-046-PZ, 10-10-04)

Sec. 5.0. Traffic control and official signs.

- A. *Effect of section.* Signs listed in this section shall be exempt from the permit requirements of this article but shall, to the maximum extent allowed by law, be subject to the other standards of this appendix. Where a sign is erected pursuant to a statute or a court order, the sign may exceed the size standards of this appendix

or otherwise deviate from the standards set forth in this appendix to the extent that the statute or court order expressly required the larger size or other deviation. In all other respects, such signs shall conform to the standards of this appendix.

B. *Applicability.*

1. This section shall apply to the following types of signs:
 - a. Signs conforming with the Manual of Uniform Traffic Control Devices and bearing no commercial message;
 - b. Signs bearing no commercial message and installed by employees or officials of a state or federal agency in the course of their governmental duties;
 - c. Signs required by a state or federal statute;
 - d. Signs required by an order of a court of competent jurisdiction;
 - e. Signs installed by public utilities in their rights-of-way or on their facilities and bearing no commercial message other than such message is necessary to identify the use;
 - f. Signs installed by a transit company with a franchise or other right to operate in the city, where such signs are installed along its routes and relate to schedules or other information about the transit route;
 - g. Signs erected and maintained by the state or an entity authorized by the state to give direction to the traveling public or public information signs erected by the city.

(Ord. No. 2006-046-PZ, 10-10-04)

Sec. 6.0. Signs allowed in all districts.

The following signs are allowed in all zoning districts, subject to the standards contained in this section:

A. *Types of signs.*

1. On rights-of-way and public property, signs installed by state or county employees or officials of the city and not falling under one of the broader exemptions of section 5.0, Traffic control and official signs;
2. On private property, detached signs not exceeding two square feet in area and less than four feet in height, and containing no commercial message; and
3. On private property, wall signs not exceeding two square feet in area and containing no commercial message.

B. *Standards.*

1. Signs allowed under this section shall be subject to the provisions of sections 3.0 and 4.0, except as modified by express provisions of this section; and
2. Signs allowed under this section shall not be separately illuminated.

(Ord. No. 2006-046-PZ, 10-10-04)

Sec. 7.0. Actions allowed without a permit.

- A. Temporary signs permitted in Residential, Agricultural, or Institutional districts not exceeding six square feet in size;
- B. In single-family residential districts only, permanent signs not greater than five square feet which are allowed in single-family residential districts;
- C. Any permitted sign not legible from a public way or from private property other than the lot on which the sign is located;
- D. Routine maintenance of any sign, not involving changes to the structure, size, shape or identification of the sign or to the identification of the business using a commercial sign; and
- E. Changes of message, either manually or electronically, on a message board or reader board as otherwise permitted herein.

(Ord. No. 2006-046-PZ, 10-10-04)

Sec. 8.0. Signs permitted in the A-1 Agricultural District.

The following signs are permitted in the A-1 Agricultural district, subject to the following standards and conditions and other applicable standards and conditions imposed elsewhere in this article:

- A. A permanent on-premises monument sign, either illuminated or nonilluminated, which may include a masonry wall, landscaping and other similar features. Such sign shall not exceed 32 square feet in sign area nor four feet in height when located a minimum of 15 feet from the pavement edge or roadway edge to which said sign is directed. For each one foot increase in sign height over four feet, the sign must be set back an additional three feet from the pavement edge or roadway edge, not to exceed a maximum of 12 feet in height. However, notwithstanding any of the above requirements, no monument sign shall at any time, be placed on public right-of-way, or within the sight triangle.
- B. A wall sign, either illuminated or nonilluminated. Such sign shall not extend above the roof line or parapet line, whichever is higher, on a flat roof, nor above the top of a mansard roof nor more than two feet above the eave line of other roof styles. Wall signs may be attached within the eave lines on a gable, hip, or other style roof, but may not extend beyond the roof line of this face. In no instance may a wall sign extend beyond any corner of the building face upon which said sign is mounted. A wall sign, either illuminated or nonilluminated, shall be installed parallel to the surface of the wall on which it is mounted and shall not extend outward more than 12 inches from the wall upon which it is mounted. Such sign shall not occupy more than ten percent of the building face. An illuminated or electrical wall sign shall have a minimum clearance of eight feet above the sidewalk or ground level as measured from the nearest ground level or sidewalk level to the lowest point of the sign.
- C. Temporary ground signs, which shall not be separately illuminated, shall not exceed six square feet in area, and shall not be located any closer than 11½ feet from the pavement edge or the edge of the street or thoroughfare to which said sign is directed; however, notwithstanding any of the above requirements, no sign shall at any time be placed upon the right-of-way. No more than two such signs on any lot at one time may contain a commercial message. The only commercial messages permitted on such signs are messages related to the lawful, occasional sale of personal property (such as through a garage sale or a yard sale), the sale of agricultural products grown on the premises, or the sale, rental or lease of the premises. Signs related to the sale of personal property shall be removed within 24 hours after the end of the sale. Signs related to the sale, lease or rental of the premises shall be removed no later than the date on which the deed, lease or other document representing the transaction is completed. Any such sign may contain any noncommercial

message. If the noncommercial message relates to an election or special event, it shall be removed within seven days following the conclusion of such election or other event.

- D. When any permanent sign contains a message board/reader board, said message board/reader board shall not occupy more than 30 percent of the sign face.
- E. No billboard is permitted.
- F. Also, see section 3.0 for regulations applying to all signs, and section 4.0 for exempt signs.

(Ord. No. 2006-046-PZ, 10-10-04)

Sec. 9.0. Signs permitted in the CP Preferred Commercial district.

In the CP Preferred Commercial district, each principal building shall be allowed the following signs, subject to the following standards and conditions, and other applicable standards and conditions imposed elsewhere in this article:

- A. A permanent on-premise monument sign, either illuminated or nonilluminated, which may include a masonry wall, landscaping and other similar features. Such sign shall not exceed 36 square feet in sign area nor four feet in height when located a minimum of 15 feet from the pavement edge or roadway edge to which said sign is directed. For each one-foot increase in sign height over four feet, the sign must be set back an additional three feet from the pavement edge or roadway edge, not to exceed a maximum of 12 feet in height. However, notwithstanding any of the above requirements, no monument sign shall at any time, be placed on public right-of-way or within the sight triangle.
- B. A wall sign, either illuminated or nonilluminated. Such sign shall not extend above the roof line or parapet line, whichever is higher, on a flat roof, nor above the top of a mansard roof nor more than two feet above the eave line of other roof styles. Wall signs may be attached within the eave lines on a gable, hip, or other style roof, but may not extend beyond the roof line of this face. In no instance may a wall sign extend beyond any corner of the building face upon which said sign is mounted. A wall sign, either illuminated or nonilluminated, shall not project outward more than 12 inches from the building upon which it is mounted. Such sign shall not occupy more than 25 percent of the building face, not to exceed a maximum of 150 square feet. An illuminated or electrical wall sign shall have a minimum clearance of eight feet above the sidewalk or ground level as measured from the nearest ground level or sidewalk level to the lowest point of the sign.
- C. A projecting sign, either illuminated or nonilluminated, which is attached to the wall of the building it serves. Such sign shall not project more than 48 inches from the face of the building upon which it is mounted, not to exceed 16 square feet, and shall have a minimum clearance of ten feet above the ground or sidewalk measured from the ground level or sidewalk level to the lowest point on the sign, and shall not project above the roof line on a flat roof or above the eave line on a gable, hip, or other style roof line.
- D. When any permanent sign contains a message board/reader board, said message board/reader board shall not occupy more than 30 percent of the sign face.
- E. An office complex which has an approved master signage plan (see section 25.0) shall be permitted a freestanding entrance sign consistent with such master signage plan.
- F. Temporary signs in accordance with section 24.0, but portable signs are not allowed in this district.
- G. One or more freestanding directory signs, menu boards, or other signs bearing noncommercial messages or commercial messages related to products, goods or services offered on the site, provided

that no such sign shall exceed 16 square feet in size or six feet in height, and no such sign shall be legible from the public right-of-way or from adjacent property.

- H. A wall-mounted sign located near each public entrance to a building and bearing noncommercial messages or commercial messages related to products, goods or services offered on the site, provided that no such sign shall exceed 12 square feet in size, no such sign shall be legible from the public right-of-way (or, if a public entrance is near the right-of-way, from a distance of more than five feet), and no such sign shall be illuminated except with direct, white light.
- I. No billboard is permitted.
- J. Also, see section 3.0 for general regulations, section 4.0 for approved and prohibited sign illumination and materials, and section 5.0 for specific regulations for traffic control and official signs.

(Ord. No. 2006-046-PZ, 10-10-04)

Sec. 10.0. Signs permitted in the C-1 Commercial district.

In the C-1 Commercial district, each principal building shall be allowed the following signs, subject to the following standards and conditions and other applicable standards and conditions imposed elsewhere in this article:

- A. A permanent on-premises monument sign, either illuminated or nonilluminated, which may include a masonry wall, landscaping and other similar features. Such sign shall not exceed 40 square feet in sign area nor four feet in height when located a minimum of 15 feet from the pavement edge or roadway edge to which said sign is directed. For each one-foot increase in sign height over four feet, the sign must be set back an additional three feet from the pavement edge or roadway edge, not to exceed a maximum of 12 feet in height. However, notwithstanding any of the above requirements, no monument sign shall at any time, be placed on public right-of-way, or within the sight triangle.
- B. A wall sign, either illuminated or nonilluminated. Such sign shall not extend above the roof line or parapet line, whichever is higher, on a flat roof, nor above the top of a mansard roof, nor more than two feet above the eave line of other roof styles. Wall signs may be attached within the eave lines on a gable, hip, or other style roof, but may not extend beyond the roof line of this face. In no instance may a wall sign extend beyond any corner of the building face upon which said sign is mounted. A wall sign, either illuminated or nonilluminated, shall not project outward more than 12 inches from the building upon which it is mounted. Such sign shall not occupy more than 25 percent of the building face, not to exceed a maximum of 150 square feet. An illuminated or electrical wall sign shall have a minimum clearance of eight feet above the sidewalk or ground level as measured from the nearest ground level or sidewalk level to the lowest point of the sign.
- C. A projecting sign, either illuminated or nonilluminated, which is attached to the wall of the building it serves. Such sign shall not project more than 48 inches from the face of the building upon which it is mounted, not to exceed 16 square feet, and shall have a minimum clearance of ten feet above the ground or sidewalk measured from the ground level or sidewalk level to the lowest point on the sign, and shall not project above the roof line on a flat roof or above the eave line on a gable, hip, or other style roof line.
- D. When any permanent sign contains a message board/reader board, said message board/reader board shall not occupy more than 30 percent of the sign face.
- E. An office complex or shopping center which has an approved master signage plan (see section 25.0) shall be permitted a freestanding entrance sign consistent with such master signage plan.

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- F. One or more freestanding directory signs, menu boards, or other signs bearing noncommercial messages or commercial messages related to products, goods or services offered on the site, provided that no such sign shall exceed 16 square feet in size or six feet in height, and no such sign shall be legible from the public right-of-way or from adjacent property.
 - G. A wall-mounted sign located near each public entrance to a building and bearing noncommercial messages or commercial messages related to products, goods or services offered on the site, provided that no such sign shall exceed 12 square feet in size, no such sign shall be legible from the public right-of-way (or, if a public entrance is near the right-of-way, from a distance of more than five feet), and no such sign shall be illuminated except with direct, white light.
 - H. Temporary and portable signs, in accordance with section 24.0.

(Ord. No. 2006-046-PZ, 10-10-04)

Sec. 11.0. Signs permitted in the C-2 Commercial district.

In the C-2 Commercial district, each principal building shall be allowed the following signs, subject to the following standards and conditions and other applicable standards and conditions imposed elsewhere in this article:

- A. A permanent on-premises monument sign, either illuminated or nonilluminated, which may include a masonry wall, landscaping and other similar features. Such sign shall not exceed 60 square feet in sign area nor six feet in height when located a minimum of 15 feet from the pavement edge or roadway edge to which said sign is directed. For each one-foot increase in sign height over six feet, the sign must be set back an additional three feet from the pavement edge or roadway edge, not to exceed a maximum of 12 feet in height. However, notwithstanding any of the above requirements, no monument sign shall at any time, be placed on public right-of-way, or within the sight triangle.
- B. A wall sign, either illuminated or nonilluminated. Such sign shall not extend above the roof line or parapet line, whichever is higher, on a flat roof, nor above the top of a mansard roof nor more than two feet above the eave line of other roof styles. Wall signs may be attached within the eave lines on a gable, hip, or other style roof, but may not extend beyond the roof line of this face. In no instance may a wall sign extend beyond any corner of the building face upon which said sign is mounted. A wall sign, either illuminated or nonilluminated, shall not project outward more than 12 inches from the building upon which it is mounted. Such sign shall not occupy more than 25 percent of the building face, not to exceed a maximum of 150 square feet. An illuminated or electrical wall sign shall have a minimum clearance of eight feet above the sidewalk or ground level as measured from the nearest ground level or sidewalk level to the lowest point of the sign.
- C. A projecting sign, either illuminated or nonilluminated, which is attached to the wall of the building it serves. Such sign shall not project more than 48 inches from the face of the building upon which it is mounted, shall not exceed 16 square feet, and shall have a minimum clearance of ten feet above the ground or sidewalk measured from the ground level or sidewalk level to the lowest point on the sign, and shall not project above the roof line on a flat roof or above the eave line on a gable, hip, or other style roof line.
- D. When any permanent sign contains a message board/reader board, said message board/reader board shall not occupy more than 30 percent of the sign face.
- E. A shopping center or office complex which has an approved master signage plan (see section 25.0) shall be permitted one or more freestanding entrance signs consistent with such master signage plan.

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- F. For a shopping center or individual retail establishment occupying more than 50,000 square feet of gross floor area in a building which is set back more than 100 feet from the nearest street, additional wall signage up to 300 square feet or 25 percent of the facade of the building facing such street shall be allowed, consistent with such master signage plan.
 - G. For properties located in the interstate high-rise sign zone, a single, on-premises, permanent interstate high-rise sign, illuminated or nonilluminated, will be allowed. No other pole or pylon sign shall be permitted with an interstate high-rise sign. Such sign shall not be located forward of the front building set back line from any adjacent street other than the interstate right-of-way and shall be positioned so as to be observed from the interstate right of way. Such sign shall be no less than 60 feet nor no greater than 80 feet in height and may not exceed 250 square feet in sign area; provided, however, that upon special application to the building official and a showing that a total height of up to 120 feet is necessary to afford visibility from the interstate, the building official may permit the height to be increased up to a total height of 120 feet and the area to be increased proportionally up to 350 square feet in order to meet line of sight and visibility objectives. In such case, signs shall nonetheless be erected at the minimum height necessary to achieve necessary visibility.
 - H. Portable and temporary signs, subject to section 24.0.
 - I. One or more freestanding directory signs, menu boards, or other signs bearing noncommercial messages or commercial messages related to products, goods or services offered on the site, provided that no such sign shall exceed 16 square feet in size or six feet in height, and no such sign shall be legible from the public right-of-way or from adjacent property.
 - J. A wall-mounted sign located near each public entrance to a building and bearing noncommercial messages or commercial messages related to products, goods or services offered on the site, provided that no such sign shall exceed 12 square feet in size, no such sign shall be legible from the public right-of-way (or, if a public entrance is near the right-of-way, from a distance of more than five feet), and no such sign shall be illuminated except with direct, white light.
 - K. Also, see section 3.0 for general regulations, section 4.0 for approved and prohibited sign illumination and materials, and section 5.0 for specific regulations for traffic control and official signs.

(Ord. No. 2006-046-PZ, 10-10-04; Ord. No. 2016-007-PZ, § 2, 4-12-16)

Sec. 12.0. Signs permitted in the C-3 Tourist Commercial district.

In the C-3 Tourist Commercial district, each principal building shall be allowed the following signs, subject to the following standards and conditions and other applicable standards and conditions imposed elsewhere in this article:

- A. A permanent monument sign (illuminated or nonilluminated) which may include a masonry wall, landscaping and other similar features designed and intended to form a display for office, business, and/or tenant identification. Such sign shall not exceed 60 square feet in sign area and shall be located a minimum of two feet from the pavement edge or roadway edge to which said sign is directed. For each one-foot increase in sign height over six feet, the sign must be set back an additional three feet from the pavement edge or roadway edge, not to exceed a maximum of 12 feet in height. However, notwithstanding any of the above requirements, no monument sign shall at any time, be placed on public right-of-way, or within the sight triangle.
- B. A wall sign, either illuminated or nonilluminated. Such sign shall not extend above the roof line or parapet line, whichever is higher, on a flat roof, nor above the top of a mansard roof nor more than two feet above the eave line of other roof styles. Wall signs may be attached within the eave lines on a gable, hip, or other style roof, but may not extend beyond the roof line of this face. In no instance may

a wall sign extend beyond any corner of the building face upon which said sign is mounted. A wall sign, either illuminated or nonilluminated, shall not project outward more than 12 inches from the building upon which it is mounted. Such sign shall not occupy more than 25 percent of the building face, not to exceed a maximum of 150 square feet. An illuminated or electrical wall sign shall have a minimum clearance of eight feet above the sidewalk or ground level as measured from the nearest ground level or sidewalk level to the lowest point of the sign.

- C. A projecting sign, either illuminated or nonilluminated, which is attached to the wall of the building it serves. Such sign shall not project more than 48 inches from the face of the building upon which it is mounted, not to exceed 16 square feet, and shall have a minimum clearance of ten feet above the ground or sidewalk measured from the ground level or sidewalk level to the lowest point on the sign, and shall not project above the roof line on a flat roof or above the eave line on a gable, hip, or other style roof line.
- D. When any permanent sign contains a message board/reader board, said message board/reader board shall not occupy more than 30 percent of the sign face.
- E. A shopping center or office complex which has an approved master signage plan (see section 25.0) shall be permitted one or more freestanding entrance signs consistent with such master signage plan.
- F. For a shopping center or individual retail establishment occupying more than 50,000 square feet of gross floor area in a building which is set back more than 100 feet from the nearest street, additional wall signage up to 300 square feet or 25 percent of the facade of the building facing such street shall be allowed, consistent with such master signage plan.
- G. For properties located in the interstate high-rise sign zone, a single, on-premises, permanent interstate high-rise sign, illuminated or nonilluminated, will be allowed. No other pole or pylon sign shall be permitted with an interstate high-rise sign. Such sign shall not be located forward of the front building set back line from any adjacent street other than the interstate right-of-way and shall be positioned so as to be observed from the interstate right-of-way. Such sign shall be no less than 60 feet nor no greater than 80 feet in height, and may not exceed 250 square feet in sign area; provided, however, that upon special application to the building official and a showing that a total height of up to 120 feet is necessary to afford visibility from the interstate, the building official may permit the height to be increased up to a total height of 120 feet and the area to be increased proportionally up to 350 square feet in order to meet line of sight and visibility objectives. In such case, signs shall nonetheless be erected at the minimum height necessary to achieve necessary visibility.
- H. A portable sign and temporary signs subject to section 24.0.
- I. No billboard is permitted.
- J. Also, see section 3.0 for general regulations, section 4.0 for approved and prohibited sign illumination and materials, and section 5.0 for specific regulations for traffic control and official signs.

(Ord. No. 2006-046-PZ, 10-10-04; Ord. No. 2016-007-PZ, § 3, 4-12-16)

Sec. 13.0. Signs permitted in the C-4 Commercial district.

In the C-4 Commercial district, each principal building shall be allowed the following signs, subject to the following standards and conditions and other applicable standards and conditions imposed elsewhere in this article:

- A. A permanent monument sign, either illuminated or nonilluminated, which may include a masonry wall, landscaping and other similar. Such sign shall not exceed 60 square feet in sign area nor six feet in height when located a minimum of 15 feet from the pavement edge or roadway edge to which said

sign is directed. For each one-foot increase in sign height over six feet, the sign must be set back an additional three feet from the pavement edge or roadway edge, not to exceed a maximum of 12 feet in height. However, notwithstanding any of the above requirements, no monument sign shall at any time, be placed on public right-of-way, or within the sight triangle.

- B. A wall sign, either illuminated or nonilluminated. Such sign shall not extend above the roof line or parapet line, whichever is higher, on a flat roof, nor above the top of a mansard roof nor more than two feet above the eave line of other roof styles. Wall signs may be attached within the eave lines on a gable, hip, or other style roof, but may not extend beyond the roof line of this face. In no instance may a wall sign extend beyond any corner of the building face upon which said sign is mounted. A wall sign, either illuminated or nonilluminated, shall not project outward more than 12 inches from the building upon which it is mounted. Such sign shall not occupy more than 25 percent of the building face, not to exceed a maximum of 150 square feet. An illuminated or electrical wall sign shall have a minimum clearance of eight feet above the sidewalk or ground level as measured from the nearest ground level or sidewalk level to the lowest point of the sign.
- C. A projecting sign, either illuminated or nonilluminated, which is attached to the wall of the building it serves. Such sign shall not project more than 48 inches from the face of the building upon which it is mounted, shall not exceed 16 square feet, and shall have a minimum clearance of ten feet above the ground or sidewalk measured from the ground level or sidewalk level to the lowest point on the sign, and shall not project above the roof line on a flat roof or above the eave line on a gable, hip, or other style roof line.
- D. When any permanent sign contains a message board/reader board, said message board/reader board shall not occupy more than 30 percent of the sign face.
- E. A shopping center or office complex which has an approved master signage plan (see section 25.0) shall be permitted one or more freestanding entrance signs consistent with such master signage plan.
- F. For a shopping center or individual retail establishment occupying more than 50,000 square feet of gross floor area in a building which is set back more than 100 feet from the nearest street, additional wall signage up to 300 square feet or 25 percent of the facade of the building facing such street shall be allowed, consistent with such master signage plan.
- G. Temporary and portable signs in accordance with section 24.0.
- H. One or more freestanding directory signs, menu boards, or other signs bearing noncommercial messages or commercial messages related to products, goods or services offered on the site, provided that no such sign shall exceed 16 square feet in size or six feet in height, and no such sign shall be legible from the public right-of-way or from adjacent property.
- I. A wall-mounted sign located near each public entrance to a building and bearing noncommercial messages or commercial messages related to products, goods or services offered on the site, provided that no such sign shall exceed 12 square feet in size, no such sign shall be legible from the public right-of-way (or, if a public entrance is near the right-of-way, from a distance of more than five feet), and no such sign shall be illuminated except with direct, white light.
- J. No billboard is permitted.
- K. Also, see section 3.0 for general regulations, section 4.0 for approved and prohibited sign illumination and materials, and section 5.0 for specific regulations for traffic control and official signs.

(Ord. No. 2006-046-PZ, 10-10-04)

Sec. 14.0. Signs permitted in the C-5 Commercial district.

In the C-5 Commercial district, the following signs are permitted, subject to the following standards and conditions and other applicable standards and conditions imposed elsewhere in this article:

- A. A wall sign, illuminated or nonilluminated. Such sign shall not extend above the roof line or parapet line, whichever is higher, on a flat roof, nor above the top of a mansard roof nor more than two feet above the eave line of other roof styles. Wall signs may be attached within the eave lines on a gable, hip, or other style roof, but may not extend beyond the roof line of this face. In no instance may a wall sign extend beyond any corner of the building face upon which said sign is mounted. A wall sign, either illuminated or nonilluminated, shall not project outward more than 12 inches from the building upon which it is mounted. Each individual establishment shall be limited to one sign only, not to exceed 15 square feet and it must be placed on the building facade in front of the establishment. Signs shall not have flashing lights or graphic displays.

An illuminated or electrical wall sign shall have a minimum clearance of eight feet above the sidewalk or ground level as measured from the nearest ground level or sidewalk level to the lowest point of the sign.

- B. When any permanent sign contains a message board/reader board, said message board/reader board shall not occupy more than 30 percent of the sign face.
- C. Temporary and portable signs in accordance with section 24.0.
- D. One or more freestanding directory signs, menu boards, or other signs bearing noncommercial messages or commercial messages related to products, goods or services offered on the site, provided that no such sign shall exceed 16 square feet in size or six feet in height, and no such sign shall be legible from the public right-of-way or from adjacent property.
- E. A wall-mounted sign located near each public entrance to a building and bearing noncommercial messages or commercial messages related to products, goods or services offered on the site, provided that no such sign shall exceed 12 square feet in size, no such sign shall be legible from the public right-of-way (or, if a public entrance is near the right-of-way, from a distance of more than five feet), and no such sign shall be illuminated except with direct, white light.
- F. No billboard is permitted.

(Ord. No. 2006-046-PZ, 10-10-04)

Sec. 14A.0. Signs permitted in the Downtown Overlay district,

In the Downtown Overlay district, each principal building shall be allowed the following signs, subject to the following standards and conditions and other applicable standards and conditions imposed elsewhere in this article:

- A. For buildings with plaza or forecourt frontages, one permanent, on-premises freestanding sign per principal building, either illuminated or nonilluminated. Such sign shall not exceed 60 square feet in sign area nor six feet in height. In order to promote consistency and uniformity within the Downtown Overlay District, all sign illumination in the Downtown Overlay District must be illuminated externally.
- B. One wall, awning, canopy or projecting sign per establishment per frontage, subject to the following limitations:
 - 1. Such signs may be illuminated or nonilluminated. Illumination for awning signs shall be indirect only.

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2. Wall, awning and canopy signs shall not occupy more than 15 percent of the ground floor facade, not to exceed a maximum of 150 square feet. Wall signs shall not extend above the roof line or parapet line, whichever is higher, on a flat roof, nor above the top of a mansard roof nor more than two feet above the eave line of other roof styles. Wall signs may be attached within the eave lines on a gable, hip, or other style roof, but may not extend beyond the roof line of this face. In no instance may a wall sign extend beyond any corner of the building face upon which said sign is mounted. A wall sign shall not project outward more than 12 inches from the building upon which it is mounted. An illuminated or electrical wall sign shall have a minimum clearance of eight feet above the sidewalk or ground level as measured from the nearest ground level or sidewalk level to the lowest point of the sign.
 3. Projecting signs which are attached to the wall of the building it serves, shall not project more than 48 inches from the face of the building upon which it is mounted, shall not exceed 16 square feet, and shall have a minimum clearance of ten feet above the ground or sidewalk measured from the ground level or sidewalk level to the lowest point on the sign, and shall not project above the roof line on a flat roof or above the eave line on a gable, hip, or other style roof line.
- C. For buildings with gallery frontages or canopies, one hanging sign per establishment. Such signs shall not exceed eight square feet in area and shall have a minimum clearance of eight feet above the sidewalk as measured from the nearest sidewalk level to the lowest point of the sign. A hanging sign may not be used on the same frontage as a projecting sign for the same establishment.
 - D. Window signs, not to exceed 20 percent of the window.
 - E. A shopping center or office complex which has an approved master signage plan (see section 25.0) shall be permitted one or more freestanding entrance signs consistent with such master signage plan.
 - F. One portable or temporary sign per establishment, subject to section 25.0 except as follows:
 1. Temporary signs for grand openings, seasonal sales, and similar infrequent or nonrecurring events shall be subject to the area limitations and installation date requirements of section 24.0. If attached to a building, the right-of-way setback requirements of section 24.0 shall not apply. Not to exceed 60 consecutive days per event.
 2. Freestanding portable and temporary signs may be used on a frequent or recurring basis, provided such signs do not exceed 12 square feet in area nor four feet in height and are removed from public view during non-business hours. Such signs may be placed on or near the interior side of a sidewalk provided they do not interfere with sight distance at any intersection or property ingress or egress, and do not reduce the effective width of a public sidewalk to less than five feet.
 - G. A wall-mounted sign located at a public entrance to a building, provided that no such sign shall exceed 12 square feet in size, and such sign shall not be internally illuminated. Any external illumination shall utilize direct, white light.
 - H. Also, see Anything not specifically dealt with in this section must comply with section 3.0 for general regulations, section 4.0 for approved and prohibited sign illumination and materials, and section 5.0 for specific regulations for traffic control and official signs.

(Ord. No. 2016-004-PZ, § 11, 2-9-16)

Sec. 15.0. Signs permitted in the I-1 Light Industrial district.

In the I-1, Light Industrial district, each principal building shall be allowed the following signs, subject to the following standards and conditions and other applicable standards and conditions imposed elsewhere in this article:

- A. A permanent on-premises monument sign, either illuminated or nonilluminated, which may include a masonry wall, landscaping and other similar features. Such sign shall not exceed 60 square feet in sign area nor six feet in height when located a minimum of 15 feet from the pavement edge or roadway edge to which said sign is directed. For each one-foot increase in sign height over six feet, the sign must be set back an additional three feet from the pavement edge or roadway edge, not to exceed a maximum of 12 feet in height. However, notwithstanding any of the above requirements, no monument sign shall at any time, be placed on public right-of-way, or within the sight triangle.
- B. A wall sign, either illuminated or nonilluminated. Such sign shall not extend above the roof line or parapet line, whichever is higher, on a flat roof, nor above the top of a mansard roof nor more than two feet above the eave line of other roof styles. Wall signs may be attached within the eave lines on a gable, hip, or other style roof, but may not extend beyond the roof line of this face. In no instance may a wall sign extend beyond any corner of the building face upon which said sign is mounted. A wall sign, either illuminated or nonilluminated, shall not project outward more than 12 inches from the building upon which it is mounted. Such sign shall not occupy more than 25 percent of the building face, not to exceed a maximum of 300 square feet.

An illuminated or electrical wall sign shall have a minimum clearance of eight feet above the sidewalk or ground level as measured from the nearest ground level or sidewalk level to the lowest point of the sign.
- C. A projecting sign, either illuminated or nonilluminated, which is attached to the wall of the building it serves. Such sign shall not project more than 48 inches from the face of the building upon which it is mounted, not to exceed 16 square feet, and shall have a minimum clearance of ten feet above the ground or sidewalk measured from the ground level or sidewalk level to the lowest point on the sign, and shall not project above the roof line on a flat roof or above the eave line on a gable, hip, or other style roof line.
- D. When any permanent sign contains a message board/reader board, said message board/reader board shall not occupy more than 30 percent of the sign face.
- E. An industrial park or office complex which has an approved master signage plan (section 25.0) shall be permitted one or more freestanding entrance signs consistent with such master signage plan.
- F. Temporary signs in accordance with section 24.0, but portable signs are not allowed in this district.
- G. One or more freestanding directory signs, menu boards, or other signs bearing noncommercial messages or commercial messages related to products, goods or services offered on the site, provided that no such sign shall exceed 16 square feet in size or six feet in height, and no such sign shall be legible from the public right-of-way or from adjacent property.
- H. A wall-mounted sign located near each public entrance to a building and bearing noncommercial messages or commercial messages related to products, goods or services offered on the site, provided that no such sign shall exceed 12 square feet in size, no such sign shall be legible from the public right-of-way (or, if a public entrance is near the right-of-way, from a distance of more than five feet), and no such sign shall be illuminated except with direct, white light.
- I. No billboard is permitted.

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- J. Also, see section 3.0 for general regulations, section 4.0 for approved and prohibited sign illumination and materials, and section 5.0 for specific regulations for traffic control and official signs.

(Ord. No. 2006-046-PZ, 10-10-04)

Sec. 16.0. Signs permitted in the I-2 Heavy Industrial district.

In the I-2, Heavy Industrial district, each principal building shall be allowed the following signs, subject to the following standards and conditions and other applicable standards and conditions imposed elsewhere in this article:

- A. In the I-2, Heavy Industrial district, each principal building may have one freestanding monument sign, and each building may also have one wall sign per building face. These signs, plus additional temporary and incidental signs, are permitted, subject to the following standards and conditions and other applicable provisions of this article: a permanent monument sign, either illuminated or nonilluminated, which may include a masonry wall, landscaping and other similar features. Such sign shall not exceed 60 square feet in sign area nor six feet in height when located a minimum of 15 feet from the pavement edge or roadway edge to which said sign is directed. For each one-foot increase in sign height over six feet, the sign must be set back an additional three feet from the pavement edge or roadway edge, not to exceed a maximum of 12 feet in height. However, notwithstanding any of the above requirements, no monument sign shall at any time, be placed on public right-of-way, or within the sight triangle.
- B. A wall sign, either illuminated or nonilluminated. Such sign shall not extend above the roof line or parapet line, whichever is higher, on a flat roof, nor above the top of a mansard roof nor more than two feet above the eave line of other roof styles. Wall signs may be attached within the eave lines on a gable, hip, or other style roof, but may not extend beyond the roof line of this face. In no instance may a wall sign extend beyond any corner of the building face upon which said sign is mounted. A wall sign, either illuminated or nonilluminated, shall not project outward more than 12 inches from the building upon which it is mounted. Such sign shall not occupy more than 25 percent of the building face, not to exceed a maximum of 300 square feet.
- C. A projecting sign, either illuminated or nonilluminated, which is attached to the wall of the building it serves. Such sign shall not project more than 48 inches from the face of the building upon which it is mounted, not to exceed 16 square feet, and shall have a minimum clearance of ten feet above the ground or sidewalk measured from the ground level or sidewalk level to the lowest point on the sign, and shall not project above the roof line on a flat roof or above the eave line on a gable, hip, or other style roof line.
- D. An illuminated or electrical wall sign shall have a minimum clearance of eight feet above the sidewalk or ground level as measured from the nearest ground level or sidewalk level to the lowest point of the sign.
- E. When any permanent sign contains a message board/reader board, said message board/reader board shall not occupy more than 30 percent of the sign face.
- F. An industrial park or office complex which has an approved master signage plan (section 25.0) shall be permitted one or more freestanding entrance signs consistent with such master signage plan.
- G. Temporary signs in accordance with section 24.0, but portable signs are not allowed in this district.
- H. One or more freestanding directory signs, menu boards, or other signs bearing noncommercial messages or commercial messages related to products, goods or services offered on the site, provided

that no such sign shall exceed 16 square feet in size or six feet in height, and no such sign shall be legible from the public right-of-way or from adjacent property.

- I. A wall-mounted sign located near each public entrance to a building and bearing noncommercial messages or commercial messages related to products, goods or services offered on the site, provided that no such sign shall exceed 12 square feet in size, no such sign shall be legible from the public right-of-way (or, if a public entrance is near the right-of-way, from a distance of more than five feet), and no such sign shall be illuminated except with direct, white light.
- J. No billboard is permitted.
- K. Also, see section 3.0 for general regulations, section 4.0 for approved and prohibited sign illumination and materials, section 5.0 for specific regulations for traffic control and official signs.

(Ord. No. 2006-046-PZ, 10-10-04)

Sec. 17.0. Signs permitted in the I-3 Industrial district.

In the I-3, Industrial district, each principal building shall be allowed the following signs, subject to the following standards and conditions and other applicable standards and conditions imposed elsewhere in this article:

- A. A permanent monument sign, either illuminated or nonilluminated, which may include a masonry wall, landscaping and other similar features. Such sign shall not exceed 60 square feet in sign area nor six feet in height when located a minimum of 15 feet from the pavement edge or roadway edge to which said sign is directed. For each one-foot increase in sign height over six feet, the sign must be set back an additional three feet from the pavement edge or roadway edge, not to exceed a maximum of 12 feet in height. However, notwithstanding any of the above requirements, no monument sign shall at any time, be placed on public right-of-way, or within the sight triangle.
- B. A wall sign, either illuminated or nonilluminated. Such sign shall not extend above the roof line or parapet line, whichever is higher, on a flat roof, nor above the top of a mansard roof nor more than two feet above the eave line of other roof styles. Wall signs may be attached within the eave lines on a gable, hip, or other style roof, but may not extend beyond the roof line of this face. In no instance may a wall sign extend beyond any corner of the building face upon which said sign is mounted. A wall sign, either illuminated or nonilluminated, shall not project outward more than 12 inches from the building upon which it is mounted. Such sign shall not occupy more than 25 percent of the building face, not to exceed a maximum of 300 square feet. An illuminated or electrical wall sign shall have a minimum clearance of eight feet above the sidewalk or ground level as measured from the nearest ground level or sidewalk level to the lowest point of the sign.
- C. A projecting sign, either illuminated or nonilluminated, which is attached to the wall of the building it serves. Such sign shall not project more than 48 inches from the face of the building upon which it is mounted, not to exceed 16 square feet, and shall have a minimum clearance of ten feet above the ground or sidewalk measured from the ground level or sidewalk level to the lowest point on the sign, and shall not project above the roof line on a flat roof or above the eave line on a gable, hip, or other style roof line.
- D. When any permanent sign contains a message board/reader board, said message board/reader board shall not occupy more than 30 percent of the sign face.
- E. An industrial park or office complex which has an approved master signage plan (section 25.0) shall be permitted one or more freestanding entrance signs consistent with such master signage plan.
- F. Temporary signs in accordance with section 24.0, but portable signs are not allowed in this district.

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- G. One or more freestanding directory signs, menu boards, or other signs bearing noncommercial messages or commercial messages related to products, goods or services offered on the site, provided that no such sign shall exceed 16 square feet in size or six feet in height, and no such sign shall be legible from the public right-of-way or from adjacent property.
 - H. A wall-mounted sign located near each public entrance to a building and bearing noncommercial messages or commercial messages related to products, goods or services offered on the site, provided that no such sign shall exceed 12 square feet in size, no such sign shall be legible from the public right-of-way (or, if a public entrance is near the right-of-way, from a distance of more than five feet), and no such sign shall be illuminated except with direct, white light.
 - I. No billboard is permitted.
 - J. Also, see section 3.0 for general regulations, section 4.0 for approved and prohibited sign illumination and materials, and section 5.0 for specific regulations for traffic control and official signs.

(Ord. No. 2006-046-PZ, 10-10-04)

Sec. 18.0. Signs permitted in the IN-1 Institutional district.

In the IN-1 Institutional district, each principal building shall be allowed the following signs, subject to the following standards and conditions and other applicable standards and conditions imposed elsewhere in this article:

- A. A permanent monument sign, either illuminated or nonilluminated, which may include a masonry wall, landscaping and other similar features. Such sign shall not exceed 60 square feet in sign area nor six feet in height when located a minimum of 15 feet from the pavement edge or roadway edge to which said sign is directed. For each one-foot increase in sign height over six feet, the sign must be set back an additional three feet from the pavement edge or roadway edge, not to exceed a maximum of 12 feet in height. However, notwithstanding any of the above requirements, no monument sign shall at any time, be placed on public right-of-way, or within the sight triangle.
- B. A wall sign, either illuminated or nonilluminated. Such sign shall not extend above the roof line or parapet line, whichever is higher, on a flat roof, nor above the top of a mansard roof nor more than two feet above the eave line of other roof styles. Wall signs may be attached within the eave lines on a gable, hip, or other style roof, but may not extend beyond the roof line of this face. In no instance may a wall sign extend beyond any corner of the building face upon which said sign is mounted. A wall sign, either illuminated or nonilluminated, shall not project outward more than 12 inches from the building upon which it is mounted. Such sign shall not occupy more than 25 percent of the building face, not to exceed a maximum of 150 square feet. An illuminated or electrical wall sign shall have a minimum clearance of eight feet above the sidewalk or ground level as measured from the nearest ground level or sidewalk level to the lowest point of the sign.
- C. A projecting sign, either illuminated or nonilluminated, which is attached to the wall of the building it serves. Such sign shall not project more than 48 inches from the face of the building upon which it is mounted, shall not exceed 16 square feet, and shall have a minimum clearance of ten feet above the ground or sidewalk measured from the ground level or sidewalk level to the lowest point on the sign, and shall not project above the roof line on a flat roof or above the eave line on a gable, hip, or other style roof line.
- D. When any permanent sign contains a message board/reader board, said message board/reader board shall not occupy more than 30 percent of the sign face.

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- E. Temporary ground signs or wall signs, which shall not be separately illuminated, shall not exceed six square feet in area, and shall not be located any closer than 11½ feet from the pavement edge or the edge of the street or thoroughfare to which said sign is directed, however, notwithstanding any of the above requirements, no sign shall at any time, be placed upon the right-of-way or wall signs may be attached within the eave lines on a gable, hip, or other style roof, but may not extend beyond the roof line of this face. In no instance may a wall sign extend beyond any corner of the building face upon which said sign is mounted. No more than two such signs on any lot at one time may contain a commercial message. The only commercial messages permitted on such signs shall be related to the sale, rental or lease of the premises. Signs related to the sale, lease or rental of the premises shall be removed no later than the date on which the deed, lease or other document representing the transaction is completed. Any such sign may contain any noncommercial message. If the noncommercial message relates to an election or special event, it shall be removed within seven days following the conclusion of such election or other event.
 - F. No billboard is permitted.
 - G. Also, see section 3.0 for general regulations, section 4.0 for approved and prohibited sign illumination and materials, and section 5.0 for specific regulations for traffic control and official signs.

(Ord. No. 2006-046-PZ, 10-10-04)

Sec. 19.0. Signs permitted in the IN-2 Institutional district.

In the IN-2 Institutional district, each principal building shall be allowed the following signs, subject to the following standards and conditions and other applicable standards and conditions imposed elsewhere in this article:

- A. A permanent monument sign, either illuminated or nonilluminated, which may include a masonry wall, landscaping and other similar features designed and intended to form a display for office, business, and/or tenant identification. Such sign shall not exceed 60 square feet in sign area nor six feet in height when located a minimum of 15 feet from the pavement edge or roadway edge to which said sign is directed. For each one-foot increase in sign height over six feet, the sign must be set back an additional three feet from the pavement edge or roadway edge, not to exceed a maximum of 12 feet in height. However, notwithstanding any of the above requirements, no monument sign shall at any time, be placed on public right-of-way, or within the sight triangle.
- B. A wall sign, either illuminated or nonilluminated. Such sign shall not extend above the roof line or parapet line, whichever is higher, on a flat roof, nor above the top of a mansard roof nor more than two feet above the eave line of other roof styles. Wall signs may be attached within the eave lines on a gable, hip, or other style roof, but may not extend beyond the roof line of this face. In no instance may a wall sign extend beyond any corner of the building face upon which said sign is mounted. A wall sign, either illuminated or nonilluminated, shall not project outward more than 12 inches from the building upon which it is mounted. Such sign shall not occupy more than 25 percent of the building face, not to exceed a maximum of 150 square feet. An illuminated or electrical wall sign shall have a minimum clearance of eight feet above the sidewalk or ground level as measured from the nearest ground level or sidewalk level to the lowest point of the sign.
- C. A projecting sign, either illuminated or nonilluminated, which is attached to the wall of the building it serves. Such sign shall not project more than 48 inches from the face of the building upon which it is mounted, shall not exceed 16 square feet, and shall have a minimum clearance of ten feet above the ground or sidewalk measured from the ground level or sidewalk level to the lowest point on the sign, and shall not project above the roof line on a flat roof or above the eave line on a gable, hip, or other style roof line.

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- D. When any permanent sign contains a message board/reader board, said message board/reader board shall not occupy more than 30 percent of the sign face.
 - E. An office complex which has an approved master signage plan (see section 25.0) shall be permitted one or more freestanding entrance signs consistent with such master signage plan.
 - F. Temporary ground signs or wall signs, which shall not be separately illuminated, shall not exceed six square feet in area, and shall not be located any closer than 11½ feet from the pavement edge or the edge of the street or thoroughfare to which said sign is directed, however, notwithstanding any of the above requirements, no sign shall at any time, be placed upon the right-of-way or wall signs may be attached within the eave lines on a gable, hip, or other style roof, but may not extend beyond the roof line of this face. In no instance may a wall sign extend beyond any corner of the building face upon which said sign is mounted. No more than two such signs on any lot at one time may contain a commercial message. The only commercial messages permitted on such signs shall be related to the sale, rental or lease of the premises. Signs related to the sale, lease or rental of the premises shall be removed no later than the date on which the deed, lease or other document representing the transaction is completed. Any such sign may contain any noncommercial message. If the noncommercial message relates to an election or special event, it shall be removed within seven days following the conclusion of such election or other event.
 - G. No billboard is permitted.
 - H. Also, see section 3.0 for general regulations, section 4.0 for approved and prohibited sign illumination and materials, and section 5.0 for specific regulations for traffic control and official signs.

(Ord. No. 2006-046-PZ, 10-10-04)

Sec. 20.0. Signs permitted in the IN-3 Institutional district.

In the IN-3 Institutional district, each principal building shall be allowed the following signs, subject to the following standards and conditions and other applicable standards and conditions imposed elsewhere in this article:

- A. A permanent monument sign, either illuminated or nonilluminated, which may include a masonry wall, landscaping and other similar features designed and intended to form a display for office, business, and/or tenant identification. Such sign shall not exceed 60 square feet in sign area nor six feet in height when located a minimum of 15 feet from the pavement edge or roadway edge to which said sign is directed. For each one-foot increase in sign height over six feet, the sign must be set back an additional three feet from the pavement edge or roadway edge, not to exceed a maximum of 12 feet in height. However, notwithstanding any of the above requirements, no monument sign shall at any time, be placed on public right-of-way, or within the sight triangle.
- B. A wall sign, either illuminated or nonilluminated. Such sign shall not extend above the roof line or parapet line, whichever is higher, on a flat roof, nor above the top of a mansard roof nor more than two feet above the eave line of other roof styles. Wall signs may be attached within the eave lines on a gable, hip, or other style roof, but may not extend beyond the roof line of this face. In no instance may a wall sign extend beyond any corner of the building face upon which said sign is mounted. A wall sign, either illuminated or nonilluminated, shall not project outward more than 12 inches from the building upon which it is mounted. Such sign shall not occupy more than 25 percent of the building face, not to exceed a maximum of 150 square feet.

An illuminated or electrical wall sign shall have a minimum clearance of eight feet above the sidewalk or ground level as measured from the nearest ground level or sidewalk level to the lowest point of the sign.

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- C. When any permanent sign contains a message board/reader board, said message board/reader board shall not occupy more than 30 percent of the sign face.
 - D. Temporary ground signs or wall signs, which shall not be separately illuminated, shall not exceed six square feet in area, and shall not be located any closer than 11½ feet from the pavement edge or the edge of the street or thoroughfare to which said sign is directed, however, notwithstanding any of the above requirements, no sign shall at any time, be placed upon the right-of-way or wall signs may be attached within the eave lines on a gable, hip, or other style roof, but may not extend beyond the roof line of this face. In no instance may a wall sign extend beyond any corner of the building face upon which said sign is mounted. No more than two such signs on any lot at one time may contain a commercial message. The only commercial messages permitted on such signs shall be related to the sale, rental or lease of the premises. Signs related to the sale, lease or rental of the premises shall be removed no later than the date on which the deed, lease or other document representing the transaction is completed. Any such sign may contain any noncommercial message. If the noncommercial message relates to an election or special event, it shall be removed within seven days following the conclusion of such election or other event.
 - E. No billboard is permitted.
 - F. Also, see section 3.0 for general regulations, section 4.0 for approved and prohibited sign illumination and materials, and section 5.0 for specific regulations for traffic control and official signs.

(Ord. No. 2006-046-PZ, 10-10-04)

Sec. 21.0. Signs permitted in the P Park district.

In the P Park district, the following signs are permitted, subject to the following standards and conditions and other applicable standards and conditions imposed elsewhere in this article:

- A. A recreation park or complex which has an approved master signage plan (see section 25.0) shall be permitted one freestanding monument sign not to exceed 100 square feet in area and one wall sign not to exceed 50 square feet in area for each principal building or recreational facility in the complex.
- B. A recreation park or complex which has an approved master signage plan (section 25.0) shall be permitted one or more freestanding entrance signs consistent with such master signage plan.
- C. When any permanent sign contains a message board/reader board, said message board/reader board shall not occupy more than 30 percent of the sign face.
- D. Signs located within the confines of athletic fields, and generally legible only from the seating area of such athletic field. No such sign shall exceed four feet by eight feet in size; but such signs shall be exempt from permit requirements, and may be affixed to the fence.
- E. No billboard is permitted.
- F. Also, see section 3.0 for general regulations, section 4.0 for approved and prohibited sign illumination and materials, and section 5.0 for specific regulations for traffic control and official signs.

(Ord. No. 2006-046-PZ, 10-10-04)

Sec. 22.0. Signs permitted in the Residential districts.

In all of the Residential zoning districts of the city, the following signs are permitted, subject to the following standards and conditions and other applicable provisions of this article:

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- A. For single-family, two-family and multifamily dwelling districts one nameplate, not to exceed two square feet in area shall be permitted for each dwelling unit. Such nameplate shall contain no commercial message. If lighted, such nameplates may be lighted with indirect illumination only.
 - B. Temporary ground signs, which shall not be separately illuminated, shall not exceed six square feet in area, and shall not be located any closer than 11½ feet from the pavement edge or the edge of the street or thoroughfare to which said sign is directed, however, notwithstanding any of the above requirements, no sign shall at any time, be placed upon the right-of-way. No more than two such signs on any lot at one time may contain a commercial message. The only commercial messages permitted on such signs are messages related to the lawful, occasional sale of personal property (such as through a garage sale or a yard sale) or to the sale, rental or lease of the premises. Signs related to the sale of personal property shall be removed within 24 hours after the end of the sale. Signs related to the sale, lease or rental of the premises shall be removed no later than the date on which the deed, lease or other document representing the transaction is completed. Any such sign may contain any noncommercial message. If the noncommercial message relates to an election or special event, it shall be removed within seven days following the conclusion of such election or other event.
 - C. As a temporary use accessory to the permitted activity of lawful subdivision development, one temporary sign at each principal entrance to the subdivision; there shall in no case be more than one such sign for each fifty lots in a proposed subdivision. Such sign shall not be illuminated and shall not exceed 32 square feet in area and may be maintained for a period not to exceed two years or until the permanent neighborhood sign is installed. For a subdivision that is developed in phases or sectors, an additional temporary sign shall be allowed at the entrance to each new sector, provided that there shall be no more than one such sign for each 50 lots in sectors under development. Each such sign may remain in place until 90 percent of the lots in the sector are sold, but no longer than three years from the date of erection. All such signs shall be located at least 15 feet from the pavement edge or edge of the street or thoroughfare to which it is directed, but not within the sight triangle.
 - D. Permanent neighborhood monument signs, illuminated or nonilluminated, which may include a masonry wall, landscaping and other similar materials or features. For purposes of this section, a "neighborhood" shall be an identifiable area of single-family residences with at least ten residences, or a complex or grouping of multifamily residences with at least 20 residences, a mobile home park with at least 20 residences, or any other area designated by the city as a neighborhood. Such signs shall be located at the principal entrance/entrances to the neighborhood, and shall be approved as a part of a master signage plan, and further subject to a provision for long-term maintenance, such as by a homeowners association. Such neighborhood signs may be removed without compensation should they interfere with future public works within the right-of-way, and may not be erected within the sight triangle.
 - E. Any school, house of worship, recreation center or other institutional use permitted in these districts may have one freestanding sign, not to exceed 48 square feet in area. This may include manually operated changeable copy signs, not to exceed 30 percent of the sign area. Such signs may be illuminated and shall not be located any closer than 15 feet from the pavement edge or edge of the street or thoroughfare to which said sign is directed, nor within the sight triangle. Each such use shall also be allowed one wall sign for each public entrance to the institutional use; such wall signs shall not exceed four square feet each and shall not be separately illuminated.
 - F. Also, see section 3.0 for general regulations, section 4.0 for approved and prohibited sign illumination and materials, and section 5.0 for specific regulations for traffic control and official signs.

(Ord. No. 2006-046-PZ, 10-10-04)

Sec. 23.0. Billboard signs.

- A. *Prohibited.* No new billboards shall be allowed in the city after October 15, 2006.
- B. *Construction of this section and related definition.* Any person aggrieved by a determination of a city official that a particular sign is or is not a billboard shall have the right to appeal such decision to the zoning board of adjustment, which shall resolve the appeal in accordance with the principles of this subsection:
 - 1. If, because of its size, height or location, such sign would be allowed only if it is found to be a "billboard," this section and the definition shall be strictly construed, and the burden of proof shall be on the applicant to show that the proposed sign is a billboard and thus should be permitted;
 - 2. If the sign conforms with applicable height, size, and location requirements for signs other than billboards and a permit has been denied only because it has been found to be a billboard by reason of the off-premises nature of the message to be displayed, this section and the definition shall be liberally construed. If the applicant asserts that the sign will be used only for lawful messages, including noncommercial messages, the board may reverse the denial of the permit and grant the permit subject to the express condition that, if the sign is ever used for an off-premises commercial message, it shall be considered an illegal sign and shall be subject to removal in accordance with section 31.0.

(Ord. No. 2006-046-PZ, 10-10-04)

Sec. 24.0. Portable and temporary signs.

In districts other than Residential districts and Agricultural districts, portable and temporary signs shall be allowed in accordance with the provisions of this section:

- A. Each portable/temporary sign shall be allowed to remain in place no longer than 60 consecutive days.
- B. No temporary or portable sign shall exceed 24 square feet in sign area. No temporary or portable sign shall use florescent colors on a black background.
- C. No temporary signs shall be allowed in shopping center areas.
- D. No portable/temporary sign shall contain lights or otherwise be separately illuminated.
- E. All freestanding portable/temporary signs shall be set back at least 15 feet from the pavement edge of a public road, street, or thoroughfare to which it is directed. No portable signs shall be permitted within 35 feet of the intersection of the pavement edge lines of two public roads or of the edge of pavement line of a public road and the right-of-way line of a railroad. However, notwithstanding any of the above, at no time shall these signs be placed on public right-of-way, nor within the sight triangle.
- F. No more than one portable/temporary sign shall be permitted at any one time for a single establishment.
- G. A temporary sign may be mounted on a wall.
- H. No portable or temporary sign shall be mounted on any roof.
- I. Portable/temporary signs shall be situated in such a manner so as not to impede or interfere with motorist's vision at points of ingress and egress.
- J. All temporary signs shall have the installation date noted either on the front or on the back of the sign.
- K. A temporary sign shall bear no off-premises commercial message. A temporary sign may bear any other message, including a message offering the premises for sale or lease, promoting a civic or other

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noncommercial activity or event, or expressing the opinion of the person placing the sign on any matter.

- L. In the nonresidential zoning districts, during the time that a property is under development or construction, one temporary detached development sign that conforms in size, height and location with the standards for permanent signs shall be allowed. Such temporary sign shall be removed upon the earlier of the following: 60 days after issuance of a certificate of occupancy for the premises; or installation of the permanent sign. Because this sign is allowed in lieu of a permanent sign and cannot be displayed at the same time as a permanent sign, this sign is separate from other temporary signs allowed under this section and is not subject to the time or size limits imposed on other temporary signs.

(Ord. No. 2006-046-PZ, 10-10-04)

Sec. 25.0. Master signage plan.

- A. *Purpose and intent.* The purpose of this section is to offer incentives to sign users, particularly on larger sites or groups of sites, to plan and design signs that are compatible with the buildings on the site, thus enhancing the appearance of the site and of the streetscape that includes it. This section sets out specific criteria for review and incentives for compliance. Consideration of design issues necessarily requires some exercise of judgment within the specific criteria set out in this section, but decisions rendered by utilizing these review criteria shall be objective rather than arbitrary or capricious.
- B. *Applicability.* Owners of any of the following may apply for approval of a master signage plan for their respective properties in business, commercial or industrial zoning districts:
 - 1. An applicant for approval of a site development plan, drainage plan, parking plan or other plan for the physical layout of a site.
 - 2. The owner(s) of the property(ies) subject to an approved site development plan, parking plan, drainage plan or other plan for the physical layout of a site.
 - 3. Other owner(s) of one or more lots, parcels or tracts of contiguous property in the same zoning district.
- C. *Procedure.*
 - 1. The owner(s) may apply to the planning and zoning board for approval of a master signage plan. Where an application for approval of a master signage plan is submitted simultaneously with an application for approval of a site development plan, parking plan or other design plan requiring the approval of the board, the two shall be processed together. Where an application includes properties under common management although not under common ownership, all property owners shall sign the application or shall submit documents granting the applicant the authority to process such an application.
 - 2. If the application is complete, it shall be placed on the agenda of the next meeting of the planning and zoning board occurring at least ten days after the submission of the complete application. If it is incomplete, it shall be returned to the applicant with a specific list of the items that are incomplete.
 - 3. The planning and zoning board shall act on the master signage plan at the meeting at which it is first considered. If the board fails to act at such meeting, the plan shall be deemed to have been denied, unless the applicant has consented to a delay in the decision.
 - 4. If a master signage plan application is denied, the applicant may submit a new application with a revised plan at any time.
 - 5. Any person aggrieved by the action of the planning and zoning board or the building official on a master signage plan may appeal the decision by filing an appeal with the board of zoning adjustment.

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- D. *Application contents.* The application for approval of a master signage plan shall contain at least the following information. Where the application is submitted simultaneously with an application for development plan approval or where there is an approved development plan for the area for which the application for a master signage plan is filed, the master signage plan may refer to portions of the development plan application or approved development plan for related requirements:
1. An accurate plot plan of the development site, at such scale as the building official may reasonably require;
 2. A proposed design plan showing signage design at a scale of = 1 ft;
 3. Location of buildings, parking lots, driveways, and landscaped areas on such development site;
 4. Computation of the maximum area for all signs, the height of signs and the number of detached signs allowed on the development site(s) included in the plan under this article, including incentives authorized below;
 5. For properties with multiple tenants or multiple occupants entitled to signs, an allocation of the permitted signage among the eligible tenants or users;
 6. An accurate indication on the plot plan of the proposed location of each present and future sign of any type, whether requiring a permit or not, except that signs not requiring permits need not be shown;
 7. The color schemes and design features (excluding specific messages) for proposed signs;
 8. The master signage plan shall be signed by all owners or their authorized agents in such form as the board may require.
- E. *Amendments.* A master signage plan may be amended by filing a new master signage plan that conforms to all requirements of this section in effect at the time of submittal.
- F. *Provisions for nonconforming signs.* A master signage plan for a property already containing signs on the date of submission of the application shall include a schedule for bringing all signs on the development site into conformance with the master signage plan by a specified date. The conformance schedule included in such master signage plan shall be considered a condition of approval of the master signage plan.
- G. *Incentives.* To encourage the use of master signage plans and thus to improve the appearance of signage within individual projects, the following incentives, which involve deviations from the regulations that would otherwise apply in the applicable zoning district, apply:
1. The area shown on the master signage plan shall all be considered one "premises" for purposes of determining whether a sign is "off-premises";
 2. A single business establishment that occupies more than 50,000 square feet in a principal building and located in the C-1, C-2, C-3, or C-4 district shall, under a master signage plan, be allowed an increase in size of the permitted monument sign to 150 percent of the sign size otherwise allowed on the lot.
 3. A retail and/or office building which houses three or more tenants, under a master signage plan may be allowed an increase in size of the permitted monument sign to 150 percent of the sign size otherwise allowed on the lot.
 4. A shopping center or individual retail establishment occupying more than 50,000 square feet of gross floor area in a building which is set back more than 100 feet from the nearest street, and which is located in the C-1, C-2, C-3, C-4 districts shall be allowed additional wall signage up to 300 square feet or 25 percent of the facade of the building facing such street shall be allowed, consistent with the master signage plan.
 5. A shopping center, with a master signage plan, and located in the C-1, C-2, C-3, or C-4 district shall be allowed signage as follows:

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- a. *Neighborhood shopping center.* A neighborhood shopping center containing 10,000 to 100,000 square feet of retail area shall be allowed 400 square feet of freestanding signage (monolith measurement to include both the area of the sign face and the support structure). Center may have two signs if fronting two thoroughfares, with no sign over 300 square feet of sign area. No sign shall be over 25 feet tall, measured from grade level.
 - b. *Community shopping center.* A community shopping center containing 100,000 to 400,000 square feet of retail area shall be allowed 600 square feet of freestanding signage (monolith measurement to include both the area of the sign face and the support structure). Center may have two signs if fronting two thoroughfares, with no sign containing more than 400 square feet of sign area. No sign shall be over 35 feet tall, measured from grade level.
 - c. *Regional shopping center.* A shopping center containing 400,000 to 1,000,000 square feet of retail area shall be allowed 1,000 square feet of freestanding signage (monolith measurement to include both the area of the sign face and the support structure). Center may have a total of three signs with no sign containing more than 600 square feet. No sign shall be over 45 feet tall, measured from grade level.
 - d. *Super regional shopping center or mall.* A shopping center or mall containing 1,000,000 or more square feet of retail area shall be allowed 1,500 square feet of freestanding signage (monolith measurement to include both the area of the sign face and the support structure). Center may have a total of four signs with no sign containing more than 700 square feet. No sign shall be over five feet tall, measured from grade level.
6. An industrial park development with a master signage plan may be allowed one central directory sign to provide for individual tenant identification not exceeding 400 square feet of freestanding signage (monolith measurement to include both the area of the sign face and the support structure). The industrial park may have two signs if fronting two thoroughfares, with no sign over 300 square feet of sign area. No sign shall be over 25 feet tall, measured from grade level.
 7. An institutional use which is located in one of the IN districts and which occupies a site containing more than 50 acres with a master signage plan may be allowed one central directory sign to provide for event identification not exceeding 700 square feet of freestanding signage (monolith measurement to include both the area of the sign face and the support structure). The institutional use may have two signs if fronting two thoroughfares, with no sign over 700 square feet of sign area. No sign shall be over 45 feet tall, measured from grade level.
- H. *Criteria for approval.* A master signage plan shall be approved by the planning and zoning board if and only if the board finds that the proposed plan meets all of the standards set out in this subsection. If the board finds that the proposed plan substantially meets such standards or meets most of such standards, it may approve the proposed plan subject to conditions that will cause it to meet these standards. Otherwise, the board shall deny the application for plan approval. The following standards shall be considered:
1. Except as allowed by subsection G. (Incentives), each proposed sign conforms with all applicable standards of this article;
 2. Except as allowed by subsection G., the total amount of signage proposed for any building, wall, site, or portion of a site, conforms with all applicable standards of this article;
 3. The proposed plan contains all of the information required by subsection D. (Contents);
 4. The allocation of permitted signage among eligible tenants shall be proportional to one of or a combination of the following criteria;
 5. The number of public entrances to space leased to or controlled by each tenant or occupant;

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6. The linear feet of frontage of the space leased to or controlled by each tenant or occupant along the wall(s) containing public entrances; and/or
 7. The facade area of the building elevation(s) containing the public entrances to the spaces leased to or controlled by each tenant or occupant.
- I. *Additional criteria.* All proposed signs shall be part of a common design scheme, meeting at least the following criteria:
1. The materials and design of all wall signs shall follow one design scheme;
 2. The materials and design of freestanding commercial signs shall follow one design scheme, which may or may not be the same as the design scheme for wall signs;
 3. Each design scheme shall have consistency among signs for at least three of the following criteria: lighting design; color schemes; materials; shape; proportion; and/or type faces;
 4. If the design schemes for the wall signs and freestanding signs are different, they shall have in common at least two of the following criteria: lighting design; color schemes; materials; proportion; and
 5. The design scheme for freestanding signs shall use building materials, colors and, where applicable, architectural design features consistent with the materials, colors and design features of the principal building on the site.
- J. *Effect.* After approval of a master signage plan, no sign shall be erected, placed, painted, or maintained, except in accordance with such plan, and such plan may be enforced in the same way as any provision of this article. In case of any conflict between a provision of a master signage plan and one or more provisions of this article, the article shall prevail.
- K. *Special severability provisions.* The severability provisions of section 34.0 are limited by this subsection. If any procedural aspect of this section is found by a court of competent jurisdiction to be unconstitutional, it is the intent of the city council that this entire section, but only this section, should be stricken as unconstitutional, but that any plans previously approved under it should remain in effect, allowing the signs shown on such plans as lawful nonconforming signs, regardless of whether such signs have been erected on the date of such decision. If any substantive part of this section is found by a court of competent jurisdiction to be unconstitutional it is the intent of the city council that such part be stricken and that the rest of this section remain in full force and effect, in accordance with the principles set out in more detail in section 34.0.

(Ord. No. 2006-046-PZ, 10-10-04)

Sec. 26.0. Substitution of messages.

Any sign allowed under this article may contain, in lieu of any other message or copy, any lawful noncommercial message that does not direct attention to a business operated for profit, or to a product, commodity or service for sale or lease, or to any other commercial interest or activity, so long as said sign complies with the size, height, area and other requirements of this article.

(Ord. No. 2006-046-PZ, 10-10-04)

Sec. 27.0. Permits, fees and inspections.

Except as otherwise provided for in section 5.0, Traffic control and official signs, it shall be unlawful for any person to erect, construct, enlarge, move, alter or convert any sign, sign area, or sign face in the city or cause the same to be done, without first obtaining a sign permit for each such sign from the engineering and inspections

department as required by this article. Fees for sign permits shall be specified in the city building and construction fee ordinance.

- A. *Application for a permit.* Application for a permit shall be made to the engineering and inspections department upon a form provided by the department and shall be accompanied by such information as may be required to assure compliance with all appropriate laws and regulations of the city, including:
1. The name, address, tax parcel identification number, and telephone number of the owner or persons entitled to possession of the sign and of the sign contractor or erector.
 2. The location by street address of the proposed sign structure.
 3. Drawings not less than 11 inches × 17 inches in size showing the dimensions, supporting members, size, height, electrical wiring and components, materials of the sign and method of attachment or mounting. When required by the building official, design calculations and drawings shall be stamped and signed by a professional engineer licensed to do business in the state. Signs and support structures for signs shall comply with applicable provisions of the building code then in effect in the city.
 4. A complete inventory and description of existing signs on the premises.
 5. The proposed location of the sign in relation to the building or development it is to serve.
 6. The proposed location of the sign in relation to the boundaries of the lot or tract of land upon which it is to be situated, including the distance to the pavement edge and right-of-way of the street or thoroughfare to which said sign is to be directed.
 7. If the sign is shown on an approved master signage plan, items three through six may be replaced by a reference to the date of approval or other identifying information on the master signage plan, with an identification of which sign shown on the plan is the subject of the permit application.
- B. *Action on permit application.*
1. *Time limit.* A decision on a permit application shall be rendered within five business days of receipt of a complete application, although it is the goal of the city that such action will normally occur within three business days.
 2. *Approval.* Approval of a permit application shall be in the form of an issued permit. When a permit is denied by the engineering and inspections department, the department shall give notice to the proper applicant of the denial with a written statement of the reason or reasons for the denial. Said statement shall be made as an attachment to the permit application.
 3. *Appeals of permit denial.* One appeal of the denial of a sign permit or of the imposition of conditions on a sign permit may be taken to the board of zoning adjustment by following the procedures applicable to other appeals to the board. If the board fails to act on an appeal of a sign permit within 45 days of submittal of such an appeal, the appellant may at any time thereafter request from the clerk of the board a letter or form stating that the appeal was filed 45 or more days from the date thereof and that there has been no action on it by the board; such letter shall be deemed a denial of the application. The appellant shall have no obligation to request such a letter, and, if no such letter has been requested or issued the board may consider and act on the appeal after the expiration of the 45-day period. Appeals from the board of zoning adjustment are to the appropriate circuit court.
- C. *Permit fees.* Application for a permit shall be filed with the engineering and inspections department, together with a permit fee, as set out in the building and construction permit ordinance for each sign approved in accordance with this article. In addition, billboards and off-premises signs shall require an

annual permit renewal fee as set out in the building and construction permit ordinance. The engineering and inspections department shall inspect each sign authorized by permit to determine compliance with the permit application.

- D. *Inspection of signs.* The person erecting, altering, relocating, enlarging or converting any sign shall notify the engineering and inspections department upon completion of the work for which permits are required and issued.
- E. *Applicability.* Nothing in this section shall be construed to require a permit to repaint or reface an existing sign with an identical message to the one existing before the repairing or refacing. If a commercial message or display is altered in any manner, the work shall require a permit.

(Ord. No. 2006-046-PZ, 10-10-04)

Sec. 28.0. Abandoned signs.

- A. *Applicability.* Signs shall be considered abandoned in the following circumstances:
 - 1. The property on which the sign is located is a vacant lot.
 - 2. The sign face is blank, in ill repair, or no longer applicable.
 - 3. The business to which the sign applies is no longer operating.
 - 4. The purpose or event to which the sign applies is no longer applicable. Such signs shall be removed within 48 hours after the purpose or event is held.
 - 5. Permanent signs applicable to a business temporarily suspended because of a change in ownership or management shall not be deemed abandoned unless the property remains vacant for a period of 90 days. In the event the business to which the sign applies is destroyed by fire, accident, or natural disaster, but the sign itself is not harmed, such sign may remain in place after the expiration of the 90-day period if the building is undergoing repairs or renovations that are properly permitted.
- B. *Removal.* Any sign which has met one or more of the conditions of being "abandoned", as enumerated above, for a period of 90 days or more shall be removed as specified in section 31.0.

(Ord. No. 2006-046-PZ, 10-10-04)

Sec. 29.0. Signs that are not properly maintained.

Maintenance violations. Allowing the continuation of a failure to maintain a sign shall be a violation of the article. Such a failure to maintain shall include, but not be limited to, the following:

- 1. Peeling or flaking paint or surface material on a sign face.
- 2. Missing portions of the sign face, or missing portions of the message or display on a sign face.
- 3. A sign face that is cracked, damaged, or faded to the point the message or display is not clearly legible.
- 4. Failure, within 30 days, to replace bulbs or lighting rendering the message or display incomplete or illegible.
- 5. A sign that for any reason does not contain a complete or legible message or display.

(Ord. No. 2006-046-PZ, 10-10-04)

Sec. 30.0. Nonconforming signs.

- A. This section applies to signs that were lawfully erected but that fail to conform to one or more provisions of this article.
- B. It is the intent of this article to eventually eliminate all nonconforming signs within the city either through measures designed to eventually bring them into compliance with the provisions of the sign ordinance or by their removal. The following provisions shall apply to all nonconforming signs and/or advertising structures.
- C. All permanent nonconforming signs that existed at the time of the adoption of this article shall be allowed to remain as they were at the time of the adoption of this article subject to the following:
 - 1. No sign and/or advertising structure that had been erected in violation of any previously existing sign ordinance shall by virtue of the adoption of this article become conforming.
 - 2. A nonconforming sign may be maintained, but no structural alterations or other changes that would extend its useful life shall be allowed.
 - 3. No nonconforming sign shall be replaced with another nonconforming sign when such sign deteriorates due to age and use to the point where replacement of the sign is required.

(Ord. No. 2006-046-PZ, 10-10-04)

Sec. 31.0. Notification for removal or repair of sign.

If at any time the engineering and inspections department, after an inspection, determines that a sign is abandoned as set out in section 28.0, or that a sign endangers the public safety due to material, electrical, or structural deficiencies, or that a sign has not been properly maintained as required under section 29.0, or that no permit has been issued for the sign required under section 27.0, the department shall proceed in accordance with this section. Upon such determination, the engineering and inspections department shall prepare a notice which shall describe the sign and its location and which shall state, if the violation or violations are not corrected within ten working days after receipt for permanent signs or within 24 hours after receipt when violations pertain to temporary, portable, or other non-permanents of signs, the sign, including the sign face, supports, and all structural members pertaining to said sign, shall be removed and the cost of said removal billed to the property owner and/or sign owner. All notices mailed by the engineering and inspections department shall be sent by certified mail, return receipt requested. Any time periods provided for in this chapter relative to compliance shall be deemed to commence on the date of receipt noted on the certified mail return receipt. All notices shall be mailed to the owner of the property on which said sign is located as shown on the latest available tax maps and/or the owner of the sign itself.

Any person found to be in violation of any of the provisions of this article shall be given ten working days by written notice to remedy such violations for permanent signs or 24 hours' notice when violations pertain to temporary, portable, or other non-permanents of signs.

(Ord. No. 2006-046-PZ, 10-10-04)

Sec. 32.0. Penalties.

It shall be unlawful to erect, construct, reconstruct, alter, maintain, or use any sign in violation of any regulation in, or of any provision of, this article, or any amendment thereof. Any person, firm or corporation violating any such regulation, provision or amendment, shall be guilty of a misdemeanor, punishable by fine up to \$500.00 and up to six months at hard labor, as provided in the Code of Alabama, as amended. Each and every day during which such illegal erection, construction, reconstruction, alteration, maintenance, or use continues shall be

deemed a separate offense. Provided, however, that prior to any criminal prosecution the engineering and inspections department shall give a written notice of the violation or violations to the person, firm, or corporation violating any provision of this article, stating the rule or regulation being violated and notifying the said person, firm or corporation to cease and desist such violation immediately, otherwise said person will be prosecuted as provided for herein.

(Ord. No. 2006-046-PZ, 10-10-04)

Sec. 33.0. Remedies.

When a sign is erected, constructed, reconstructed, altered, repaired, converted, or maintained, or when any sign structure is used in violation of this article, the engineering and inspections department of the city or any other appropriate authority or any adjacent or neighboring property owner who would be damaged or caused hardship by such violation, in addition to other remedies, may institute injunction, mandamus, or other appropriate action or proceeding to stay or prevent unlawful erection, construction, alteration, repair, conversion, maintenance or use, or to correct or abate violations or to prevent use of such sign.

(Ord. No. 2006-046-PZ, 10-10-04)

Sec. 34.0. Severability.

- A. *Generally.* If any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this article is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phase, clause, term or word of this chapter, except as limited by subsection 25.0K.
- B. *Severability where less speech results.* Without diminishing or limiting in any way the declaration of severability set forth above in subsection A. or elsewhere in this article of this Code, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term or word of this chapter is declared unconstitutional shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term or word of this article, even if such severability would result in a situation where there would be less speech, whether by subjecting previously exempt signs to permitting or otherwise.
- C. *Severability of provisions pertaining to prohibited signs.* Without diminishing or limiting in any way the declaration of severability set forth above in subsection A., or elsewhere in this chapter or in this Code, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term or word of this article or any other laws declared unconstitutional by valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term or word of this chapter that pertains to prohibited signs, including specifically those signs and sign types prohibited and not allowed under section 3.0. Furthermore, if any part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term or word of this article is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section, subsection, paragraph, subparagraph, sentence, phrase, clause, term or word of this article, except as expressly provided in subsection 25.0K.
- D. *Severability of prohibition on billboards.* If any part section, subsection, paragraph, subparagraph, sentence, phrase, clause, term or word of this article and/or an other provisions of the zoning ordinance or this Code are declared invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect the prohibition on billboards as contained herein.

(Ord. No. 2006-046-PZ, 10-10-04)

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