

CHAPTER 1163
Sign Regulations

1163.01	Purpose.	commercial and industrial districts.
1163.02	Classification of signs.	
1163.03	Computations.	1163.09 Regulations for temporary signs in commercial and industrial districts.
1163.04	Signs in residential districts.	
1163.05	Signs in commercial and industrial districts.	1163.10 Signs exempt from regulation.
1163.06	Schedule of maximum area for signs in commercial and industrial districts.	1163.11 Prohibited signs.
1163.07	Schedule of maximum height of freestanding signs in commercial and industrial districts	1163.12 Sign design and construction criteria.
1163.08	Supplemental regulations for permanent freestanding signs in	1163.13 Supplemental regulations for signs in the C-3 District.
		1163.14 Maintenance.
		1163.15 Administrative procedures.
		1163.16 Regulations for nonconforming signs.

1163.01 PURPOSE.

In the interest of promoting the general health, safety and welfare of the residents of Bryan, these regulations provide for the use, location and size of signs. ` More specifically, the purposes of these regulations are to:

- (a) Promote and maintain attractive, high value residential, office, retail, and commercial districts, and preserve the scenic and natural beauty of designated areas.
- (b) Provide reasonable, yet appropriate, conditions for identification of uses including residential developments, institutions, businesses, and commercial establishments.
- (c) Ensure that signs are located and designed to maintain a safe and orderly pedestrian and vehicular environment and eliminate any confusion or hazardous conflict between identification signs and traffic control signs and devices.
- (d) Minimize the negative consequences of excessive numbers and sizes of signs.
- (e) Provide review procedures that enable the City to comprehensively evaluate the appropriateness of a sign to the site, building and surroundings.
- (f) Prohibit all signs not expressly permitted by this Chapter.

In establishing these purposes, the City has determined that any sign that does not conform to the regulations of this Planning and Zoning Code, or any subsequent amendment thereto, is a public nuisance and, as such, must be removed in compliance with these regulations. Nonconforming signs are unduly distracting to motorists and pedestrians, and thereby create a traffic hazard and reduce the effectiveness of signs needed to direct the public. The regulations contained in this Chapter are the minimum regulations necessary to abate the nuisance and to achieve the stated purposes of this Chapter.

1163.02 CLASSIFICATION OF SIGNS.

For the purposes of these regulations, a sign shall be classified by physical design or structure and by function or purpose based on the following.

(a) Physical Design or Structure.

- (1) **Abandoned Sign:** A sign that no longer identifies or advertises a bona fide business, lessor, service, owner, product, or activity, and/or for which no legal owner can be found.
- (2) **Animated Sign:** Any sign that uses flashing lights or movement of the sign or some element thereof, to depict action or create a special affect or scene.
- (3) **Awning or Canopy Sign:** Any sign that is painted on, printed on or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance or window.
- (4) **Banner Sign:** Any sign of lightweight fabric or similar material with no enclosing framework that is mounted to a building at one or more edges.
- (5) **Changeable Copy Sign:** A sign such as a bulletin board or announcement board, where the message or graphics is not permanently affixed to the structure, framing, or background allowing the message or graphics to be periodically replaced or covered over manually or by electronic or mechanical devices.
- (6) **Flashing Sign:** A sign that contains an intermittent or sequential flashing light source used primarily to attract attention.
- (7) **Freestanding Sign:** A sign that is supported from the ground or a structure other than a building.
- (8) **Illuminated Sign:** A sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign.
- (9) **Projecting Sign:** A sign attached to a building wall that extends more than 15 inches beyond the face of the wall.

- (10) Roof Sign: Any sign erected, constructed or maintained upon or over the roof or parapet wall of a building.
 - (11) Under-Canopy Sign: A sign suspended beneath a canopy, ceiling, roof or marquee, intended to be viewed by pedestrians from the sidewalk beneath the canopy, ceiling, roof or marquee.
 - (12) Wall Sign: A sign erected parallel to, or painted on the surface or on the outside wall of a building and not extending more than 15 inches therefrom and which does not project above the roofline or beyond the corner of the building.
 - (13) Window Sign: A sign that is applied or attached to the interior of a window or located near a window within a building so that it can be seen from the interior for the purpose of being visible to and read from the outside of the building.
- (b) Function.
- (1) Building Marker: A sign or insignia cut into the exterior building surface, or otherwise permanently mounted on the building, indicating the name of the building, address, date of construction, or incidental information about its construction or historical significance.
 - (2) Directional Sign: A permanent sign located on private property, at or near the public right-of-way, directing or guiding vehicles from the street onto private property.
 - (3) Identification Sign: A sign intended to identify the principal use of a lot, development, building, or building unit according to the following:
 - A. Business Identification Sign: A sign intended to announce or promote the use, activity, service, business or other commercial enterprise on the premises, and which may include a directory of occupants.
 - B. Institution Identification Sign: A sign displaying the name of the organization, activities or services occupying the premises of a public or semi-public use or institution.
 - C. Residential Development Identification Sign: A freestanding sign identifying the name and address of a completed residential subdivision, planned residential development or multi-family development.
 - (4) Instructional Sign: A sign that has a purpose secondary to the use on the lot that is intended to instruct employees, customers, or users as to specific parking requirements, the location or regulations pertaining to

- specific activities on the site or in the building, specific services offered, or methods of payments accepted.
- (5) Nameplate: A sign indicating only the name and/or address of the person, home occupation, business, or activity occupying the lot or the buildings.
 - (6) Project Real Estate/Construction Sign: A temporary sign which directs attention to the promotion, development, construction, rental, sale, or lease of non-residential parcels or of residentially zoned parcels, on which the sign is located, and may identify the name of the architect, engineer or contractor involved with the development.
 - (7) Public Purpose/Safety Sign: A sign erected by a public authority, utility, public service organization, or private industry upon the public right-of-way or, when required by law, on private property and which is intended to control traffic; direct, identify or inform the public; or provide needed public service as determined by the rules and regulations of governmental agencies or through public policy. Such signs include “No Parking Fire Lane”.
 - (8) Temporary Sign: A sign that is designed to be used only temporarily and is not permanently, or not intended to be permanently, attached to a building, attached to a structure or installed in the ground.

1163.03 COMPUTATIONS.

The following principals shall control the computation of sign area and sign height:

- (a) Determining Sign Area or Dimension. The area of a sign shall be determined using the following calculation methods.
 - (1) For a sign that is framed, outlined, painted or otherwise prepared and designed to include a background for a sign display, the sign area or dimensions shall include the entire portion within such background or frame.
 - (2) For a sign comprised of individual letters, figures, emblems, logos or elements on a wall, or an irregular shaped freestanding sign, the area of the sign shall encompass the smallest regular, or a combination of regular geometric shapes that form or approximate the perimeter of all the elements in the display. When separate elements are organized to form a single sign, but the elements are separated by open space, the area shall be calculated by determining one or more geometric forms that comprise the entire display area, including the space between the elements.

- (3) The sign area shall include the frame but shall not include the pole or other structural support unless such structural support is illuminated or otherwise so designated to constitute a display device.
 - (4) The area for a sign with more than one face shall be computed by adding together the area of all sign faces visible from any one point. When two identical sign faces are placed back to back so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure and are not more than 42 inches apart, the sign area shall be computed by the measurement of one of the faces.
- (b) Determining Sign Height. The height of a freestanding sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign.
- (1) Normal grade shall be construed to be the lower of:
 - A. Existing grade prior to construction, or
 - B. The newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign.
 - (2) In cases in which the normal grade cannot reasonably be determined, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of a public street or the grade of the land at the principal entrance to the principal structure on the lot, whichever is higher.
- (c) Determining Building Frontage and Building Unit. The building wall that faces the principal street or building wall that contains the main entrance to the uses therein shall be considered the building frontage.
- (1) The building frontage shall be measured along the length of the front wall between the exterior faces of the exterior side walls.
 - (2) In the case of an irregular wall surface, a straight line extended between the exterior faces of the exterior side walls shall be used to measure the length.
 - (3) For lots fronting on two or more streets, or where the building has its main entrance on a wall other than the wall that faces the street, the property owner shall determine which wall shall be the primary building frontage and which wall(s) shall be the secondary building frontage.

Only one outside wall of any business shall be considered its primary frontage.

- (4) For multi-tenant buildings, the portion of a building that is owned or leased by a single tenant shall be considered a building unit. The building frontage for a building unit shall be measured from the centerline of the party walls defining the building unit.
- (d) Determining Window Area. The window area of a building shall be the total glass area of windows on the first floor of the wall of the building frontage, provided that for the purpose of these regulations, the height of windows on the first floor shall be that portion of window (s) within 15 feet of grade.
- (e) Architectural Features. Architectural features that are part of the building or part of a freestanding structure are not considered signs and are thus exempt from these regulations. An architectural feature is any construction attending to, but not an integral part of the sign, and which may consist of landscape or building or structural forms complementing the site in general.

1163.04 SIGNS IN RESIDENTIAL DISTRICTS.

Signs in residential districts shall conform to the standards set forth in this Section.

- (a) Maximum Sign Number, Area and Height Regulations for Signs in Residential Districts. All signs in residential districts shall, based on the type of sign, conform to the maximum number of each type of sign allowed, the maximum area and, for freestanding signs, the maximum height standards set forth in Schedule 1163.04.

Schedule 1163.04

Maximum Sign Number, Area and Height Regulations for Signs in Residential Districts

Sign Type	Single-Family Districts R-1 and R-2			Multi-Family District R-3		
	Number Allowed	Maximum Area	Max. Height	Number Allowed	Area	Height
(1) Nameplate	1 per address	2 sq ft	NA	1 per address	2 sq ft	NA
(2) Residential Development Identification Sign	1 per entrance ^(a)	24 sq ft	6 ft	1 per entrance ^(a)	24 sq ft	6 ft.
(3) Institution Identification Sign	1 per lot ^(b)	24 sq ft	6 ft	1 per lot ^(b)	24 sq ft	6 ft
(4) Instructional Sign	(c)	(c)	(c)	(c)	(c)	(c)
(5) Temporary Signs, except as otherwise specifically permitted below.	(d)	6 sq ft ^(d)	4 ft	(d)	6 sq ft ^(d)	4 ft
A. Project Real Estate/ Construction Signs	1 per lot	24 sq ft ^(e)	6 ft	1 per lot	24 sq ft ^(e)	6 ft
B. Special Event Signs	1 per lot	24 sq ft ^(f)	6 ft	1 per lot	24 sq ft ^(f)	6 ft
(6) Public Purpose/Safety Signs	(g)	(g)	(g)	(g)	(g)	(g)

Notes to Schedule 1163.04:

- (a) See also Section 1163.04(b).
 - (b) Only one sign permitted, may be either a wall sign or freestanding sign. See also Section 1163.04(c).
 - (c) Shall be exempt from regulation when in compliance with Section 1163.04(d).
 - (d) See Section 1163.04(e)(1).
 - (e) See also Section 1163.04(e)(2).
 - (f) Permitted for institutional uses only. See also Section 1163.04(e)(3).
 - (g) Permitted as needed to achieve the intended public purpose.
- NP = Not permitted NA = Not applicable
sq ft = square feet ft = feet

(b) Residential Development Identification Signs. Residential development identification signs shall be permitted for each entrance to a residential subdivision, planned unit residential development or multi-family development pursuant to the area and height limitations of Schedule 1163.04 in compliance with the following regulations:

- (1) Such signs shall be placed on private property not less than 10 feet from the street right of way, and shall be located not less than 25 feet to a side lot line.
- (2) A maximum of two sign faces shall be permitted per entrance: either as a double-sided freestanding sign or as two single-sided signs. Such signs shall be mounted on a foundation, wall or other entrance feature.

Freestanding signs shall be erected in a landscaped setting and not on sidewalks, drives or in parking lots. Neither the landscaping nor the freestanding sign shall obstruct the view of vehicles entering or exiting the property.

(c) Institution Identification Signs.

- (1) A freestanding sign for an institutional use in a residential district may have all or a portion of the permitted sign area set forth in Schedule 1163.04 devoted to changeable copy.
- (2) A freestanding sign for an institutional use shall be located no closer than 10 feet from the street right-of-way and no closer than 25 feet to a side lot line.
- (3) Freestanding signs shall be erected in a landscaped setting and not on sidewalks, drives or in parking lots. Neither the landscaping nor the freestanding sign shall obstruct the view of vehicles entering or exiting the property.

(d) Instructional Signs. Instructional signs shall be permitted on a lot in a residential district that is devoted to a conditional use or multi-family development provided such signs comply with the following:

- (1) Instructional signs shall be clearly intended, designed and located for instructional purposes, as determined by the Zoning Administrator or Planning Commission, as appropriate.
- (2) Each sign shall not larger than necessary to serve the intended instructional purpose, and
- (3) The sign shall not in a location and does not possess design characteristics that constitute or serve the purposes of an identification sign.

(e) Temporary Signs. Temporary signs are permitted in Residential Districts subject to the following provisions:

(1) Temporary Signs for Individual Lots in Residential Districts:

- A. Each residential unit shall be permitted to erect one temporary sign either in a window or as a freestanding sign in the front yard. Such temporary sign shall be displayed for no longer than 30 days, after which time such sign shall either be removed or replaced.
- B. In addition to subsection (e)(1)A. above, each residential unit shall be permitted to erect temporary signs for a period not to

exceed 30 consecutive days during any primary, general or special election.

- C. Temporary freestanding signs shall be located at least 10 feet from a public right-of-way or a side lot line.
 - D. Temporary signs for commercial uses shall not be permitted in residential districts except that one temporary sign promoting a garage sale shall be permitted. Such sign shall be posted on private property for a period not to exceed 72 hours, on not more than two separate occasions in any given year.
- (2) Project Real Estate/Construction Signs. A project real estate or construction sign shall comply with the following:
- A. One project real estate/construction sign shall be permitted for each street frontage only for the following types of uses and lots.
 - i. Advertising the sale of a vacant lot when the area of the lot is equal to or greater than one (1) acre.
 - ii. Identifying the development of an approved project during construction and prior to the installation of the permanent identification sign for a subdivision, planned unit residential development, multi-family development or a lot that is proposed for development of a nonresidential use that is entitled to a permanent freestanding sign as set forth in Schedule 1163.04.
 - B. Such signs shall be located a minimum of 25 feet from any street right-of-way.
 - C. A project real estate or construction sign shall be erected and maintained on a lot only during the period of time that the parcel is up for sale, rent or lease or the building project is under construction. Such temporary sign shall be removed within fourteen (14) calendar days of installation of the permanent identification sign.
- (3) Special Event Signs for Institutional Uses. Such signs shall comply with the following:
- A. One temporary freestanding sign or one banner attached to the front of the building shall be permitted for a period not to exceed 14 days, not more than three times per calendar year for the purposes of announcing a community event, program or festival. Special event signs may be permitted for a period longer than 14 days only when the Planning Commission

approves an extend time frame for the special event, pursuant to Section 1175.04.

- B. A temporary freestanding sign shall be located no closer than 10 feet from the street right-of-way line.
- C. Such sign shall be removed within two days of the completion of the event or project.

1163.05 SIGNS IN COMMERCIAL AND INDUSTRIAL DISTRICTS.

The area and height of signs shall be regulated based on the district in which the use is located, the physical characteristics of the sign and the intended function of the sign. Signs in commercial and industrial districts shall conform to the maximum area and height limitations set forth in Schedules 1163.06 and 1163.07, and the supplemental standards set forth in Sections 1163.05 through 1163.09 and Section 1163.13.

- (a) Maximum Area of Business Identification Signs in Commercial and Industrial Districts. The area of business identification signs shall comply with the following:
 - (1) Signs Attached to Buildings. The area of signs attached to a building shall comply with the following:
 - A. The total area of all identification signs shall not exceed the area computed by applying the formula contained in Schedule 1163.06, except as otherwise specifically permitted in this Chapter.
 - i. This maximum area shall be the sum of the areas of all identification signs attached to the building, including wall signs and awning or canopy signs, and shall also include the area of instructional signs unless such instructional signs are determined to be exempt pursuant to subsection B below.
 - ii. Notwithstanding the above standard, each building shall be permitted a minimum of 40 square feet of identification signs attached to the building.
 - B. Under-canopy signs shall comply with the maximum area set forth in Schedules 1163.06, the area of which shall not be included in the sum total set forth in Subsection (a)(1)A., above.
 - (2) Freestanding Signs. The maximum area for freestanding signs shall comply with the area specified in Schedule 1163.06 and the supplemental regulations of Sections 1163.07 and 1163.08.

- (3) Window Signs. The maximum area for permanent identification signs placed in or painted on a window shall be the percentage of the window area specified in Schedule 1163.06.

- (b) Instructional Signs. The area of instructional signs that are clearly intended for instructional purposes, as determined by the Planning Commission shall not be included in the sum of the area of identification signs, provided such signs comply with the following:
 - (1) The sign is not larger than necessary to serve the intended instructional purpose, and
 - (2) The sign is not in a location and does not possess design characteristics that constitute or serve the purposes of an identification sign.

- (c) Bonus Sign Area. Additional area for business identification signs attached to buildings shall be permitted for any lot in a Commercial or Industrial District that meets the following requirements:
 - (1) Corner Lots and Side and Rear Entrances. The maximum allowable area for identification signs attached to a building shall be increased beyond the allowable area set forth in Schedule 1163.06 in compliance with the following:
 - A. Additional area shall be permitted when a building has a secondary frontage as defined in Section 1163.03 (c)(3).
 - B. The increased sign area for each secondary building frontage shall be 75 percent of the sign area permitted for the primary frontage, provided that:
 - i. The additional sign area is utilized only on the secondary building frontage.
 - ii. The sign area permitted on the principal building frontage may, however, be redistributed along the secondary building frontage(s), provided that the total sign area facing the secondary street(s) or parking lot, does not exceed the formula set forth in Schedule 1163.06 based on the length of the building frontage.
 - (2) Large Building Setbacks. The maximum allowable area for identification wall signs may be increased by one-half square foot of sign area for each foot of building frontage when the principal building is set back more than 200 feet from the principal street on which the building is located. When only a portion of the building is set back more than 200 feet from the principal street, the sign area may be

increased by one-half square foot of sign area for each lineal foot of that portion of the building which is more than 200 feet from the street and the additional sign area is included in a sign placed on that portion of the building.

1163.06 SCHEDULE OF MAXIMUM AREA FOR SIGNS IN COMMERCIAL AND INDUSTRIAL DISTRICTS.

Sign Type	Neighborhood Commercial Districts C-1	General Commercial District C-2	Central Business District C-3		Mixed Use District M-U	Industrial Districts I-1, I-2
			Core Area	Outside Core Area		
(a) Nameplate	2 sq ft	2 sq ft	2 sq ft	2 sq ft	2 sq ft	2 sq ft
(b) Business Identification Sign						
(1) Attached to buildings	2.0 sq ft ^(a)	2.5 sq ft ^(a)	2.0 sq ft ^(a)	2.0 sq ft ^(a)	2.0 sq ft ^(a)	2.5 sq ft ^(a)
(2) Awning or canopy sign	50% of awning or canopy face	50% of awning or canopy face	NP	50% of awning or canopy face	50% of awning or canopy face	NP
(3) Freestanding Sign	40 sq ft ^(b)	80 sq ft ^(b)	NP	40 sq ft ^(b)	40 sq ft ^(b)	80 sq ft ^(b)
(4) Window Sign	20% ^(c)	20% ^(c)	20% ^(c)	20% ^(c)	20% ^(c)	20% ^(c)
(c) Institution Identification Sign	(d)	(d)	(d)	(d)	(d)	(d)
(d) Directional Sign	4 sq ft	4 sq ft	4 sq ft	4 sq ft	4 sq ft	4 sq ft
(e) Building Marker	6 sq ft	6 sq ft	6 sq ft	6 sq ft	6 sq ft	6 sq ft
(f) Temporary Sign, except as otherwise specifically permitted below.	6 sq ft ^(e)	6 sq ft ^(e)	6 sq ft ^(e)	6 sq ft ^(e)	6 sq ft ^(e)	6 sq ft ^(e)
(1) Real Estate/Project Construction Sign	40 sq ft ^(f)	80 sq ft ^(f)	40 sq ft ^(f)	40 sq ft ^(f)	40 sq ft ^(f)	80 sq ft ^(f)
(2) Window Sign	20% ^(g)	20% ^(g)	20% ^(g)	20% ^(g)	20% ^(g)	NP
(3) Special Event Sign	24 sq ft ^(h)	24 sq ft ^(h)	24 sq ft ^(h)	24 sq ft ^(h)	24 sq ft ^(h)	24 sq ft ^(h)
(g) Instructional Sign	(i)	(i)	(i)	(i)	(i)	(i)
(h) Public Purpose/Safety Sign	(j)	(j)	(j)	(j)	(j)	(j)

Notes to Schedule 1163.06:

- (a) Per linear foot of building frontage, see also Section 1163.05(a).
- (b) See also Sections 1163.05, 1163.07 and 1163.08.
- (c) Of total window area. See also Section 1163.05(a).
- (d) Shall be permitted the allowable sign area for business identification signs for the district in which the use is located. See also Section 1163.05(a).
- (e) See also Section 1163.09 for temporary signs.
- (f) See also Section 1163.09(a).

- (g) Of total window area, see also Section 1163.09(b).
- (h) See also Section 1163.09(c).
- (i) Considered an identification sign unless exempt pursuant to Section 1163.05(b).
- (j) Permitted as needed to achieve the intended public purpose.

NP - Not permitted NA - Not applicable
 sq ft = square feet ft = feet

1163.07 SCHEDULE OF MAXIMUM HEIGHT OF FREESTANDING SIGNS IN COMMERCIAL AND INDUSTRIAL DISTRICTS.

The maximum height of freestanding signs in commercial and industrial districts shall conform to the standards set forth in Schedule 1163.07.

Schedule 1163.07

MAXIMUM HEIGHT OF FREESTANDING SIGNS

Sign Type	Neighborhood Commercial Districts C-1	General Commercial District C-2	Central Business District C-3		Mixed Use District M-U	Industrial Districts I-1, I-2
			Core Area	Outside Core Area		
(a) Business Identification Sign	12 ft	25 ft	NP	12 ft	12 ft	12 ft
(b) Institution Identification Sign	12 ft	25 ft	12 ft	12 ft	12 ft	NA
(c) Directional Sign	4 ft	4 ft	4 ft	4 ft	4 ft	4 ft
(d) Temporary Signs, except as otherwise specifically permitted below	4 ft	4 ft	4 ft	4 ft	4 ft	4 ft
(1) Real Estate /Project Construction Signs	12 ft	25 ft	12 ft	12 ft	12 ft	12 ft
(2) Special Event Signs	6 ft	6 ft	6 ft	6 ft	6 ft	6 ft
(e) Instructional Signs	(a)	(a)	(a)	(a)	(a)	(a)
(f) Public Purpose/Safety Signs	(a)	(a)	(a)	(a)	(a)	(a)

Notes to Schedule 1163.07:
 (a) No height limit.
 NP = Not permitted NA = Not applicable ft = feet

1163.08 SUPPLEMENTAL REGULATIONS FOR PERMANENT FREESTANDING SIGNS IN COMMERCIAL AND INDUSTRIAL DISTRICTS.

Freestanding signs permitted in commercial and industrial districts shall comply with the following regulations:

- (a) Minimum Building Setback and Lot Width. A freestanding sign shall be permitted on a lot only when the lot complies with the minimum lot width requirements and the principal building is set back from the street right-of-way a minimum distance that is equal to the height of the sign.
- (b) Maximum Number of Freestanding Signs. One freestanding sign shall be permitted per project or development, except for facilities on corner lots,

pursuant to Section 1163.08(h)(1), below and bonuses as established for large lots, pursuant to Section 1163.08(h)(2), below.

- (c) Minimum Sign Setback from Street. Freestanding signs shall be setback from the street right-of-way line a distance equal to one-half the height of the sign. All signs shall be placed so as not to obstruct sight lines for vehicles or pedestrians. On corner lots, freestanding signs shall be erected at least 50 feet from any intersection except as otherwise permitted in subsection 1163.08(h), below.
- (d) Minimum Sign Setback from Side Lot Lines. Freestanding signs shall be located a minimum of 10 feet from any side lot line, except that when a side lot line coincides with a residential zoning district boundary line, the minimum setback shall be 20 feet.
- (e) Landscaping. Freestanding signs shall be erected in a landscaped setting and not on sidewalks, drives or in parking lots. Neither the landscaping nor the freestanding sign shall obstruct the view of vehicles entering or exiting the property.
- (f) Changeable Copy. Business identification freestanding signs may have up to 50% of the permitted sign area set forth in Schedule 1163.06 devoted to changeable copy.
- (g) Multi-Tenant Facilities. When a freestanding sign is permitted on a site that has more than one tenant, it is the property owner's responsibility to determine if the sign area shall be devoted to identification of the building(s), the anchor tenant, all tenants, or some combination thereof.
- (h) Freestanding Bonus Sign Provisions:
 - (1) Additional Freestanding Sign For Corner Lots: One additional freestanding sign may be permitted for a corner lot provided that:
 - A. The total lot frontage of both streets is not less than 300 feet;
 - B. The area of each freestanding identification sign complies with Schedule 1163.06, and the total area of both freestanding signs shall not exceed 175 percent of the maximum area permitted for a single sign;
 - C. The second freestanding sign is clearly located to provide identification along the secondary street; and
 - D. The two signs may be aggregated into a single sign at the corner provided that the area of any freestanding sign face shall not exceed 150 percent of the maximum area

permitted for a single sign, unless otherwise permitted in subsection (2) below.

- (2) Additional Freestanding Signs for Large Lots. The area and number of freestanding signs on large lots may be increased according to the following:
 - A. The allowable area of any freestanding sign face may be increased by one square foot of area for every 5 linear feet of lot frontage greater than 200 feet.
 - B. The allowable area pursuant to this Section may be distributed to one freestanding sign for each 250 feet of lot frontage or fraction thereof.
 - C. Notwithstanding any provision of this section, the area of any freestanding sign shall not exceed 200 square feet.

1163.09 REGULATIONS FOR TEMPORARY SIGNS IN COMMERCIAL AND INDUSTRIAL DISTRICTS.

The following regulations for temporary signs in commercial and industrial districts are in addition to the maximum sign area and height regulations set forth in Sections 1163.05 through 1163.08.

- (a) Project Real Estate/Construction Signs. A project real estate or construction sign for a development project shall be permitted only in compliance with the following:
 - (1) One project real estate or construction sign shall be permitted for each street on which the lot has frontage.
 - (2) Such sign shall be located a minimum of 25 feet from any street right-of-way.
 - (3) A project real estate or construction sign shall be erected and maintained on a lot only during the period of time that the parcel is up for sale, rent or lease or the building project is under construction. Such temporary sign shall be removed within fourteen (14) calendar days of installation of the permanent identification sign.
- (b) Temporary Window Signs. Temporary window signs, where permitted, shall be attached to the interior of the building and shall comply with the following:
 - (1) The area of temporary window signs, either affixed thereto or visible from the outside, shall not exceed the percentage of the

window area as set forth in Schedule 1163.06. This area is in addition to the allowable sign area for identification signs that are permanently attached to windows.

- (2) All temporary window signs shall be displayed no longer than 30 days after placement, after which time such sign shall either be removed or replaced.
- (c) Special Event Signs. One temporary special event sign, either a freestanding sign or a banner attached to the front of the building, shall be permitted for a period not to exceed 14 days not more than three times per calendar year for the purpose of advertising the opening of a business, special sales event or community event, program or festival. Special event signs may be permitted for a period longer than 14 days only when the Planning Commission approves an extended time frame for the special event, pursuant to Section 1175.04. Such sign shall be removed within two days of the completion of the event or project.
- (d) Temporary Signs in C-3 District. Portable sandwich board signs and similar types of temporary signs shall be permitted only in the core area of the C-3 District. Such signs shall be placed no more than five feet from the front of the building and may encroach upon the public right-of-way provided an unobstructed walkway is reserved for public passage. Such signs shall not exceed three feet in height or two feet in width. Sandwich board signs must be placed indoors at the close of each business day. The Zoning Administrator shall approve all such signs.
- (e) Other Temporary Signs. In addition to the above, each business shall be permitted to erect one additional temporary sign in compliance with Schedules 1163.06(f) and 1163.07(d). Such temporary sign shall be displayed for no longer than 30 days, after which time it shall either be removed or replaced.
- (f) Setbacks. All temporary freestanding signs shall be located no closer than 10 feet from the street right-of-way line and 10 feet from a side lot line, unless specifically regulated otherwise.

1163.10 SIGNS EXEMPT FROM REGULATION.

The following signs shall be exempt from regulation under the Planning and Zoning Code.

- (a) Any public notice or warning required by a valid and applicable federal, state or local law, regulation or Planning and Zoning Code.

- (b) Any sign inside a building, not attached to a window or door that is not legible from a distance of more than three feet beyond the building in which such sign is located.
- (c) Works of art that do not include a commercial message.
- (d) Religious and other holiday lights and decorations containing no commercial message when displayed during the appropriate time of the year.
- (e) Flags of the United States, the state, foreign nations having diplomatic relations with the United States, and any other flag adopted or sanctioned by an elected legislative body of competent jurisdiction. These flags must be flown in accordance with protocol established by the Congress of the United States for the Stars and Stripes. Any flag not meeting these conditions shall be considered a sign and shall be subject to regulations as such.

1163.11 PROHIBITED SIGNS.

All signs not expressly permitted in this Chapter or exempt from regulation pursuant to Sec. 1163.10 shall be prohibited in the City. Such signs include but are not limited to the following:

- (a) Signs containing information or advertising for any product not sold or produced on the premises or for any use that does not occur on the premises.
- (b) Animated, flasher, blinker, racer type, intermittent, rotating, moving or revolving signs, whirligig devices, inflatable signs and tethered balloons, pennants, ribbons, streamers, spinners, exposed light bulbs, and strings of lights not permanently mounted to a rigid background, except those exempt under the previous Section, and other similar types of attention-getting devices;
- (c) Signs on temporarily placed vehicles;
- (d) Signs containing any words or symbols that would cause confusion because of their resemblance to highway traffic control or direction signals.
- (e) Merchandise, equipment, products, vehicles or other items not themselves for sale and placed for attention getting, identification or advertising purposes.

- (f) Signs located in the public right-of-way or on utility poles, except as specifically permitted in Section 1163.09(d) for the core area of the C-3 District.

1163.12 SIGN DESIGN AND CONSTRUCTION CRITERIA.

In addition to ensuring compliance with the numerical standards of these regulations, the Planning Commission shall consider the proposed general design arrangement and placement of the sign according to the following criteria:

- (a) Design Criteria.
 - (1) The lettering shall be large enough to be easily read but not overly large or out of scale with the building or site.
 - (2) The sign should be consolidated into a minimum number of elements.
 - (3) The ratio between the message and the background shall permit easy recognition of the message.
 - (4) The size, style and location of the sign shall be appropriate to the activity of the site.
 - (5) The sign shall complement the building and adjacent buildings by being designed and placed to enhance the architecture of the building.
 - (6) Signs shall be designed with a limited number of, and harmonious use of, colors.
 - (7) Signs, if seen in series, shall have a continuity of design with the style of sign generally consistent throughout the building or block.
 - (8) Instructional signs shall contain the minimum information and the minimum area necessary to convey the message and instruct the viewer in the safe and efficient use of the facility.
- (b) Illumination. Signs shall be permitted to be illuminated in compliance with the following:
 - (1) Light sources shall be shielded from all adjacent buildings and streets.
 - (2) Lights shall not be of such brightness so as to cause glare that is hazardous to pedestrians or motorists, or cause reasonable objection from adjacent residential districts.
 - (3) Signs shall not include flashing, moving or intermittent lighting in which any part of the message changes at a rate of more than once every 10 seconds.

- (4) The illumination of signs shall not obstruct traffic control or any other public informational signs. Signs visible from sight lines along streets shall not contain symbols or words, or red and green lights that resemble highway traffic signs or devices.
- (c) Construction Standards.
 - (1) All signs shall be constructed in a professional manner in conformance with the appropriate building code and other applicable requirements of the City and shall be structurally sound and located so as to pose no threat to pedestrian or vehicular traffic.
 - (2) Permanent signs shall be fabricated on and of materials that are of good quality and good durability.
 - (3) All signs shall be rigidly secured and no sign shall swing from a bar, crane, awning or other sign. No part of any sign shall be revolving, oscillating or otherwise designed to move to attract attention.
 - (4) No sign shall be erected so as to project over or obstruct any window, door, fire escape, balcony, platform, stairway, ladder, vent or other means of ingress of any building.
 - (5) No sign shall be located on the roof of any building.
 - (6) Temporary signs shall be durable and weather-resistant, non-illuminated and fastened or anchored sufficiently, whether attached to the building or positioned in the ground.
 - (7) No sign shall be located in the public right-of-way or attached to a utility pole, tree, trash receptacle, bench or other structure not intended or approved as a sign support.

1163.13 SUPPLEMENTAL REGULATIONS FOR SIGNS IN THE C-3 DISTRICT.

In addition to Section 1163.12, signs in the C-3 District shall comply with the following supplemental regulations. In the event these regulations conflict with other sections of this Chapter, these regulations shall govern.

- (a) Signs attached to buildings shall be placed on the building façade in a manner that respects the historic placement of signs. Sign backgrounds shall be a maximum of two (2) feet high and shall not project more than six (6) inches from the face of the building nor extend to within two (2) feet of the edge of the face of the building to which the sign is attached.

- (b) Permanent signs shall be placed so that their lowest point is not less than nine (9) feet and their highest point is not more than 14 feet above the sidewalk. It shall be the intent of this subsection to have signs on adjacent buildings be in a straight level line along the bottom of the sign.
- (c) Sign lettering shall not exceed one-half the height of the background. If, however, the sign is comprised of individual letters, the lettering shall have a maximum height of one (1) foot and shall not extend within two (2) feet of the edge of the face of the building to which the sign is attached.
- (d) Awning or canopy signs and freestanding signs shall not be permitted in the core area of the C-3 District.
- (e) All illuminated signs shall be lighted externally except that back-lighted lettering may be allowed within an opaque background.
- (f) Externally illuminate permanent signs shall comply with the following:
 - (1) Fluorescent tubes or bulbs shall not to exceed 200 watts each.
 - (2) Each bulb or globe in which the bulb is to be encased shall be no less than eight (8) inches in diameter.
 - (3) Such bulb/globe shall be closer than four (4) feet to any other bulb or globe on the building.
 - (4) Fluorescent tubes shall not exceed 200 watts per four (4) feet of sign.
 - (5) All fluorescent tubes shall not be visible from ground level.
 - (6) The direct lighting bulb or bulbs shall be placed so that neither the illuminated sign nor its direct lighting bulb are less than nine (9) feet above the sidewalk in front of the shop.
- (g) Sign backgrounds shall be of an opaque material in a color harmonious with surrounding signs along the street on which the building fronts, as approved by the C-3 Design Review Committee.
- (h) Letters shall be constructed of metal, plastic or wood or painted directly on the background in a color harmonious with surrounding signs along the street on which the building fronts, as approved by the C-3 Design Review Committee.

1163.14 MAINTENANCE.

All signs shall be maintained in accordance with the following:

- (a) The property owner shall maintain the sign in a condition fit for the intended use and has a continuing obligation to comply with all building code requirements.
- (b) If the sign is deemed by the Zoning Administrator to be in an unsafe condition, or has been constructed, erected or maintained in violation of this Planning and Zoning Code, the owner of the business shall be immediately notified, in writing, and shall, within 48 hours of such notification, correct such unsafe condition or remove the sign. If the correction has not been made within the 48 hours, the sign may be removed or altered by the City to comply with these regulations at the expense of the owner or occupant of the property upon which the sign is located.
- (c) Whenever any sign, either conforming or nonconforming to these regulations, is required to be removed for the purpose of repair, refurbishing, or repainting, the same may be done without a permit or any payment of fees provided that all of the following conditions are met:
 - (1) There shall be no alteration or remodeling to the structure or the mounting of the sign itself.
 - (2) There shall be no enlargement or increase in any of the dimensions of the sign or its structure.
 - (3) The sign shall be accessory to a legally permitted, conditional or nonconforming use.
- (d) The Zoning Administrator may order any sign to be painted or refurbished at least once each year, if needed to keep the sign in a neat and safe condition. All supports, guys, braces and anchors for such signs shall be maintained in a safe condition, and it shall be unlawful for the owners or person having charge of such sign not to remove the same after receiving notice from the Zoning Administrator.
- (e) Any sign now or hereafter existing that no longer identifies or advertises a bona fide business or service located on the premises shall be removed by the owner, agent or person having beneficial use of the building, structure or premises upon which such sign is located within 10 days after written notification from the Zoning Administrator. Upon failure to comply with such notice within the time specified in such order, the Zoning Administrator is hereby authorized to cause removal of such sign, and any

expense incident thereto shall be paid by the owner of the property on which such sign is located.

1163.15 ADMINISTRATION PROCEDURES.

- (a) Signs Requiring a Permit. The following signs shall require a permit prior to the erection or alteration of the sign.
- (1) The Planning Commission shall review and act on sign applications for the following signs according to the design and construction criteria set forth in Section 1163.12 and the review procedures for development plan review set forth in Chapter 1183, except as otherwise required in subsection (c) below.
 - A. Business identification signs;
 - B. Institution identification signs; and
 - C. Residential development identification signs;
 - (2) The Zoning Administrator shall review and act on applications for the following signs according to the design and construction criteria set forth in Section 1163.12, except as otherwise required in subsection (c) below. However, the Zoning Administrator may forward such application to the Planning Commission for their review and comment.
 - A. Building markers;
 - B. Directional signs;
 - C. Temporary signs for uses other than single family and two-family dwellings (except for temporary window signs);
 - D. Instructional signs.
- (b) Signs Not Requiring Permit. The erection of the following signs shall not require a permit provided that all applicable regulations of this Chapter are complied with:
- (1) Temporary signs for single-family and two-family dwellings;
 - (2) Nameplates; and
 - (3) Temporary window signs.
 - (4) Maintenance of existing signs in compliance with Section 1163.14(c).
- (c) Signs in the C-3 District. Signs proposed in the C-3 District that require a permit, according to subsection (a) above, shall be subject to the review and approval of the C-3 Design Review Committee, in accordance with

the supplemental regulations set forth in Section 1163.13, except that the routine maintenance of existing signs in compliance with 1163.14(c) shall not require a permit.

- (d) Sign Concept Plan. For multi-tenant buildings and development projects with multiple buildings in the C-1, C-2, M-U, I-1 or I-2 Districts, the Planning Commission may approve basic sign parameters that set forth the location, size and style of each tenant sign. Such sign parameters may be established when the Planning Commission reviews development plans for new buildings or at the time a specific sign application is made for an identification sign for an existing building. Whenever the Planning Commission has approved such sign parameters, the Zoning Administrator shall be authorized to review and approve any subsequent sign application submitted for a tenant of the development or building that complies with such sign parameters.
- (e) Application Requirements. An application for a sign permit shall be made to the Zoning Administrator on the form provided. The application shall include two (2) copies; one (1) copy depicting the actual colors of the building and sign, either drawing or photo, with the second copy at eight and one half by eleven (8 ½ x 11”) size and suitable for reproduction. The application shall present the sign in a manner which best illustrates how the sign shall be experienced by the public after it is erected on the site. Specifically, the application shall include:
- (1) A complete site plan or photograph showing the location of the sign and its relationship to the building, the building setbacks and lot width, the locations and square footage areas of all existing signs on site, the adjacent parcels and parking lots, drives and sidewalks;
 - (2) Detailed drawings showing the design of the sign, including size, content, style of lettering, logo and other graphic features, colors of the applied lettering and background, materials of the sign and the frame or structure, and approximate weight of the sign; and
 - (3) Construction, erection or fastening details, including wattage of electric lamps or illuminating tubes, if applicable.
 - (4) A permit fee for each sign application, as established by City Council.

When any person other than the owner of the property submits a sign application, the owner of the property or a designated agent for the owner shall also sign such application.

1163.16 REGULATIONS FOR NONCONFORMING SIGNS.

- (a) Maintenance of Nonconforming Signs. Nonconforming signs shall be maintained in good condition pursuant to Section 1163.14 and may continue until such sign is required to be removed as set forth in this Section.

- (b) Alteration and Removal of Nonconforming Signs.
 - (1) Nonconforming signs shall be removed and any subsequent modification or replacement, excluding maintenance pursuant to 1163.14, shall conform to all requirements of this Chapter :
 - A. When more than 50 percent of the value of the sign has been destroyed or has been taken down;
 - B. When the use which the nonconforming sign is accessory to is vacant for 90 consecutive days, which shall then be removed by the owner of the premises within 10 days after it is deemed vacant or abandoned; and
 - C. A nonconforming sign that exceeds the height, size or spacing limitations by more than 10 percent or that is nonconforming in some other way shall, within 5 years from the date of this amendment, be altered to comply with the provisions of this Chapter or be removed.

 - (2) A nonconforming sign shall not be altered, modified or reconstructed other than to comply with this Chapter except that:
 - A. When the existing use has new ownership which results in a change in the name of the use or business on the property or when the space is reoccupied by a similar use and the new occupant requires no external building or site renovation, then the message of a nonconforming sign may be changed.
 - B. An existing sign pursuant to this subsection may be changed by replacing a sign panel or by repainting a sign face only. Such alterations shall not require changes to the structure, framing or erection or relocation of the sign unless such changes conform to this Chapter.

 - (3) Subject to the provisions of this section, nonconforming signs may be repaired and renovated so long as the cost of such work does not exceed within any 12-month period 50 percent of the value of such sign.