
Article 7: Signs

COMMENTARY

The primary focus for this draft has been to carry forward the substantive content of the existing standards in Chapter 106, while improving organization and format and removing content-based regulation. For the existing sign types that are carried forward (pole signs and monument signs), this draft maintained size allowances as-is. New standards are suggested for new sign types.

7.1 General Provisions⁹

7.1.1 Purpose

The purpose of this article is to provide clear regulations for the permitting, design, location, construction, modification, use, maintenance and removal of signs in the City and its extraterritorial jurisdiction. This article is further intended to:

- A. Encourage the effective use of signs as a means of communication;
- B. Maintain and enhance the community's overall aesthetic environment and the City's ability to attract sources of economic development and growth;
- C. Improve pedestrian and traffic safety;
- D. Minimize the possible adverse effect of signs on nearby public and private property; and
- E. Enable effective outdoor advertising.

7.1.2 Authority and Jurisdiction¹⁰

This article is adopted pursuant to the Texas Local Government Code ch. 216 and the City Charter. In accordance with the Texas Local Government Code §§ 216.901 and 216.902, this article applies to all areas within the corporate limits of the City and to off-premises signs within the extraterritorial jurisdiction.

7.1.3 Applicability¹¹

A. General Applicability

1. This article applies to and regulates the display, construction, installation, erection, alteration, use, location, maintenance, and removal of all signs and support structures in all zoning districts unless the sign, item, or activity is expressly exempted. These regulations apply to both commercial and non-commercial messages.
2. No new sign shall be located, erected, modified, or maintained except in compliance with the regulations contained in this article, unless an alternative sign plan or sign variance has been approved per § 7.2.2 or § [8.7.2], respectively.

⁹ New language replaces 106-2.

¹⁰ 106-1 and 106-5.

¹¹ 106-4.


B. Signs Exempt from Regulation¹²

The following are exempt from regulation under this Code. If there is a dispute as to whether a sign qualifies as exempt, the determination shall be rendered by the Board of Adjustment.¹³

1. Any legal notice, public notice, or warning required by a valid and applicable federal, state, or local law, regulation, or ordinance;
2. Any sign that is inside a building, or that is not legible from a distance of more than three feet beyond the lot line of the lot or parcel on which such sign is located;
3. Murals, works of art, or seasonal decorations that do not include a commercial message;
4. Traffic control signs on private property, such as "Stop," "Yield," and similar signs, the face of which meet state or city standards and which contain no commercial message of any sort;
5. Addresses no larger than ten square feet and postbox numerals;
6. Memorial signs or tablets and building markers displayed on public or private buildings and tablets or headstones in cemeteries;
7. Historical markers or signs that describe a building's historical significance;
8. Signs or "wraps" on operable vehicles, except as not allowed in §7.1.4;
9. At outdoor athletic and sports fields and tracks; outdoor entertainment establishments; and in and around areas of public gathering such as the Wurstfest grounds, the Fairgrounds, schools, churches and parks; temporary signs on fences that are made of wood, masonry, or other material and not part of a building; and
10. Beacons.

7.1.4 Signs Not Allowed¹⁵

Except as otherwise provided in this article, the following signs are not allowed:

- A. Portable signs.
- B. Signs affixed to a tree or utility pole. 
- C. Off-premises signs, except:
 1. As expressly permitted in §7.7.5F, *Material*
 2. *All temporary* signs shall be made of durable materials and shall be maintained in a clean and orderly condition throughout the duration of time they are displayed.
 3. Temporary signs shall not be illuminated.
 4. Temporary signs shall not contain any digital components including an EMD, or any other changeable message component or mechanism.
 5. Temporary Sign Removal; or

¹² 106-10.

¹³ STAFF: Would this be a special exception, or a variance? What procedure would be used to bring this before the BoA for decision?

¹⁵ 106-11.

6. In those situations where the Texas Department of Transportation (TxDOT) is acquiring right-of-way for the construction or expansion of a state roadway and an existing off-premises sign can be relocated on the remainder of the tract of land being acquired by TxDOT without changing or replacing:
 - a. The existing construction materials of the sign;
 - b. The existing configuration of the sign; or
 - c. The existing materials to extend the life of the sign. Any structural damage to a relocated sign shall be considered normal wear and tear and may not be repaired to extend the sign's useful life.
- D. Bandit signs. Any sign other than signs owned by the city, the state or a county, or authorized by the city, posted on a utility pole, street sign, street furniture or sign posted in the public right-of-way, of any size, including signs with wood or wire framing, post or stakes. Bandit signs are hereby declared to be abandoned trash at the time of posting and may be removed and discarded by city staff without notice. No sign owned or placed by the city, the state, or a public utility shall be considered a bandit sign.
- E. Signs on fences except banners and on fences at outdoor athletic fields and tracks; outdoor entertainment establishments; and in or around areas of public gatherings, such as the Wurstfest grounds, fairgrounds, schools, churches, and parks.¹⁶
- F. Mobile billboards when being used as an off-premises sign and being parked on a public right-of-way or on public or private property.

7.2 Sign Permits

7.2.1 Sign Permit Required¹⁸

A. New Signs

A sign permit accompanied by fees as required in Appendix D of the City's Code of Ordinances shall be required to build, structurally alter, or convert any portion of a sign, including a conversion from temporary to permanent or from non-electronic message display to electronic message display, or conduct more than ordinary maintenance of a sign, except signs listed in §7.2.2. If signs are illuminated, an electrical review shall be part of the sign permit review process.

B. Exception for Ordinary Maintenance and Repair¹⁹

No sign permit shall be required for ordinary maintenance and repair of a sign that does not change the sign structure.

C. Changes to Signs with Nonconforming Sign Structures

1. Existing signs with nonconforming sign structures may conduct ordinary maintenance without a sign permit, but any proposed changes to cabinet or sign

¹⁶ STAFF: What about construction signs affixed to fences surrounding construction sites?

¹⁸ Combines 106-6(a) and (b).

¹⁹ Carried forward with copy edits. Chapter 106 used both "normal maintenance" and "ordinary maintenance." Because ordinary maintenance is a defined term, this draft uses that term only, replacing references to normal maintenance. See also updated definition.

structure shall require replacement that brings the sign structure into compliance with all applicable provisions of this LDO.

2. The need for replacement caused by government action, such as widening of right-of-way, is exempt from the requirement to bring the replacement sign into compliance.

7.2.2 Alternative Sign Plan

A. Purpose

1. Notwithstanding anything in this article to the contrary, the erection of a sign or signs may be approved pursuant to this section under an alternative sign plan approved by the Board of Adjustment.
2. The purpose of this section is to allow for a specialized review of signs which may not be appropriate generally without certain restrictions, but which, if controlled as to the number, size, height, color, location, lighting, or relation to adjacent properties, would promote the health, safety, and welfare of the community.
3. Conditional approval of an alternative sign plan shall not be based upon the content of the sign, but shall be based upon an evaluation of the physical impact of the proposed sign on adjacent properties, and to ensure adequate mitigation of factors related to the time, placement, and manner of such signs.

B. Application

An application for an alternative sign plan shall be submitted to the Planning and Development Services Department and shall include all documents necessary to obtain a permit, along with any necessary site plans and illustrations that clearly show the alternatives being proposed.

C. Alternative Sign Plan Fees

The application fee for an alternative sign plan shall be per **Appendix D** of the City's Code of Ordinances.

7.3 Standards for Permanent On-Premises Signs²³

7.3.1 Permanent Sign Standards

This section sets forth standards that apply to permanent signs located on the same premises as the business or entity that the sign is advertising.

A. Sign Allowances

1. Residential Use in a Residential Zoning District

- a. A subdivision may have one identification sign per frontage. Different sign types are permitted on different frontages.
- b. A multi-family development may have one attached sign per structure, and one detached sign per frontage.

²³ The majority of content in this section is new, though some is derived from 106-14.

- c. EMD signs are not allowed in residential zoning districts.

2. Non-Residential Uses in Residential Zoning Districts

- a. A conforming non-residential use in a residential zoning district may have one attached or one detached sign per lot.
- b. EMD signs are not allowed in residential zoning districts.
- c. This does not apply to home occupations. See §X.X.

3. Non-Residential Uses in Non-Residential and Mixed-Use Zoning Districts

- a. Unless otherwise specified, non-residential uses may have one attached sign (archway, awning / canopy, hanging / suspended, marquee, projecting, roof, or wall sign) and one detached sign (monument or pole sign) per frontage, provided that the desired sign type is permitted in the property's zoning district.
- b. Only one EMD sign is permitted per lot.
- c. Additional signage may be permitted depending on the length of linear frontage. See information on individual sign types. Where more than one sign is permitted per frontage owing to length of frontage, each sign shall be separated by a minimum distance of 100 feet.

4. Schools

School sign packages shall be reviewed and approved as alternative sign plan requests. See §1.1.

B. Illumination Standards for Non-EMD Signs

1. External Illumination

- a. Lighting for externally illuminated signs shall be positioned to illuminate only the sign area and minimize light spillage into the surrounding area.
- b. Lighting shall be provided from above or parallel to the sign and shall be shielded.
- c. Ground-based lighting that shines upward onto a sign without shielding is not allowed.



Figure 7-1: External Illumination,
Lighting Directed toward the Ground

2. Internal Illumination

- a. Internally illuminated signs, where permitted, including neon lighting, shall be static in intensity and color.
- b. The light source for internally illuminated signs shall be entirely enclosed within the sign.

- c. Internally illuminated signs shall be positive-contrast, with light-colored fonts and features on a dark background, and shall contain no more than 35% white area. Figure 7-2 shows combinations of backgrounds and font colors that are permitted.

White Background Not Allowed	Shaded Background Allowed	Color Background Allowed	Opaque Background Allowed
Business Name/Logo	Business Name/Logo	Business Name/Logo	Business Name/Logo

Figure 7-2: Internal Illumination Configurations

3. Flashing or Rotating Lights Restricted


Flashing or rotating lights are not allowed.

7.3.2 Permanent Signs Allowed Without a Permit²⁴

The signs listed below may be erected without a sign permit provided that all other standards of this Article 7: *Signs*, are met.

A. Directional Signs

Directional signs, subject to the following standards:

1. The sign shall be attached directly to the ground or supported by a structure that is placed on or anchored in the ground, independent of any building or structure.
2. The maximum height of the sign shall be six feet as measured from the ground.
3. The maximum area for the sign shall be 16 square feet. 

B. Flags and Flagpoles


A flag with a non-commercial message that is affixed to a permanent flagpole or structure in any zoning district, subject to the following:

1. Up to three flags may be affixed to one flagpole.
2. The maximum area of the flag is 40 square feet, the maximum flagpole height is 25 feet, and the minimum setback for the flagpole is five feet.
3. In mixed-use, commercial, and industrial zoning districts, non-residential uses may have ground-mounted flagpoles taller than 25 feet.



Directional Sign Example

²⁴ Relocated from 106-10(b).

4. When a flagpole is located on the top of a roof, the placement and attachment of the pole shall meet the building code for wind and structural loading requirements. The site plan shall provide the proposed location, attachment method to the structure and wind load resistance. A building permit shall be required for this type of installation.
5. Flags may be illuminated. Installation of illumination shall require issuance of an electrical permit.
6. United States flags shall be flown in accordance with the protocol established by the Congress of the United States for the Stars and Stripes, Title 4, Chapter 1—The Flag 

C. Government or Public Signs

The following types of government or public signs in any zoning district, subject to the following standards:

1. Legal Notices

Signs and notices required to be displayed, maintained, or posted by law or by any court or governmental order, rule, or regulation.

2. Government Signs

Government signs and notices provided for the convenience and safety of the community.

3. Municipal Wayfinding Signs

Signs erected as part of the City's wayfinding sign program.

4. Traffic and Safety Signs

Official public signs approved by a governmental body with jurisdiction over issues such as traffic safety, pedestrian safety, schools, railroads, or public notice, as well as signs required by the Manual of Uniform Traffic Controls. This includes emergency warning signs erected by a governmental agency, a public utility company, or a contractor doing authorized or permitted work within the public right-of-way.

5. Utility Signs

Informational signs posted by a public utility regarding its poles, lines, pipes, or facilities.

D. Home Occupation Signs

In one to four-family zoning districts, one non-illuminated identification sign per approved home occupation. The sign shall be physically attached to the exterior of the structure or posted in a window. The maximum permitted sign area is four square feet.

E. Internal and Integral Signs

1. Signs within a structure not intended for public view or external signs that are not readily legible from a public right-of-way or from adjacent residential, public, or civic districts or uses.
2. Signs or banners on fences and structures within an arena, park, recreational complex, or athletic field, provided such signs or banners face inward to the arena, park, recreational complex, or athletic field.
3. Integral signs that are carved into stone or similar material that are integral to the building or plaques that are placed flat against a building. Integral signs shall not exceed four square feet in residential zoning districts or 12 square feet in mixed-use and non-residential zoning districts.

*Integral Sign Example***F. Incidental Signs**

1. A sign that is less than one square foot in area and that is affixed to a machine, equipment, fence, gate, wall, gasoline pump, or utility cabinet.
2. Video or digital displays with a screen area of less than two square feet on a permitted primary structure, accessory structure, or piece of equipment, and designed to be viewed only by an individual obtaining services or goods at that location. This includes digital or video screens on ATMs, fuel pumps, charging stations, car washes, and air filling stations.

G. Signs along Public Streets or Railroads

Signs along public rights-of-way, including streets, alleys, sidewalks, and any other public ways, or railroads, as follows:

1. Bus stop signs erected by a public transit company.
2. Special event signs in state rights-of-way, subject to approval of a permit issued by the state department of transportation.

H. Window Signs

Window signs may not cover the full surface of the window. At least 30 percent of the window must remain uncovered and transparent.

7.3.3 Permanent Sign Permissions by District and Sign Type

COMMENTARY

This draft section presents a new layout for permanent sign allowance information. Dimensional allowances are suggested for new sign types and carried forward for existing sign types.

Table 7-1 identifies which types of permanent on-premises signs are allowed by zoning district. Click the name of the sign type in the left column of the table to see specific standards that apply to each sign type.

Table 7-1: Permanent On-Premises Sign Allowances

Zoning District (Current)		APD	R1A-12	R1A-8	R-1, R-1A-6.6	R1A-5.5	R1-a4	R-2, R-2A	R-3, R-3L	R-3H	B-1B	MU-A	C-O	MU-B	C-2	C-1, C-1A	C-1B, C-2A	C-3	C-4, C-4A, C-4B	M-1, M-1A	M-2, M-2A			
Zoning District (Proposed)		AG	R12	R8	R6.6	R5.5	R4	R2.5	RMX	RMF1	RMF2	RMF3	RMH	MXT	MXC	MXR	CBD	CN	CG	CR	RC	LI	HI	PO
P = Permitted Blank Cell = Not Allowed																								
Sign Type																								
Archway Sign		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Awning / Canopy Sign								P	P	P	P	P		P	P	P	P	P	P	P	P	P	P	
Electronic Message Display														P	P	P	P	P	P		P	P	P	
Hanging / Suspended Sign								P	P	P		P		P	P	P	P	P	P	P		P	P	
Marquee Sign														P	P	P	P	P	P					
Monument Sign		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Pole Sign		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Projecting Sign								P	P	P	P	P		P	P	P	P	P	P	P	P	P	P	
Roof Sign														P	P	P	P	P	P					
Wall Sign		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	

7.3.4 Archway Sign²⁵

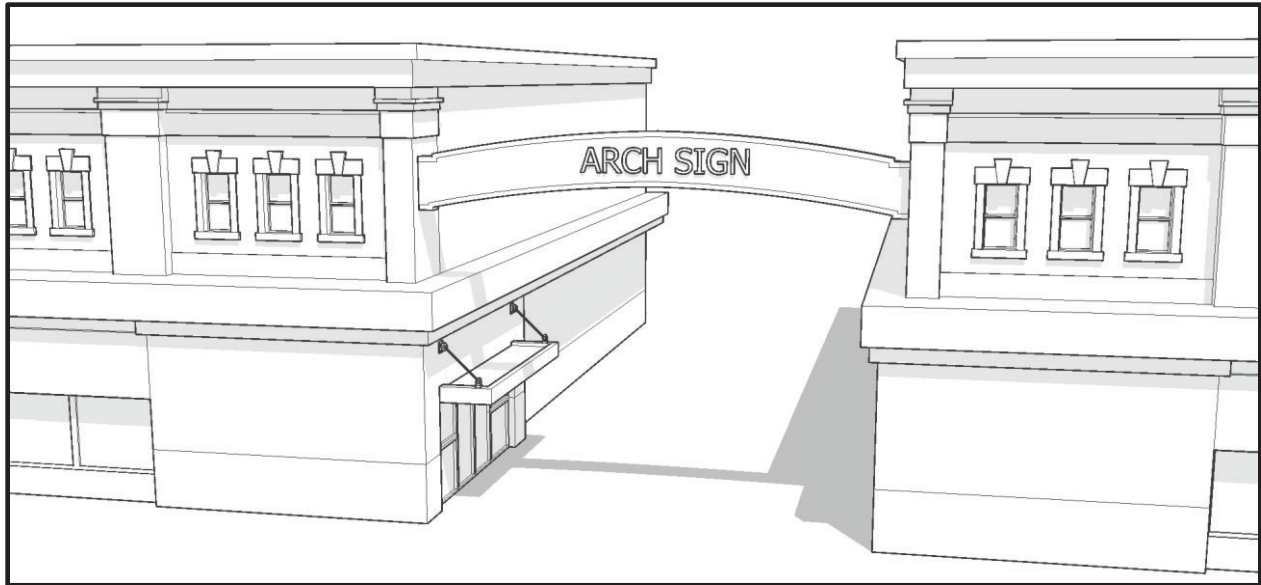


Figure 7-3: Archway Sign

A. Dimensional Standards

Table 7-2: Archway Sign

Zoning District	Number Allowed (max.)	Height of Lettering (max., ft)	Length of span (max., ft)	Clearance (min., ft)	Illumination Allowed?
Residential					
One- to Four-Family Districts ^[1]	1 per frontage	2	40	14	Internal only
Multi-family	1 per frontage	2	50	14	Internal only
Mixed-Use					
All	1 per frontage	2	50	14	Internal only
Commercial and Industrial					
CBD	1 per frontage	2	40	14	Internal only
All other	1 per frontage	2	60	14	Internal only

Notes:

[1] This applies only to a subdivision entrance sign for an entire development, and not to any individual residential lot or property.

B. Design Standards

1. An archway sign may be located at the vehicle or pedestrian entrances to a project, but shall not span or be located within the public right-of-way.
2. The minimum clearance shall be measured from the pavement or ground surface to the lowest point on the sign.

²⁵ New.

3. EMD archway signs are not allowed.
4. Archway signs shall act only as a project identification sign. In the case of a multi-tenant development, archway signs shall not be used by individual tenants.
5. Only internal illumination is permitted, using a concealed lighting source. See §7.3.1B.2 for standards regarding permitted colors for sign background and lettering.
6. If attached to a building, or between buildings, the archway sign shall extend no more than twelve feet above the highest adjacent rooflines, or shall be subject to the maximum height limit of the zoning district in which the sign is located, whichever is less.



Archway Sign Examples

7.3.5 Awning / Canopy Sign



Figure 7-4: Awning Sign

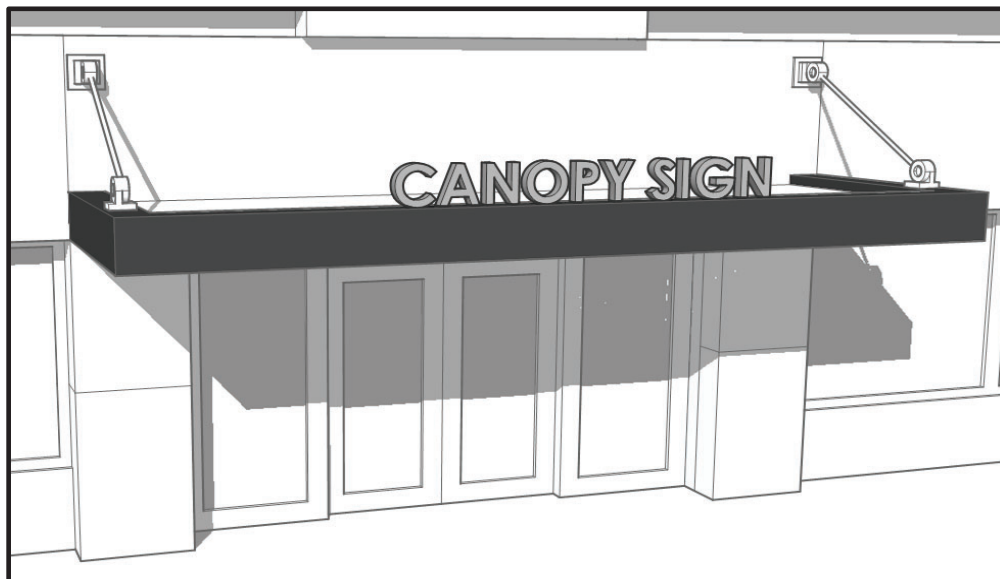


Figure 7-5: Canopy Sign

A. Dimensional Standards

Table 7-3: Awning / Canopy Sign

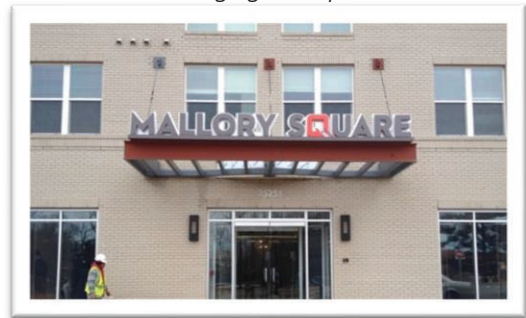
Zoning District	Number Allowed (max.)	Height of Lettering (max., ft)	Projection (max., ft)	Clearance (min., ft)	Illumination Allowed?
Residential					
Multi-family	1 per frontage	2	6	8	External only
Mixed-Use					
All	1 per frontage	2	6	8	External only
Commercial and Industrial					
CBD	1 per frontage	2	6	8	External only
All other	1 per frontage	3	6	8	External only

B. Design Standards

1. Signage placed upon an awning or canopy shall count as one sign regardless of the number of sides of the awning or canopy that have signage.
2. The maximum square footage of the awning or canopy sign is limited by the size of the awning or canopy; permitted height for lettering is as described in Table 7-3.
3. An awning or canopy may project six feet forward from the building façade but no closer than two feet from back of curb. If the awning or canopy sign is proposed to encroach into the public right-of-way, approval of the encroachment shall be part of the permit review.
4. The awning or canopy sign shall not interfere with the operation of any window, door, ventilation system or the roof design.



Awning Sign Example



Canopy Sign Example

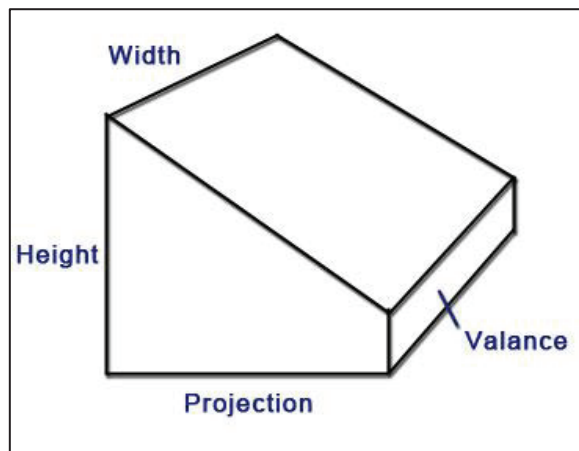


Figure 7-6: Components of Canopy Sign

7.3.6 Electronic Message Display (EMD)

A. Permitted Sign Type and Dimensional Standards

1. An electronic message display may be integrated into a marquee, monument, pole, or wall sign, and shall be subject to the dimensional standards in this article set forth for the respective sign type.
2. An EMD shall not be permitted as any other sign type, unless specifically approved as part of an alternative sign plan, as described in §7.2.2.

B. Exemption

Gas stations may incorporate electronic message pricing display into permitted pole or monument signs. ~~The electronic message component shall not be calculated as part of the allowed sign area; however, the electronic message component may not be more than two times the allowed sign area square footage.~~

C. Design Standards

1. Number of EMD Signs

No property shall be permitted more than one EMD.

2. Location restrictions

- a. No EMD sign shall be within 150 feet of a residentially zoned property.
- b. No EMD sign shall be located on a residential, local, or collector street.

3. Display Standards

- a. EMDs shall contain static messages only and shall not have movement or the appearance or optical illusion of movement during the static display of any part of the sign.
- b. Each static message shall not include flashing or the varying of light intensity and shall not scroll.
- c. The sign shall be programmed to display a blank and black or dark blue screen if a malfunction occurs.
- d. The sign shall not include audio, pyrotechnic, bluecasting (i.e., Bluetooth advertising), or other similar components.

4. Display Time and Transitions

- a. Display change shall be limited to once every six seconds.
- b. Display change shall be completed within one second.²⁸

²⁸ This is a proposed change from the current standard of two seconds.

- c. There shall be a direct change from one message to the next. An ambient light increase of 0.3 footcandles is permitted during display change.



Examples of EMD Sign Types (left to right: wall, pole, monument)

5. Display Brightness²⁹

- a. Sign luminance shall not exceed a maximum daytime luminance of 5,000 nits or a maximum nighttime luminance of 2,500 nits. For the purposes of this section, nighttime shall mean between the periods of sunset to sunrise as calculated by the United States Naval Observatory.
- b. The intensity of the light source shall not produce glare, the effect of which constitutes a traffic hazard or is otherwise detrimental to the public health, safety, or welfare.
- c. Any sign picture or information shall not have a solid white background between the time period of 30 minutes after sunset and 30 minutes before sunrise.
- d. The EMD sign shall include a mechanism for auto dimming/brightening based on natural ambient light conditions.
- e. The EMD sign shall include a photo cell and dimmer control to assure the luminance standard is met and not exceeded.
- f. Each application for EMD approval shall include the manufacturer's specifications programmed to meet the dimming requirement, along with a description of the proposed dimming method.

6. Display Technology

The technology currently used for EMDs is LED (light-emitting diode), but there may be alternate, preferred, and superior technology available in the future. Any other technology that operates under the brightness limits above shall not require an ordinance change for approval.

²⁹ The current code uses footcandles for this. If the city does not have the equipment for measuring nits rather than fc, this can revert to fc.

7.3.7 Hanging / Suspended Sign

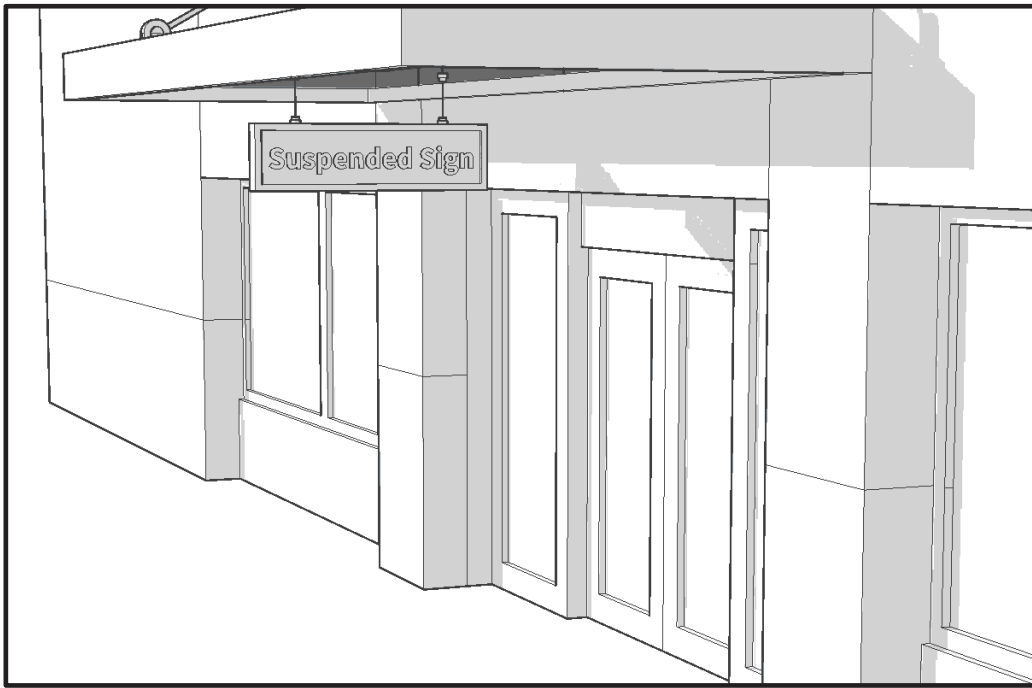


Figure 7-7: Hanging / Suspended Sign

A. Dimensional Standards

Table 7-4: Hanging / Suspended Sign

Zoning District	Number Allowed (max.)	Sign Area (max., sq ft)	Projection (max., ft)	Clearance (min., ft)	Illumination Allowed?
Residential					
Multi-family	1 per frontage	32	6	8	External only
Mixed-Use					
MXT	1 per frontage	16	6	8	External only
MXC	1 per frontage	32	6	8	External only
MXR	1 / 300 linear ft of frontage	32	6	8	External only
Commercial and Industrial					
CBD	1 per frontage	16	6	8	External only
All other	1 / 300 linear ft of frontage	32	6	8	External only

B. Design Standards

1. A hanging sign may project six feet forward from the building façade but may be no closer than two feet from back of curb. If the hanging sign is proposed to encroach into the public right-of-way, approval of this encroachment shall be part of the permit review.
2. The two sides of a hanging or suspended sign shall be parallel back-to-back and shall not exceed 10 inches in thickness.



Hanging / Suspended Sign Example

7.3.8 Marquee Sign

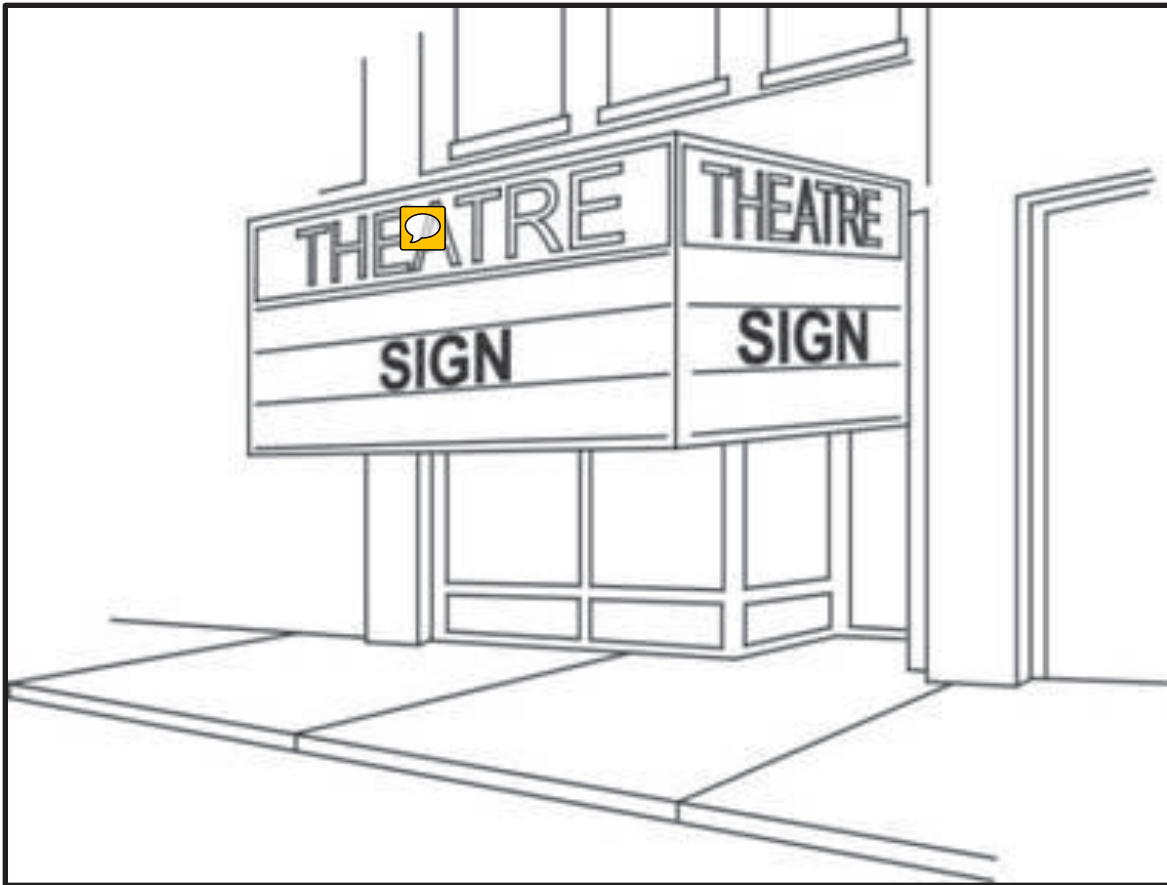


Figure 7-8: Marquee Sign

A. Dimensional Standards

Table 7-5: Marquee Sign					
	Number Allowed (max.)	Area per Sign (max., sq ft)	Height (max., ft)	Clearance (min., ft)	Illumination Allowed?
Mixed-Use Zoning Districts					
MXT	1 per lot	20	8	10	Internal or external
MXC	1 per lot	32	10	10	Internal or external
MXR	1 per lot	48	10	10	Internal or external
Commercial Zoning Districts					
CBD	1 per lot	20	8	10	Internal or external
All other commercial	1 per lot	32	10	10	Internal or external

B. Design Standards

1. The maximum permitted projection of the sign extending out from the face of the building is six feet. The sign shall not project closer than two feet from back of curb. If a marquee sign is proposed to encroach into the public right-of-way, approval of this encroachment shall be part of the permit review.

2. The roofs of all marquees equal to or exceeding 30 square feet shall be properly guttered and connected with downspouts to storm sewers so that water will not drip or flow into sidewalks or streets.
3. The Marquee Sign Example to the right shows two signs: the marquee, and above it vertically, is a projecting sign.
4. All signage on the marquee shall be affixed flat to the vertical face of the marquee.
5. Sign copy may be manual changeable copy or EMDs where permitted by zoning. EMD and manual changeable copy sign areas are limited to the face of the marquee, without extension above or below the marquee.



Marquee Sign Example

7.3.9 Monument Sign

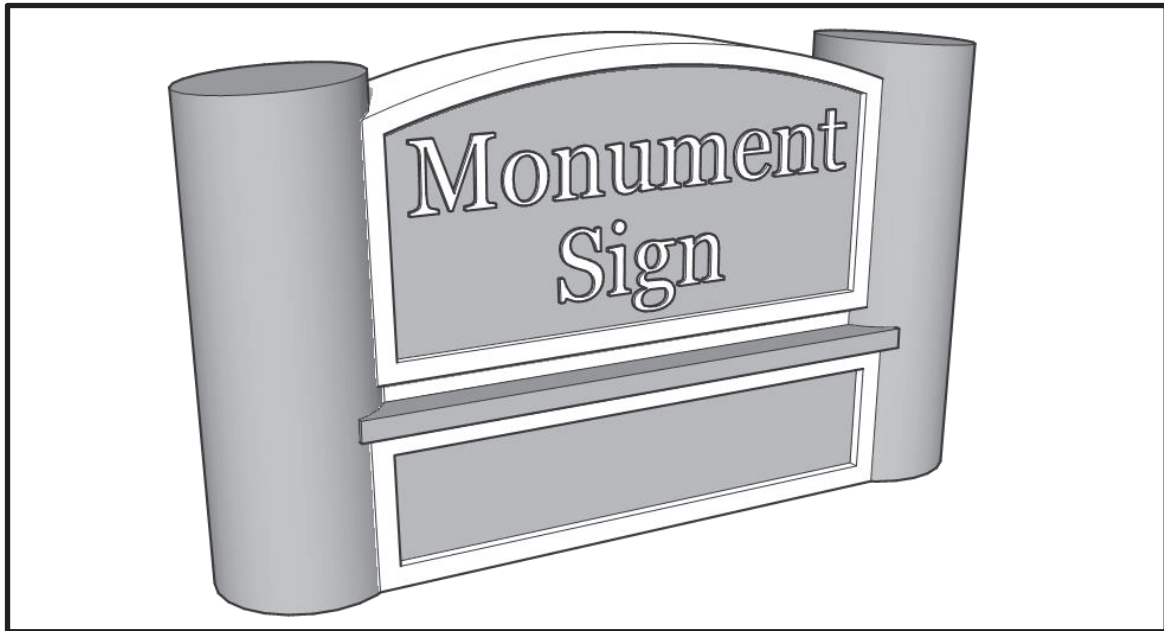


Figure 7-9: Monument Sign

A. Dimensional Standards

Table 7-6: Monument Sign

	Number Allowed (max.)	Area per Sign (max., sq ft)	Height (max., ft)	Setback (min., ft)	Illumination Allowed?
Residential Zoning Districts^[1]					
One- to Four-Family Districts ^[2]	1 per frontage	40 sq ft / sign face	6	5	External only
Non-Residential use in One- to Four-Family Districts	1 per lot	32	8	5	External only
Multi-Family Districts	1 per frontage	32	8	5	External only
Mixed-Use Zoning Districts					
MXT	1 per lot	32	8	5	External only
MXC	1 per frontage	48	10	10	Internal or external
MXR	1 per frontage	48	10	10	Internal or external
Commercial and Industrial Zoning Districts					
CBD	1 per lot	32	8	5	Internal or external
All other commercial	1 / 300 linear ft of street frontage	48	10	5	Internal or external
Industrial	1 / 300 linear ft of street frontage	48	10	10	Internal or external
Other Districts^[1]					
AG / PO	1 per lot	32	8	10	External only

Table 7-6: Monument Sign

	Number Allowed (max.)	Area per Sign (max., sq ft)	Height (max., ft)	Setback (min., ft)	Illumination Allowed?
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Notes

[1] EMD not allowed in these districts.


[2] This applies only to a subdivision entrance sign for an entire development, and not to any individual residential lot or property. See §7.3.9B.3.

B. Design Standards**1. General**

- a. The sign shall have only two sign faces.
- b. A monument sign shall have zero clearance above the existing finish grade level and shall be installed in or on the ground.
- c. The base of the sign shall be constructed of materials and colors compatible with those on the primary building's facade.
- d. If more than one monument sign is located on the same property, there shall be a minimum separation distance of 100 feet between the monument signs on the same frontage.

*Monument Sign Examples***2. Multi-Tenant Monument Signs**

Developments containing two or more businesses, whether in a single building or multiple buildings, shall share a sign structure for all businesses located within the development. This provision is applicable to businesses located on the same lot upon which the sign is located as well as to businesses located upon different lots within the development. Such signs shall comply with the following:

- a. The lot or lots involved shall be contiguous with one another and constitute a single cohesive development .
- b. The sign(s) shall be located on a lot occupied by one of the businesses on the site.
- c. In the MXC, MXR, commercial districts except CBD, and industrial districts, multi-tenant monument signs are allowed a maximum sign area of 64 square feet.
- d. The sign shall be designed in the overall architectural style of the buildings within the development.

- e. Private streets within the boundaries of a development shall be treated as public rights-of-way for purposes of determining allowable signage.
- f. Individual pad or lease sites shall be treated as separate lots for purposes of determining allowable signage; however, no business shall be included in the shared multi-tenant sign and have its own individual detached sign.



Multi-Tenant Sign Example

3. Subdivision Entrance Sign

Subdivision entry signs are allowed at any entrance into a subdivision, subject to the following standards:

- a. The sign shall be constructed of masonry, stone, brick, wood or other material(s) compatible with surrounding development.
- b. A landscaped area equal to twice the area of one sign face is required, providing one five-gallon shrub for every ten square feet of landscaped area. One of the following irrigation methods shall be used to ensure the survival of the required plant material in the landscaped areas.
 - i. **Conventional System**
An automatic or underground irrigation system that may be a conventional spray or bubbler type heads.
 - ii. **Drip or Leak-Pipe System**
An automatic or underground irrigation system in conjunction with a water-saving system such as a drip or a leaky-pipe system.

iii. Temporary and Above-Ground Watering

Landscape areas utilizing xeriscape plants and installation techniques, including areas planted with native grasses, wildflowers and trees may use a temporary and above ground system, and shall be required to provide irrigation for the first three growing seasons.

- c.** No irrigation is required for undisturbed natural areas or undisturbed trees.
- d.** The owners of the landscaped property shall be responsible for the maintenance of the landscaped area.

7.3.10 Pole Sign

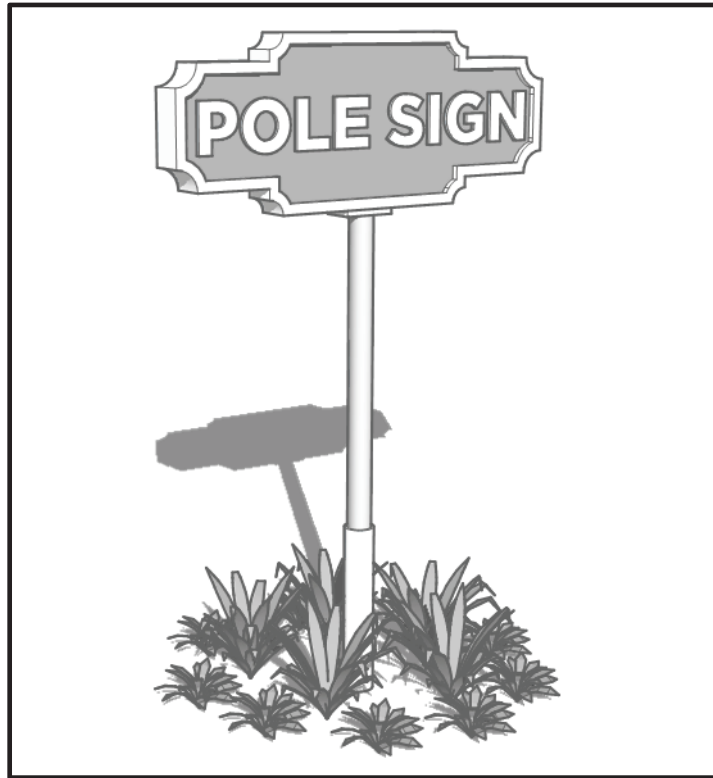


Figure 7-10: Pole Sign

A. Dimensional Standard

Table 7-7: Pole Sign					
	Number Allowed (max.)	Area per Sign (max., sq ft)	Height (max., ft)	Setback (min., ft)	Illumination Allowed?
Residential Zoning Districts^[1]					
Non-Residential use in One- to Four-Family Districts	1 per lot	20	6	10	External only
Multi-Family Districts	1 per frontage	32	8	10	External only
Mixed-Use Zoning Districts					
MXT	1 per frontage	20	6	5	External only
MXC	1 per frontage	32	8	10	Internal or external
MXR	1 / 300 linear ft of street frontage	20	10	10	Internal or external
Commercial and Industrial Zoning Districts					
CBD	1 per lot	20	8	5	Internal or external

Table 7-7: Pole Sign

	Number Allowed (max.)	Area per Sign (max., sq ft)	Height (max., ft)	Setback (min., ft)	Illumination Allowed?
All other commercial	1 / 300 linear ft of street frontage	20	10	5	Internal or external
Industrial	1 / 300 linear ft of street frontage	20	10	10	Internal or external

Other Districts / Locations

AG / PO ^[1]	1 per lot	20	8	10	External only
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Notes

[1] EMD not allowed in these districts.

B. Design Standards**1. General Standards**

Unless specified otherwise elsewhere in this section, these standards apply to all pole signs.

- a. A pole sign may have only two sign faces.
- b. If more than one pole sign is located on the same frontage of a property, there shall be a minimum separation distance of 100 feet between any two pole signs.

2. Multi-Tenant Pole Signs

Developments containing two or more businesses, whether in a single building or multiple buildings, shall share a sign structure for all businesses located within the development. This provision is applicable to businesses located on the same lot upon which the sign is located as well as to businesses located upon different lots within the development. Such signs shall comply with the following:

- a. The lot or lots involved must be contiguous with one another, and constitute a single cohesive development.
- b. The sign(s) must be located on a lot that one of the businesses occupies;

*Pole Sign Example*

- c. In the MXC, MXR, commercial districts except CBD, and industrial districts, multi-tenant pole signs are allowed a maximum sign area of 64 square feet;
- d. Private streets within the boundaries of the development are treated as public rights-of-way for purposes of determining allowable signage; and
- e. Individual pad or lease sites, shown on the approved site plan, are treated as separate lots for purposes of determining allowable signage; however, no business shall be included in the shared multi-tenant sign and have its own individual detached sign.



Multi-Tenant Pole Sign Example

7.3.11 Projecting Sign



Figure 7-11: Projecting Sign

A. Dimensional Standards

Table 7-8: Projecting Sign

Zoning District	Number Allowed (max.)	Sign Area (max., sq ft)	Projection (max., ft)	Clearance (min., ft)	Illumination Allowed?
Residential					
Multi-family	1 per frontage	32	6	8	Internal or external
Mixed-Use					
MXT	1 per lot	32	6	8	Internal or external
MXC	1 per frontage	40	6	8	Internal or external
MXR	1 per tenant	40	6	8	Internal or external
Commercial and Industrial					
CBD	1 per frontage	32	6	8	Internal or external
All other	1 per frontage / tenant	40	6	8	Internal or external

B. Design Standards

1. The projecting sign may extend six feet forward from the building façade, but may be no closer than two feet from back of curb. If a projecting sign is proposed to encroach into the public right-of-way, approval of this encroachment shall be part of the permit review.
2. The two sides of a projecting sign shall be parallel back-to-back and shall not exceed 12 inches in thickness.
3. A projecting sign shall be hung at right angles to the building.
4. Sign supports and brackets of decorative metal or wood brackets are encouraged. Guy wire support is not allowed.
5. To avoid damaging brick and stonework brackets shall be designed to be bolted into masonry joints.

*Projecting Sign Example*

7.3.12 Roof Sign³¹

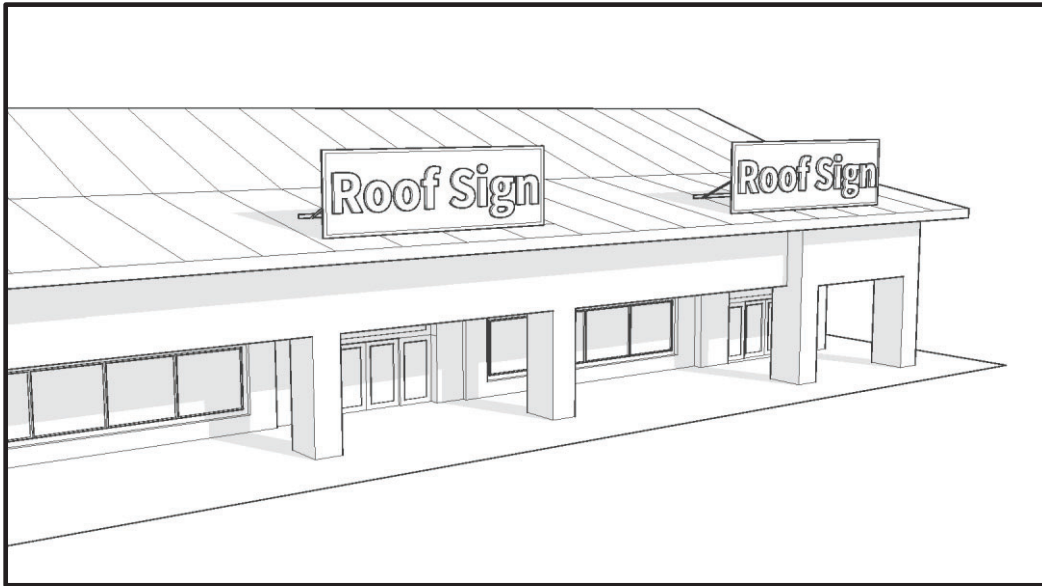


Figure 7-12: Roof Sign

A. Dimensional Standards

Table 7-9: Roof Sign

Zoning District	Number Allowed (max.)	Sign Area (max., sq ft)	Height (max., ft)	Illumination Allowed?
Mixed-Use				
All	1 per frontage	32	10	Internal or external
Commercial and Industrial				
CBD	1 per frontage	32	10	Internal or external
All other	1 per frontage	32	10	Internal or external

B. Design Standards

1. The roof sign may extend up to ten vertical feet above the roof the which it is attached, but may not exceed the maximum height limit of the zoning district in which the sign is located.
2. Roof signs shall be constructed entirely of metal or other approved noncombustible material.
3. Provisions shall be made for electric grounding of metallic parts.
4. Roof signs shall be constructed as to leave a clear space of not less than one foot between the roof level and the lowest part of the sign and shall have no less than two vertical supports.
5. Roof sign structures shall not project beyond the roof edge or an exterior vertical wall.

³¹ New.

6. A larger roof sign may be permitted in the CBD with approval of an alternative sign plan, as described in §7.2.2.

7.3.13 Wall Sign

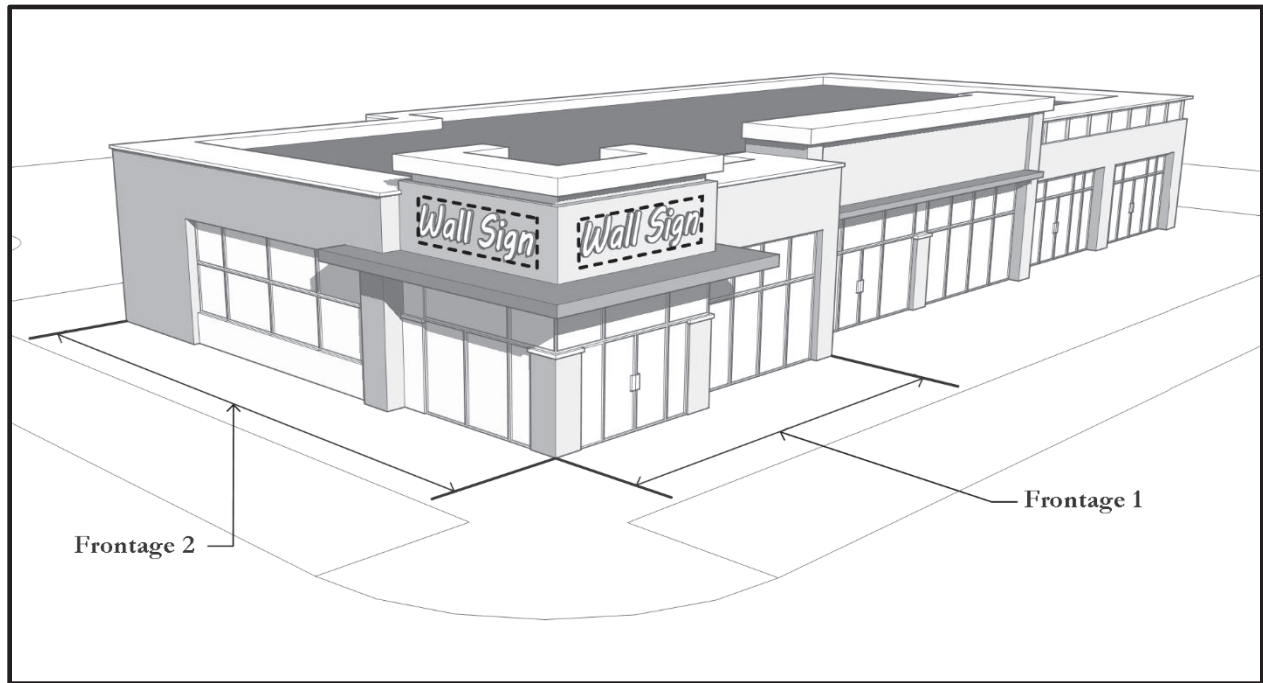


Figure 7-13: Wall Sign

A. Dimensional Standards

Table 7-10: Wall Sign				
	Number Allowed (max.)	Area per Sign (max., sq ft)	Height (max., ft) ^[1]	Illumination Allowed?
Residential Zoning Districts^[1]				
One- to Four-Family Districts ^[3]	1 per frontage	40	Limited by wall height	External only
Non-residential use in One- to Four-Family Districts	1 per lot	32	Limited by wall height	External only
Multi-Family Districts	1 per frontage	15% of building face	Limited by wall height	Internal or external
Mixed-Use Zoning Districts				
MXT	1 per lot	15% of building face	Limited by wall height	External only
MXC	1 per lot	20% of building face	Limited by wall height	Internal or external
MXR	1 per tenant	25% of building face	Limited by wall height	Internal or external
Commercial and Industrial Zoning Districts				
CBD	1 per frontage	20% of building face	Limited by wall height	Internal or external

Table 7-10: Wall Sign

	Number Allowed (max.)	Area per Sign (max., sq ft)	Height (max., ft) ^[1]	Illumination Allowed?
All other commercial	1 per frontage / tenant	25% of building face	Limited by wall height	Internal or external
Industrial	1 per frontage tenant	25% of building face	Limited by wall height	Internal or external

Other Districts / Locations^[2]

AG / PO	1 per lot	32	Limited by wall height	Internal or external
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Notes

[1] Shall not project above the wall on which sign is located.

[2] EMD not allowed in these districts.

[3] This applies only to a subdivision entrance sign for an entire development, and not to any individual residential lot or property. See §7.3.13B.3.

B. Design Standards**1. General Standards Applicable to All Wall Signs****a. Maximum Projection**

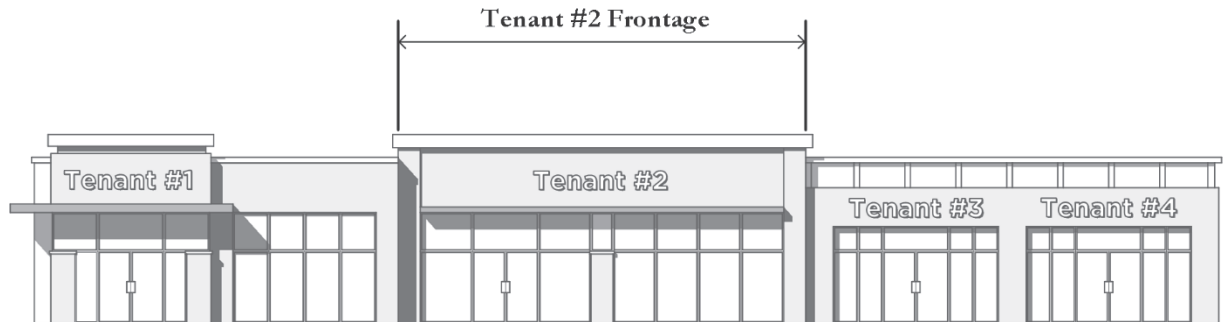
- i. A wall sign shall not extend above the roofline of the building to which it is attached.
- ii. Wall signs that do not extend more than 12 inches from the face of the building may be installed at any height on the structure.
- iii. Wall signs that project more than 12 inches from the face of the building shall be installed with eight feet of clearance below the sign.

*Wall Sign Examples*

- iv. Signs that project more than 24 inches or that are not installed parallel to the wall plane shall be considered projecting signs.

2. Multi-Tenant Structures

In multi-tenant structures, wall sign allowance is based on the extent of frontage each tenant occupies.



Walls Signs for Multi-Tenant Structures

3. Subdivision Entrance Sign

A subdivision entry sign may be a wall sign if it is mounted on a screening or decorative wall that runs along the perimeter of the subdivision.



Subdivision Wall Sign Example

7.4 Sign Measurements and Calculations³²

The section sets forth rules for the computation of sign area and sign height.

7.4.1 Sign Area

A. Maximum Sign Area

The maximum permitted area for all individual signs is determined by the sign type and the zoning district in which the sign is located.

B. Building and Street Frontage

1. Building frontage is the wall of the principal building that faces the street abutting the property.
 - a. If the principal building is located on a corner lot, both frontages may qualify for sign allowances. If only one sign is permitted, the applicant may choose the frontage on which the sign is erected.
 - b. Accessory structures shall not be included in the calculation of maximum signage. Wall signs may be affixed to accessory structures; where this is done the amount of signage used on the accessory structure shall be deducted from the total amount of wall signage permitted on the property.
 - c. The surface area of a wall shall be determined by measuring the building height and multiplying it by the length of the wall, without deduction for doors and windows. "False fronts" and mansard roofs shall not be included when calculating the total area of a wall.
2. Street frontage is the linear footage of a lot adjacent to a street or right-of-way. Street frontage calculation includes driveways.
3. When a site has multiple frontages with permitted signage, the permitted signage may only be used on the frontage for which it has been calculated; permitted sign area may not be transferred from one frontage to another.

C. Method of Measuring Sign Area

1. General

- a. For the purpose of these computations, the area of a sign shall be computed as the entire area of the sign face measured from the outside edge, plus any framing or trim, contained within the respective sign cabinet.
- b. Area calculation does not include the base of a monument sign, or any decorative rocks or landscaping surrounding the sign base.

2. Single-Sided Detached Signs

- a. The sign area of a detached sign consisting of more than one single-sided sign shall be computed by adding together the total area(s) of all signs.

3. Multiple-Sided Detached Signs

- a. The total sign area for a two-sided sign shall be calculated using one face, but the second face may not exceed the area of the first face.

³² Replaces 106-15.

- b. The total sign area for a three-sided sign shall be calculated using one face, but the second and third face total area may not exceed the area of the first face.

4. Three-Dimensional Signs

The sign area of three-dimensional free-form or sculptural (non-planar) signs is calculated as 50 percent of the sum of the area of the four vertical sides of the smallest cube that will encompass the sign.



Figure 7-14: Measuring 3-D Sign

5. Wall Signs

- a. Wall Sign with Border: The sign area is the entire area within any type of perimeter or border which may enclose the outer limits of the sign face.
- b. Wall Sign without Border: The area of a sign that does not have a perimeter or border shall be computed by enclosing the entire area within a rectangle, triangles, or other shape outlining the smallest size sufficient to cover the entire area of the sign and computing the area of these rectangle, triangles or other shape. The area computed shall be the maximum portion or portions which may be viewed from any one direction.

7.4.2 Height and Clearance

The permitted maximum height for all signs is determined by the sign type and the zoning district in which the sign is located. Sign height and clearance is measured as follows:

A. Detached Sign Height

1. The vertical distance measured from the highest point of the sign to the crown of the adjacent street (not including I-35).
2. Height shall include the sign face, base, cabinet, and any ornamental cap.
3. When the existing finished grade at the point of measurement is lower than the average elevation of the adjacent street finished grade parallel to the location where the sign will be installed, that portion of the sign below the street shall not be included in determining the sign's overall height.

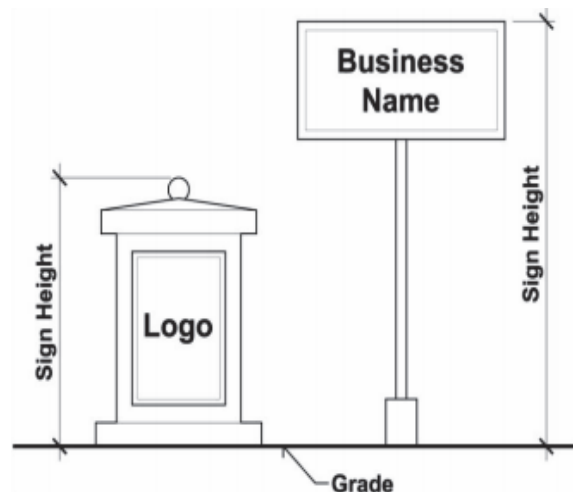


Figure 7-15: Measuring Detached Sign Height

4. Exception

Additional height may be allowed if the elevation of the property is lower than the elevation of the main lanes of the adjacent roadway.

- a. This additional allowance will be determined by measuring the difference between the elevation of the property at the proposed location of the sign and the elevation of the main lanes of the highway.
- b. The elevation difference shall be determined by projecting a perpendicular line from the center line of the proposed location of the sign to the center line of the main lanes of the highway nearest the sign.

B. Sign Clearance and Projection

1. Clearance for detached and projecting signs shall be measured as the smallest vertical distance between finished grade directly underneath the sign at the lowest point of the sign structure, including any framework or other structural element. Clearance for archway signs shall be measured as described in §7.3.4B.2.
2. Sign projection shall be measured from the face of the wall or flat surface to which the sign is attached, extending out in space up to the maximum allowed distance per sign type.
3. Signs that project over a roof shall maintain a four-foot clearance over the average roof height.

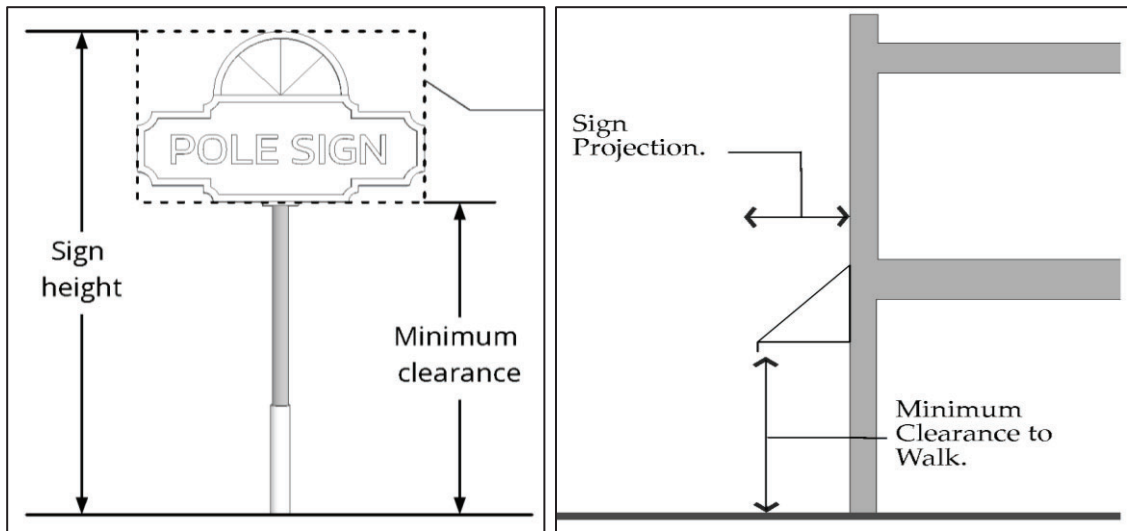


Figure 7-16: Sign Clearance and Projection Measurements

7.4.3 Separation

Separation distance between signs shall be measured along the property lines from the center of the signs.

7.4.4 Setback

- A. Required setbacks are measured from the property line inward.
- B. Signs shall comply with clear vision area standards at driveways and street intersections, described in §---[2.8.4], in addition to required setbacks.

7.5 Location Requirements

No sign shall be located:

- A. Within a public right-of-way or easement, without having secured encroachment authorization.
- B. Within the clear vision area, as described in §---[2.8.4], to include all street intersections, street and alley intersections, and intersections of driveways with streets.
- C. Within a ten-foot radius, vertically and horizontally, of any overhead power line, pole, crossbar, or as may otherwise be required by the utility provider. Any relocation of power lines to provide this clearance will be at the expense of the sign owner or as otherwise required by the electrical utility.
- D. Where it may create a hazard to vehicular or pedestrian safety.

7.6 Landmark Signs³⁴

To be recognized and designated as a landmark sign, a sign shall be approved by the procedures and according to the criteria adopted by the Historic Landmark Commission. See §X.X.

7.7 Temporary Signs

COMMENTARY

This draft does not carry forward Section 106-17, *Temporary street banners*, which will be relocated into the municipal code article that covers special events and permitting (since it involves a city-managed program related to banners spanning the right-of-way, rather than advertising signs on private property).

We also did not carry forward section 106-13(c). Provision 1 regarding temporary informational signs, because it is content-based.

The content proposed in this draft section eliminates the requirement for permits for temporary signs. This is a significant step in making these regulations simpler and more permissive for users. Certain standards are retained related to the size and number of temporary signs allowed in different zoning districts.

7.7.1 Purpose

The purpose of these temporary sign regulations is to identify permissible signage for temporary uses and temporary events, while reducing distractions, obstructions, and hazards to pedestrian and automobile traffic caused by an excessive number, size, or height of temporary signs, or their inappropriate placement, illumination, or movement.

7.7.2 Applicability

The standards of this section apply to temporary, on-premises signs on private property.

³⁴ **STAFF:** Is it correct that there are not currently any landmarked signs? If you want to retain the possibility for signs to be designated, we can include info on that, but we suggest it be included in the Historic section, with a reference from here. In our experience, unless the sign's illumination has been altered from its original form, the sign's illumination is not critically important to its landmark status, and so we did not carry forward that content here. It can be revisited if necessary in the public draft.

7.7.3 Term and Display

Temporary signs do not require a permit, but are subject to the following standards:

- A. Other than election event signs which are not subject to a limit on duration of display, temporary signs shall be erected, re-erected, or maintained for no more than a cumulative 90 days per calendar year.
- B. Temporary signs may be displayed on any private property provided the signs meet the following requirements:
 - 1. The sign conforms to all requirements of this section, including the maximum square footage of signage allowed on the property where placed, and clear vision area limitations as described in §X.X [2.8.4];
 - 2. The sign does not interfere with pedestrian or automobile traffic;
 - 3. The sign is not placed in the public right-of-way or on public property;
 - 4. The sign is placed with the express permission of the property owner; and
 - 5. The sign is not a public danger or nuisance during high winds or inclement weather.

7.7.4 Temporary Sign Types

A. Temporary Sign Types³⁵

Temporary signs on a lot may be allocated among any of the following temporary sign types, unless otherwise prohibited. Temporary signs are subject to standards regarding number and size allowed, as described in §7.7.5A and §7.7.5B of this section.

1. Temporary Sign Types Allowed in Mixed-Use, Commercial, and Industrial Districts

- a. Banner sign;
- b. Inflatable sign;
- c. Commercial flag; pennant; streamer; fluttering, undulating, or moving sign not part of a permanent sign and not a banner;
- d. Yard sign;
- e. Feather flag;
- f. Construction site sign;
- g. A-Frame sign, subject to the following standards:
 - i. A-frame signs shall be no larger than four feet tall and three feet wide, with a maximum area per sign face of 12 square feet.
 - ii. A-frame signs shall be placed in a location abutting the business advertised by the sign. A-frame signs may not be placed in a right-of-way or easement, and may not obstruct a public sidewalk, except as provided in Chapter 114.
- h. Seasonal Displays or celebratory decorations incidental to the use of the premises;
- i. Stake signs;

³⁵ This represents a proposed change from current practice, which permits inflatable signs and tethered balloons, as well as pennants streamers, etc., without a permit.

2. Temporary Sign Types Allowed in Commercial and Industrial Districts

- a. Yard sign;
- b. Seasonal Displays or celebratory decorations incidental to the use of the premises;
- c. Stake signs;
- d. Residential personal signs such as new baby, school athlete, cheerleader, honor student, or birthday party, in a residential district with a one- to four-unit dwelling, subject to the following standards:
 - i. May be no larger than eight square feet; and
 - ii. Commercial messages are not allowed.

7.7.5 Temporary Sign Standards

A. Temporary Sign Dimensions

The maximum sign area identified in Table 7-11 is for a single sign face. Temporary signs may be printed on both sides, or two single-sided banners may be placed back-to-back.

V-type configurations are not allowed.

Table 7-11: Maximum Temporary Sign Dimensions

All dimensions are maximum allowances for height (ft) and area (sq ft)	Extra Large		Large		Medium		Small	
	Area (sq ft)	Height (ft)	Area (sq ft)	Height (ft)	Area (sq ft)	Height (ft)	Area (sq ft)	Height (ft)
Agricultural District	48	8	24	8	8	6	4	3
Residential District	36	8	16	8	8	6	4	3
Non-Residential Use in Residential District	36	8	16	8	8	6	4	3
Non-Residential District	50	15	36	15	8	6	4	3

B. Sign Allowances

Except as otherwise specified in Table 7-13 for particular types of temporary signs, the following number of temporary signs per lot are permitted.

Table 7-12: Maximum Number of Temporary Signs per Lot

	Extra Large	Large	Medium	Small
Agricultural District	1	2	3	N/A
One- to Four-Family Residential District	N/A	N/A	2 small or 1 medium	
Multi-Family Residential District OR Mixed-Use District	N/A	1	3	Six
Non-Residential Use in Residential District	N/A	N/A	2 small or 1 medium	
Non-Residential District	1	2	4	8

C. Location

1. Temporary signs are subject to the prohibited sign locations identified in §7.5, Location Requirements.

2. Temporary signs shall not cause unsafe ingress or egress or otherwise create traffic visibility problems.

D. Setback

All temporary signs shall be located no less than five feet from any property line on the lot where the sign is displayed.

E. Number of Temporary Signs and Duration of Display

The temporary sign types listed in this section are named for the activity or use with which the sign permit is associated and are not intended to specify content requirements.

Table 7-13: Number and Display Timeframe for Temporary Signs

Activity, Use, or Event	Number of Signs Allowed				Duration
	Extra Large	Large	Medium	Small	
Active Real Estate Listing ^[1]					
One- to Four-Family Residential	N/A	N/A	1 medium or 2 small, but not both, per street frontage on the property listed		Sign may be placed when the real estate listing becomes active; Shall be removed within 30 days of sale or lease of the property, or deactivation of listing.
Multi-Family and Non-Residential	1 per street frontage on the property listed		N/A	N/A	
Active Construction Permit	N/A	N/A	1 medium or 2 small, but not both, per property with active construction		Sign may be placed when the construction permit is issued; Shall be removed within 1 week of final inspection or completion of the project, whichever occurs first.
Election Event ³⁶					
Residential Districts	N/A	One	No limit on medium or small signs, or one large sign, but not both, per street frontage on the property listed		The standard temporary sign time limits for display do not apply to election event signs.
Non-Residential Districts	No limit	No limit	No limit	No limit	
Sales Events					
Retail Sales Event ^[2]	N/A	N/A	1 per medium or small, but not both		The sign may be placed 7 days before the event and shall be removed within 24 hours of the end of the retail sales event.
Small Sales Events (Estate/ Garage/Yard Sale)	N/A	N/A	1 medium or 2 small, but in no case taller than 3 ft		The signs may be placed 1 day before the event and shall be removed immediately after the event.

Notes:

[2] One additional sign to advertise an open house may be placed on the property no more than five days before the open house and removed no later than one day after the event.

[3] The sign shall be located on private property no farther from the subject parcel than the nearest arterial road.

³⁶ STAFF: Do you want to / is it permissible to limit the number of very large signs allowed?

F. Material

1. All temporary signs shall be made of durable materials and shall be maintained in a clean and orderly condition throughout the duration of time they are displayed.
2. Temporary signs shall not be illuminated.
3. Temporary signs shall not contain any digital components including an EMD, or any other changeable message component or mechanism.

7.7.6 Temporary Sign Removal

- A. Temporary signs shall be removed at the expiration of 90 days, or in the timeframe specified in Table 7-13.
- B. If the City determines that a property has erected temporary signage that exceeds the allowances in this section, the City may require the removal of the sign, or reduction of square footage to bring the property into compliance with this LDO.
- C. Temporary signs that are not removed in the timeframes specified by this LDO may be removed and disposed of by the City.³⁷

7.8 Off-Premises/Billboard Sign Regulations³⁸

New off-premises signs are not allowed. Existing off-premises signs shall comply with all applicable provisions of this article.

7.8.1 Conversion of Off-Premises Signs to Electronic Message Display Signs

- A. Existing off-premises sign may be converted from a non-digital sign face to an electronic message display (EMD) sign face.
- B. The conversion of one off-premises sign to an EMD sign face shall be permitted only upon the elimination and full removal of five existing non-digital off-premises signs across the city.
- C. Proof of demolition permits for and removal of the five off-premises signs shall be provided to the City prior to approval of the sign permit for the EMD off-premises sign.

7.9 Nonconforming Sign Standards⁴⁰

A nonconforming sign is a sign that was lawfully established prior to the effective date or applicability of these regulations or subsequent amendments but that does not comply with current sign regulations.

7.9.1 Retention of Nonconforming Signs

A nonconforming sign may continue except as otherwise provided in or authorized by this section.

³⁷ STAFF: Do you want this to be subject to the same storage and retrieval provisions as permanent signs?

³⁸ 106-13.

⁴⁰ 106-7.

7.9.2 Alterations

- A. A nonconforming sign may not be enlarged in any way to include larger supporting structures; sign area, or height.
- B. A change of sign copy is allowed with approval of a sign permit.
- C. A nonconforming sign shall be eliminated or brought into compliance with all applicable regulations of this section when the cost of any alteration, modification, or improvement is more than 50 percent of the cost of erecting a new sign of the same type at the same location.

7.9.3 Discontinuation of Abandoned Signs

- A. Signs on properties that are abandoned or have been unoccupied for one year or more shall also be deemed abandoned and nonconforming, and shall be removed or brought into compliance with all applicable regulations of this section. Tattered copy or other evidence of deterioration or disrepair is not allowed and shall be immediately remedied by the property owner.
- B. If a property with an abandoned sign is re-occupied, any nonconforming sign on the property shall be removed or made to conform.

7.9.4 Immediate Termination

Except as otherwise provided by the Texas Local Government Code, the City shall cause the immediate removal of any sign constructed, erected or placed in violation of the provisions in this section or expressly prohibited, and any sign that represents a clear and present danger to the health or safety of the public due to its structural condition.

7.9.5 Elimination of Nonconforming Sign Status

The owner of a nonconforming sign may employ the following mechanisms to eliminate the nonconformity:

- A. Modify the existing sign to conform.
- B. Apply for a variance from the specific sign regulations with which the sign does not comply, as described in this article, to allow the sign as built.

7.10 Sign Construction and Maintenance⁴¹

All signs shall be designed, constructed, and maintained in accordance with the following standards:

A. Materials; Attachment to Ground or Structure

Except for temporary and window signs, all signs shall be constructed of durable materials and shall be permanently attached to the ground, a building, or another structure by direct attachment to a rigid wall, frame, or structure.

⁴¹ 106-18.

B. Condition

All signs, including temporary signs, shall be maintained in clean and good condition, including replacement of defective or missing parts, painting, cleaning, and replacement or covering of sign faces exhibiting damage or deterioration, and in conformance with the applicable provisions of the City Code, at all times.

C. Compliance with Applicable Codes

At all times signs shall remain in compliance with applicable building and electrical codes.

D. Damaged or Deteriorated Signs

1. Damaged or deteriorated signs whose cost of repair is more than 50 percent of the cost of erecting a new sign of the same type at the same location which are not repaired within 30 days following the date of the notice to repair same given by the City to the party responsible for such sign, must be removed. Such 30-day period may be extended provided that a bona fide work order bearing a delivery date for repairs is submitted to the City within such 30-day period. The 30-day period may be extended until seven days following the completion date for repairs shown on the work order.
2. If the City determines that a sign poses an immediate danger to the public, then the sign may be removed by the City at the expense of the property or business owner. Any sign that has been removed will be stored or impounded, and returned only upon payment of all applicable expenses and charges. Any sign that remains unclaimed for 30 days following its removal, or if the removal and storage costs have not been paid within 30 days following removal, may be destroyed, sold, or otherwise disposed of by the City.

E. Abandoned Signs and Supporting Structures⁴²

The owner of any premise on which there is displayed or maintained an abandoned sign or abandoned supporting structure shall comply with the following requirements:

1. Any sign or support structure that is deemed dilapidated by the City on, before, or after the adoption date of this LDO shall be removed by the owner within 30 days after receiving written notice by certified mail from the City;
2. If an abandoned supporting structure does not have a can, frame, or similar part of the supporting structure that would hold the sign or to which the sign would be attached, the supporting structure shall be removed or made to comply with the provisions of the section.
3. No person shall alter an abandoned sign or supporting structure without first obtaining a permit to do so from the City.
4. No abandoned sign or supporting structure that is altered under the provisions of this section shall be made more nonconforming.

⁴² 106-g.

5. Any dilapidated sign or dilapidated supporting structure not in compliance with this section is an unlawful sign and may be removed by the city and the owner may be prosecuted or be enjoined from continuing such violation.
6. If a sign, which conforms to the regulations of this article is abandoned, the owner, user, and persons who benefit from the sign and the owner, operator, and tenants of the property on which the sign is located shall remove it, put a blank face on the sign, or otherwise bring it into compliance with this section so as to leave the message portion and supporting structure neat and unobtrusive in appearance, within 90 days after receiving written notice by certified mail from the City.
7. The following are required for the use, display, maintenance, or permitting of an alteration of any abandoned sign or supporting structure regardless of when the sign was abandoned.
 - a. Like material. Only the same like, or better quality material as that being replaced shall be used as a face on or in the abandoned sign. The face of the supporting structure must be one that the supporting structure is designed to support.
 - b. Routed, embossed, or raised messages or sign copy must not be visible to the ordinary observer, if the face or message is blanked.
 - c. Covered messages.
 - i. Abandoned signs may be painted in order to "blank" the face. However, the paint must completely cover the sign face. The covered, painted over message must not show through the paint.
 - ii. Covered sign faces must be of a material or substance that renders the resulting sign face completely blank, opaque, and resistant to deterioration. It is a violation of the article to allow a covered message to bleed or show through the paint or covering.

7.11 Variance and Appeal⁴³

- A. Variances or appeals of interpretations of this article shall be processed and considered as described in §X.X, *Procedures*.
- B. The Board of Adjustment shall have the authority to hear and grant requests for a variance from these regulations and appeals of interpretations of this article. A variance from the standards of this article will be considered an exception to the regulations rather than a right.
- C. No variance application shall be accepted for sign types that are not allowed, as described in §**Error! Reference source not found.**, or sign standards or conditions of approval applied by the City Council as part of a development approval.

⁴³ 106-8.

Article 8: Administration & Procedures

[reserved]

Article 9: Rules of Construction and Definitions

9.1 Rules of Construction

9.2 Definitions

COMMENTARY

This section contains definitions for terms used in this LDO. New definitions are highlighted yellow. Existing definitions that have been carried forward are only footnoted if the definition has been amended or copy-edited.

Signs Definitions⁴⁴

The following words, terms and phrases, when used in , shall have the meanings ascribed to them in the definitions below, except where the context clearly indicates a different meaning.

Abandoned Sign

A sign advertising or identifying a person, product, or activity that is no longer in existence or ceases to operate.

Archway sign

A sign that spans either between two buildings or independent support structures, and has individual lettering located in front of an open horizontal cross-support.

Bandit Sign

Bandit sign shall mean any sign posted on a utility pole, street sign, street furniture or sign posted in violation of this section in the public right of way, of any size, including signs with wood or wire framing, post or stakes.

Banner

Any sign made of fabric, plastic or other non-rigid material designed to hang from rope or wire to advertise a business, service, or special event and not mounted in a permanent rigid frame.

Billboard

An off-premises sign on any flat surface erected on a framework or on any structure, or attached to posts and used for, or designed to be used for, the display of bills, posters, or other advertising material.

Dilapidated Sign

⁴⁴ 106-3

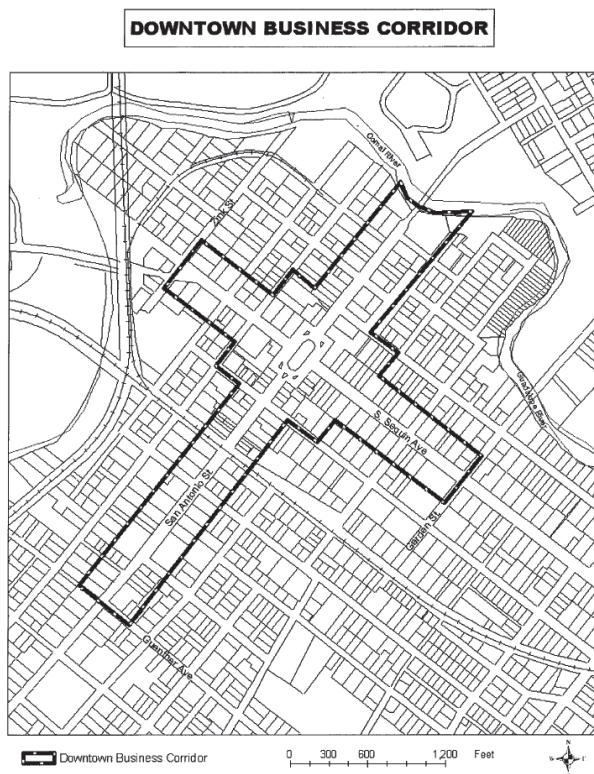
A sign that is shabby, neglected, or in disrepair, or which fails to be in the same form as originally constructed, or which fails to perform its intended function of conveying a message.

Characteristics of a dilapidated sign include, but are not limited to, structural support failure, a sign not supported as originally constructed, panels or borders missing or falling off, intended messages cannot be interpreted by the motoring public, or a sign which is blocked by overgrown vegetation outside the highway right-of-way.

Directional Sign

Downtown Business Corridor

The area of the city depicted on the following drawing:



Election Event Sign

Any sign announcing or promoting the candidacy of one or more persons for elective public office, or concerning any political issue appearing or which is to appear on the ballot in any public election.

Electronic Message Display (EMD) Sign

A sign with a display surface of light-emitting diodes (LEDs) or similar light source that is capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means.

Embellishment

Decorative features of the sign outside the sign cabinet and temporary protrusions or "cutouts" that may carry a message.



Figure 9-1: EMD Sign Example

Finished Grade

To be included in general definitions, not just signs subsection.

Freestanding Sign

A sign that is independent of any building or structure, but is instead permanently attached to or constructed in or on the ground.

Frontage Road

Also known, interchangeably, as a service road, an access road, or a feeder, a frontage road runs more or less parallel to interstate highways, expressways, and some state highways.

Mobile Advertising

A sign used to identify the occupation or license of the owner of a vehicle, such as those commonly used by real estate salespersons, pest control operators, resort, amusement, accommodation and food providers and building contractors. The sign is generally painted or attached flat to a door, trunk or fender of a vehicle and is not intended to be off-premises advertising while the vehicle is parked or stored on private or public property.

Mobile Billboard

A sign that is installed or displayed on a motor vehicle or a trailer being towed by a motor vehicle in the public right-of-way for the purpose of advertising a business or entity that is unrelated to the owner of the vehicle's primary business. The term does not include a sign that is displayed or installed on a vehicle operated in the normal course of the vehicle owner's business, if the sign contains advertising or identifying information directly related to the business and is not used to display advertising that is unrelated to the business.

Monument Sign

A sign attached directly to the ground or supported by a sign structure that is placed on or anchored in the ground and is independent from any building or other structure.

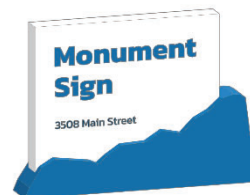


Figure 9-2: Monument Sign Example

Nonconforming Sign

Any sign within the city limits or its extraterritorial jurisdiction that does not comply with the provisions of this article on the effective date of this article or any subsequent amendment thereto. Though they no longer comply with the

regulations of this LDO, legal nonconforming signs are not illegal on account of failing to conform to the standards, requirements, or regulations in this LDO.

Off-Premises Sign

Any outdoor sign advertising a business activity or use that is not offered, sold, or conducted upon the same premises where the sign is located.

On-Premises Sign

Any outdoor sign advertising a business or use that is offered, sold, or conducted upon the same premises where the sign is located.

Ordinary Maintenance and Repair⁴⁵

Painting, repainting, cleaning, or other maintenance and repair work on a sign that is intended to correct deterioration, decay or damage, but does not involve structural changes to the sign. Replacement or change of a plastic sign face or letters is ordinary maintenance, as is replacement of bulbs or fluorescent tubes. However, changes to or replacement of the sign structure or electrical components is not ordinary maintenance.

Park or Parking

The standing of a vehicle, whether occupied or not, other than temporarily for the purpose of and while actually engaged in loading or unloading merchandise or passengers.

Pole Sign

Freestanding signs that are supported by one or more freestanding shafts, posts, or piers extending from and permanently attached to the ground by a foundation or footing, with the bottom edge of the sign face not directly in contact with a solid base on the ground. Pylon signs shall have no more than two faces.



Figure 9-3: Pole Sign Example

Portable Sign

A transportable sign of durable construction on wheels, skids, legs, stake(s) or framing, including trailers, used for advertising or promotional purposes, which is not primarily designed or intended to be permanently affixed to the ground or a building or structure, but which can be so anchored.

Public Service Event

An event open to the public and is reasonably expected to involve at least 5,000 persons, or is an event sponsored by the city, a county, school district, or other unit of local government of the state.

Real Estate Sign

A temporary sign advertising the sale, lease, rental or construction of real property.

Roof Sign

⁴⁵ Definition updated.

Any sign that projects above the fascia of a building and is supported wholly or in part on the roof of the structure.

Sign

Any device or surface on which letters, illustrations, designs, figures or symbols are painted, printed, stamped, raised, projected or in any manner outlined or attached and used for advertising purposes.

Sign Cabinet

The sign cabinet is the structure or border used to differentiate a sign face from the structure against which a sign face is placed.

Stake Sign

A temporary sign that utilizes the support structure to anchor the sign to the ground by inserting the support structure into the ground.

Temporary Street Banner

Any sign made of fabric, plastic, or other non-rigid material and designed to hang from rope or wire, strung above the roadway, and spanning from one side of a street across to the other. Temporary banners are not intended as permanent advertising, and as such, are not mounted in a permanent rigid frame. The following definitions apply when used in the context of temporary street banners:

Continuous Fundraiser

A promotion of ongoing non-profit fundraising operations including but not limited to thrift stores, season pass sales and memberships.

Event

A fundraiser, service, activity, program, presentation, meeting, (examples of which could be but are not limited to; a show, rally, class, banquet, festival, parade, concert, bazaar, sporting activity) or other similar gathering of persons that is open to the general public and occurs in a local setting at a specified date and time or range of dates and times. This definition specifically excludes the regularly recurring meetings of special interest groups, such as the daily, weekly, or monthly gatherings of religious congregations and civic organizations.

Local Event

The actual event is located within the city limits.

Local Governmental Entity → Is this the only place where this term appears?

Any local governmental bodies including a city, a county, and a public school district.

Open to the General Public

Any establishment or event that is free of access to all, and not limited or restricted to any particular subset of the community except as otherwise required by law.

Qualifying Non-Profit Organization

A local organization, or one with a local affiliate, that is not a commercial enterprise and that has tax exempt status under Internal Revenue Service regulations, and has a New Braunfels physical address as that term is defined by the United States Postal Service.

Temporary Street Banner Program

The service afforded by the city and New Braunfels Utilities that accepts reviews, approves, and fulfills requests for the installation and removal of participant-owned banners.

Wall Sign

A sign that is mounted or painted directly onto a building's exterior wall, parallel to the wall surface.