

Ordinance No. _____

An ordinance amending the “Unified Development Code” Chapter of the Code of the City of Arlington, Texas, 1987, through the amendment of Article 5, Design and Development Standards; Article 7, Sign Standards; Article 10, Review Procedures; Article 11, Nonconformities; and Article 12, Definitions, relative to incorporating an update to commercial sign regulations; providing for a fine of up to \$2,000 for each violation; providing this ordinance be cumulative; and providing for severability, governmental immunity, injunctions, publication, and becoming effective ten days after first publication

WHEREAS, after notice and public hearing the Planning and Zoning Commission heard and recommended amendment of the "Unified Development Code" Chapter on February 18, 2015; and

WHEREAS, after notice and public hearing, and upon consideration of the recommendation of the Commission and of all testimony and information submitted during the public hearing, the City Council has determined that it is in the best interest of the public and in support of the health, safety, morals, and general welfare of the citizens that the amendments relative to the "Unified Development Code" Chapter be approved; NOW THEREFORE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ARLINGTON, TEXAS:

1.

That the “**Unified Development Code**” Chapter of the Code of the City of Arlington, Texas, 1987, is hereby amended through the amendment of **Article 5, Design and Development Standards, Section 5.8.1, Entertainment District Overlay | EDO, Subsection E(9), Public Realm Accessories**, is hereby amended by the to addition of subsection (e), so that said subsection shall be and read as follows:

e. Vertical Banners on Light Poles

- (i) Maximum square footage: 35 square feet per pole
- (ii) Maximum height: 35 feet to top of banner
- (iii) Maximum width: None
- (iv) Distance above grade: Eight feet above curb or sidewalk
- (v) Lighting: External
- (vi) Spacing: None
- (vii) Time limit: None
- (viii) Permitted on-site: No more than two vertical banners per pole

- (ix) Permitted in right-of-way: Yes; provided special conditions are met
- (x) Special Conditions
 - (1) Torn or severely weathered vertical banners shall not be permitted.
 - (2) Vertical banners shall be secured at all points of attachment to the pole.
 - (3) No portion of a vertical banner shall be used to advertise a specific product or service. Any vertical banner located in the right-of-way may contain the name or logo of an event within the district area or a special community-sponsored event that is sponsored by community-based nonprofit entities.
 - (4) Vertical banners may be attached to light standards or other poles in the right-of-way with a permit from appropriate City departments, with brackets approved by the Zoning Administrator.
 - (5) Vertical banners, as described in this section, shall only be permitted in the right-of-way of the district area, except they may be located on both sides of a right-of-way, which acts as a boundary of that district.

2.

Further, **Article 7 Sign Standards**, is hereby amended so that hereafter said section shall be and read as follows:

7.1. PURPOSE AND INTENT

7.1.1. PURPOSE

The purpose of this Article is to create a clear and uniform set of sign regulations to promote a positive city image with effective and visually pleasing signage. The goal is to strengthen the economic stability of Arlington's tax base and to avoid visual clutter, which is potentially harmful to automobile and pedestrian safety, property values, business opportunities, and community appearance.

7.1.2. OBJECTIVES

In addition to protecting the health, safety, and welfare of the community, these standards are adopted in order to:

- A. Recognize that most signs, by their nature, are designed and located to be seen by the driving public, and to ensure that they are sized, located, and otherwise regulated so as to maximize traffic safety;
- B. Recognize that visual clutter leads to a decline in the community's appearance, a decline in property values, and a decline in the effectiveness of the signs;
- C. Enhance automobile and pedestrian safety;
- D. Identify business, residential and public uses in a manner that produces aesthetic appeal to businesses and residents without creating confusion, unsightliness, or visual obscurity of adjacent business or other neighboring structures;
- E. Encourage the integration of signs with the surrounding environment, including scale of development, landscaping, and building design;
- F. Encourage a better aesthetic environment by enhancing the appearance of the city's major corridors;
- G. Develop and adopt policies to ensure that entrances are easily identifiable and minimize urban clutter;

These objectives and strategies are to be pursued in applying the specific standards of this Article.

7.2. APPLICABILITY

- 7.2.1.** This article applies to all advertising displays in the city. The term "advertising displays" shall mean and include any letter, figure, character, mark, plane, point, marquee sign, design, poster, pictorial, picture, stroke, stripe, line, trademark, or reading material which shall be constructed, placed, attached, painted, erected, fastened, manufactured, or displayed in any manner whatsoever for the purpose of informing of or advertising about the nature, type, or quality of goods, services, or activities available; or to advertise the name of any firm, corporation, business, or any other enterprise, or its nature, type or quality of goods, services, or activities; or to attract to or identify any of the aforementioned or by its nature, act to draw attention to a business. Every display shall be classified and shall conform to the requirements set forth in this article.
- 7.2.2.** Any change in use or external addition to an existing structure shall comply with this article in the following scaled approach to the extent practicable,
- A. Change in Use.**
- Any change in use, as determined from the Table of Allowed Uses in Article 3, shall comply with Article 7, *Sign Standards*, as pertinent to that tenant space and any site signs.
- New freestanding signs permitted between June 1, 2010 and June 1, 2015 shall be allowed a grace period of five years, starting from the time the sign was initially installed.
- B. External Additions.**
- Any external additions to an existing structure as calculated based on the total area of that structure (and not total area of all structures per lot), shall comply with the following:
1. If the addition to a structure is less than 10 percent then the signage applicable to the addition must comply with Article 7, *Sign Standards*.
 2. If the addition to a structure is more than 10 percent then the signage applicable to the addition and any site signs must comply with Article 7, *Sign Standards*.
- 7.2.3.** This article shall not relate to building design, nor shall the article regulate official traffic signs, gravestones, lighting, or displays of a seasonal or traditional nature which are not commercially-oriented, scoreboards on athletic fields, or any display or construction not defined herein as a sign.

7.3. ADMINISTRATION

7.3.1. PERMIT REQUIRED

Except as provided in this Article, no person shall erect, alter, renovate, or demolish any sign or sign structure until a permit for such work has been issued by the Zoning Administrator in accordance with the requirements of all City codes. A permit is also required for any alteration to the copy face or lettering of any sign, with the exception of Section 7.3.2 D.

7.3.2. PERMIT NOT REQUIRED

The following shall be exempt from sign permitting but shall comply with other regulations contained in this Article or other law:

- A. Repainting the same message;
- B. Changing the message of an off-site advertising sign (Billboard);
- C. Changing the digital message of an Electronic Message Center (EMC) sign;
- D. Replacement of a sign face for an existing business with the same size and within the same panel for ground or pole signs;
- E. A public notice or warning sign required by a federal, state or local law, regulation, or ordinance, including historical signs and markers placed by a city, county, state or national historical preservation organization and official vehicle inspection signs;
- F. A sign located inside a building which is not displayed so as to be visible from outside the building or the street. Signs located within a covered shopping center building shall comply with the Construction Chapter of the Arlington Code of Ordinances. These generally include credit card decals, hours of operation signs, emergency contact information and similar signs, as determined by the Zoning Administrator;
- G. A sign within or on railway property and placed or maintained in reference to the operation of such railway;
- H. Underground utility warning signs and other safety signs not exceeding one square foot in area;
- I. Security warning, neighborhood watch, or crime watch signs;
- J. On-premise residential real estate signs, garage sale signs, and other signs as shown in the "Temporary Signs" chart in Section 7.10; and
- K. Political signs; (See Section 7.10.2 for standards)
- L. Sandwich Board Signs; (See Section 7.10.1 for standards)
- M. Window Signs; (See Section 7.8.12 for standards)
- N. Hanging Signs; (See Section 7.8.11 for standards)

- O. Primary Flags; (See Section 7.6.11 for standards) A building permit for the support structure may be required.

7.3.3. PERMITS AND FEES

All signs requiring a permit shall be subject to a permit fee. The amount of the fee shall be established in the City's Fee Resolution.

A complete permit application must be submitted prior to the issuance of any permit. Incomplete permit applications will not be accepted or issued a permit. Information in the application which subsequently changes before the construction of the sign shall be updated by the applicant and approved by staff.

Signs must be constructed in accordance with the approved permit.

7.3.4. PERMIT EXPIRATION

If the work authorized by a permit issued under this Article has not commenced within 180 days after the date of issuance, the permit shall become null and void.

Any permittee holding an unexpired permit may apply in writing for an extension of the permit, if the permittee is unable to commence work for good and satisfactory reasons. The extension period shall not exceed 180 days. The permittee shall pay a fee for the extension of the unexpired permit. No permit shall be extended more than once.

7.3.5. PERMIT DENIAL

The permit shall be denied if the proposed sign does not meet the City's regulations.

7.3.6. ALTERNATIVE APPROVAL PROCESS

- A. For an alternative design, an Alternative Equivalent Compliance (AEC) application may be submitted, which meets the intent of this Article. The AEC procedures are detailed in Article 10, Section 10.4.22.
- B. An Alternate Sign Plan (ASP) may be approved at the discretion of the City Council upon the recommendation of the Planning and Zoning Commission. The ASP procedure is detailed in Article 10, Section 10.4.23.

7.4. PROHIBITED SIGNS

7.4.1. SIGNS IN PUBLIC RIGHT-OF-WAY

Signs are prohibited in the public right-of-way.

Exceptions. The following signs are permitted in a public right-of-way:

- A. A sign posted or required by a governmental authority.
- B. A sign approved by the City under a right-of-way use agreement on file with the City.
- C. Signs on commercial vehicles or commercial trailers while lawfully in operation on public rights-of-way.

7.4.2. DECORATIVE FLAGS

Decorative flags and flags used as advertising displays, including but not limited to blade, feather, shark fin, solid, and teardrop flags, are prohibited.

7.4.3. ROOF SIGNS

Roof signs are prohibited.

7.4.4. PORTABLE SIGNS

Portable signs are prohibited regardless of whether they have been attached to the ground or other fixed object.

Exceptions.

- A. Sandwich board signs are permitted within five feet of the entrance to a business. See Section 7.10 for standards.
- B. A sign on a vehicle or trailer lawfully in operation on public rights-of-way.

7.4.5. LIGHT DISPLAYS

- A. Signs with a revolving beam, beacon of light and/or search lights are prohibited.
- B. Signs with a light resembling an emergency vehicle are prohibited.
- C. Signs resembling a traffic control signal, whether current traffic control signal or one of an older design, are prohibited.
- D. Signs with high intensity light are prohibited.
- E. Flashing, scrolling/running, strobe and similar lighting are prohibited. Additionally, lighting that outlines and/or details building walls in structures that are less than three stories are also prohibited. However, building wall lighting used during the holiday season, starting October 31 through January 10 of the following year, is exempt from this restriction.

7.4.6. MOTION SIGNS

Signs which have motion are prohibited. This prohibition includes signs in which the whole sign moves or in which a portion of the sign moves.

7.4.7. REFLECTIVE SIGNS

Reflective signs are prohibited, with the exception of governmental or public safety signs.

7.5. SIGNS ADJACENT TO RESIDENTIAL ZONING DISTRICTS

7.5.1. The following standards shall apply to signs on properties that are adjacent to or across a local or minor collector street from properties zoned or used for single-family or two-family dwellings.

- A. Wall signs are prohibited on the side or rear wall of the building. However, a wall sign shall be permitted if that side or rear wall is the only entrance into the business and the wall sign is not internally illuminated.

Exception.

Building service signs may be permitted on the side or rear wall of the building provided the sign lettering does not exceed four inches in height. The sign may be internally illuminated.

- B. Freestanding signs shall not be internally illuminated.

Exception.

EMCs associated with institutional uses. (See Section 7.6.9 for standards)

7.6. GENERAL PROVISIONS

7.6.1. SIGNS TO MEET ALL REQUIREMENTS

- A. All signs shall meet the applicable standards of this article and all City codes as amended. Compliance is required regardless of whether a permit is required.
- B. The construction plans for all freestanding signs greater than eight feet in height shall be signed and sealed by a professional engineer.

7.6.2. NONCONFORMING SIGNS

For nonconforming signs refer to Article 11, *Nonconformities*.

7.6.3. SIGN PLACEMENT

- A. All signs advertising the name of the business, services provided, or products sold, shall be located on the premises.
- B. No sign or sign structure shall project over any property line, into or over any rights-of-way, public drainage easement, public or private utility easement, unless approved through an easement use agreement.
- C. All freestanding signs shall be located a minimum of 10 feet from any overhead power line or structure.

7.6.4. SIGNS – MAINTENANCE REQUIRED; ENGINEERING REQUIREMENTS; UNSAFE SIGNS

- A. All signs and all sign supports, braces, guys and anchors shall be kept in good repair. Broken or missing inserts such as lenses, cabinet features, letters, and panels must be repaired or replaced with industry standard material.

- B. All signs shall be thoroughly painted to ensure weather protection, unless the sign is constructed of galvanized or non-corroding metal. All exposed metal surfaces must be degreased, primed, and painted with a finish coat as necessary. Powder coated or other finishes are recommended.
- C. All exterior surfaces shall be maintained in good condition. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion, and all surfaces with rust or corrosion shall be stabilized and coated to prevent future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.
- D. When a business ceases to operate, any signs advertising that business on that property shall be removed within 60 days. Freestanding signs located on that site must have the sign face converted to either a blank face or a Real Estate Sign (“for sale/lease”).
- E. Any sign which is unsafe, in danger of falling, insecure, and in any manner poses an immediate danger to persons or property shall be immediately repaired or removed by the owner or person or firm responsible for the maintenance of the sign.
- F. No sign shall be erected in such a manner that any portion of the structure, surface, or supports will interfere in any way with the free use of any fire escape, exit, standpipe or window, or obstruct any required ventilation, ventilator, door or stairway.
- G. Any internally lit sign not in working order shall be turned off immediately. The internal lighting or internal structure of a sign shall not be exposed unless it is actively under repair.

7.6.5. OBSTRUCTIONS TO VIEW

- A. This sub-section supersedes any conflicting section, permit, authorization or zoning requirement or entitlement, except where noted.
- B. No sign shall be erected, constructed, maintained, or allowed to remain which constitutes an obstruction to the view of operators of motor vehicles on public or private streets or entering public streets from private property. Signs shall not obstruct or interfere with a clear line of sight of approaching motor vehicles.
- C. No outdoor sign or display may be erected, constructed, maintained or allowed to remain that constitutes an obstruction to the view of pedestrians upon or entering a public or private street.
- D. No sign or display, whether permanent or temporary, may be located within a visibility triangle required in the “Streets and Sidewalks” chapter of the Code of the City of Arlington, unless the following standards are met:
 - 1. The sign or display shall have a vertical clearance of seven feet as measured from grade to the bottom of the sign, and such support does not exceed six inches in diameter; or

2. The sign, flag, or display shall not exceed two feet in height as measured from grade to the top of the sign.

A sign or display that meets these requirements may be prohibited if the Zoning Administrator determines that the location within the visibility triangle interferes with vehicle or pedestrian lines of sight or otherwise creates a hazard to the public.

These provisions are not intended to allow a sign to exceed height requirement located elsewhere in this Article.

7.6.6. SIGN FACE

No more than two sign faces (sides) are allowed per sign, unless otherwise allowed by this Article and the issued permit.

The two sign faces shall be placed back-to-back, unless approved by the Zoning Administrator through an Alternative Equivalent Compliance process (See Section 10.4.22) to open up no more than 90 degrees.

7.6.7. SIGN SUPPORTS

Trees, rocks, bridges, fences, towers and abandoned buildings shall not be used as sign supports, unless approved by the Zoning Administrator through the procedure described in Article 10, Section 10.4.22, *Alternative Equivalent Compliance*.

7.6.8. SIGN ILLUMINATION

Signs may be illuminated as provided by this Code and specified by approved sign criteria, if applicable, in accordance with the following regulations:

- A. Externally illuminated signs may be illuminated by either ground-mounted lights or wall-mounted light bars.
- B. Internally illuminated signs or EMCs shall be lighted so that at a distance of 10 feet the light intensity does not exceed 11,000 lumens.
- C. Flashing or intermittent forms of illumination are prohibited.
- D. Exposed neon lighting is permitted only under the following conditions:
 1. Location: The use of neon lighting is allowed in the EDO as well as the area bounded by the centerlines of Division Street on the north, Mesquite Street on the east, Front Street on the south and Pecan Street on the west. This area is targeted for redevelopment and neon lighting is used to enhance the architectural character of the historical buildings.

7.6.9. ELECTRONIC MESSAGE CENTER

- A. An Electronic Message Center (EMC) is a component of a freestanding sign and may not be allowed as an independent sign.
- B. EMCs are only allowed on Ground Signs (See Figure 7-1)

- C. EMCs are only allowed on freeways and arterials and not allowed in DB zoning district.

Exception. EMCs are allowed on ground signs for institutional uses such as religious assemblies, educational facilities, government administration and civic buildings, and public parks that front on local or collector streets. However, messages shall only be displayed from 7 AM to 9 PM, if Section 7.5 is applicable.

Figure 7-1 Electronic Message Center Sign Types Allowed



Ground Sign

- D. The maximum area for an EMC shall be 75 percent of the overall sign area, not to exceed 50 square feet.
- E. The EMC must include an auto-dimming feature.
- F. A maximum of one EMC shall be permitted per lot.
- G. EMC signs shall obtain an annual inspection and pay the appropriate fee as shown on the fee schedule.
- H. Changeable Messages are allowed as follows:
1. Message must change simultaneously on the entire sign face.
 2. Messages on an EMC must continuously display the message for at least 12 seconds.
 3. Scrolling, video, or animated messages are prohibited.
 4. Letter height shall be based on sight distance of one inch of height per 36 feet of sight distance, providing a minimum 10-inch letter height on an arterial street and minimum 18-inch letter height on a controlled access freeway.

7.6.10. ELECTRICAL

All exposed conduit, junction boxes, and electrical transformer boxes must be concealed from public view.

Individual channel letters (with or without internal illumination) are preferred. Channel letters incorporated on a cloud background are also acceptable. Wireways are preferred over exposed raceways, and shall be as thin and narrow as possible so as to not extend in width or height beyond the area of the sign's lettering or graphics, finished to match the color and texture of the façade background, or be integrated into the overall design of the sign. Exposed raceways are discouraged and subject to administrative review.

Figure 7-2: Wall Sign Electrical Mounting



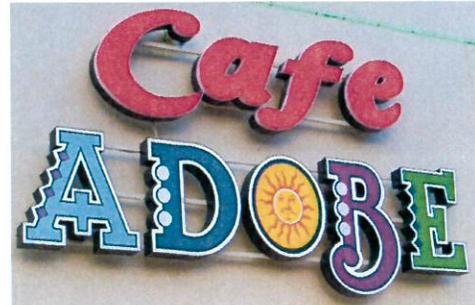
Encouraged – Individual Channel Letters



Discouraged – Exposed Raceway



Encouraged – Cloud Sign



Discouraged – Exposed Wireway

7.6.11. PRIMARY FLAGS

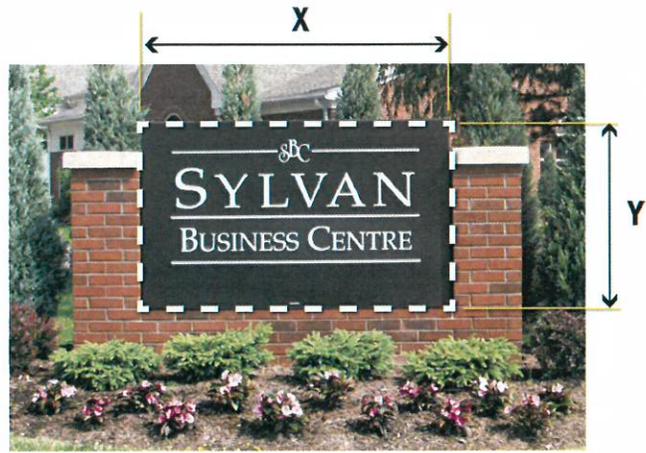
- A. Only flags that are not advertising displays may be considered primary flags and be displayed. Primary flags shall be flags showing the official emblem of a business, corporation, or organization, and governmental flags.
- B. Four primary flags may be permitted per developed lot, and each has to display a different emblem or organization. However, for unified developments, with more than one platted lot, four flags are permitted per street frontage.
- C. Maximum Height: 35 feet above grade, except one flag per lot may be flown to 72 feet above grade, with a minimum clearance of eight feet measured to the bottom edge of the flag.
- D. Torn or severely weathered flags shall not be permitted.

7.7. DIMENSIONAL CALCULATIONS

7.7.1. SIGN AREA

- A. The sign area shall be measured by square feet.
- B. The area of a sign mounted as individual letters and/or graphics against a wall, fascia, or window of a building shall be determined by the area of the smallest square, circle, rectangle, triangle, or combination thereof that encompasses the smallest perimeter of the sign message.
- C. Sign copy mounted or painted on a background panel or area distinctively painted, textured, or constructed as a background for the sign copy shall be measured as the area enclosed by the smallest single rectangle that will enclose the outside dimensions of the background panel or surface, including sign trim or frame.
- D. Sign copy mounted or painted on an illuminated surface shall be measured as the area enclosed by the smallest single rectangle that will enclose the entire illuminated surface and sign trim or frame. However, for a continuous sign band that is an integral part of the building architecture, the area shall be measured as that portion containing the graphics of the sign.
- E. For spherical, free-form, sculptural and other non-planar signs, the sign area shall be the sum of the areas using only the vertical sides of the smallest hexahedron that will encompass the sign.
- F. **Special Conditions.**
 - 1. Pole Signs
 - a. The cabinet area shall determine the area of a pole sign. If the cabinet is not an actual rectangle, the rectangle will be simulated by using the two furthest points on the horizontal plane and the two furthest vertical points. Using the actual or simulated lines, the surface area will be calculated in the same manner as the area of a rectangle is calculated (multiplying length times width) to find the area. Complementary design elements or ornamentation outside of the cabinet need not be included in the calculation of the sign area.
 - 2. Ground Sign/Multi-Tenant Ground Sign
 - a. The sign structure, including the base, side, and top frames will not be included in the area calculation.
 - b. Address blocks are required. The area of the address block is not included in the calculation of the sign area
 - 3. Awning Signs
 - a. Sign copy on awnings shall be measured as the area enclosed by the smallest single rectangle that will enclose all the copy on the awning.

Figure 7-3: Ground Signs



$$\text{Area} = X * Y$$

Figure 7-4: Wall Signs (w/ Cabinet boxes)



$$\text{Area} = X * Y$$

Figure 7-5: Wall Signs (with Channel Letters and logo)



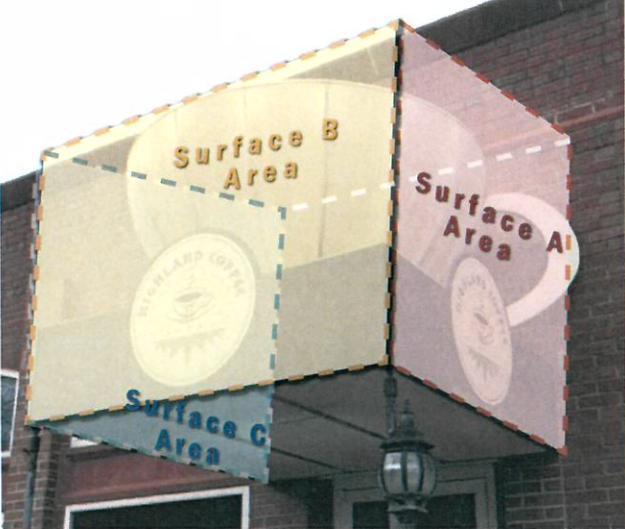
$$\text{Area} = (X_1 * Y_1) + (X_2 * Y_2)$$

Figure 7-6: Pole Signs



Area = X * Y

Figure 7-7: Free form/Non Planar Signs



Total Sign Area = Surface A Area + Surface B Area + Surface C Area

7.7.2. SIGN HEIGHT

- A. The height of a freestanding sign shall be measured in linear feet and be calculated from the top of the sign structure to the lowest grade level within 10 feet of the base of the sign.
- B. The height of any monument base or other structure erected to support or ornament the freestanding sign shall be measured as part of the sign height

7.7.3. SIGN WIDTH

The width of a sign shall be measured in linear feet and be calculated from the outer edge of the smallest rectangle that will enclose the sign face.

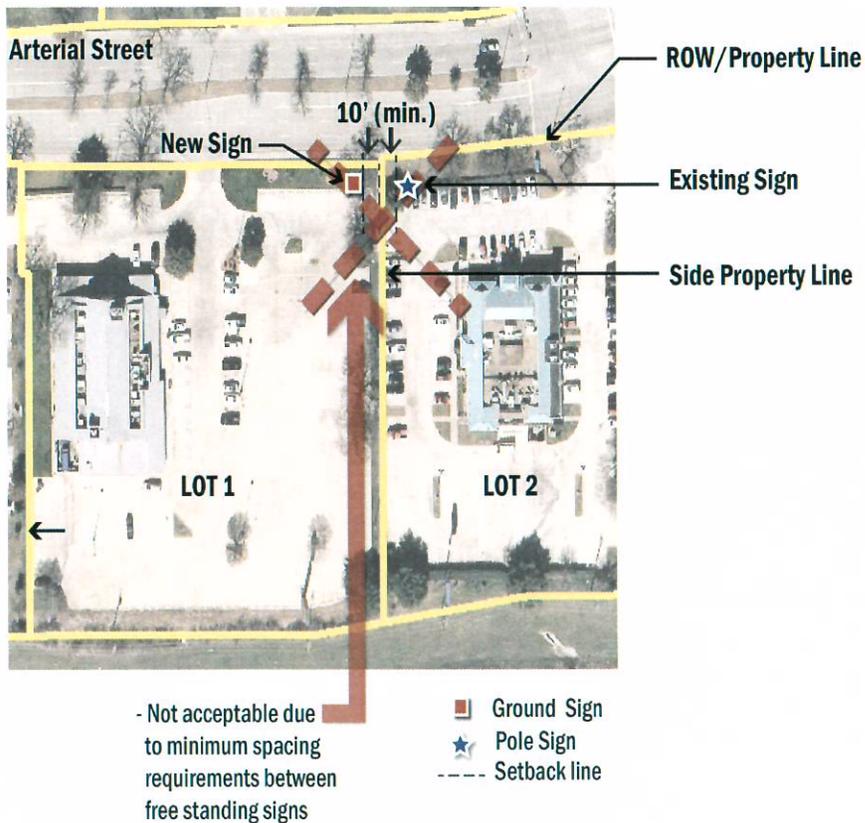
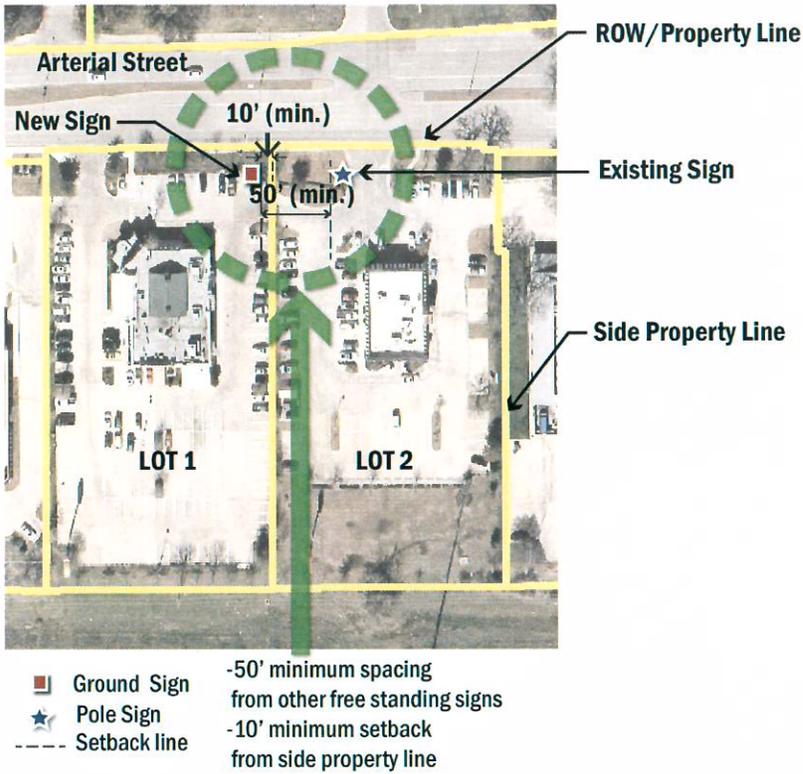
7.7.4. SETBACKS

- A. Setbacks shall be measured from the property lines.
- B. A minimum setback of 10 feet from all side property lines is required for all signs. (See Figure 7-8)

7.7.5. SPACING

Signs shall be separated by a minimum of 50 feet from any other freestanding sign on the same lot or an abutting lot. The required spacing is not measured from signs located on lots across a public or private street (see illustrations under Figures 7-8).

Figure 7-8: Setback and Spacing Standards for Freestanding Signs



7.8. TYPES OF SIGNS

7.8.1. POLE SIGNS

A. Description

A pole sign is a sign supported by a single pole and intended to advertise a single business entity within a single cabinet.

Figure 7.8.1-A: 1. Acceptable



Figure 7.8.1-A: 2. Not Acceptable



B. Street Type and Frontage

I-20, I-30, SH360, US 287 Hwy	
Linear street frontage, min (ft)	100

C. Sign Dimensions - Area

Area, max. (s.f.)	
0-299 ft linear frontage	40
300 + ft linear frontage	75

D. Sign Dimensions - Height

Height, max (ft)	25
------------------	----

E. Sign Dimensions - Width

Width, max (ft)	n/a
-----------------	-----

F. Number of Signs

Signs per lot, max.	1
---------------------	---

No other freestanding signs are allowed on the lot

Exceptions. For lots with multiple street frontage see Section 7.8.1-K:4

G. Setbacks and Spacing

Setbacks	
Interior property lines, min (ft)	10

Spacing	
Nearest freestanding sign along the same side of the street, min (ft)	50

Vertical Clearance	
From grade, min. (ft)	10
If projecting over drive aisles, from grade, min (ft)	14

H. Illumination

Lighting may be internal or external.

I. Electronic Message Center (EMC)

EMCs are not allowed

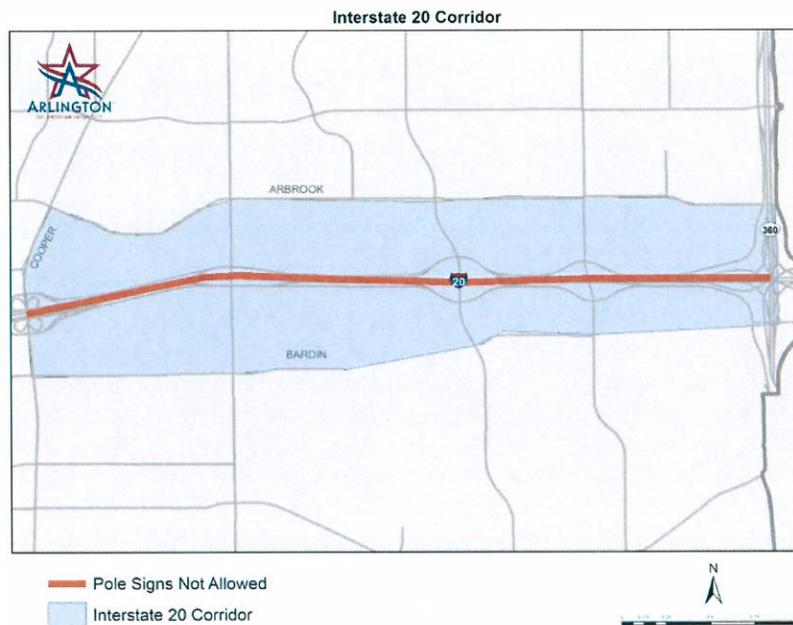
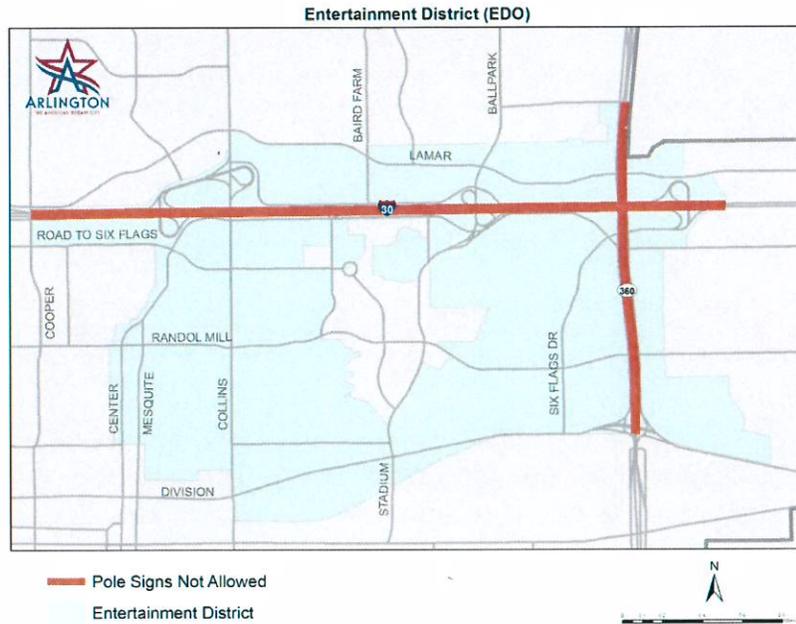
J. Finishing

Powder-coated; painted with accepted commercial standards; or with approved pole covers

K. Special Conditions.

1. Prohibited in the EDO District and the Interstate 20 corridor bounded by Cooper Street on the west, Arbrook Boulevard on the north, State Highway 360 on the east and Bardin Road on the south.

Figure 7-9: EDO and a portion of Interstate 20 Corridor- Pole Signs Not Allowed



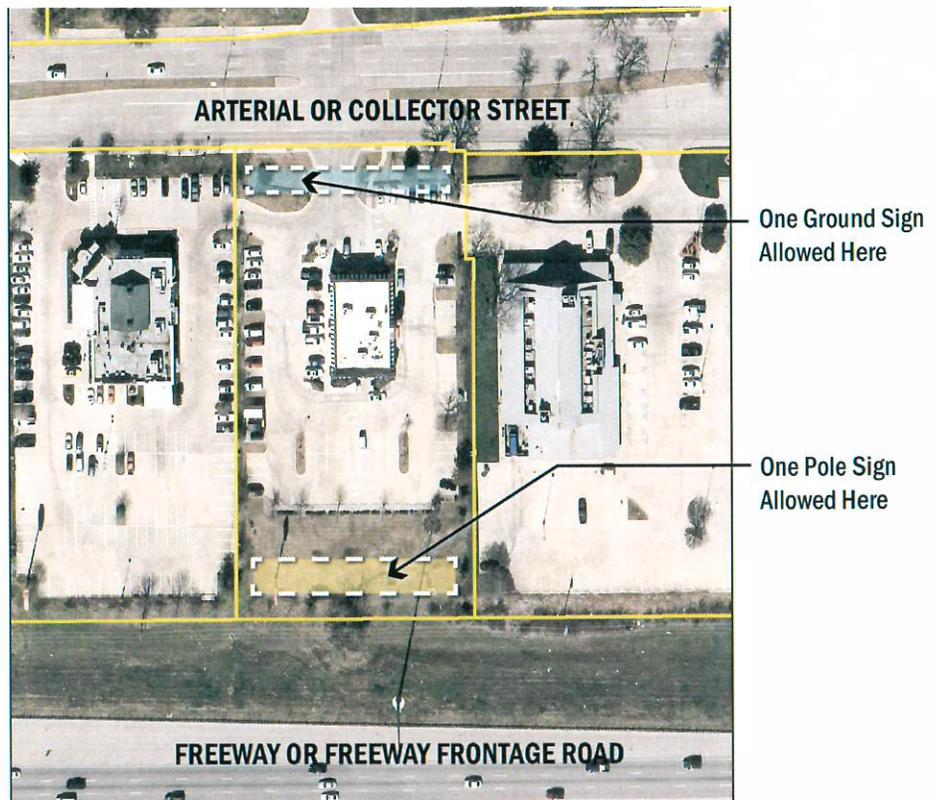
2. Reader Boards may be incorporated into the permitted business sign provided they do not exceed 75% of the sign area.
3. When incorporating Gasoline Price Signs, see Section 7.8.15

Exceptions.

A lot with a pole sign shall not have any other freestanding signs, except as otherwise provided below (Figure 7-10).

4. On double-frontage lots with one frontage along a freeway, a business may have one ground sign and one pole sign, provided the following conditions are met:
 - a. the ground sign conforms to the size and height to the requirements for ground signs at that location; and
 - b. the pole sign is located along the freeway street frontage.
5. The use of this exception shall not be permitted for side streets on corner lots.

Figure 7-10: Illustration showing exception for double frontage lots



7.8.2. GROUND SIGNS – UP TO TWO TENANTS

A. Description

Ground Signs stand directly on the ground and are independent from any building or structure. Ground signs are freestanding and have no clear space for the full width of the sign between the bottom of the sign and the surface of the ground. An address block is required on all ground signs.

A maximum of two tenants may be included on a single sign structure. See Multi-Tenant Ground Signs for three or more tenants on a single sign structure

Ground Signs must include the address block where the sign is situated, but the space required for the address block is not included in the sign dimension calculation.

Figure 7.8.2-A: 1. Acceptable



Figure 7.8.2-A: 2. Not Acceptable



B. Street Type and Frontage

Permitted on all street types except local streets.
* Local streets see Section 7.8.2-K for exceptions

C. Sign Dimensions - Area

Freeways and Arterial Streets – Area, max. (s.f.)

0-299 ft linear street frontage	50
300 + ft linear street frontage	100

Collector Streets – Area, max. (s.f.)

0-299 ft linear street frontage	35
300-399 ft linear street frontage	50
400-499 ft linear street frontage	75
500 + ft linear street frontage	100

D. Sign Dimensions - Height

Freeways

Height, max. (ft)	20
-------------------	----

Arterial Streets - Height, max. (ft).

0-99 ft linear street frontage	8
100 + ft linear street frontage	12

Collector Streets

Height, max. (ft)	8
-------------------	---

E. Sign Dimensions - Width

Width, max. (ft)	15
------------------	----

F. Number of Signs

0-399 ft linear street frontage, max.	1
400 + ft linear street frontage, max.	2
See conditions in section 7.8.2-K	

G. Setbacks and Spacing

Setbacks

Interior property lines, min (ft)	10
-----------------------------------	----

Spacing

Nearest freestanding sign, min (ft)	50
Vertical Clearance	NA

H. Illumination

Lighting may be internal or external.

I. Electronic Message Centers

See General Provisions Section 7.6.9

J. Finishing

Sign structure must complement building materials, but exceptions may be allowed to enhance contrast. See Article 10, Section 10.4.22 AEC

K. Special Conditions.

1. Reader Boards may be incorporated up to 75% of the sign area.
2. See Section 7.8.15 for Gasoline Price Signs
3. One ground sign shall be permitted per lot, per street front, provided there are no pole signs on the lot. Two ground signs may be permitted along a single street frontage of 400 or more linear feet. The total area of both signs shall not exceed the maximum sign area permitted if a single sign were erected. The minimum separation between signs shall be at least 150 feet.
4. The size of ground signs for lots with 400 or more feet of frontage may be increased by 10 percent for each 10 feet that the sign setback exceeds 20 feet from the front property line. In no case shall the sign area exceed 200 square feet.
5. Ground signs shall be landscaped at the base of the sign in accordance with the following:
 - a. The landscaped area shall extend a minimum of three feet from the sign base on all sides.
 - b. The minimum number of plants shall be 10 plants per 50 square feet of the landscaped area. All plants, ornamental grasses, groundcovers, and vines shall be species identified on the plant list approved by the Zoning Administrator.

Exception.

Ground signs on local streets shall only be allowed for institutional uses such as religious assemblies, educational facilities, government administration and civic buildings, and public parks. The sign standards shall be based on the standards applicable to collector streets with a maximum sign area of 75 square feet.

7.8.3. MULTI-TENANT GROUND SIGNS

A. Description

Multi-Tenant Ground Signs stand directly on the ground and are independent from any building or structure. They are freestanding and have no clear space for the full width of the sign between the bottom of the sign and the surface of the ground.

Three or more tenants may be included on a single sign structure.

Multi-Tenant Ground Signs must include the address block where the sign is situated, but the space required for the address block is not included in the sign dimension calculation. Additionally, Center Identification, if incorporated, will not be counted towards the sign area calculation.

Figure 7.8.3-A:1. Acceptable



Figure 7.8.3-A:2. Not Acceptable



B. Street Type and Frontage

Permitted on all street types EXCEPT local streets

C. Sign Dimensions - Area

Freeways and Arterial Streets – Area, max. (s.f.)

0-299 ft linear street frontage	75
300-399 ft linear street frontage	150
400 + ft linear street frontage	200

Collector Streets – Area, max. (s.f.)

0-299 ft linear street frontage	50
300 + ft linear street frontage	100

D. Sign Dimensions - Height

Freeways and Arterials – max.(ft)	20
Collector – max. (ft)	15

E. Sign Dimensions - Width

All Street Types – max. (ft)	15
------------------------------	----

F. Number of Signs

0-399 ft linear street frontage, max.	1
400 + ft linear street frontage, max.	2
See conditions in section 7.8.3-K	

G. Setbacks and Spacing

Setbacks	
Interior property lines, min (ft)	10
Spacing	
Nearest freestanding sign, min (ft)	50
Vertical Clearance	NA

H. Illumination

Lighting may be internal or external.

I. Electronic Message Centers

EMCs are not allowed

J. Finishing

Sign structure must complement building materials, but exceptions may be allowed to enhance contrast. See Article 10, Section 10.4.22 AEC

K. Special Conditions.

1. One multi-tenant ground sign shall be permitted per lot, per street front, provided there are no other freestanding signs on the lot.
2. Two multi-tenant ground signs may be permitted along a single street frontage of 400 or more linear feet. The total area of both signs shall not exceed the maximum sign area permitted if a single sign were erected. The minimum separation between signs shall be at least 150 feet.
3. The tenant panels shall be designed in accordance with the following:
 - a. One monochromatic background color scheme and no more than two font colors. Company logos and trademarks are exempt from this requirement.
 - b. The minimum area of each tenant panel shall be 10 square feet, with the sign coverage on each panel to be no more than 75%.
4. All multi-tenant ground signs require an address block. If there is more than one street number, the number range and street name shall be shown.
5. In the Entertainment District Overlay all signs shall have an architectural side border of at least 10 inches in width.
6. Multi-tenant Ground signs shall be landscaped at the base of the sign in accordance with the following:
 - a. The landscaped area shall extend a minimum of three feet from the sign base on all sides.
 - b. The minimum number of plants shall be 10 per 50 square feet of the landscaped area. All plants, ornamental grasses, groundcovers, and vines shall be species identified on the plant list approved by the Zoning Administrator.
7. Unified, multi-tenant developments adjacent to freeways may provide signs with increased height and area if the development meets the following:
 - a. The minimum leasable area is 250,000 square feet; and
 - b. One of the following criteria is met:
 - (i) the lot has at least 700 linear feet of frontage along the freeway; or
 - (ii) the site area is at least 15 acres.

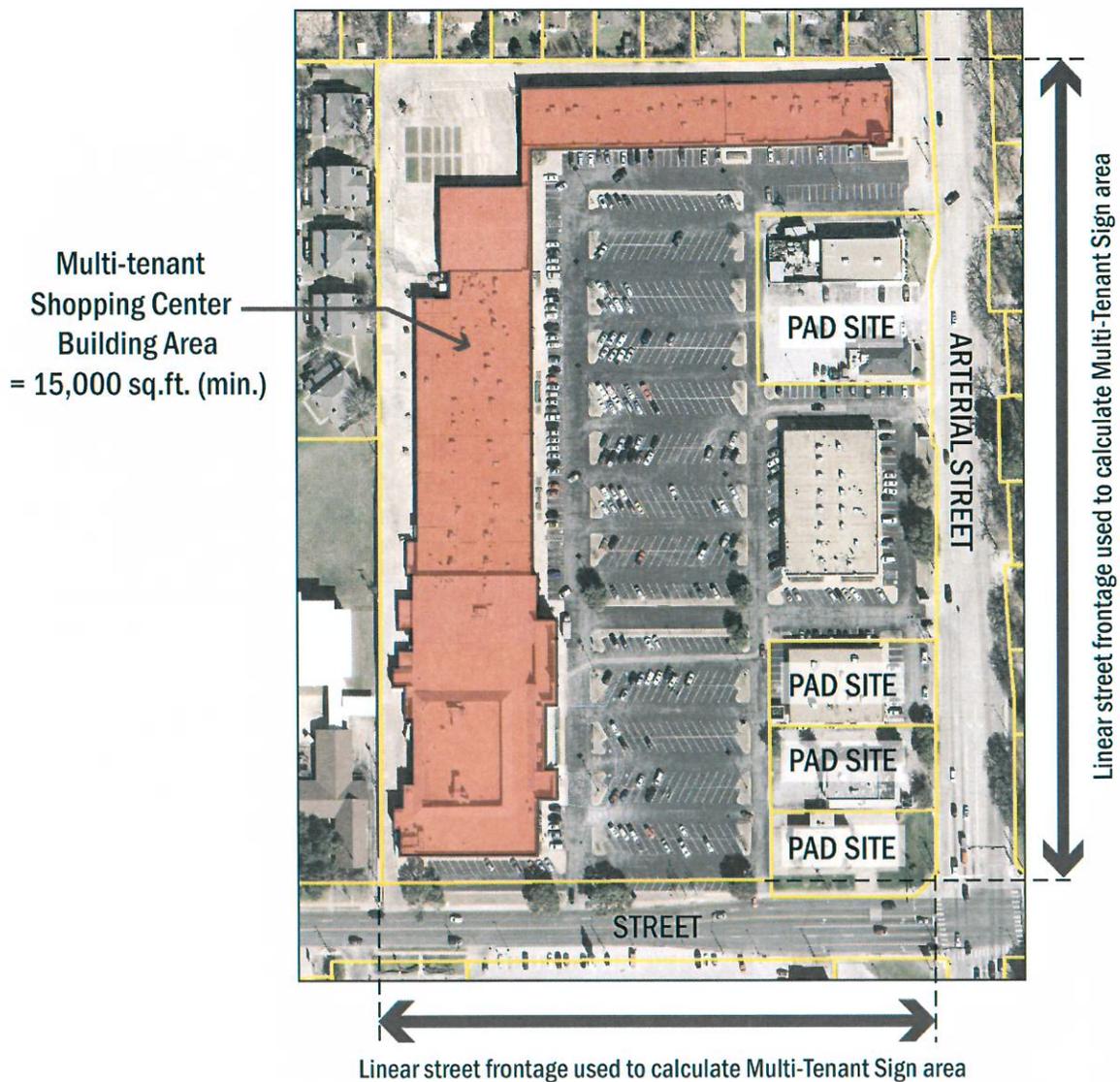
Developments meeting the above criteria shall be eligible for the following increases. Sign permits for such signs shall only be approved after a building permit for up to 150,000 square feet has been approved.

- a. Center Identification may be allowed up to 40 feet in height from grade, with no maximum area limitation.
- b. Tenant signage may be allowed up to 30 feet in height from grade, with a maximum area limited to 300 square feet.
- c. Overall width of the sign shall be no more than 25 feet.

- d. Such signs must be spaced at least 500 feet apart.
- 8. Existing multi-tenant retail developments, built before June 1, 2015, adjacent to freeways or arterial streets, may be entitled to increased sizes if they meet the following criteria (see Figure 7-11):
 - a. Shall have a minimum leasable area of 15,000 square feet;
 - b. The visibility of wall signs from the adjacent streets is inhibited by individually platted and developed pad sites along the street frontages.

Developments meeting the above criteria shall be eligible to include the street frontages of the front pad sites, in addition to their own lot frontages, to determine the maximum sign dimensions for the sign on the street frontage.

Figure 7-11: Measuring Linear Frontage for Multi-tenant Developments with Individually Platted and Developed Front Pad Sites



7.8.4. WALL SIGNS

A. Description

A wall sign is a sign that is attached to a wall of a building or is an integral part of a wall of a building with the exposed face of the sign in a plane parallel to the attached wall.

Signs on windows, attached to windows, or viewed through windows are covered in the Window Signs section.

B. Street Type and Frontage

Permitted on all street types.

C. Sign Dimensions - Area

Total wall area, max. (%)	20
---------------------------	----

D. Sign Dimensions - Height

1. Not to exceed height of structure

E. Sign Dimensions - Width

Associated tenant space, max. (%)	75
-----------------------------------	----

F. Number of Signs

1. Signs per building, max.	NA
-----------------------------	----

G. Setbacks and Spacing

1. Setbacks	NA
-------------	----

H. Illumination

1. Lighting may be: internal and external.

I. Electronic Message Centers

EMCs are not allowed

J. Additional Standards

1. The maximum distance between the wall and the inner edge of the sign is 18 inches.
2. The sign may not extend above, below, or beyond the parallel face of the attached wall.

Figure 7.8.4-A: 1. Acceptable



Figure 7.8.4-A: 2. Not Acceptable



K. Special Conditions.

1. For multi-story buildings and/or multi-tenant shopping centers within the EDO district, the maximum height of a wall sign is three feet for the first and second story, and five feet for the third story or above. Standalone buildings with a single user are not impacted by this condition.
2. Cabinet signs are prohibited in in the DB, DNO, EDO, LCMUO, NMU, and RMU districts.
3. Multiple wall signs shall be permitted, provided that the cumulative area of all signs does not exceed the maximum permitted area.
4. Wall signs shall be attached to the walls of the building or tenant space occupied by the business that it advertises. Wall signs may be located on an exterior wall that is not immediately abutting the tenant space or business that it advertises upon approval by the Zoning Administrator in accordance with the provisions of Article 10, Section 10.4.22.
5. No painted-on wall signs are allowed.
6. Murals may be allowed in the Downtown Business (DB) zoning district and Entertainment District Overlay (EDO) district, subject to the conditions set forth in Section 7.8.17.
7. For multi-family apartment buildings, a maximum of two wall signs shall be permitted per street front, provided that they are separated by 500 feet. Additionally, the maximum area of each wall sign shall not exceed 50 square feet
8. Wall signs for internal lease spaces without external wall area may only be allowed if:
 - a. The building contains at least 50,000 square feet in leasable area; and
 - b. The total area of wall signs does not exceed the 20 percent of wall area.

7.8.5. PROJECTING SIGNS (BLADE)

A. Description

Projecting Signs are generally attached perpendicular to the face of the building and extending outward.

Figure 7.8.5-A: 1. Acceptable



Figure 7.8.5-A: 2. Not Acceptable



B. Street Type and Frontage

Permitted on all street types except local streets.

C. Sign Dimensions - Area

Area, max. (s.f.)	36
When used as building identification, see Additional Standards below.	

D. Sign Dimensions - Height

1. If attached to a single story building, the height of the top edge of the signboard shall not exceed the height of the wall from which the sign projects
2. If attached to a multi-story building, the height of the top edge of the sign board shall not exceed the height of the sill or bottom of any second story window.

E. Sign Dimensions - Width

All Street Types, max. (ft)	3
-----------------------------	---

F. Number of Signs

Signs per street front, max.	1
------------------------------	---

G. Setbacks and Spacing

Setbacks	NA
Vertical Clearance	
From grade min. (ft)	9
If projecting over drive aisles; from grade, min. (ft)	14

H. Illumination

Lighting may be internal only.

I. Electronic Message Centers

EMCs are not allowed

J. Additional Standards

1. The sign may project over the public right-of-way, subject to approval of an easement use agreement.
2. Support structures must be constructed of metal.
3. The depth of the sign cabinet shall not exceed six inches.
4. Signs may extend above a tenant's lease space, subject to approval from the owner of the building, but still not extending above the building roofline.
5. The maximum distance from the wall to the outer edge of the sign is four feet.
6. The maximum distance between the wall and the inner edge of the sign is 18 inches.
7. Signs must be double-sided.
8. Projecting signs serving as building identification on buildings with three or more stories in the DB, DNO, and EDO districts shall be allowed a maximum sign area of 150 square feet. Additionally, no restrictions will apply to the width or projection from the wall.

7.8.6. MARQUEE SIGNS

A. Description

Marquee signs are similar to projecting signs and include manual removable and/or changeable letters.

Figure 7.8.6-A: 1. Acceptable



Figure 7.8.6-A: 2. Not Acceptable



B. Street Type and Frontage

Permitted on all street types.

C. Sign Dimensions - Area

Total wall area, max. (%)	20
---------------------------	----

D. Sign Dimensions - Height

May not exceed height of building by 10 ft

E. Sign Dimensions - Width

Associated tenant space, max. (%)	75
-----------------------------------	----

F. Number of Signs

Signs per building, max.	NA
--------------------------	----

G. Setbacks and Spacing

Setbacks	NA
----------	----

H. Illumination

Lighting may be internal or external.

I. Electronic Message Centers

EMCs are not allowed

J. Additional Standards

1. Only allowed for performance and movie theaters.
2. Running lights outlining the marquee sign may be allowed, with Zoning Administrator approval.

7.8.7. BUILDING IDENTIFICATION SIGNS

A. Description

A Building Identification Sign identifies the name of the building or a primary tenant of the building and is allowed on a building of three or more stories in height. A building identification sign shall only be allowed with the express written permission of the building owner or his designee.

The building identification sign should be placed on the top floor of the building or at a location consistent with the architecture of the building.

Figure 7.8.7-A: 1. Acceptable



B. Street Type and Frontage

Permitted on all street types

C. Sign Dimensions - Area

1. Total wall area, max. (%)	20
------------------------------	----

The combined area of wall sign(s) and building identification sign on any single elevation shall not exceed 20 percent of the area of that elevation.

D. Sign Dimensions - Height

Not to exceed height of the structure

E. Sign Dimensions - Width

Associated building elevation, max. (%)	75
---	----

F. Number of Signs

Per building face, max.	1
-------------------------	---

G. Setbacks and Spacing

Spacing between signs, min. (ft)	NA
----------------------------------	----

H. Illumination

Lighting may be internal or external.

I. Electronic Message Centers

EMCs are not allowed.

J. Additional Standards

1. Applied letters shall be constructed of painted cast metal, bronze, brass, or black anodized aluminum. Applied plastic letters are not permitted.
2. A Building Identification Sign shall be limited to one name and its corresponding logo and may be placed on more than one building façade if the signs are identical.
3. A tenant with a Building Identification Sign may also have a ground floor wall sign in accordance with the requirements of this Article if the tenant has office or retail space on the ground floor of the qualifying building and the sign immediately abuts the tenant space.

7.8.8. ENTRYWAY SIGNS

A. Description

An entryway sign identifies the entryway to a commercial development, single-family or multi-family subdivision and serves to provide an identity for the community.

Figure 7.8.8-A: 1. Acceptable



Figure 7.8.8-A: 2. Not Acceptable



B. Street Type and Frontage

Permitted on all street types

C. Sign Dimensions - Area

Area, max. (s.f.) 50

D. Sign Dimensions - Height

Height, max. (ft) 8

E. Sign Dimensions - Width

Width, max. (ft) NA

F. Number of Signs

Per entry, max. 2

G. Setbacks and Spacing

May be placed on either or both sides of a street providing direct access to a subdivision.

H. Illumination

Lighting may be internal or external.

I. Electronic Message Centers

EMCs are not allowed

J. Additional Standards

1. Permitted only for commercial developments and single-family or multi-family subdivisions.
2. Entryway signs shall be limited to development name and address.
3. Walls shall be constructed of materials specified for perimeter fencing in Article 5, Section 5.3.4, Fences.
4. For multi-family developments on lots with more than 300 feet of street frontage, two 30-square-foot entryway signs may be substituted for C-1 above, provided that the signs are separated by at least 300 feet.
5. For commercial developments, entryway signs are allowed in addition to the allowed number of freestanding signs.
6. Entryway signs shall be landscaped at the base of the sign in accordance with the following:
 - a. The landscaping shall extend a minimum of three feet from the sign base.
 - b. The minimum number of plants shall be 10 per 50 square feet of the landscaped area. All plants, ornamental grasses, groundcovers, and vines shall be species identified on the plant list approved by the Zoning Administrator.

7.8.9. AWNING SIGNS

A. Description
 An awning is generally a lightweight frame structure over which a covering is attached. Awning signs are generally used as auxiliary signs.

Figure 7.8.9-A: 1. Acceptable – Primary Signs



Figure 7.8.9-A: 2. Acceptable – Auxiliary Sign



Figure 7.8.9-A: 3. Not Acceptable



B. Street Type and Frontage	
Permitted on all street types.	
C. Sign Dimensions - Area,	
Sign Area, max. (s.f.)	16
D. Sign Dimensions - Height	
Height, max. (ft)	NA
E. Sign Dimensions - Width	
Copy on awnings shall be limited to 75 percent of the awning width.	
F. Number of Signs	
Signs per building face, max.	NA
G. Setbacks and Spacing	
Setbacks	NA
H. Illumination	
None	
I. Electronic Message Centers	
EMCs are not allowed	
J. Additional Standards	
<ol style="list-style-type: none"> 1. Vertical clearance of nine feet above grade from the bottom of the awning is required. 2. Awnings must be professionally constructed. The use of vinyl as a material is not permitted. 3. Awning signs are permitted only on the first floor of the building. 4. Lettering and graphic is permitted on the front and side vertical panels only. 5. In the Downtown Business zoning district and the Downtown Neighborhood Overlay district awnings may be used as the primary business sign. 6. If functioning as the primary business sign, it shall not be in addition to a wall mounted sign 7. As primary business sign the maximum sign area is not to exceed 20 square feet. 8. As primary business sign, one store logo or the store name may be applied on the sloped portion of the awning. 9. If functioning as an auxiliary business sign, lettering shall be located on the valance only, and the height of the lettering shall not exceed eight inches. 	

7.8.10. CANOPY/FASCIA SIGNS

A. Description

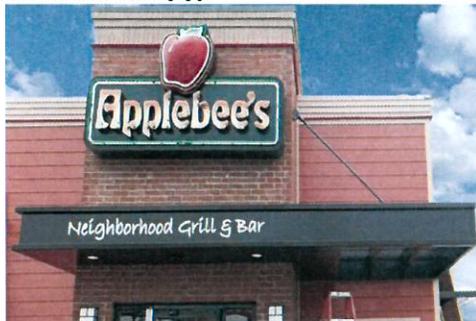
Canopy signs may be used as a primary or auxiliary sign. Typically, if used as a primary business sign the lettering and graphics are mounted above the front panel of the canopy. If used as an auxiliary business sign lettering and graphics are affixed to the front panel of the canopy.

Signs on the fascia will meet the same standards as Canopy Signs

Figure 7.8.10-A: 1. Acceptable – Primary Sign (on top of canopy)



Figure 7.8.10-A: 2. Acceptable – Auxiliary Sign (on the fascia of canopy)



B. Street Type and Frontage

Permitted on all street types.

C. Sign Dimensions - Area,

Area, max. (s.f.)	35
-------------------	----

D. Sign Dimensions - Height

Height, max. (ft)	3
-------------------	---

E. Sign Dimensions - Width

Width, max. (ft)	NA
------------------	----

Copy on drive-through canopies shall be limited to 75 percent of the canopy width.

F. Number of Signs

Signs per tenant building face, max.	1
--------------------------------------	---

For drive-through canopies, signs per elevation, max.	1
---	---

G. Setbacks and Spacing

Setbacks	NA
----------	----

H. Illumination

Lighting may be: internal only

I. Electronic Message Centers

EMCs are not allowed

J. Additional Standards

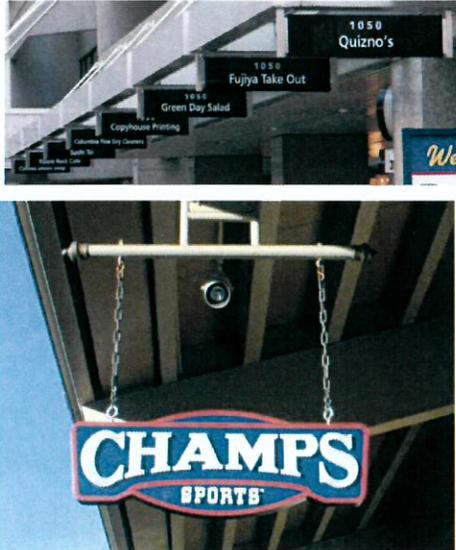
1. Vertical clearance of nine feet above grade from the bottom of the canopy is required.
2. The area of canopy signs shall be counted towards the maximum wall sign area allowed for that elevation.
3. Individual letters or graphics may be internally illuminated, glow with a halo-illumination effect, or glow through the front faces.
4. Flashing lights, or exposed raceways, conduits, or transformers are prohibited.
5. Shall not extend above the second floor ceiling or the top of the roof, whichever is less.
6. Shall consist only of letters and/or geometric designs and not constructed as part of a sign can or cabinet. Each letter may be internally illuminated with lights other than florescent or neon.

7.8.11. HANGING SIGNS (UNDER-CANOPY)

A. Description

Hanging signs generally include graphic or icon signs which hang from an arcade roof or canopy. These signs are only to be used as pedestrian signage.

Figure 7.8.11-A: 1. Acceptable



B. Street Type and Frontage

Permitted on all street types

C. Sign Dimensions - Area

Per Face - Area, max. (s.f.)	6
------------------------------	---

D. Sign Dimensions - Height

Height, max.	NA
--------------	----

E. Sign Dimensions - Width

All Street Types – max. (ft)	3
------------------------------	---

F. Number of Signs

Signs per tenant space, max.	1
------------------------------	---

G. Setbacks and Spacing

Setbacks	NA
----------	----

Spacing between signs, min. (ft)	15
----------------------------------	----

Vertical Clearance

From grade, min. (ft)	9
-----------------------	---

H. Illumination

Not Allowed

I. Electronic Message Centers

EMCs are not allowed

J. Additional Standards

1. Support structures must be constructed of metal.
2. Signs must be double-sided.

7.8.12. WINDOW SIGNS

A. Description

A window sign is generally affixed to a window for the purpose of being viewed from the exterior of a building.

Figure 7.8.12-A: 1. Acceptable



Figure 7.8.12-A: 2. Not Acceptable



B. Street Type and Frontage	
Permitted on all street types except local streets.	
C. Sign Dimensions - Area	
Area, max. (% of single window area) (See Figure 7-12)	25
D. Sign Dimensions - Height	
Height, max. (ft)	NA
E. Sign Dimensions - Width	
Width, max. (ft)	NA
F. Number of Signs	
Only one window sign per tenant, per elevation is allowed.	
G. Setbacks and Spacing	
Setbacks	NA
H. Illumination	
Not allowed	
I. Electronic Message Centers	
EMCs are not allowed	
J. Additional Standards	
<ol style="list-style-type: none"> 1. Window signs should not obscure the visibility into a shop for the passerby. Every effort should be made to integrate window signs with store window displays. 2. Lighted signs, flashing signs or any other sign not applied directly to a windowpane are not permitted. 3. No fluorescent vinyl shall be used for window signs. 4. Window signs are only permitted on the first story of the building. 5. Temporary advertising placards, banners, pennants, trademarks, or other descriptive material shall not be placed on the inside of the glass. However, restaurants may display menus. 6. Business name, address, hours of operation, entrance/exit information, and emergency phone numbers may be displayed on primary entrance door. 7. Business address, closed/open signs, hours of operation, credit card logos, real estate signs and 'now hiring' signs are exempt from the maximum area limitation. Mannequins and storefront displays of merchandise sold are not considered window signs. 	

Figure 7-12: Window Area Calculation



7.8.13. DIRECTIONAL SIGNS

A. Description

Directional signs are generally used to aid in internal site circulation and identify points of ingress and egress.

Figure 7.8.13-A: 1. Acceptable



B. Street Type and Frontage

Permitted on Arterial, Collector, Local Streets

C. Sign Dimensions - Area

Area, max. (s.f.)	8
-------------------	---

D. Sign Dimensions - Height

Height, max. (ft)	
-------------------	--

Wall Signs	8
------------	---

Freestanding (directional only)	4
---------------------------------	---

E. Sign Dimensions - Width

Width, max. (ft)	NA
------------------	----

F. Number of Signs

No maximum.

G. Setbacks and Spacing

Spacing between signs, min. (ft)	20
----------------------------------	----

H. Illumination

1. Lighting may be internal

I. Electronic Message Centers

EMCs are not allowed

J. Additional Standards

No more than 50 percent of the sign face may be used for an advertising logo.

7.8.14. MENU BOARDS

A. Description

A sign displaying the restaurant menu, generally located adjacent to a drive aisle for a drive-through window.

Figure 7.8.14-A: 1. Acceptable – Drive-through



Figure 7.8.14-A: 2. Acceptable – Pedestrian-Oriented



B. Street Type and Frontage

Permitted on all street types

C. Sign Dimensions - Area

Area, max. (s.f.) 32

D. Sign Dimensions - Height

Height, max. (ft) 8

E. Sign Dimensions - Width

Width, max. (ft) NA

F. Number of Signs

Max NA

G. Setbacks and Spacing

Setbacks (ft) 10

H. Illumination

Lighting may be internal or external

I. Electronic Message Centers

EMCs are not allowed

J. Additional Standards

Restaurants and cafes shall be permitted one wall-mounted display or freestanding display board per business featuring the actual menu as used at the dining table, to be contained within a shallow case, to be clearly visible through a glass front. The display case shall be attached to the building wall next to the main entrance, or freestanding, as long as it does not block pedestrian movement.

7.8.15. GASOLINE PRICE SIGNS

- A. Along arterials and collector streets, gasoline prices may be incorporated into the pole or ground signs, provided the maximum area and height for the sign is not exceeded.
- B. Along local streets, gasoline prices may be incorporated into the wall sign provided the maximum area for advertising gasoline prices does not exceed 20 square feet per street front.
- C. The posting of gasoline prices shall not be considered to be an electronic message center.
- D. Brand identification on gasoline pumps shall not be deemed as signs for the purpose of this section.

Figure 7.8.15-A: 1. Acceptable



Ground Sign with EMC and Gasoline Price

Figure 7.8.15-A: 2. Not Acceptable



7.8.16. BUILDING DIRECTORY SIGNS

- A. The maximum square footage allowed shall be eight square feet.
- B. Signs may only be internally illuminated.
- C. One sign per entrance is allowed and the sign must be located next to the building entrance.
- D. Additional requirements:
 - 1. The sign may project out from the wall to which it is attached no more than six inches.
 - 2. The sign shall not extend above the parapet, eave, or building façade.

Figure 7.8.16-A: 1. Acceptable



7.8.17. PAINTED WALL MURALS

- A. Murals are permitted subject to conditions.
 - 1. Murals are allowed up to 100 percent of the wall area, not exceeding a height of 40 feet above grade. However, no mural shall not be placed over openings such as windows, doors, and vents.
 - 2. Lighting of a mural shall be external.
 - 3. Only one mural per building is allowed.
- B. **Special Conditions.**
 - 1. Murals shall be painted with a weather-resistant paint.
 - 2. No portion of the mural shall be used to advertise a specific product or service. The mural may display the name or logo of the on-site tenant, as long as it does not exceed more than 20 percent of the mural area. (This portion of the mural will need a Sign Permit.)
 - 3. Should the mural become faded, peeled, and severely weathered in the opinion of the Zoning Administrator, the owner, or the person or firm maintaining the same, shall, upon written notice, repair or remove the mural or repaint the wall on which mural is painted within 60 days.

7.9. OFFSITE ADVERTISING SIGNS - BILLBOARDS

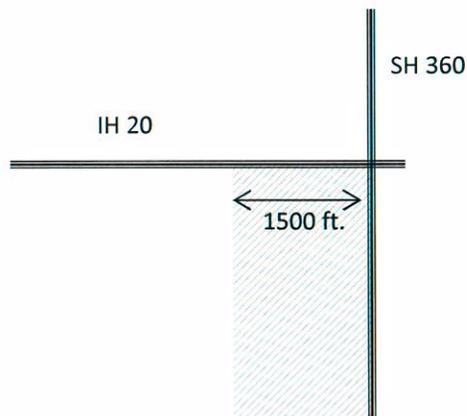
7.9.1. BILLBOARDS

Billboards shall be permitted as follows:

A. Districts and Streets.

1. Billboards shall be allowed in the GC, LI, and IM zoning districts.
2. Billboards are allowed only on lots with street frontage on the following controlled access freeways: Interstate Highway 20, Interstate Highway 30, State Highway 360, and U.S. Highway 287 as described below.
3. Billboards must be located on a platted lot.
4. Billboards shall only be permitted directly adjacent to the controlled access freeways listed above. However, billboards are prohibited within one thousand five hundred (1,500) feet of State Highway 360, south of Interstate Highway 20.

Figure 7-13: Offsite Sign Setback on SH 360 south of I-20



5. Billboards are prohibited in:
 - a. the Entertainment District Overlay; and
 - b. the area of the Interstate Highway 20 corridor bounded by Cooper Street on the west, Arbrook Boulevard on the north, State Highway 360 on the east and Bardin Road on the south. (See Figure 7-9)
6. Billboards shall be deemed as a primary use of the property on which they are located. Such signs shall not be located on a lot where other buildings or uses exist.

B. A sign face shall only be visible from one direction of traffic.

C. Billboards may be internally or externally illuminated.

D. **Maximum Area.**

The maximum allowed square footage shall be 672 square feet.

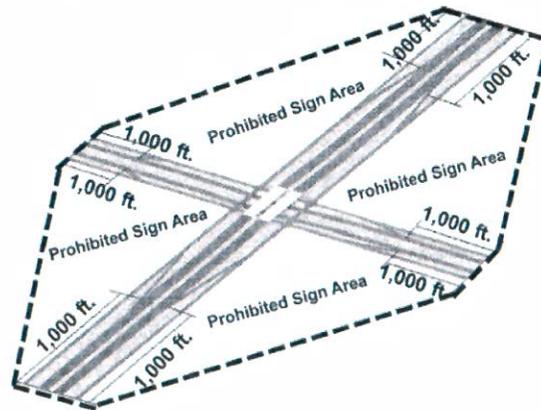
E. **Maximum Height.**

50 feet, not to exceed 42.5 feet above the adjacent freeway surface. Sign height above the adjacent freeway surface shall be measured from the highest point of the sign to the grade level of the centerline of the nearest travel lane, not including ramps closest to the sign at a point perpendicular to the sign location.

F. **Setback and Spacing.**

1. Five feet from the right-of-way line of a controlled access freeway.
2. 200 feet from any residential zoning district or property line.
3. 1,500 feet from a park, forest, playground, or scenic area.
4. 200 foot radius from any freestanding pole sign or wall sign.
5. 1,500 feet from any billboard on the same side of a freeway.
6. 1,000 feet from an interchange, including ramps or acceleration and deceleration lanes. Such distances shall be measured along the highway from the nearest point of beginning or ending of pavement widening at the exit from, or entrance to, the main traveled way.

Figure 7-14: Prohibited Areas Near Interchange (the area enclosed by dotted lines)



Source: Texas Department of Transportation

7. 10 feet from interior side lot lines.
8. 10 feet from the front property line.
9. 10 feet from the rear property line.

G. Number.

One billboard per platted lot with a required minimum lot size per the base zoning district.

H. Other.

1. All offsite advertising signs shall be of a monopole design, with underground utility service.
2. The right to existing nonconforming billboards may be transferred to another location, if the sign is removed due to a governmental action. If the new location does not meet the requirements, a sign variance may be sought through the Zoning Board of Adjustment.
3. Existing billboards on a controlled access freeway, which are deemed "nonconforming structures" by Article 11 of the Code due to size, lighting, or spacing, may be modified to a digital billboard if a new permit is obtained, and the action is in full compliance with all applicable provisions of this Code.

7.9.2. ADDITIONAL STANDARDS FOR DIGITAL BILLBOARDS.

- A. Digital billboard shall obtain an annual inspection and pay the appropriate fee as established in the City's Fee Resolution.
- B. Each message for digital billboards shall be displayed for at least eight seconds and a change of message shall be accomplished within two seconds or less;
- C. A change of message must occur simultaneously on the entire sign face;
- D. The sign shall not display any illumination by flashing, intermittent or moving lights;
- E. The sign shall not contain or display animated or moving video;
- F. The sign shall not contain any scrolling elements;
- G. The sign shall not project a static image upon a stationary object;
- H. The sign shall automatically adjust the intensity of its display brightness according to the natural ambient light conditions; and
- I. The sign shall contain a default design mechanism that freezes the sign in one position if a malfunction occurs.
- J. The sign owner shall provide contact information for a person who is available at any time, twenty four hours a day, every day of the year, including holidays and weekends. The contact person shall be available at any time to turn off the sign promptly after a malfunction occurs or reduce the intensity of the sign no later than

12 hours of a request by an official from the City or the Texas Department of Transportation. If the request is to reduce the intensity of the lighting, the intensity must be reduced to a level that is acceptable to the Texas Department of Transportation.

- K.** Granting Permits: The Zoning Administrator will grant a permit for a digital billboard construction or modification in the following sequential manner:
- 1.** If the applicant satisfies the requirements of this Section, the Zoning Administrator will issue a provisional permit granting permission for the digital sign, subject to the granting of a permit by the Texas Department of Transportation, where applicable.
 - 2.** The applicant shall obtain a permit from the Texas Department of Transportation allowing the requested construction or modification, and shall present a true copy of that permit to the Zoning Administrator not later than 12 months following the issuance of the provisional permit.
 - 3.** If the applicant and the Texas Department of Transportation permit satisfy the requirements of this Section, the Zoning Administrator shall issue a sign permit for the digital billboard.
 - 4.** The provisional permit shall expire 12 months after its issuance without further action by the Zoning Administrator if no sign permit has been issued in that time.

7.10. TEMPORARY SIGNS

7.10.1. TEMPORARY SIGN STANDARDS.

Temporary signs shall not be illuminated and shall have no moving parts.

Table 7.10.1 - Temporary Sign Standards

Type	Permit Required (Y/N)	Max. Height (ft)	Max. Area (SF)	Timeframe	Standards
Residential Front Yard Signs	N	4	8	NA	
Model Home Signs	Y	8	20	Until the construction has begun on 90 percent of the lots in a subdivision	<ul style="list-style-type: none"> One per lot
Real Estate Signs (Non-residential)	N	8	20	Until the sale or rental of property or structure, or the lease of tenant(s) spaces	<ul style="list-style-type: none"> <u>Freestanding Real Estate Signs</u> are allowed for the following purposes: <ol style="list-style-type: none"> Undeveloped properties for sale/lease of land. Developed properties that do not have available space on their ground/pole sign to incorporate a 'for sale/lease' sign <ul style="list-style-type: none"> They shall be spaced a minimum of 500 feet apart with maximum of two signs per street front per parcel. For <u>sale/lease of buildings or tenant spaces</u>, the Real Estate Signs shall be incorporated into the vacated tenant space on the freestanding sign or as a wall sign applied directly to the tenant space. <ul style="list-style-type: none"> No more than one wall sign shall be allowed per street front. Not to be used to advertise rental of individual multi-family residential units.
Banner Signs	N	n/a	50	Allowed to stay for no longer than 30 consecutive days, with a 60-day separation between the events	<ul style="list-style-type: none"> Not allowed on local streets. Exception. institutional uses such as religious assemblies, educational facilities, government administration and civic buildings, and public parks One per occupied business tenant space at one time (An apartment complex is deemed to be a single business tenant). May be placed only next to a wall of the occupied tenant space it advertises. Shall be secured at all points of attachment to the building wall. (A fence or railing is not considered a building wall).

Table 7.10.1 - Temporary Sign Standards

Type	Permit Required (Y/N)	Max. Height (ft)	Max. Area (SF)	Timeframe	Standards
Grand Opening Signs (Balloons & Streamers)	N	30	n/a	One period of 14 consecutive days within the first three months of issuance of Certificate of Occupancy	<ul style="list-style-type: none"> ▪ Not allowed on local streets; ▪ Min. setback from front and side property lines = 20 feet; ▪ Streamers, balloons less than three cubic feet in volume, and one balloon larger than three cubic feet per business may be displayed. ▪ 30 feet of clearance shall be maintained from all power lines to balloons.
Development Sign	Y	25 8	200 50	<p>Commercial: Until the initial certificate of occupancy is granted on the property for single tenant developments, or until multi-tenant developments are 50-percent occupied.</p> <p>Residential: Until construction is substantially complete on 90 percent of the lots within a subdivision.</p>	<ul style="list-style-type: none"> ▪ Offsite development signs are prohibited. ▪ Commercial: One sign per lot. For lots larger than 10 acres, one additional sign is allowed for each 10 acres. ▪ Residential: Two signs are allowed per residential subdivision, with each platted phase being considered a separate project. ▪ Setback: 10 feet from interior side lot lines.
Sandwich Board Signs	N	4	8	Only allowed during business hours	<ul style="list-style-type: none"> ▪ Only freestanding A-frame style signs constructed of steel or plastic are permitted. ▪ Signs must be sufficiently weighted or anchored to the pavement to provide stability. ▪ Signs must be placed within five feet of the building entrance. Signs located on sidewalks must maintain a pedestrian path of at least five feet in width and not obstruct pedestrian movement or safety.
Political Signs	N	8	36	See section 7.10.2	<ul style="list-style-type: none"> ▪ Allowed on private real property only with consent of the property owner. ▪ Political Signs do not include a billboard that contains a political message on a temporary basis and that is generally available for rent or purchase to carry commercial advertising or other messages that are not primarily political.

7.10.2. POLITICAL SIGNS

A. Time, place, and manner restrictions – signs on public property during voting periods.

1. Time.

In accordance with Texas Election Code §61.003, signs shall be allowed at polling sites during early voting periods or on Election Day. Signs so posted must be removed within forty-eight (48) hours after the close of the early voting period or the close of the polls on Election Day, whichever is applicable.

2. Place.

- a. No signs or campaign literature are permitted on City property, except as required by Texas Election Code sections 61.003 or 85.036. This prohibition includes all locations, so long as there is no polling site at that location, including city hall, city service center, library, recreational center, public parks and aquatic centers, fire stations, police departments, and water pumping stations.
- b. For so long as required by Texas Election Code sections 61.003 and 85.036, all public property upon which there is located a polling place, outside the area described in §61.003, and within the area which is allowed to have signs posted shall meet the following requirements: an area (i) that is not within the public right of way; (ii) that is not on impervious surfaces; (iii) that is not a traffic or safety hazard; (iv) that is attached to a stake not to exceed a 9 gauge diameter (American Wire Gauge standard (AXG)) driven into the ground well clear of tree roots, irrigation lines and any other underground vegetation or structures; (v) not to be attached to any building or structure (vi) not in a landscape bed to include flower beds and (vii) an area which meets all the requirements of City ordinances.

3. Manner.

Political signs permitted at voting locations pursuant to Election Code sections 61.003 and 85.036 shall not exceed six square feet and eight feet in height.

- a. State law. In the event of any conflict between the provisions of this Section and State law, State law shall govern.

3.

Further, **Article 10, Review Procedures, Section 10.2, Table of Procedures, Table 10.2-1, Summary Table of Review Procedures** is hereby amended so that hereafter said section shall be and read as follows:

TABLE 10.2-1: Summary Table of Review Procedures								
<i>✓ = required; R = recommendation; H = public hearing required; D = decision; A = appeal; L = Legislative Hearing; QJ = Quasi-Judicial Hearing</i>								
Procedure	Pre-Application Meeting	Legislative (L) or Quasi-Judicial (QJ) Hearing	Zoning Administrator	Landmark Preservation Commission	Zoning Board of Adjustment	Planning and Zoning Commission	City Council	Code Reference
Zoning Procedures								
Unified Development Code Text Amendments		L	R			R-H	D-H	10.4.1
Zoning Map Amendments		L	R			R-H	D-H	10.4.2
Planned Developments	✓	L	R			R-H	D-H	10.4.3
Zoning Site Plans			D		A			10.4.4
Multi-family Development Plans		L	R			R-H	D-H	10.5.5
Specific Use Permits		L	R			R-H	D-H	10.4.6
Zoning Variances and Appeals		QJ	R		D-H			10.4.7
Landmark Preservation Procedures								
Overlay District Designation	✓	L	R	R-H		R-H	D-H	10.4.8
Certificate of Appropriateness	✓		R	D-H			A	10.4.9
Certificate of Demolition or Relocation	✓		R	D-H			A	10.4.10
Subdivision Procedures								
Conveyance Plats			D			A		10.4.12
Preliminary Plats	✓		R			D	A	10.4.13
Final Plats			D			A		10.4.14
Combination Plats			R			D	A	10.4.15
Minor Plats			D			A		10.4.16
Replats			R			D-H	A	10.4.17
Amending Plats			D			A		10.4.18
Vacation of Plats		QJ	R			D-H	A	10.4.19
Linear Park Platting			D			A		10.4.20
Other Procedures								
Converting Private Streets to Public Streets			R				D	10.4.21
Alternative Equivalent Compliance	✓		D			R-H	D-H	10.4.22
Alternate Sign Plan	✓	L	R			R-H	D-H	10.4.23

4.

Further, **Article 10, Review Procedures, Section 10.4, Specific Review Procedures, Subsection 10.4.22, Alternative Equivalent Compliance** is hereby amended so that hereafter said section shall be and read as follows:

10.4.22 ALTERNATIVE EQUIVALENT COMPLIANCE

A. Purpose

Alternative equivalent compliance is a procedure that allows development to meet the intent of the design-related provisions of this chapter through an alternative design. An alternative equivalent compliance approach is designed to provide flexibility in order to respond to unique site conditions or abutting or surrounding uses, and must not result in reductions in the amount or quality of the particular standard. This procedure is not intended as a substitute for a variance or administrative modification, or as a vehicle for relief from or waiver of the standards in this Code.

B. Applicability

1. The alternative equivalent compliance procedure shall be available only for the following sections of Article 5, *Design and Development Standards* and Article 7, *Sign Standards*.

a. Section 5.2, *Landscaping*;

b. Section 5.3, *Screening, Buffering and Fences*;

c. Section 5.4, *Off-Street Parking and Loading*: Subsection 5.4.6, *Drive-Through Vehicle Stacking and Noise Reduction Standards*; and Subsection 5.4.9, *Parking Facility Location and Design*;

d. Section 5.5, *Residential Design Standards*;

e. Section 5.6, *Non-residential Design Standards*;

f. Section 5.7, *Mixed-Use Design Standards*;

g. Section 5.8.1, *Entertainment District Overlay*: Subsection C, *Private Realm Design Standards*; and Subsection D, *Public Realm Design Standards*;

h. Section 5.9, *Transportation and Connectivity*;

i. Section 5.10, *Common Open Space*;

j. Section 7.6.7 *Sign Supports*;

k. Section 7.7.5, *Spacing*;

l. Section 7.8, *Types of Signs*; and,

m. Section 7.10, *Temporary Signs*.

2. The alternative equivalent compliance procedure shall not be used to:

- a. Modify the required dimensional standard of a lot;
 - b. Authorize a land use that is not permitted in the underlying zoning district;
 - c. Modify the density established for a zoning district;
 - d. Grant a variance to a requirement that is assigned to the authority of the Zoning Board of Adjustment; or,
 - e. Authorize a sign type that is not permitted in the underlying zoning district or street type.
- C. Pre-Application Conference**
An applicant proposing to use alternative equivalent compliance under this section shall request and attend a pre-application conference in accordance with Section
- D. Completeness Determination**
See Section
- E. Approval Procedures**
- 1. Action by the Zoning Administrator**
The Zoning Administrator shall review the request with the criteria in 5.4.22.F and approve, approve with conditions, or deny the request for alternative equivalent compliance.
 - 2. Action by the Planning and Zoning Commission and City Council**
If the Zoning Administrator disapproves a request for alternative equivalent compliance, the applicant may apply for a zoning map amendment, planned development, or alternate sign plan as outlined in Sections 10.4.2, 10.4.3, and 10.4.23
- F. Criteria**
To grant a request for alternative equivalent compliance, the Zoning Administrator shall find that the following criteria are met:
- 1. The proposed alternative design is original, innovative, or exceptional, and achieves the intent of the subject design standard to the same or better degree than the subject standard;
 - 2. The proposed alternative design achieves the goals and objectives of the Comprehensive Plan, other relevant plans, and this Code to the same or better degree than the subject standard;
 - 3. The proposed alternative design addresses unique aspects of the site or building, such as infill development or operational characteristics;
 - 4. The proposed alternative design results in benefits to the community that are equivalent to or better than compliance with the subject design standard; and
 - 5. The proposed alternative design imposes no greater effects on adjacent properties than would occur through compliance with specific requirements of Article 5, *Design and Development Standards*.

G. Scope of Approval

1. Alternative equivalent compliance shall apply only to the specific site for which it is requested and does not establish a precedent for assured approval of other requests.
2. Written approval does not authorize any development activity, but rather authorizes the applicant to prepare a commercial site plan, building permit, or sign permit application that incorporates the approved alternative equivalent compliance, and authorizes the decision-making body to review the commercial site plan or building permit application for compliance with the approved alternative.

H. Expiration

1. An approved alternative equivalent compliance plan shall expire if one year passes following its approval and no building or sign permit that implements the plan has been issued.

One one-year extension may be issued by the Zoning Administrator provided that a written request has been received prior to the expiration of the plan, and the Zoning Administrator determines that no major changes in the City's development standards, or changes in the development pattern of the surrounding properties, have occurred.

5.

Further, **Article 10, Review Procedures, Section 10.4, Specific Review Procedures**, is hereby amended to add Section 10.4.23, which shall be and read as follows:

10.4.23. ALTERNATE SIGN PLAN

A. Purpose and Applicability

1. The purpose of an alternate sign plan is to allow properties to deviate from the sign standards if a qualifying property has an alternate plan that is clearly superior to what could be accomplished under the general standards.
2. An alternate sign plan applies only to property that has 500 feet or more of continuous frontage on a freeway or arterial street.
3. The alternate sign plan shall not be used to authorize a sign type specifically prohibited in Section 7.4, Prohibited Signs.

B. Initiation

See Section 10.3.3.

C. Pre-Application Conference

Required pursuant to Section 10.3.4.

D. Completeness Determination

See Section 10.3.5. A complete application requires the submission of a complete alternate sign plan as described in the application form provided by the Zoning Administrator.

- E. Notice**
Published, written, and posted notice required pursuant to Section 10.3.6.
- F. Approval Procedures**
- 1. Action by the Planning and Zoning Commission**
The Planning and Zoning Commission shall hold a public hearing and make a recommendation to the City Council. The Planning and Zoning Commission shall forward its recommendation to approve, conditionally approve, or deny the application to the City Council.
 - 2. Action by City Council**
 - a. The City Council shall hold a public hearing and approve, approve with conditions, deny, or remand the application.
 - b. The City Council shall approve an alternate sign plan by ordinance.
- G. Criteria**
- 1.** The Planning and Zoning Commission and City Council shall base their decision on their findings of the extent to which the proposed application:
 - a. provides a complete plan for signs that would be clearly superior to what would be allowed without the plan;
 - b. is justified based on project scale and unified nature of the sign package. Due consideration shall be given to a harmonious relationship of signs to buildings within the development as well as to buildings adjacent to the development, in terms of scale, color, materials, shape and design, and illumination; and
 - c. indicates how the signs on the property are integrated into a unified development concept with the topography, building design, other signs, landscaping, traffic circulation, and other development features of the property and nearby property.
 - 2.** An ordinance approving an alternate sign plan may contain standards and safeguards over and above those contained in these regulations. The City Council may, in the interest of the public welfare and to ensure compliance with this Code, establish reasonable conditions on the operation, location, arrangement, type, and manner of construction. Consideration is given based on the existing conditions and location in regard to the welfare and protection of adjacent property from noise, light, or other undesirable conditions.
- H. Withdrawal and Reapplication**
In order to promote the stability and well-being of the community and offer certainty to the citizens of the city with respect to the use and development of property, the following requirements govern the filing of reapplications:
- 1.** A reapplication within 12 months of the date of the application for the same alternate sign plan will not be heard if:

- a. Within 12 months prior to the date of the application an alternate sign plan was denied by the City Council or an alternate sign plan was withdrawn after the giving of public notice; and
 - b. The application currently under consideration includes property which was all or a part of the previously denied or withdrawn case.
2. The City Council, for good cause involving changed conditions, may waive any limitation period for refiling contained in this section.

I. Scope of Approval

1. Actions Following Approval

The Zoning Administrator may approve building permits or other permits subsequent to the approval of an alternate sign plan that substantially comply with the ordinance approving the plan.

2. Expiration of Plan

See Section 10.3.10.

3. Amendments to Approved Plan

An amendment to an alternate sign plan is processed in the same manner as the original approval. However, minor amendments that meet the intent of the approved Alternate Sign Plan; and do not increase the overall sign structure or sign face area and do not add digital messaging; may be approved by the Zoning Administrator.

J. Protest

The rules governing amendment over protest are contained in Chapter 211 of the Texas Local Government Code. The Zoning Administrator may prescribe forms for protest petitions.

6.

Further, **Article 11, Nonconformities**, is amended by **adding Section 11.5 Nonconforming Signs**, to be and read as follows and the **renumbering** of the remaining subsections:

11.5. NONCONFORMING SIGNS

11.5.1 GENERAL

Any sign that was legally in existence on the effective date of this Code and has been in regular and continuous use, but which does not conform to the provisions of Article 7, shall be deemed a nonconforming sign and is subject to the provisions of this Section.

Any sign used in conjunction with a nonconforming use of land or buildings, if such sign is not in accordance with the provisions of Article 7, shall be deemed a separate nonconforming use of land, and its use shall be subject to the provisions of this Section.

11.5.2. MAINTENANCE, MINOR REPAIR, DESTRUCTION

The requirements of this section shall not be interpreted to require a sign to be removed, relocated, or reconstructed. However, any nonconforming on-premise sign which is altered, removed, or relocated shall be brought into conformance with Article 7, except as allowed below:

- A. Changing the face, sign cabinet, frame, pole cover, or similar nonstructural elements is exempt from this requirement. No sign shall be altered to produce a sign with an overall height or size that is larger or taller than the existing nonconforming sign.
- B. The changing of the primary structural elements under this exemption is not permitted. For the purpose of this section, a primary structural element is a column, pole, beam, or footing designed to withstand wind loads and other applicable structure loads.
- C. A nonconforming sign shall be removed if the sign, or a substantial part of it, is blown down or otherwise destroyed or dismantled for any purpose other than maintenance operations or for changing the letters, symbols, or other matter on the sign. A sign or substantial part of it is considered to have been destroyed if the cost of repairing the sign is more than 60 percent of the cost of erecting a new sign of the same type at the same location.

11.5.3. DEMOLITION AND VACANCY

- A. An on-premise sign structure is accessory to the primary building and a demolition permit for a primary building shall require the removal of all sign structures. However, when there is an active Commercial Site Plan or Building Permit application in review at the time of demolition, conforming sign structures may be allowed to remain.
- B. A nonconforming on-premise sign or sign structure must be removed within 30 days after the first anniversary of the date the business, person, or activity that the sign or sign structure identifies or advertises ceases to operate on the premises on which the sign or sign structure is located.
- C. If the premises containing the nonconforming sign or sign structure is leased, the on-premise sign or sign structure must be removed within 30 days after the second anniversary of the date the most recent tenant ceases to operate on the premises.

7.

Further, **Article 12, Definitions, Section 12.6, Definitions Related to Signs**, is hereby amended so that hereafter said section shall be and read as follows:

12.6 DEFINITIONS RELATED TO SIGNS

12.6.1 SIGNS

Advertising Sign, Off Premise - Billboard

A sign which is a primary use of land (not accessory use) and which directs attention to a business, product, activity, or service which is not conducted, sold, offered, or located on the premises where the sign is located.

Alternate Sign Plan

A unified graphics package, which deviates from the sign regulations, but supports a general development theme for the entire development.

Auxiliary Business Sign

A commercial sign used in conjunction with a Primary Business Sign to aid in business identification and clearly subordinate to the Primary Business Sign.

Awning

An architectural projection that provides weather protection, identity, or decoration and is wholly supported by the building to which it is attached. An awning is comprised of a lightweight frame structure over which a covering is attached.

Balloon

An inflated device carried aloft or fixed to the ground used for the purpose of advertising or drawing attention.

Banner

A sign that is painted or displayed upon cloth, flexible plastic, or other similar material. For the purpose of this Code, a flexible sign face of approved materials, installed according to the manufacturer's requirements, and placed inside the sign cabinet shall not be deemed to be a banner.

Building Service Sign

A sign serving to identify building access and exit points to aid emergency personnel and emergency exit.

Business/Tenant

A single incorporated use of a premise for which a certificate of occupancy has been issued, which is separated from another business by demising walls and has a separate entrance.

Canopy

A permanent structure or architectural projection of rigid construction over which a covering is attached that provides weather protection, identity, or decoration and is structurally independent or supported by attachment to a building.

Controlled Access Freeway

A TXDOT divided highway with frontage roads or full control of access. The following roadways within the city of Arlington are considered controlled access freeways: Interstate Highway 20, Interstate Highway 30, US Highway 287, and State Highway 360.

Center Identification

A sign that displays the name of the commercial retail center and does not list the name of any tenant.

Development Sign

A sign, located on the property with a new development that advertises or identifies any or all of the following: developer, architect, agent, contractor, lending institution, and project name.

Digital billboard

An off-premise advertising sign displaying digital static images that changes message or copy by programmable electronic processes.

Directional Sign

A sign that directs traffic.

Directory Sign

A sign identifying the names of the tenants and the number of the building, suite, or room in which they are located.

Electronic Message Center

A sign advertising a general business located on the same premises (including a product, service, or company offering goods or services on the premises) through electronically controlled intermittent light pulses or other technology.

Entryway Sign

A permanent sign identifying a subdivision or development project by name located at the entrance(s).

Flag

A display on cloth or other flexible material generally attached on only one side.

Flashing

An operation that creates changes in light illumination, intensity, color or copy, or intermittent light impulses more frequently than once every 12 seconds. Digital billboards and electronic message centers are not considered flashing signs.

Gasoline Price Sign

A sign with changeable copy letters and numerals or an electronic display without movement affixed to a gasoline pump canopy or its supports and intended to have a change

of message no more frequently than once a day that displays the current price of diesel fuel or gasoline for sale.

Grand Opening Sign (Balloons and Streamers)

For the purpose of temporary signs, grand openings shall be deemed any one consecutive 14-day period selected by an owner within the first three months of the granting of the initial certificate of occupancy.

Ground Sign

A sign supported by one monolithic structure, set upon the ground, and not part of a building.

High Intensity Lighting

Light output that exceeds 11,000 lumens when measured at 10 feet from the source.

Interchange

A crossing of a state or federal highway with another state or federal highway or city street with or without access ramps to one or more highways, and including any acceleration or deceleration lanes.

The following locations within the City of Arlington are considered interchanges, and all billboard sign permit applications submitted after June 1, 2014, shall adhere to it:

- State Highway 360
 - East Mayfield Road @ SH360
 - East Arkansas Land @ SH360
 - East Pioneer Parkway@ SH360
 - East Park Row Drive @ SH360
 - East Abram Street @ SH360
 - East Division Street @ SH360
 - Brown Boulevard @ SH360
- Interstate Highway 30
 - North Great Southwest Parkway @ I-30
 - North Cooper Street @ I-30
 - North Davis Drive @ I-30
 - North Fielder Road @ I-30
 - Northwest Green Oaks boulevard @ I-30
- US Highway 287
 - Interstate 20 @ US287
 - Little Road @ US287
 - West Sublet Road @ US287
 - Eden Road @ US287
 - Russel Curry Road @ US287
 - Turner Warnell Road @ US287

- Interstate Highway 20
 - South Bowen Road @ I-20
 - Park Springs Boulevard @ I-20
 - Kelly Elliott Road @ I-20
 - Southwest Green Oaks Boulevard @ I-20
 - Little Road @ I-20
 - Bowman Springs Road @ I-20

Intersection

A crossing or meeting of two public roadways.

Lighting

Designed to give forth any artificial light or to reflect light from one or more artificial sources.

Menu Board

A sign displaying the menu along a drive-up window/wall of a fast food restaurant.

Model Home Sign

A sign identifying a single-family residence owned by the builder as being displayed for public view.

Motion

The mechanical movement or rotation of a sign or portion thereof, or the giving of the perception of motion, other than a digital billboard or electronic message center.

Multi-tenant Ground Sign

A ground sign with provisions for separate sign copy for three or more separate tenants located within the same development.

Pole Sign

A sign supported by a single pole.

Portable

Movable from one location to another, not attached to a fixed structure and not having supports embedded in the ground. The term "portable sign" shall specifically include an outdoor advertising display located in or on a vehicle, except where:

1. Such vehicle is on display as inventory for sale as part of a vehicle sales or rental lot and does not advertise the sale of other vehicles; or
2. Such sign merely identifies the vehicle as belonging to such business by displaying the name, address, and/or telephone number of such business and/or identifies the type of product or service offered by such business; and
3. The primary use of such vehicle is for the daily transportation of products or the delivery of services in connection with such business; and

4. Such vehicle is currently licensed and inspected in the State of Texas and is in operable condition; however, if such vehicle remains parked for longer than 72 hours in the same parking space, it shall be deemed a portable sign.

Primary Business Sign

A commercial sign used as the primary means to identify a business.

Reader Board

A changeable copy sign with strips attached to the face of the sign to hold removable displays, letters, and numerals for the purpose of identifying products sold or services provided by the related business tenant on the same premises.

Real Estate Sign

A sign which advertises a parcel of land or a structure for rent, lease, or sale.

Reflective

A sign having copy or background made of reflective surfaces made to shimmer.

Roof Signs

A sign attached to a building that projects above or over the roof of a building.

Setback

That distance measured perpendicularly from the property line to the closest point of the sign structure.

Spacing

A measurement along a straight line that is the shortest distance between two signs.

Vertical Banner

Any sign of lightweight fabric or similar material that is mounted to a pole in a vertical fashion by a frame at one or more edges.

Wall Sign

A sign which is attached or affixed to the wall of a building or is an integral part of the wall of a building with the exposed face of the sign in a plan parallel to and not extending more than 18 inches from said wall.

8.

Any person, firm, corporation, agent or employee thereof who violates any of the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be fined an amount not to exceed Two Thousand Dollars and No Cents (\$2,000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

9.

This ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City of Arlington, and this ordinance shall not operate to repeal or affect any of such other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, in such other ordinance or ordinances are hereby repealed.

10.

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional, such holding shall not affect the validity of the remaining portions of this ordinance.

11.

All of the regulations provided in this ordinance are hereby declared to be governmental and for the health, safety and welfare of the general public. Any member of the City Council or any City official or employee charged with the enforcement of this ordinance, acting for the City of Arlington in the discharge of his/her duties, shall not thereby render himself/herself personally liable; and he/she is hereby relieved from all personal liability for any damage that might accrue to persons or property as a result of any act required or permitted in the discharge of his/her said duties.

12.

Any violation of this ordinance can be enjoined by a suit filed in the name of the City of Arlington in a court of competent jurisdiction, and this remedy shall be in addition to any penal provision in this ordinance or in the Code of the City of Arlington.

13.

The caption and penalty of this ordinance shall be published in a newspaper of general circulation in the City of Arlington, Texas, in compliance with the provisions of Article VII, Section 15, of the City Charter. Further, this ordinance may be published in pamphlet form and shall be admissible in such form in any court, as provided by law.

14.

This ordinance shall become effective ten days after first publication.

PRESENTED AND GIVEN FIRST READING on the _____ day of _____, 2015, at a regular meeting of the City Council of the City of Arlington, Texas; and GIVEN SECOND READING, passed and approved on the _____ day of _____,

2015, by a vote of _____ ayes and _____ nays at a regular meeting of the City Council of the City of Arlington, Texas.

W. JEFF WILLIAMS, Mayor

ATTEST:

MARY W. SUPINO, City Secretary

APPROVED AS TO FORM:
TERIS SOLIS, City Attorney

BY 