

## Article XII. Signs and Billboards

### **Section 114-207. Purpose and Scope**

- A) Provide uniform sign standards and regulations in order to protect the health, safety and welfare, convenience, enjoyment of the general public.
- B) Promote a positive City image reflecting order, harmony and pride, and thereby strengthening the economic stability of The City of Dothan's business, cultural, historical, and residential areas.
- C) In the consideration of these regulations, it is determined that signs with a commercial or non-commercial message are a proper use on private property having the function of identifying businesses, services, residences, events and other matters of public interest.
- D) Signs shall be regulated according to standards for the number, size, height, spacing and illumination in the interest of the public safety and welfare and promote a higher aesthetic and visual character in all areas of the city.
- E) Nothing in these regulations is intended to inhibit an individual's right to express non-commercial messages protected by the First Amendment to the Constitution of the United States.
- F) The requirements of these regulations shall apply to all signs, sign structures, awnings, and other types of sign devices located in the City of Dothan except:
  - a. signs that cannot be seen from the public roadway and are located entirely on private property,
  - b. signs that are located in any existing or future overlay district or planned unit development that are subject to additional requirements or restrictions.

**Section 114-208. Severability Clause.** Should any part, section subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this Article be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, the declaration of such unconstitutionality shall not affect any other part, section subsection, paragraph, subparagraph, sentence, phrase, clause, term, or word of this chapter.

**Section 114-209. Administration and Enforcement.** Administration of these regulations shall follow the procedures outlined in Article III. The administrative official may implement procedures and policies, create forms and applications for the purpose of implementing these regulations.

**Section 114-210. Definitions.** The following definitions are in addition to the definitions found in Article II of this Chapter.

Abandoned sign - Any sign or sign structure that no longer identifies a current business, product, service, use or activity being conducted on the premises on which

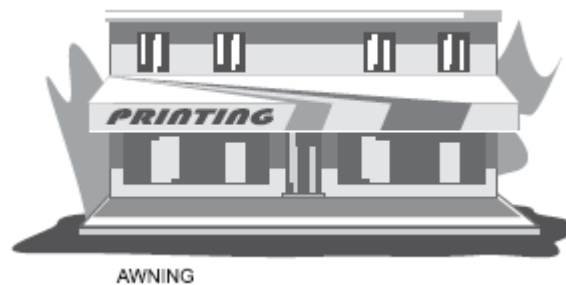
the sign is located or that has not occupied the site for a period longer than one-hundred twenty (120) days and which does not maintain a current business license.

**Animated Sign** - A sign employing actual motion, the illusion of motion, or light and/or color changes achieved through mechanical, electrical, or electrical, or electronic means. Animated signs, which are differentiated from changeable signs as defined and regulated by this Code, include the following types:

1. **Mechanically Activated:** Animated signs characterized by repetitive motion and/or rotation activated by a mechanical system powered by electric motors or other mechanically induced means.
2. **Electrically Activated:** Animated signs producing the illusion of movement by means of electronic, electrical, or electromechanically input and/or illumination capable of simulating movement through employment of the characteristics of one or both of the classifications noted below:
3. **Patterned Illusionary Movement:** Animated signs or animated portions of signs whose illumination is characterized by simulated movement through alternate or sequential activation of various illuminated elements for the purpose of producing repetitive light patterns designed to appear in some form of constant motion.

**Architectural Projection**- Any projection from a building that is decorative and/or functional and not intended for occupancy, and that extends beyond the face of an exterior wall of a building but that does not include signs as defined herein, See also: Awning, Back-lit Awning; and Canopy, Attached and Freestanding.

**Awning Sign** - A sign displayed on or attached flat against the surface of surfaces of an awning. See also: Wall Sign. Signs on awnings shall be included in the applicable sign area requirements for wall signs (see Table 4, Page 20). Only the sign area displayed on an awning shall be used to determine the permitted sign area- the entire awning shall not be included in a Sign Area calculation.



**Banner** - Any sign made of cloth, canvas, plastic, sheeting or any other flexible material, which is not rigidly and permanently attached to a building or the ground through a permanent support structure.

**Beacon** - Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same lot or parcel as the light source.

**Billboard** - For the purposes of this chapter, a billboard shall be defined as any sign, structure or device which advertises or contains information unrelated to a business, profession, or activity conducted, or to a commodity or service sold or offered upon the premises where the sign is located (see off-premise sign).

Canopy - An attached or unattached multi-sided overhead structure or architectural projection supported by attachment to a building on one or more sides and either cantilevered from the building or supported by columns but not enclosed by walls. The surface and or soffit may be illuminated by either an external or internal light source.

Commercial message - Any sign wording, logo, or other representation that, directly or indirectly, names, advertises, or calls attention to a business, product, service, or other commercial activity.

Directional sign - Signs that are designed and erected solely for the purpose of traffic or pedestrian direction and placed on the property which the public is directed.

Director - The Director of The City of Dothan Planning and Development Department or his/her designee; the Administrative Official.

Directory sign - Signs that are designed and erected to direct traffic or pedestrian direction and placed on the property which the public is directed. These signs generally provide a map of the entire complex to which the sign relates.

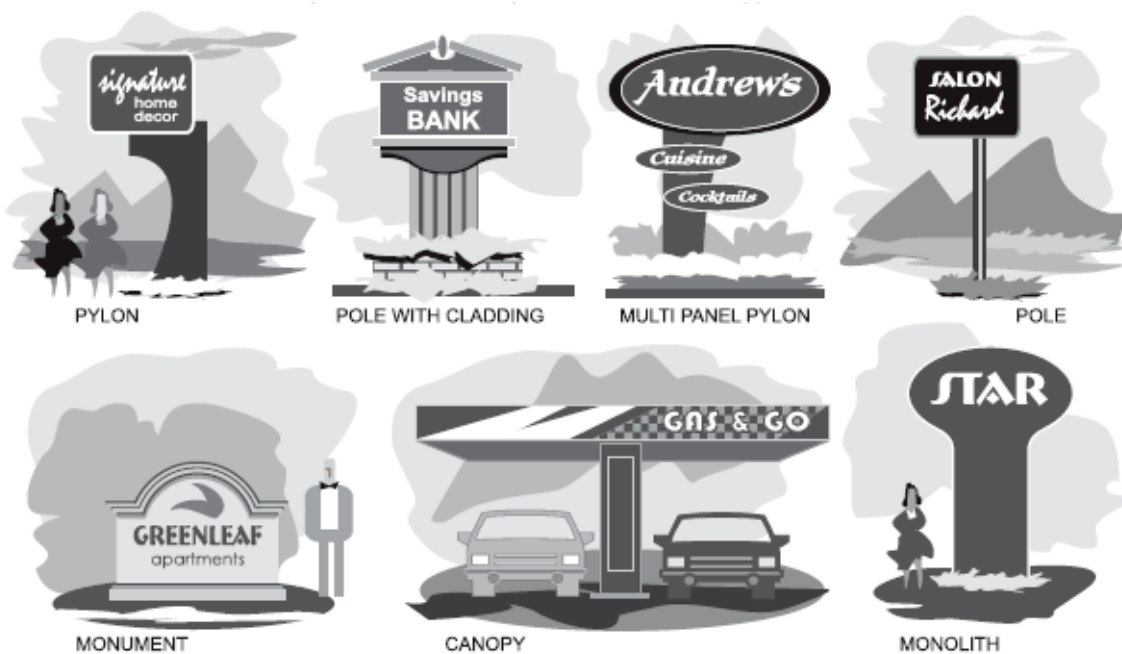
Display area - The area of a sign or advertising device that can be enclosed or measured by the smallest square, circle, rectangle, triangle, or geometric figure that will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display, or used to differentiate the sign from the backdrop or structure against which it is placed, also including any supporting framework, bracing, or decorative fence or wall.

Electronic message center sign (EMC) - An electrically activated changeable sign whose variable message and/or graphic display capability can be electronically programmed by computer from a remote location. EMC's typically use light emitting diodes (LED) as a lighting source.

Façade - The entire area of a building facing or side extending from the roof or parapet to the ground and from one corner of the building to another but does not include any structural or nonstructural elements which extend beyond the roof of a building.

Flashing sign - Signs whose illumination is characterized by a repetitive cycle in which the period of illumination is either the same as or less than the period of non-illumination. For the purposes of the ordinance, flashing will not be defined as occurring if the cyclical period between on-off phases of illumination exceeds eight (8) seconds.

Freestanding sign - Any sign supported by structures or supports that are placed on, or anchored in the ground and that are independent from any building or other structure. The posts or other supporting structures shall be considered part of the sign, except that they shall not be included in computing the sign display area. Illustrations of typical freestanding signs follow.



Multi-faced signs - Any sign that uses more than one (1) side to relay a message, statement, or expression.

Non-commercial message - A message that carries no statement or expression related to the commercial interests of the sign owner, lessee, author or other persons responsible for the sign message.

Nonconforming sign - Any sign that is allowed by this ordinance yet does not conform to the requirements of the ordinance.

Off-premise sign - (Off-site sign) - Any sign containing a message unrelated to a business, profession, or activity conducted, or to a commodity or service sold or offered, upon the premises where the sign is located.

On-premise sign - Any sign containing a message related to a business, profession, or activity conducted, or to a commodity or service sold or offered, upon the premises where the sign is located.

Planned development - An area approved for concentrated business locations characterized by a comprehensive, unified plan of development and either centralized land ownership or multiple owners or tenants, including but not limited to shopping centers and office parks.

Political signs - Any sign promoting the campaign of an individual for public office or an advertisement for an amendment or referendum on a public issue.

Portable sign - Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels; signs converted to A-frames or T-frames; menu or sandwich board signs; balloons or other inflatable devices used as signs; umbrellas used for advertising; and signs attached to or painted on vehicles

parked and visible from public right-of-way, unless such vehicle is used in the normal day-to-day operations of the business.

Prohibited sign - Any sign that is not allowed as of the effective date of this ordinance.

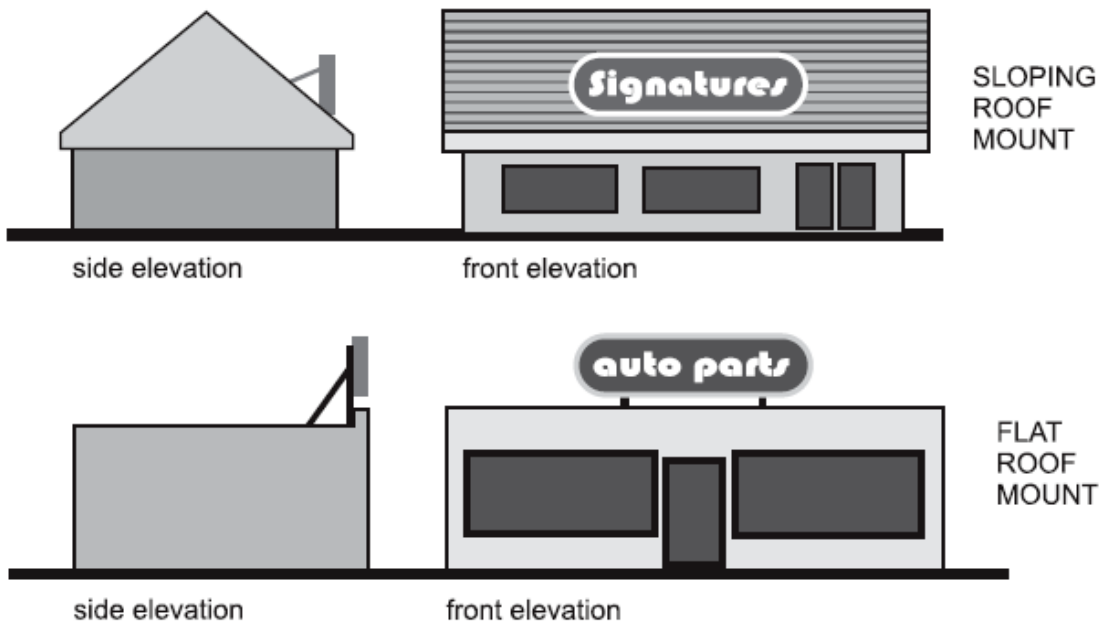
Projecting Sign - A sign other than a wall sign that is attached to or projects more than eighteen (18) inches from a building face or wall of from a structure whose primary purpose is other than the support of a sign.

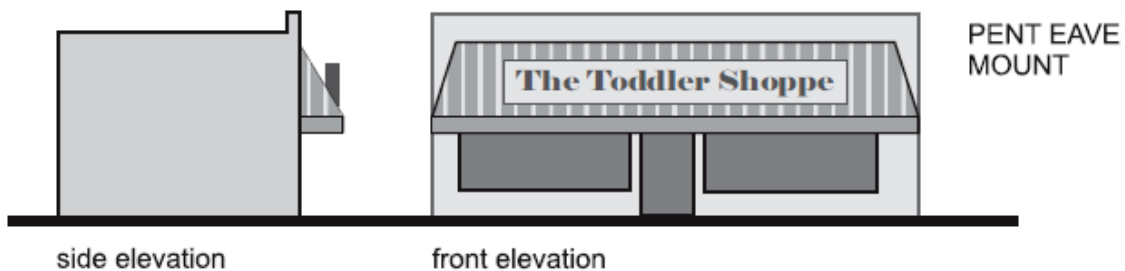


Reader board - Permanent sign containing messages in the form of removable letters or changeable copy. A reader board may be a wall sign or part of a freestanding sign.

Real estate sign - A sign that is used to identify property for sale

Roof Sign - A sign mounted on the main roof of a building or on the uppermost edge of a parapet wall of a building and which is wholly or partially supported by such building. Signs mounted on mansard facades, pent eaves and architectural projections such as canopies or marquees shall not be considered a roof sign.





Searchlights - Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same lot or parcel as the light source.

Sign - Any writing, pictorial presentation, number, illustration, decoration, flag, banner, pennant, or other device which is used to announce direct attention to, identify, advertise or otherwise make anything known. The term sign shall not be deemed to include the terms “building” or “landscaping” or any architectural embellishment of a building not intended to communicate information but is considered a structure by these regulations.

Sign face - The area of a sign or advertising device that can be enclosed or measured by the smallest square, circle, rectangle, triangle, or geometric figure that will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display, or used to differentiate the sign from the backdrop or structure against which it is placed, also including any supporting framework, bracing, or decorative fence or wall.

Street frontage - The length of the property line of the lot, lots, parcel or tract of land abutting a public street, road or highway.

Time and/or temperature sign - Any sign that displays current time and/or temperature for the location in which the sign is placed.

Wall of Fascia Sign - A sign that is affixed in any manner to an exterior wall of a building or structure and that projects no further than eighteen (18) inches for the surface of the building or structure wall. Also includes signs affixed to architectural projections that that extend from a building provided the copy area of such signs remain parallel to the face of the building façade or to the face of the architectural projection to which it is affixed.



Wind sign - Any signs, pennants, ribbons, spinners, streamers or captive balloons, or other objects or materials fastened in such a manner as to move upon being subjected to pressure by wind and drawing attention to a business, product, service or activity whether it contains a message or not.

**Section 114-211. Permitted Signs.** The following signs may be erected without a sign permit and are not included in the determination of allowable numbers, type, area, illumination of signs, etc. Nothing in this section shall exempt an individual, who desires to erect a sign from the necessity of obtaining a building permit, should such be required by the adopted building code. Signs permitted by this section must conform to the standards enumerated and shall not be placed or constructed in a way that creates a hazard of any kind. Exemption from permitting shall not relieve the owner of the sign from the responsibility for ensuring its erection, placement and maintenance in accordance with all other provisions of this ordinance. Signs that are allowed without a permit shall be limited to the following:

- A) Any sign required to be maintained or posted by law or governmental order, rule or regulation.
- B) Public warning signs which indicate a dangerous or hazardous condition or trespass warning so long as they do not contain logos or text advertising a commercial product or activity.
- C) Address numbers complying with section 114-185 of this chapter.
- D) Temporary decorations, flags, and/or non-commercial signs associated with school activities, celebrations, festivals or holiday commemorations of significance to the entire community. All displays shall be removed within seven (7) days of the event's completion.
- E) Flags or insignia of any government, religion, association, fraternal order, charitable organization, academic, corporate, sporting or civic organization except when displayed in connection with commercial promotions. Flags of the

United States must be flown in a manner that meets U.S. Congressional protocol (see United States Code, Title 36, Chapter 10).

- F) Directional signs placed on private property that are designed and erected solely for the purpose of directing vehicular or pedestrian traffic. Directional signs may display an advertising logo not to exceed 1 square foot. Signs identifying public telephones, restrooms, trash receptacles, first aid facilities, and shopping cart corrals are considered directional signs. No directional sign shall exceed a total of six (6) square feet.
- G) Normal servicing of previously permitted sign structures, including a change of copy for billboards and a panel change in structures designed to allow changeable copy.
- H) Memorial signs or tablets, historical markers, name of building signs and dates of erection when cut into any masonry surface or when constructed of bronze or other such durable and noncombustible materials and attached to the surface of the building. Directory signs listing the businesses, tenants, or activities conducted within a building or group of buildings may be erected so long as they do not exceed twenty (20) square feet and are limited to one sign per building.
- I) Political Signs subject to the following requirements:
  - (1) Political signs shall not be located on the public right-of-way, public property, or school board property. City personnel are authorized by this chapter to remove political signs posted on the public right-of-way.
  - (2) Political signs must be removed within seven (7) business days after the end of the election or run-off election, whichever comes last.
  - (3) In any residential district, political signs located on private property shall not exceed six (6) square feet.
  - (4) In any non-residential district, political signs located on private property shall not exceed thirty-two (32) square feet unless placed on a permitted billboard.
  - (5) No more than one political sign per candidate shall be allowed per street frontage per zone lot or parcel of property.
  - (6) No political sign shall be illuminated, animated or contain flashing or rotating lights.
  - (7) No political sign shall be attached or affixed to any tree, building, or other structure other than a frame for which it was designed.
- J) Real Estate Signs are subject to the following requirements:
  - (1) All real estate signs are limited to one sign per street frontage per zone lot or parcel of property.

- (2) All residential real estate signs advertising “for sale/lease etc.” on a premises shall not exceed sixteen (16) sq. ft.
  - (3) Non-residential real estate signs advertising “for sale/lease/build to suit, etc.” on a premises shall not exceed forty (40) sq. ft.
  - (4) Signs providing general information about a construction project shall not exceed forty (40) sq. ft. and may be erected after the removal of the real-estate sign.
  - (5) Model Home/Open House/construction information signs shall not exceed sixteen (16) sq. ft. be removed upon termination of the Model Home/Open House event or project completion.
- K) Undeveloped Parcels. Undeveloped parcels may display one (1) square foot of signage per ten (10) feet of frontage up to a maximum of ninety-six (96) square feet. No individual sign shall exceed sixty four (64) square feet not exceed fourteen (14) feet in height. Signs must be spaced at least one hundred (100) feet apart.
- L) Time and temperature signs are permitted on non-residential parcels notwithstanding a general prohibition on animated signs. These signs may only display numerical information related to the time of day and/or temperature and must be kept accurate. They may be freestanding or attached to a building and are subject to any other applicable regulations. They shall not be counted as part of the occupant's allowable sign area.
- M) Vehicle signs. Signs attached to a vehicle or trailer that is used in the normal day to day operation of the business being advertised and serves a useful function in the transportation of persons or commodities from one place to another. Signs attached to a vehicle or trailer and parked at a location other than the registered place of business are prohibited.
- N) Non-Commercial Banners promoting special community events open to the general public and sponsored by non-commercial, charitable or civic organizations provided that:
- (1) The banner shall not be located in the sight triangle of any intersection as defined by Section 98-10 in the Dothan City Code,
  - (2) The banner is posted no more than 14 days prior to the event and is removed within 24 hours following the event.
  - (3) Only one banner shall be placed on any zone lot and is no closer than 200 feet from another sign on the same side of the street.
  - (4) The banner shall not be affixed to any natural object, utility pole, or traffic control device.
  - (5) The banner is not lighted.

- (6) The banner is not placed on private property without the consent of the owner.

**Section 114 -212. Prohibited Signs.** It shall be unlawful to erect, cause to be erected, maintain or cause to be maintained, any sign not expressly authorized by, or exempted from, these regulations. The following signs are expressly prohibited in all zoning districts of the City of Dothan.

- A) Signs attached or affixed to any tree, building, or other structure other than a frame for which it was designed.
- B) Any sign or sign structure identifying a previous use or activity that has not occupied the site for a period greater than sixty (60) days, does not maintain a current business license or pertains to a time, event or purpose which no longer applies. Such signs shall be deemed abandoned and subject to condemnation proceedings.
- C) Signs in violation of the building code or electrical code adopted by the City of Dothan.
- D) Beacons, or strobe lights;
- E) Searchlights in operation exceeding 3 consecutive days per year.
- F) Any sign that, in the opinion of the administrative official, does or will constitute a safety hazard.
- G) Signs with visible moving, revolving, or rotating parts or visible mechanical movement of any description or other apparent visible movement achieved by electrical, or mechanical means or that emit audible sounds, vapor, smoke, steam or involves the use of live animals. (see section 114-220)
- H) Signs consisting of moving, rotating or flashing lights or that otherwise contain animated displays by either mechanical or electronic means.
- I) Wind signs consisting of one (1) or more pennants, ribbons, spinners, streamers or captive balloons, air tubes or other objects or materials fastened in such a manner as to move freely upon being subjected to pressure by moving air.
- J) Freestanding signs which project into the public right-of-way except as otherwise permitted by these regulations.
- K) Freestanding signs in the public right-of-way [see Section 114-211(A)].
- L) Signs that are of such intensity or brilliance as to cause glare or impair the vision of motorists, cyclists, or pedestrians or that illuminate adjacent residential areas. (see section 114-220)
- M) Signs mounted to the structure of the roof or that project above the roof line.

- N) Signs placed or painted on a motor vehicle or trailer parked with the primary purpose of providing advertising for a product, service, business or activity not otherwise allowed by these regulations.
- O) Posters or handbills affixed to any structure or natural object in the right-of-way.
- P) Temporary Signs such as portable signs, A-frame or banner except as permitted under the temporary signs provisions below.

**Section 114-213. Permit Required.** Permanent signs require a permit and are to be located, placed, constructed, erected or modified on a lot or parcel as described on the permit application.

- A) Permit Contents. It shall be the applicant's responsibility to submit a complete application to the Planning and Development Department and application on a form provided for that purpose and signed by the property owner and/or sign owner and the sign contractor. All signs require a Placement Permit before being erected unless otherwise noted. No fee shall be charged for a placement permit.
- B) Signs requiring electrical service, foundation work, etc. shall first obtain a building permit and conform to the adopted building code. A permit application shall be required for each sign and accompanied by:
  - (1) Payment in the amount of \$50 per sign.
  - (2) Two copies of a site plan, drawn to scale, indicating the location of all existing and proposed signs, both freestanding and wall mounted relative to public right-of-way, lot lines, easements and buildings on the site. Design drawings for each sign including the dimension of any supporting structures including the maximum height of the sign as measured from finished grade.
  - (3) Construction data including but not limited to; electrical load, wind load, anchorage or footing details certified by a Registered Engineer licensed to do business in the State of Alabama.
  - (4) Plans and specifications and methods of construction, electrical connections and attachment to the building or the ground for any free standing sign or projecting sign
  - (5) Front façade with linear dimensions and calculation of sign size.
  - (6) The type of illumination to be used.
  - (7) A general description of materials to be used (metal, plastic wood, etc).
  - (8) Any other data that the administrative official considers necessary to adequately review the application.

- C) Applicability. No person shall erect, alter, relocate, repair, replace the face of or change a sign without first obtaining a permit except for the following actions:
  - (1) Changing the copy, announcement or message on a manual reader board.
  - (2) Cleaning, painting or maintaining a sign that does not otherwise alter the size, or height of the sign.
  - (3) Erecting a sign for which a permit is not required in accordance with Section 114-211.
- D) Procedures. Sign Permits shall be processed as follows:
  - (1) Complete applications shall be submitted to the Department of Planning and Development for review;
  - (2) The application shall be reviewed for conformance with these regulations and approved or denied based on the information provided. If denied, the applicable provisions of these regulations shall be specified;
  - (3) A determination shall be given within five (5) business days on a complete application;
  - (4) The permit shall be valid for 180 days after issuance.

**Section 114-214. General Provisions for Permanent On-Premise Signs.**

- A) Permanent on-premise signs are allowed in all zoning districts.
- B) All signs or sign structures must be erected and attached totally on or within the site or property to which the message refers.
- C) Unless specified elsewhere in these regulations, no portion of any type of sign shall project or be located closer than three (3) feet from the nearest right-of-way line or property line.
- D) The owner of any sign projecting into the right-of-way or placed on or over a public sidewalk shall be liable for damage to any property or injury to any person caused by the placement or failure of any supporting structure.
- E) A-frame signs may be used in the E & HC/G subdistricts in Downtown Overlay District but shall not impede or obstruct a pedestrian zone of at least 6 ft. in width, be located in the street or be larger than 10 sq. ft. in area.
- F) The height and location of the sign shall not create any traffic or visual obstructions as defined in Section 98-10 in the Dothan Code of Ordinances.
- G) Multiple signs may be placed on the same parcel frontage but shall be a minimum of three-hundred (300) ft. apart.

- H) Signs must be kept in good repair and properly maintained including all electrical elements, paint, and condition of the support structure.
- I) Billboards located on a parcel and is being used to advertised a good or service located on that parcel are considered on-premise signs and must comply with all applicable provisions of these regulations.

**Section 114-215. General Provisions for Permanent Off-Premise Signs.** Permanent off-premise signs (billboards) are allowable in certain zoning districts as indicated in the Table of Uses (Section 114-131.1) provided that all permits are obtained and the following requirements are met:

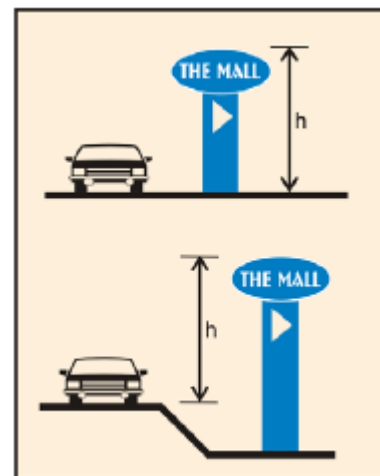
- A) The maximum size of each off-premise sign located 500 feet or more inside Ross Clark Circle shall not exceed four hundred (400) square feet. Off-premise signs located elsewhere in the city shall not exceed 675 sq. ft.
- B) The height of off-premise signs may not exceed 30 ft. when fronting roads with a posted speed limit of 40-45 MPH.
- C) The height of off-premise signs may not exceed 40 ft. when fronting roads with a posted speed limit of 50 MPH or greater.
- D) The lowest portion of sign may not be less than be 16 ft. above adjacent road grade.
- E) The required setback for each off-premise sign shall be ten (10) feet from the nearest right-of-way line from any street, road, or highway and forty-five (45) feet from the intersection point of right-of-way line of any street, road, or highway and ten (10) feet from any other property line.
- F) Spacing shall be five-hundred (500) feet between off-premise signs located on the same side of the street. Spacing shall be one thousand (1000) feet between off-site signs containing digital displays.
- G) Off premise signs shall not be located one above the other or side by side.
- H) Off premise signs shall be located no closer than 100 feet to any residentially zoned district. Off Premise signs may contain digital or electronic displays but;
  - (1) It shall not contain or appear to contain any movement such as animation, flashing, scrolling, intermittent, rotating or moving lights or full motion video.
  - (2) The entire message shall remain on for at least 8 seconds.
  - (3) Transition time to the next image shall be no greater than 2 seconds.
  - (4) The brightness of the message shall not be of such brilliance or intensity as to cause glare or to impair the vision of a driver of any motor vehicle.

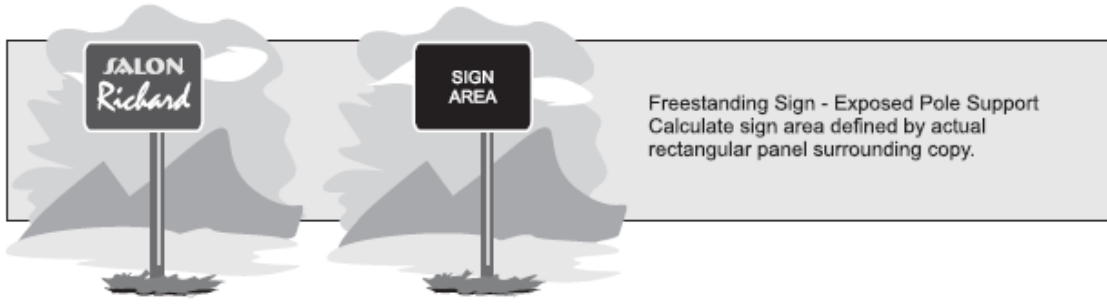
- (5) Brightness of the display shall be controlled automatically to reduce light levels at night or under cloudy or other darkened conditions and shall not be brighter than is necessary for clear and adequate visibility, or that might impair the vision of a driver, or interferes with traffic control.
- (6) Digital displays may not be located nearer than 250 ft. from any residential district.
- (7) All off-premise signs shall be of all-metal single-pole construction except for the sign face and trim which may be of other durable materials. All construction and clearing debris shall be removed from the site upon completion of construction.

**Section 114-216. Measurement Standards**

- A) Signs with integral background. The area of a sign with a clearly defined background shall be the area of the smallest standard geometric shape capable of encompassing the sign copy and background. Where the sign copy is contained within multiple background areas separated by open space, the sign area shall be expressed as the sum of the separate areas of each background and without regard to the open space between the separate background areas.
- B) Signs without integral backgrounds. Where a sign consists of individual elements such as letters, symbols, or graphic objects that are painted on, attached to or otherwise affixed to a surface that is not specifically designed to serve as a sign background, the sign area shall be the sum of the areas of the smallest standard geometric shape capable of encompassing the sign copy.
- C) Multi-faced Signs: The sign area for a sign with more than one (1) face shall be computed by adding together the area of all sign faces visible from any vantage point.
- D) The height of a sign shall be computed as the distance from the base of the sign to the top of the highest attached component of the sign exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign. Where a freestanding sign is mounted along a roadway, height shall be measured from the grade of the road to the highest attached component of the sign.

E) Illustrations

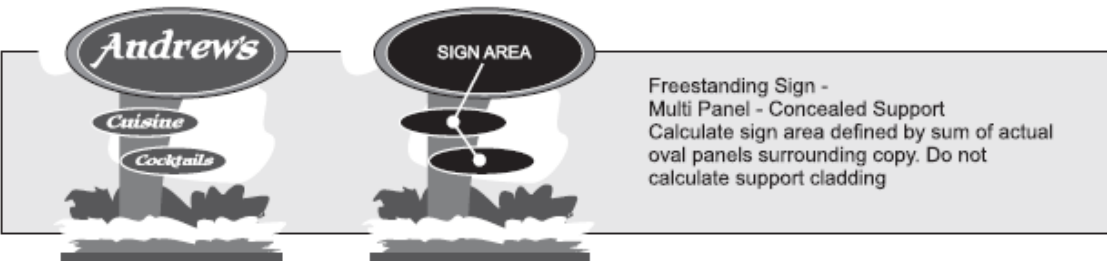




Freestanding Sign - Exposed Pole Support  
Calculate sign area defined by actual rectangular panel surrounding copy.



Freestanding Sign - Thematic Embellishment - Concealed Support  
Calculate sign area defined by actual rectangular panel surrounding copy. Do not calculate embellishment or support cladding



Freestanding Sign - Multi Panel - Concealed Support  
Calculate sign area defined by sum of actual oval panels surrounding copy. Do not calculate support cladding



Freestanding Sign - Monument Thematic Embellishment - Concealed Support  
Calculate sign area defined by imaginary panel drawn around copy. Do not calculate embellishment or monument background



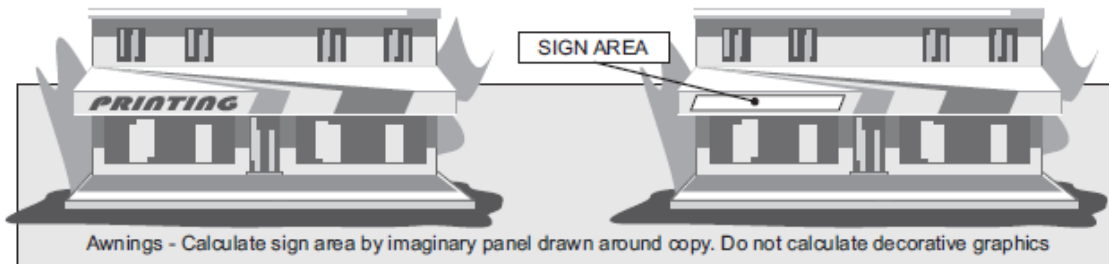
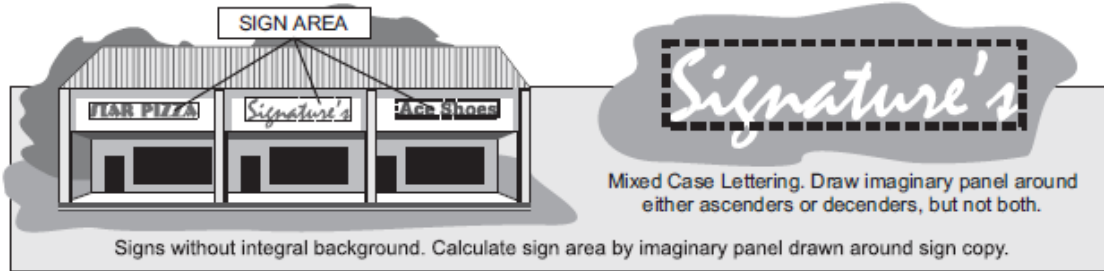
Freestanding Sign - Monument Thematic Embellishment - Concealed Support  
Calculate sign area defined by actual oval panel surrounding copy. Do not calculate embellishment or monument background



SIGN AREA

Freestanding Canopy Sign  
Calculate sign area by imaginary panel drawn around copy. Do not calculate decorative graphics. Calculation similar for attached canopy and/or marquee.

## Wall / Fascia Signs



**Section 114-217. Sign Standards in Residential Districts.** Sign standards for on-premise signs in a residential district are described below and in Table 1.

- A) Residential development signs may be placed on two separate structures flanking the entrance, each face being of equal size (32 sq. ft. max.) or may be on one double faced structure, each face being of equal size (48 sq. ft. max).
- B) All signs shall be maintained perpetually by the developer, the owner of the sign, a pertinent homeowners association or some other person who is legally responsible.
- C) Non-residential uses located in a residential district may have one sign per street front but shall maintain a separation distance of 300 ft.

| Table 1 - Signs in Residential Districts   |   |                                       |                      |                |                       |
|--|---|---------------------------------------|----------------------|----------------|-----------------------|
|  | Types of Signs  | Number of Signs                       | Permitted Sign Area  | Maximum Height | Lighting              |
| Individual Residential Properties<br>Single Family Detached or Attached, Townhomes           | Freestanding or Wall  | 1 per street front                    | 6 SF                 | 4 ft.          | None                  |
| Residential Developments<br><br>Single -Family Subdivisions, Apartment/Condominium Complexes | Monument  | 1 per street front                    | 32/48 SF see A above | 8 ft.          | Internal or External  |
|  | Wall  | 1 per facade                          | 5% of facade area    | N/A            | Internal or External  |
|  | Incidental or Directional   | NA - but not visible from public R/W  | N/A                  | N/A            | None                  |
| Permitted Non-Residential Uses in Residential Districts                                      | Monument  | 1 per street front                    | 48 SF                | 8 ft.          | Internal or External* |
|  | Wall  | 1 per facade                          | 5% of facade area    | N/A            | Internal or External* |
|  | Incidental or Directional   | N/A - but not visible from public R/W | N/A                  | N/A            | None                  |
|  | *Illumination (including EMC signs) for non-residential uses in residential districts requires Special Exception approval. See Section 114-220 & 221 for standards. |                                       |                      |                |                       |

**Section 114-218. Sign Standards for Office and Institutional Districts.** Sign standards for on-premise signs in an Office or Institutional district (O-1, O-2 and O-3) are described below and in Table 2.

- A) Any sign permitted in a residential district where that use is also permitted in an Office or Institutional District.
- B) Freestanding signs for an office building or institutional uses may be placed on two separate structures flanking the entrance, each face being of equal size (32 sq. ft. max.) or may be on one double faced structure, each face being of

equal size (48 sq. ft. max). Signs may be placed at secondary entrances not exceeding 9 sq. ft. or be taller than 8 ft. Wall signs are permitted as described in Table 2.

- C) Freestanding signs for an office park development with multiple buildings may be placed on two separate structures flanking the entrance, each face being of equal size (32 sq. ft. max.) or may be on one double faced structure, each face being of equal size (64 sq. ft. max). Signs may be placed at secondary entrances not exceeding 9 sq. ft. or be taller than 8 ft. Wall signs are permitted as described in Table 2.
- D) Wall signs for Office or Institutional uses shall be as specified in Table 2.
- E) Freestanding signs are not permitted for a neighborhood office development or building. Wall signs may not exceed 5% of the façade area or 24 sq. ft. whichever is smaller.

| Table 2 - Signs in Office and Institutional Districts |  |                                       |  |                |
|---|--|---------------------------------------|--|----------------|
|   | Types of Signs                                   | Number of Signs                       | Permitted Sign Area                          | Maximum Height |
| Individual Properties                                 | Freestanding                                     | 1 per street front                    | 16/48 SF<br>See B above                      | 8 ft.          |
|   | Wall   | 1 per side                            | Less of 10% of façade area or 42 sq. ft.     | N/A            |
|   | EMC allowed - see Section 114-220 for standards. |                                       |  |                |
| Office Parks or Multiple Occupancy Buildings          | Freestanding                                     | 1 per street front                    | 24/64 SF                                     | 12 ft.         |
|   | Wall   | 3 per façade                          | Less of 5 % of façade area or 42 SF per sign | N/A            |
|   | Incidental or Directional                        | N/A - but not visible from public R/W | N/A  | N/A            |
|   | EMC allowed - see Section 114-220 for standards. |                                       |  |                |

**Section 114-219. Commercial or Industrial Developed Parcels.** Sign standards for on-premise signs in Commercial or Industrial districts are described below. Area and height dimensional standards are provided in Table 3 for free-standing signs and Table 4 for the area of wall mounted signs.

- A) Freestanding Signs Generally. Signs may be placed in a freestanding location on a commercial or industrial zoned parcel subject to the following limitations:

- (1) All free standing signs must comply with wind load criteria established for this region.
  - (2) Multiple Frontages. For a parcel having frontage on two (2) or more public streets, each frontage shall be considered separately for the purposes of determining compliance with the provisions for freestanding signs.
  - (3) If the property has multiple frontages, the permitted sign area for one frontage may not be combined with that permitted on another frontage to increase the permitted sign area on one frontage.
  - (4) On the same parcel, no freestanding sign on one frontage may be closer than one hundred (100) feet to a sign on another frontage.
  - (5) Allowable sign area may be divided among multiple signs provided they are at least three-hundred (300) feet apart.
  - (6) Signs at secondary entrances shall be permitted for shopping centers or industrial parks but shall not exceed 9 sq. ft. of be taller than 8 ft.
- B) Sign Size by Posted Speed Limit. Sign size is recognized to be a function of legibility, reaction time and reaction distance. The following table establishes sign size and height given the posted speed limit. Unless specified elsewhere, the area and height above grade of any free standing sign shall not exceed the amounts specified in Table 3.

| <b>Table 3 - Freestanding Signs in Commercial &amp; Industrial Districts</b><br>Values indicated are maximum limits on a sign size and height.<br>A = Sign Area in Square Feet; H= Sign Height in Lineal Feet |     |    |     |    |     |    |            |    |
|---|-----|----|-----|----|-----|----|------------|----|
| Zoning District   | B-1 |    | B-2 |    | B-3 |    | L-1 or H-1 |    |
| Speed Limit   | A   | H  | A   | H  | A   | H  | A          | H  |
| >25   | 24  | 14 | 78  | 26 | 50  | 22 | 78         | 26 |
| 30  | 28  | 16 | 112 | 30 | 72  | 26 | 112        | 30 |
| 35  | 32  | 18 | 153 | 36 | 98  | 30 | 153        | 36 |
| 40  |     |    | 200 | 42 | 128 | 34 | 200        | 42 |
| 45  |     |    | 253 | 48 | 162 | 38 | 253        | 48 |
| 50  |     |    | 312 | 52 | 200 | 42 | 312        | 54 |
| 55  |     |    | 378 | 56 |     |    | 378        | 60 |

- C) **Building Signs.** Unless expressly prohibited or modified elsewhere in this Chapter, signs may be attached to a wall, fascia, or awning or permanently applied to a window of a building.
- (1) The total area of all signs affixed shall not exceed an area computed as a percentage of the building façade including window and door areas subject to the limitations in Table 4 below.
  - (2) In the case of a shopping center or a group of stores held in single and separate ownership, the provision of this section relating to the total area of signs permitted on the premises shall apply with respect to each building or separate store. Only building signs shall be permitted for individual stores.

| <b>Table 4 - Building Signs</b>   |                                  |
|-----------------------------------|----------------------------------|
| <b>Distance of sign from Road</b> | <b>Percentage of Façade Area</b> |
| 1 to 100 ft.                      | 10 %                             |
| 101 to 300 ft.                    | 15 %                             |
| Over 300 ft.                      | 20 %                             |

- (3) Each multiple occupancy complex may display one (1) building sign on each side of the principal building or buildings in the complex, not to exceed the sign face area calculated from Table 4.
  - (4) Each occupant located in a multiple occupancy complex may display two (2) signs on any exterior portion of the complex that is part of the occupant's unit, not including common or jointly owned portions, not to exceed the sign face area calculated from Table 4.
  - (5) Each occupant not located in a multiple occupancy complex may display three (3) building signs on each side of the building in which the occupant is located, not to exceed the sign face area calculated from Table 4.
- D) **Signs on Awnings or Canopies.**
- (1) Canopy signs, marquee signs and signs on architectural projections are signs mounted or affixed to either a structure that projects off the face of a building at least eighteen (18) inches or is mounted to a freestanding structure not attached to a building that effectively covers an area below.
  - (2) Signs shall be affixed in an essentially flat plane to the face of the canopy, marquee or architectural projection are permitted in commercial and industrial zones but shall not exceed 40% of the area of the mounting surface. The area of any sign shall count towards the total façade area in Table 4.

- (3) Signs may be affixed or applied to the face or sides of an awning provided the copy area does not exceed 40% of the area to which it is affixed or applied. The area of any sign shall count towards the total façade area in Table 4.
- E) Projecting Signs - Notwithstanding the general prohibition of signs in the right-of-way, signs attached to the face of a structure that project over the right-of-way are permitted in the B-1 district only.
- (1) Projecting signs shall be limited to one (1) per façade except for uses that front on more than one street in which case, one (1) sign shall be permitted per façade. For buildings with a façade exceeding 200 lineal feet, one sign shall be permitted for each 200 lineal feet.
  - (2) The area of a projecting sign shall not exceed one (1) square foot per two (2) lineal feet of building facade. No projecting sign shall exceed the area indicated in Table 3 for the speed limit on which the façade fronts.
  - (3) Projecting signs may not extend above the highest point on the façade or occupy a vertical dimension greater than 25% of the total façade height.
  - (4) Projecting signs may not extend over a public sidewalk greater than one-half (1/2) the distance to the street curb or 8 ft. whichever is less.
  - (5) Projecting signs shall be no lower than ten (10) ft. above the sidewalk.
  - (6) Projecting signs shall not be permitted in addition to any permitted free-standing sign on that street front.

**Section 114-220. Standards for Electronic Message Centers (EMC's).** Signs using electronic, digital or video technology are permitted in all zoning districts subject to the following limitations:

- A) An EMC may occupy a portion or all of the area for a building sign or freestanding sign permitted for that district.
- B) There shall be no effects of movement, blinking, scrolling, flashing, spinning, flying in/out, scintillation, animation or similar effects of the individual images displayed.
- C) Approved EMC's shall have a minimum display time of 12 seconds with a 1 second transition time.
- D) EMC signs are permitted in Office, Commercial and Industrial Districts provided:
  - (1) the message or image is displayed for at least eight (8) seconds,
  - (2) the transition time between images is limited to three (3) seconds,

- (3) Transitions between messages may include fade, dissolve or other similar effects but may not include continuous scrolling, traveling, flashing, spinning, rotating or other similar moving effects.
- (4) Full motion video is prohibited.
- E) All EMC signs shall have automatic dimming controls, either by hardwire or software settings in compliance with Section 114-221 Illumination Standards,
- F) EMC signs shall not display color that interferes with or mimics a traffic control device.
- G) If at any time the programming or technology that controls the brightness, time on message, or visual display characteristic fails or malfunctions and is determined to be a hazard to the safety of the traveling public, the sign shall be immediately turned off, disconnected or disabled.

**Section 114-221. Illumination Standards.** Signs may be illuminated consistent with the following standards.

- A) Unless otherwise provided, signs located on residentially zoned property may not be illuminated at night. Signs for approved non-residential uses in a residential district may be illuminated with Special Exception approval.
- B) Lighting fixtures for signs externally illuminated shall be fully shielded to prevent glare or light leak.
- C) The brightness of the message shall not be of such brilliance or intensity as to cause glare or to impair the vision of a driver of any motor vehicle.
- D) Brightness of the display shall be controlled automatically to reduce light levels at night or under cloudy or other darkened conditions and shall not be brighter than is necessary for clear and adequate visibility, or that might impair the vision of a driver, or interferes with traffic control.

**Section 114-222. Temporary Signs.** Temporary forms of advertising may be used by commercial establishments as provided below. No temporary sign shall be used as a permanent sign. A placement permit for a temporary sign is required to establish the beginning and end dates that the sign will be on display. The permittee shall be directly responsible for the sign.

- A) **Commercial Banners.** Banners may be displayed at any commercially or industrially zoned location. In addition to any regulations applying to signs in general, the following shall apply to commercial banners.
  - (1) Banners shall not be located on the public right-of-way, in the sight triangle of any intersection, or attached to natural object, utility appurtenance or traffic control device.
  - (2) A commercial banner may not be displayed for longer than 30 days per owner or tenant no more than three (3) times per year.

- (3) Banners shall comply with the same setback requirements as all other signs.
  - (4) No banner shall be illuminated.
  - (5) Banners may only be used for on-premises advertising.
- B) Portable Signs. Portable signs shall be allowed at locations approved in the Table of Permitted Uses (Section 114-131.1). In addition to any regulations applying to signs in general, the following shall apply to portable signs:
- (1) Portable signs may not be used for longer than 30 days at a time and for no more than 3 times per year per address.
  - (2) Portable signs shall comply with the same setback and sight distance requirements as all other signs.
  - (3) Portable signs may be illuminated but may not contain flashing, intermittent, rotating or moving lights.
    - a. Portable EMC's shall adhere to the provisions in Section 114-220 and 114-221.
    - b. The electrical power supply shall comply with the adopted electrical code and the power cord is protected from vehicle traffic. An electrical permit is required.
    - c. Portable signs shall not occupy a parking space.
    - d. Portable signs shall be used only for on-premises advertising.

**Section 114-223. Variances.** It is the explicit intent that this section be enacted to accomplish the purposes set forth in Section 114-207. Variances to these provisions shall be granted only in the case of a hardship connected to the physical features of the site.

**Section 114-224. Nonconforming Signs**

- A) Existing Prohibited Signs: Existing signs that are prohibited by this code shall be regarded as illegal signs upon the effective date this ordinance. All illegal signs shall be removed immediately.
- B) Existing Nonconforming Signs: Existing signs not conforming to the provisions stated in this ordinance shall be regarded as nonconforming signs.
- C) Permanent signs and sign structure that are moved, removed, replaced or structurally altered must be brought into conformance with these regulations. Nonconforming signs required to be moved resulting from the acquisition of right-of-way may be re-established in conformance with other provisions of these regulations.

- D) Removable faces or sign panel inserts in a cabinet style sign may be changed by right and does not constitute a structural alteration or cause the loss of nonconforming status.
- E) The status of a nonconforming sign is not affected by ownership.
- F) Nonconforming temporary signs (banners and portable signs) must be permitted within 30 days of the effective date of these provisions.
- G) Conforming temporary signs shall obtain a placement permit within 60 days of the enactment of this ordinance and shall be subject to the provisions of Section 114-222 (B). The sign shall become nonconforming upon failure to do so and be subject to the applicable provisions.
- H) Loss of nonconforming sign status.
  - (1) When a sign or sign structure is removed or intentionally destroyed, the replacement sign and sign structure must comply with the standards in these regulations.
  - (2) Signs or sign structures that are damaged or in need of repair to the extent of fifty (50) percent or more of its replacement value must comply with the standards in these regulations.
  - (3) If the business or operation to which the sign pertains has ceased to operate for a period of sixty (60) consecutive days, or has otherwise changed, the sign is considered abandoned.
  - (4) The sign is erected without a permit.
  - (5) Once a sign is altered to conform or replaced with a conforming sign, the nonconforming sign may not be re-established.

## Outline of Regulations

### Section 114-207. Purpose and Scope

### Section 114-208. Severability

### Section 114-209. Administration and Enforcement

### Section 114-210. Definitions

### Section 114-211. Permitted Signs

- Specific signs enumerated

### Section 114-212. Prohibited Signs

- Specific signs enumerated

### Section 114-213. Permit Required

- Permit contents, applicability and procedures

### Section 114-214. General Provisions for On-Premise Signs

- Illustrations

### Section 114-215. General Provisions for Off-Premise Signs

### Section 114-216. Measurement Standards

- How to measure sign area and height
- Illustrations

### Section 114-217. Sign Standards in Residential Districts

- Standards specify sign type, number, area, height and illumination by application (table).

### Section 114-218. Sign Standards in Office and Institutional Districts

- Standards specify sign type, number, area, height and illumination by application (table).

### Section 114-219. Signs Standards in Commercial and Industrial Districts

- Standards in general, size and height of free standing signs by speed limit (table), building (wall) signs, signs on awnings and canopies, and projecting signs.

### Section 114-220. Standards for Electronic Message Centers

### Section 114-221. Illumination Standards

### Section 114-222. Temporary Signs

- Commercial banners and portable signs

### Section 114-223. Variances

### Section 114-224. Non-conforming Signs