

Proposed Zoning Ordinance Amendments
Article 12 – Signs
November 27, 2018

ORDINANCE #

THE CITY OF PORTSMOUTH ORDAINS

That the Ordinances of the City of Portsmouth, Chapter 10 — Zoning Ordinance, be amended by deleting the existing Article 12 – Signs, and inserting in its place a new Article 12 – Signs as presented in the document titled “Proposed Amendments to the Portsmouth Zoning Ordinance: Article 12 – Signs”, dated November 27, 2018.

The City Clerk shall properly alphabetize and/or re-number the ordinances as necessary in accordance with this amendment.

All ordinances or parts of ordinances inconsistent herewith are hereby deleted.

This ordinance shall take effect upon its passage.

APPROVED:

Jack Blalock, Mayor

ADOPTED BY COUNCIL:

Kelli L. Barnaby, City Clerk

Proposed Amendments to Portsmouth Zoning Ordinance
Article 12: Signs
November 27, 2018

Article 12 Signs

Section 10.1210	Purpose and Intent
Section 10.1220	General Sign Regulations
Section 10.1230	Sign Districts
Section 10.1240	Permitted Sign Types
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Section 10.1260	Sign Illumination
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Section 10.1290	Sign Definitions

Section 10.1210 Purpose and Intent

- 10.1211 The purpose of this Article is to regulate the type, number, location, size and illumination of signs on private property in order to maintain and enhance the character of the city's commercial districts and residential neighborhoods and to protect the public from hazardous and distracting displays.
- 10.1212 This Article is intended to permit signs only as accessory uses to a permitted use on the same lot and not as principal uses on a lot. When a principal commercial use or activity is not open to the public or has been abandoned, all allowed accessory signs shall be removed regardless of their content.
- 10.1213 This Article is not intended to regulate the content of signs except as follows:
- 10.1213.10 When a sign is allowed because it is necessary to identify a building address or for safe access to or egress from the lot, only that relevant message may be presented.
- 10.1213.20 A sign that advertises a product or service not available on the lot (an "off-premise sign") is not permitted. However, when a sign is permitted as accessory to a commercial use, the sign may contain a noncommercial message instead of a commercial message.

Section 10.1220 General Sign Regulations

10.1221 Sign Permits

- 10.1221.10 No sign shall be erected without a sign permit issued by the Code Official except in accordance with the provisions of this Ordinance or a decision by the Board of Adjustment.
- 10.1221.20 No sign permit will be issued for any premises on which there is an outstanding violation of any part of this Ordinance.
- 10.1221.30 In the Historic District, a sign that violates any requirement of this Article, including the design standards set forth in Section 10.1274, shall require a Certificate of Appropriateness from the Historic District Commission (HDC) under Section 10.630, in addition to the sign permit issued by the Code Official.
- 10.1221.40 Any sign located within a public right of way, including a projecting sign that extends over the public right of way, requires City Council approval and license in accordance with Chapter 8 of the municipal code.

10.1222 Signs Not Requiring A Permit

The following signs are permitted without a sign permit and shall not be included in the calculation for aggregate signage on a lot:

- 10.1222.10 Signs required, or deemed necessary for the public welfare and safety, by a municipal, state or federal agency, such as traffic control devices
- 10.1222.20 Signs with a sign area up to 4 square feet containing only content of a general directive or informational nature such as the following:
- (a) Identifying a building address or unit number;
 - (b) Directing or guiding to entrances, exits or parking areas;
 - (c) Identifying handicapped parking, no parking, or loading areas;
 - (d) Identifying or directing to a public service facility or accommodation;
 - (e) Identifying an official inspection station;
 - (f) Notices concerning restrictions on access to private property (e.g., no trespassing, no hunting, etc.).
- 12.1222.21 All such signs shall be located so as not to create a traffic safety hazard or to block line of sight from a motor vehicle.
- 12.1222.22 A freestanding sign under this provision shall comply with the height standards for freestanding signs in Section 10.1223.33.

12.1222.23 A sign pertaining to public parking in a private parking lot that has been authorized under a permit from the Department of Public Works is exempt regardless of sign area.

10.1222.30 One building identification sign per lot, composed of either (a) unpainted letters carved into, embedded in or embossed on the material of the building wall above the first story with a sign area up to 12 square feet; or (b) a metal plaque affixed to the building wall no more than 5 feet above ground level, with a sign area up to 4 square feet. Such signs are typically used to provide historical information about the building such as the name of the building or the date of its construction.

10.1222.40 Miscellaneous signs mounted on a wall, window or door at a building entrance, provided that (a) there shall be only one group of such signs per entrance; (b) each group of such signs shall not exceed 4 square feet in area (measured as a single sign in accordance with Section 10.1252) and shall be placed within 3 feet of the entrance; (c) no individual sign in the sign group shall exceed one square foot in area; and (d) no letter, character, image or graphic shall be more than 2 inches in height. The intent of this provision is to allow for the provision of information that is not intended to be read from more than 3 feet from the sign, including but not limited to restaurant menus, credit card stickers, hours of operation, owner and contact information, etc.

10.1222.50 Internal signs.

10.1222.60 Illuminated signs more than 3 feet behind any window or opening through which they might be visible from private or public right of way.

10.1222.70 Flags that are either (a) attached to a building or to a pole projecting no more than 6 feet from a building or (b) mounted on a flagpole. These shall be limited in number and size as follows:

10.1222.71 Each lot may have up to 3 flags (free-standing or attached to a building) that are up to 12 sq. ft. in area (per flag) in Sign District 1, up to 24 sq. ft. in Sign Districts 2 and 3, and up to 60 sq. ft. in Sign Districts 4, 5 and 6.

10.1222.72 In addition to the above, each dwelling unit or condominium unit on a lot may have up to one flag not exceeding 6 sq. ft. in area attached to the dwelling unit or condominium unit.

10.1222.80 Signs on registered motor vehicles that are used in the ordinary conduct of a business, but not including signs on vehicles that are parked on, or in view of, a street when the vehicle is not actively being used in the conduct of business.

1 10.1222.90 Low wattage or low voltage temporary decorative lighting and displays
2 used for holidays, festivals and special events, provided they do not pose a
3 safety or nuisance problem due to light trespass or glare.
4

5 10.1223 Temporary Signs 6

7 10.1223.10 The following temporary signs are allowed without a sign permit and
8 shall not be included in the calculation for aggregate signage on a lot:
9

10 10.1223.11 One temporary sign placed on a lot while the lot (or a
11 dwelling unit or commercial unit on the lot) is being
12 offered for sale or lease by a real estate agent or through
13 advertising in a local newspaper of general circulation, and
14 for a period of 14 days following the date on which a
15 contract of sale or lease has been executed.
16

17 10.1223.12 Temporary signs placed on a lot that is under active
18 development, to be removed within 14 days after issuance of
19 the first certificate of occupancy.
20

21 10.1223.13 Temporary signs placed on a lot for a period of 120 days
22 prior to, and 14 days after, an election involving candidates
23 for a federal, state or local office that represents the district
24 in which the lot is located.
25

26 10.1223.20 The following temporary signs are allowed with the issuance of a sign
27 permit:
28

29 10.1223.21 One temporary sign placed on a lot for more than 90 days
30 while the lot (or a dwelling unit or commercial unit on the
31 lot) is being offered for sale or lease.
32

33 10.1223.22 Temporary signs placed on a lot that is under active
34 development for more than 14 days after issuance of the first
35 certificate of occupancy, but not to exceed 60 days after the
36 issuance of said certificate.
37

38 10.1223.30 The following provisions apply to all temporary signs whether requiring
39 a sign permit or allowed without a permit:
40

41 10.1223.31 The maximum sign area of a temporary sign allowed by
42 this section shall be as follows:
43

44 Sign District 1 or 2	6 sq. ft.
45 Sign District 3	16 sq. ft.
46 Sign District 4, 5 or 6	32 sq. ft.

47

1 10.1223.32 The maximum height of a temporary freestanding sign
2 shall be as follows:

3
4 Sign District 1, 2 or 3 4 ft.
5 Sign District 4, 5 or 6 12 ft.
6

7 10.1223.33 A temporary freestanding sign shall comply with the
8 required setback for the applicable sign district as set forth
9 in Section 10.1253. In Sign District 1 a temporary
10 freestanding sign shall be set back at least 7 feet from any
11 lot line.
12

13 10.1223.35 Temporary signs shall not be illuminated in any way.
14

15 10.1223.36 A property owner may not accept a fee for posting or
16 maintaining a temporary sign allowed by this Section
17 10.1223, and any sign that is posted or maintained in
18 violation of this provision is not authorized.
19

20 10.1223.40 Special Event Signs
21

22 In addition to other permanent and temporary signs allowed by this
23 Article, one sign may be placed on a lot immediately preceding and during
24 a special event on that lot, subject to the following conditions:
25

26 10.1223.41 A sign permit for the special event sign shall be obtained
27 from the Code Official. Only one permit for a special event
28 sign shall be issued for a lot in any 3-month period.
29

30 10.1223.42 A lot may have one special event sign for one consecutive
31 7-day period every 3 months, for a maximum of 4 special
32 event signs per year. If a special event sign permit is not
33 used in one quarter it shall not be carried over to the next
34 quarter.
35

36 10.1223.43 The special event sign shall not be limited to size or
37 location, but shall not be placed in such a manner as to create
38 a traffic safety problem.
39

40 10.1223.44 The special event sign shall be removed at the end of the
41 event.
42

43 10.1224 Signs Prohibited in All Districts
44

45 The following signs are prohibited in all sign districts:
46

47 10.1224.10 Animated signs.
48

49 10.1224.20 Signs that move or flash, or give the appearance of such motion (for
50 example, by means of traveling lights). Beacons, rotating and flashing

lights are prohibited except where such lighting devices are deemed necessary for the public safety and welfare by federal, state or municipal authorities.

10.1224.30 Banners, pennants or flags (except as permitted by Section 10.1222.70) which are signs under the definition of “sign” herein.

10.1224.40 Balloons or other inflated devices displayed more than one day per month.

10.1224.50 Mobile signs.

10.1224.60 Signs mounted, attached or painted on vehicles, trailers or boats, except as permitted by Section 10.1222.90.

10.1224.70 Any sign emitting sound.

10.1224.80 Any sign projected via illumination on the exterior of any structure, or on or above a surface such as a driveway, sidewalk or street, regardless of the technology used to project the sign. This prohibition shall not apply where the structure or surface on which the sign is projected is within the same lot as the principal use to which the sign is accessory.

10.1224.90 Any sign advertising a product or service not provided on the lot on which the sign is located (“off-premise sign”).

10.1225 Maintenance of Signs

10.1225.10 All signs and sign structures shall be properly maintained and kept in a neat and proper state of maintenance and appearance.

10.1225.20 Any sign of any type and located within any district which is found by the Code Official to be in a state of disrepair, illegible or dangerous, shall be repaired or removed.

10.1225.30 Upon failure to comply with an order to repair or remove a sign within thirty days, the Code Official is authorized to cause removal of the sign at the expense of the owner of the property on which the sign is located.

Section 10.1230 Sign Districts

10.1231 The City is hereby divided into sign districts for the purpose of establishing standards for the number, type, size, location and illumination of signs.

These sign districts are overlay districts. A property shall be subject to the regulations of both the sign district and the underlying zoning district.

10.1232 Unless otherwise specified by ordinance, the sign districts shall correspond to underlying zoning districts as follows:

Sign Districts	Underlying Zoning Districts
Sign District 1	All Rural and Residential Districts Natural Resource Protection
Sign District 2	Mixed Residential Office Mixed Residential Business Waterfront Business Character District 4-L1 Character District 4-L2
Sign District 3	Character District 4-W Character District 4 Character District 5
Sign District 4	Business Office Research
Sign District 5	General Business Gateway Neighborhood Mixed-Use Corridor Gateway Neighborhood Mixed-Use Center
Sign District 6	Industrial Waterfront Industrial Airport Districts

10.1233 In order to address the characteristics of a specific area or its surroundings, an area may be changed to a different sign district than specified in Section 10.1232 following the same procedures as for a change in the underlying zoning district. (For example, a portion of the General Business district may be changed from Sign District 5 to Sign District 2 in order to protect an adjacent neighborhood from excessive light.)

10.1234 Any sign not specifically allowed in a sign district is not permitted.

Section 10.1240 Permitted Sign Types

10.1241 The types of signs permitted in each sign district shall be as set forth in the following table, except as otherwise provided herein.

Table of Permitted Sign Types

	Sign District					
	1	2	3	4	5	6
Freestanding sign	N	P	P	P	P	P
Wall sign	P	P	P	P	P	P
Projecting sign	P	P	P	P	P	P
Parapet sign	N	N	N	N	P	P
Roof sign	N	N	N	N	P	P
Awning sign	N	P	P	P	P	P
Marquee sign	N	P	P	P	P	P
Canopy sign	N	N	N	P	P	P
Changeable or animated signs						
Animated sign	N	N	N	N	N	N
Changeable sign	N	P	P	P	P	P

P = Permitted N = Prohibited

10.1242 Each side of a building facing a street may have one parapet sign (if permitted by Section 10.1241) or one wall sign above the ground floor.

10.1243 Only one freestanding sign shall be permitted per lot, except that a lot with more than one driveway may have one freestanding sign at the site's primary driveway and one smaller freestanding sign at each additional driveway complying with the area and height standards in Section 10.1251.30.

Section 10.1250 Sign Dimensional Standards

10.1251 Sign Area

10.1251.10 The maximum aggregate sign area shall be as follows:

	Sign District					
	1	2	3	4	5	6
Per linear foot of building frontage per establishment	0.5	1.0	2.0	1.5	1.5	2.0

10.1251.20 The maximum sign area for individual signs shall be as follows:

	Sign District					
	1	2	3	4	5	6
Freestanding sign	n/a	20	20	100	100	150
Wall sign	4	16	40	200	200	100
Projecting sign						
Ground floor use	2	16	12	16	16	16
Upper-floor use	n/a	0	8	8	8	8
Parapet sign	n/a	n/a	n/a	n/a	100	150
Roof sign	n/a	n/a	n/a	n/a	200	100
Awning sign	n/a	16	20	20	20	20
Marquee sign	n/a	16	20	20	20	20
Canopy sign	n/a	n/a	n/a	20	20	20

All dimensions in square feet

n/a = not applicable (sign type not permitted)

n.r = no requirement

10.1251.30 When a lot has more than one freestanding sign, the freestanding sign at the site's primary driveway shall comply with the maximum sign area specified in Section 10.1251.20 and the maximum sign height specified in Section 10.1253.10; and the freestanding signs at other driveways shall comply with the following standards:

Sign District	On same street as primary driveway		On different street from primary driveway	
	Maximum Sign Area	Maximum Sign Height	Maximum Sign Area	Maximum Sign Height
2	10 sq. ft.	5 ft.	10 sq. ft.	5 ft.
3	10 sq. ft.	5 ft.	20 sq. ft.	5 ft.
4	20 sq. ft.	12 ft.	40 sq. ft.	12 ft.
5	40 sq. ft.	12 ft.	75 sq. ft.	15 ft.
6	40 sq. ft.	12 ft.	75 sq. ft.	15 ft.

10.1251.40 A sign projected via illumination on the exterior of a structure, or on or above a surface such as a driveway, sidewalk or street, shall comply with the sign area requirements for a wall sign.

10.1252 Measurement of Sign Area

10.1252.10 Sign area shall be measured in one of the following ways, at the applicant's discretion:

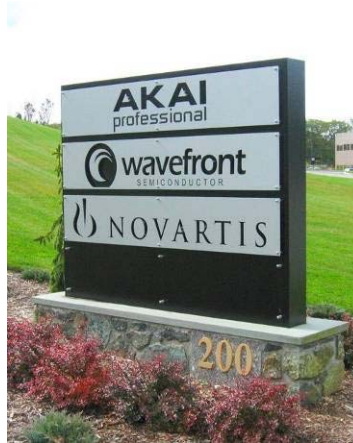
- the area that can be enclosed by one polygon with no more than eight sides; or
- the area that can be enclosed by a circle, oval, triangle or rectangle, or any two such shapes.

10.1252.20 The sign area of a freestanding sign shall include all structural supports whether or not they contribute through shape, color or otherwise to the sign's message, except as follows:

10.1252.21 The base of a monument sign, up to one foot above the ground, shall not be included in the computation of sign area provided that such base is not illuminated in any way.



Height of base is less than one foot –
Not included in sign area



Height of base is one foot –
Not included in sign area

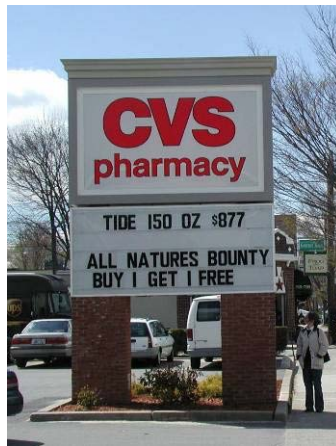


Height of base is greater than one foot –
Included in sign area

10.1252.22 The vertical supports of a pole sign shall not be included in the computation of sign area, provided that (1) the total width of all such supports is less than one-third of the width of the sign, and (2) the supports are not illuminated in any way.



Total width of supports is less than 1/3 of the width of the sign –
Not included in sign area



Total width of supports is greater than 1/3 of the width of the sign –
Included in sign area



Width of support is greater than 1/3 of the width of the sign –
Included in sign area



**Width of support is
approximately 1/3 of the
width of the sign**

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- 10.1252.30 For a sign that is painted or engraved on, or otherwise applied directly to, a building or other structure, the sign area shall include any background of a different color, material or appearance from the remainder of the wall or structure, and shall include all related text, images and graphics.
- 10.1252.40 The sign area of a canopy sign shall include all text and symbols, whether or not illuminated, and all illuminated areas; but shall not include non-illuminated areas that are distinguished from the background only by color stripes.
- 10.1252.50 The sign area of a projecting sign shall not include the area of supporting brackets with no text, images or graphics.
- 10.1252.60 Where a sign has two faces that are parallel or where the interior angle formed by the faces is 45 degrees or less, only one display space shall be measured in computing total sign area.
- 10.1252.70 The sign area of a spherical, free-form, sculptural or otherwise non-planar sign shall be equal to 75 percent of the areas of the 4 vertical sides of the smallest rectangular box that will encompass the sign.
- 10.1252.80 Decorative lighting on a building or structure, including neon and other accent lighting, and any illuminated building panel, shall be considered a wall sign for the purposes of this section, and shall be counted as part of the aggregate sign area allowed.

10.1253 Sign Height and Setback

10.1253.10 The maximum and minimum heights and minimum setbacks for signs in each sign district shall be as set forth in the following table, except as otherwise provided herein.

Table of Sign Height and Setback Requirements

	Sign District					
	1	2	3	4	5	6
Projecting sign						
Minimum clearance (ground to bottom of sign)	7	7	7	7	7	7
Freestanding sign						
Minimum setback from lot line	n/a	5	5	20	10	20
Maximum height (ground to top of sign)	n/a	7	12	20	20	20

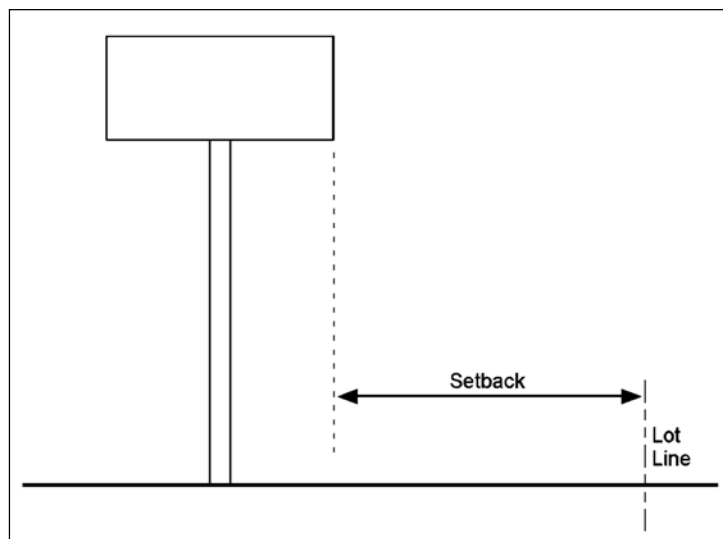
All dimensions in feet

n/a = not applicable (sign type not permitted)

10.1253.20 Where a driveway intersects with a street, no sign shall be erected or maintained between the heights of 2.5 feet and 10 feet above the edge of pavement grades within the area bounded by (a) the side lines of the driveway and street and (b) lines joining points along said side lines 20 feet from the point of intersection.

10.1253.30 The height of a freestanding sign shall be measured with respect to the elevation of the centerline of the adjacent public right-of-way.

10.1253.40 The setback of a sign from a lot line shall be measured as the shortest horizontal distance from the lot line to the any part of the sign, whether or not such part of the sign is at ground level.



10.1253.50 A projecting sign shall project no closer than 1 foot to the edge of the vehicular travel way, if any.

Section 10.1260 Sign Illumination

10.1261 Types of Illumination

10.1261.10 Signs may only be illuminated as set forth in the following table, except as otherwise provided herein.

Table of Sign Illumination Requirements

	Sign District					
	1	2	3	4	5	6
External illumination	N	P	P	P	P	P
Halo lettering	N	P	P	P	P	P
Internal illumination						
Freestanding sign	N	P	N	P	P	P
Wall sign	N	P	P	P	P	P
Projecting sign	N	N	N	N	N	N
Parapet sign	n/a	N	N	N	P	P
Roof sign	n/a	N	N	N	P	P
Awning sign	n/a	N	P	N	P	P
Marquee sign	n/a	N	P	N	P	N
Canopy sign	n/a	n/a	n/a	P	P	P
Direct illumination	N	N	P	P	P	P

P = Permitted N = Prohibited n/a = not applicable (sign type not permitted)

10.1261.20 Temporary signs shall not be illuminated.

10.1261.30 Signs in the Historic District shall be illuminated only by external illumination, notwithstanding anything to the contrary in Section 10.1261.

10.1262 Hours of Illumination

Signs shall not be illuminated between 11:00 p.m. and 6:00 a.m., except that signs may be illuminated during the operation of a use or activity that is open to customers or the public, and for not more than one hour after the activity ceases.

10.1263 Illumination Standards

10.1263.10 A light source for external illumination of a sign shall be mounted and shielded so that said light source is not visible three feet above grade at the lot line and so that the lighting is confined to the area of the sign.

10.1263.20 A light source for internal illumination of a sign constructed of translucent materials and wholly illuminated from within shall not require shielding.

- 1 10.1263.30 A sign or its illuminator shall not by reason of its location, shape or color
2 interfere with pedestrian or vehicular traffic or be confused with or obstruct
3 the view or effectiveness of any official traffic signal or traffic marking.
4
5 10.1263.40 Illuminance of the sign face shall not exceed the following standards:
6
7 10.1263.41 External illumination: 50 foot-candles as measured on the
8 sign face.
9
10 10.1263.42 Internal illumination: 5,000 nits (candelas per square
11 meter) during daylight hours, and 500 nits between dusk and
12 dawn, as measured at the sign's face.
13
14 10.1263.43 Direct illumination: 5,000 nits during daylight hours, and
15 500 nits between dusk and dawn, as measured at the sign's
16 face.
17
18 10.1263.50 Light sources shall utilize energy efficient fixtures to the greatest extent
19 practicable. Light fixtures including bulbs or tubes used for sign
20 illumination shall be selected and positioned to achieve the desired
21 brightness of the sign with the minimum possible wattage, while ensuring
22 compliance with all applicable requirements of this Ordinance.
23
24 10.1263.60 A sign using direct illumination shall consist only of letters, numbers
25 and other common typographical characters, all of which shall be in no
26 more than three colors against a dark background, and the total illuminated
27 area shall not exceed 30 percent of the total area of the sign.
28

29 Section 10.1270 Additional Sign Regulations

30 10.1271 Signs on More Than One Façade of a Building

- 31
32 10.1271.10 A use in a building with more than one exterior wall facing a street may
33 have signs on each such wall.
34
35 10.1271.20 An establishment with a public entrance on a side of the building not
36 facing a street may have signs on that side as well as on the street-facing
37 wall(s).
38
39 10.1271.30 Regardless of the location of signs, the maximum sign area per
40 establishment shall be based only on the building frontage as defined in
41 Section 10.1290.
42

43 10.1272 Roof Signs

- 44
45 10.1272.10 A roof sign shall be parallel to the main façade of the building on which it
46 is mounted,
47

10.1272.20 A roof sign on a pitched, hip, gambrel or mansard roof shall not extend above the elevation midway between the level of the eaves and the highest point of the roof. A roof sign is not permitted on a flat roof.

10.1272.30 The maximum height of a roof sign shall not exceed the lesser of 36 inches or 25% of the vertical height of the roof.

10.1273 Marquee Signs

10.1273.10 All text, images and other graphics on a marquee sign shall be displayed on the outside vertical faces of the marquee, and shall be no more than 1.5 feet tall.

10.1273.20 The sign area of a marquee sign shall be included in the maximum aggregate sign area allowed for the lot.

10.1274 Relation of Sign to Building Façade in the Historic District

In the Historic District, a wall sign or projecting sign should align with some horizontal element on the façade. For example, the top of the sign may align with the top of the window, the bottom of the sign may align with the bottom of the window, the bottom of sign may align with the top of the lintel, etc.

10.1275 Interim Signs

An interim sign may be erected while awaiting arrival of a permanent sign for which a sign permit has been issued. -The interim sign shall conform to the same dimensional and other requirements as the approved permanent sign and shall be allowed only until the permanent sign is installed or for 60 days, whichever is the shorter period of time. A sign permit for an interim sign must be obtained from the Code Official.

Section 10.1280 Nonconforming Signs

10.1281 A nonconforming sign or sign structure shall be brought into conformity with this Ordinance if it is altered, reconstructed, replaced, or relocated. For the purpose of this provision, the alteration of a sign or sign structure includes any change in size, shape, materials or technology. A change in text or graphics is not an alteration or replacement for purposes of this subsection.

10.1282 Nonconforming signs must be maintained in good condition. Maintenance required by this Subsection shall include replacing or repairing of worn or damaged parts of a sign or sign structure in order to return it to its original state, and is not a change or modification prohibited by Subsection 10.1281.

10.1283 A nonconforming sign shall be removed, made conforming, or replaced with a conforming sign if 50 percent or more of the nonconforming sign

1 is blown down, destroyed, or for any reason or by any means taken down,
2 altered, or removed.

3
4 10.1284 A nonconforming sign shall be removed if the use of the
5 nonconforming sign, or the property on which it is located, has ceased,
6 become vacant, or been unoccupied for a continuous period of 8 months or
7 more. An intent to abandon is not required as the basis for removal under
8 this section.
9

10 Section 10.1290 Sign Definitions

11 Aggregate sign area
12 See under sign area.

13
14 Animated sign
15 A sign that uses movement or a change of lighting to depict action or create a
16 special effect or scene. See also changeable sign.

17
18 Awning
19 A cloth, plastic or other nonstructural covering that either is permanently
20 attached to a building or can be raised or retracted to a position against the
21 building when not in use.

22
23 Awning sign
24 A sign that is painted on or otherwise applied or attached to an awning. An
25 internally illuminated awning shall be considered an awning sign whether or
26 not it contains any text or graphics.

27
28 Banner sign or banner
29 A sign that consists of text or other graphic elements on a non-rigid material
30 either enclosed or not enclosed in a rigid frame and secured or mounted to allow
31 motion caused by the atmosphere. See also temporary sign.

32
33 Building frontage
34 The maximum horizontal width of the ground floor of a building that
35 approximately parallels and faces a public street or right of way.
36 (a) Where an individual occupant's main entrance faces a driveway or parking
37 lot, the width of the occupant's ground floor space facing the occupant's
38 entrance shall be considered that occupant's separate and distinct building
39 frontage.
40 (b) Where two or more uses occupy the ground floor of a building, the portion
41 of the building frontage occupied by each use will be that use's separate
42 and distinct building frontage for the purpose of calculating allowed sign
43 area.
44 (c) A corner lot or through lot shall be considered to have a separate and
45 distinct building frontage on each street.
46 (d) When a building is not parallel to the street, or has a front wall that is
47 angled or curved, the building frontage shall include any portion of the
48 front wall that is oriented at an angle of 30 degrees or less from the front lot
49 line.

1
2 Canopy

3 A freestanding structure constructed of rigid materials, providing protective
4 cover over an outside service area.
5

6 Canopy sign

7 A sign attached to, affixed to or otherwise mounted on a canopy.
8

9 Changeable sign

10 A sign or portion thereof with characters, letters or symbols that can be changed,
11 whether electronically or manually without altering the face or surface of the
12 sign. A sign on which the message changes more than once per day shall be
13 regulated as an animated sign. A sign on which the only changes are
14 mechanical or electronic indication of time or temperature is not considered a
15 changeable or animated sign.
16

17 Direct illumination

18 Illumination of a sign by light emitted directly from a lamp, luminary or
19 reflector, and not diffused through translucent materials or reflected or projected
20 from an external source. Examples include, but are not limited to, signs using
21 luminous gas-filled tubes (e.g., neon) or light-emitting diodes (LED). (See also
22 external illumination, externally illuminated sign, internal illumination,
23 internally illuminated sign.)
24

25 External illumination

26 Illumination of a sign by a source of light not contained within, or on the surface
27 of, the sign itself. (See also direct illumination, externally illuminated sign,
28 internal illumination, internally illuminated sign.)
29

30 Externally illuminated sign

31 A sign that is illuminated by a light source that is not contained within, or on the
32 surface of, the sign itself
33

34 Flag

35 A piece of durable fabric or other flexible material containing distinctive colors,
36 patterns, standards, words, or emblems which hangs loose from a staff or pole or
37 is attached directly to a building.
38

39 Flagpole

40 A permanent, free-standing structure or a structure attached to a building and
41 used for the sole purpose of displaying flags. A free-standing flagpole shall not
42 exceed the maximum building height allowed in the zoning district in which it is
43 located.
44

45 Freestanding sign

46 A sign that is permanently erected in a fixed location and supported by 1 or more
47 columns, upright poles or braces extended from the ground or from an object on
48 the ground, or that is erected on the ground, where no part of the sign is attached
49 to any part of a building, structure, or other sign. Examples include, but are not
50 limited to, monument signs and pole signs.

Halo lettering.

An externally illuminated sign in which light sources are placed out of direct view behind opaque sign elements (letters or graphics), creating a glow around the sign elements.

Halo Lettering



Internal sign

A sign that is not intended to be viewed from outside the property, and that is located so as not to be visible from any street or from any adjacent lot. Examples include, but are not limited to, signs in the interior areas of shopping centers, non-illuminated signs inside a building and more than 3 feet inside any window or door, and signs located completely within a building and not visible from outside the building.

Internal illumination

Illumination of a sign by light that is diffused through a translucent material from a source within the sign. (See also direct illumination, external illumination, externally illuminated sign, internally illuminated sign.)

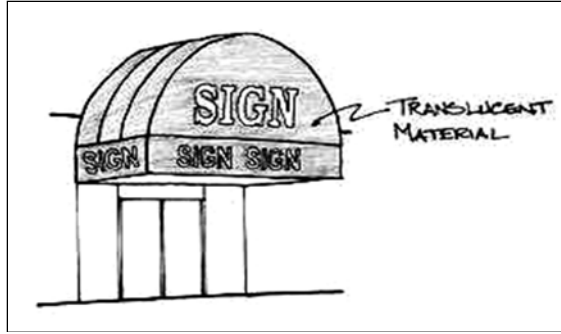
Internally illuminated sign

A sign that is illuminated by light from a source within the sign through a translucent material. (See also direct illumination, external illumination, externally illuminated sign, internal illumination, halo lettering.)

Examples of internally illuminated signs include:

(a) Internally illuminated translucent sign, which may have opaque surfaces with translucent letters or translucent surfaces with opaque letters. An opaque surface with translucent letters is preferred to a translucent surface with opaque lettering.

(b) Internally illuminated awning signs.



(c) Internally illuminated channel letters.



Marquee

A structure other than a roof that is attached to, supported by and projecting from a building, and that provides shelter for pedestrians.

Marquee sign

A wall sign that is mounted on or attached to a marquee.

Mobile sign

A sign on a trailer or other wheeled apparatus, whether or not self-propelled, that is not permanently affixed to the ground. (See also: temporary sign.)

Monument sign

A freestanding sign constructed of a solid material and mounted on a solid base that is placed directly on the ground.

Nit

A unit of luminance, equal to one candela per square meter.

Parapet

An extension of a vertical building wall above the line of the structural roof.

Parapet sign

A wall sign attached to the face of a parapet.

Pennant sign or pennant

See banner sign.

Parapet sign

A sign attached to a parapet wall, with its face parallel to the plane of the parapet wall and extending no more than 18 inches from such wall.

1 Pole sign

2 A freestanding sign that is permanently supported in a fixed location by a
3 structure of poles, uprights or braces from the ground and not supported by a
4 building or base structure.

5
6 Projecting sign

7 A sign attached to and projecting from the wall of a building with the face of the
8 sign at an interior angle of more than 45 degrees to the building wall to which it
9 is attached.

10
11 Roof sign

12 A sign that is located:

- 13 (a) above the level of the eaves on pitched or gambrel roofs;
14 (b) above the roof deck of a building with a flat roof; or
15 (c) above the top of the vertical wall of a building with a mansard roof.

16
17 Sign

18 Any symbol, design or device used to identify or advertise any place, business,
19 product, activity, service, person, idea or statement. Any representation that is
20 illuminated and consisting wholly or in part, of text, images or graphics shall be
21 considered a sign. Signs need not include text, and may consist of stripes, spots,
22 or other recognizable designs, shapes or colors. Displays comprising of
23 merchandise, figurines, mannequins, decorations and other similar articles,
24 arranged inside a building and visible outside of a window, shall not be
25 considered a sign.

26
27 Sign area

28 The total surface area of a sign display, including all text, images and graphics,
29 and any distinctive surface, board, frame or shape on or within which the text,
30 images and graphics are displayed.

31
32 Aggregate sign area

33 The total sign area of all signs on a lot or building, as indicated by the
34 context, excluding the area of freestanding signs allowed by Article
35 12.

36
37 Sign band

38 A painted stripe or otherwise distinct scheme which indicates the
39 establishment's logo by use of certain colors or patterns.

40
41 Temporary sign

42 A sign, other than a mobile sign, that is not permanently affixed to a building
43 or structure or permanently mounted in the ground, and that pertains to an
44 activity or event of limited duration. (See also mobile sign.)
45

1 Wall sign

2 A sign attached to, erected against or hanging from the wall of a building, with
3 the face in a parallel plane to the plane of the building wall, and extending no
4 more than 18 inches from such wall. A wall sign may also be inside of a
5 building if it is illuminated and visible through the window from a private of
6 public right of way.
7

Article 12 – Signs
Comparison of Proposed Amendments with Existing Ordinance
November 27, 2018

Article 12 Signs

Section 10.1210	Purpose and Intent
Section 10.1220	General Sign Regulations
Section 10.1230	Sign Districts
Section 10.1240	Permitted Sign Types
Section 10.1250	Sign Dimensional Standards
Section 10.1260	Sign Illumination
Section 10.1270	Additional Sign Regulations
Section 10.1280	Nonconforming Signs
Section 10.1290	Sign Definitions

Section 10.1210 Purpose and Intent

10.1211 The purpose of this Article is to regulate the type, number, location, size and illumination of signs on private property in order to maintain and enhance the character of the city's commercial districts and residential neighborhoods and to protect the public from hazardous and distracting displays.

10.1212 This Article is intended to permit signs only as accessory uses to a permitted use on the same lot and not as principal uses on a lot. When a principal commercial use or activity is not open to the public or has been abandoned, all allowed accessory signs shall be removed regardless of their content.

10.1213 This Article is not intended to regulate the content of signs except as follows:

10.1213.10 When a sign is allowed because it is necessary to identify a building address or for safe access to or egress from the lot, only that relevant message may be presented.

10.1213.20 A sign that advertises a product or service not available on the lot (an "off-premise sign") is not permitted. However, when a sign is permitted as accessory to a commercial use, the sign may contain a noncommercial message instead of a commercial message.

Section 10.1220 General Sign Regulations

10.1221 Sign Permits

- 10.1221.10 No sign shall be erected without a sign permit issued by the Code Official except in accordance with the provisions of this Ordinance or a decision by the Board of Adjustment.
- 10.1221.20 No sign permit will be issued for any premises on which there is an outstanding violation of any part of this Ordinance.
- 10.1221.30 In the Historic District, a sign that violates any requirement of this Article, including the design standards set forth in Section 10.1274, shall require a Certificate of Appropriateness from the Historic District Commission (HDC) under Section 10.630, in addition to the sign permit issued by the Code Official.
- 10.1221.40 Any sign located within a public right of way, including a projecting sign that extends over the public right of way, requires City Council approval and license in accordance with Chapter 8 of the municipal code.

10.1222 Signs Not Requiring A Permit

The following signs are permitted without a sign permit and shall not be included in the calculation for aggregate signage on a lot:

- 10.1222.10 Signs required, or deemed necessary for the public welfare and safety, by a municipal, state or federal agency, such as traffic control devices ~~and directional signs.~~

- 10.1222.20 ~~Directional signs or information signs~~ Signs with a sign area up to 4 square feet containing only content of a general directive or informational nature such as the following:

- (a) Identifying a building address or unit number;
- (b) Directing or guiding to entrances, exits or parking areas;
- (c) Identifying handicapped parking, no parking, or loading areas;
- (d) Identifying or directing to a public service facility or accommodation;
- (e) Identifying an official inspection station;
- (f) Notices concerning restrictions on access to private property (e.g., no trespassing, no hunting, etc.).

12.1222.21 All such signs shall be located so as not to create a traffic safety hazard or to block line of sight from a motor vehicle.

12.1222.22 A freestanding sign under this provision shall comply with the height standards for freestanding signs in Section 10.1223.33.

12.1222.23 ~~A directional or information~~ sign pertaining to public parking in a private parking lot that has been authorized under a permit from the Department of Public Works is exempt regardless of sign area.

10.1222.30 ~~A building marker~~ One building identification sign per lot, composed of either (a) unpainted letters carved into, embedded in or embossed on ~~the~~ material of the building wall above the first story with a sign area up to 12 square feet; or (b) a metal plaque affixed to the building wall no more than 5 feet above ground level, with a sign area up to 4 square feet. Such signs are typically used to provide historical information about the building such as the name of the building or the date of its construction.

10.1222.40 Miscellaneous ~~business~~ signs mounted on a wall, window or door at a building entrance, provided that (a) there shall be only one group of ~~miscellaneous business such~~ signs per entrance; (b) each group of such signs shall not exceed 4 square feet in area (measured as a single sign in accordance with Section 10.1252) and shall be placed within 3 feet of the entrance; (c) no individual sign in the sign group shall exceed one square foot in area; and (d) no letter, character, image or graphic shall be more than 2 inches in height. The intent of this provision is to allow for the provision of ~~common business~~ information that is not intended to be read from more than 3 feet from the sign, such as including but not limited to restaurant menus, credit card stickers, hours of operation, owner and contact information, etc.

10.1222.50 Internal signs.

10.1222.60 Illuminated signs more than 3 feet behind any window or opening through which they might be visible from private or public right of way.

~~10.1222.70 Signs for historical associations and historical monuments up to 8 square feet per lot.~~

~~10.1222.80 Temporary signs as follows:~~

~~10.1222.81 Real estate signs providing information concerning the availability of the property for sale or for lease, up to 8 square feet in residential districts and 32 square feet in all other districts.~~

~~10.1222.82 Site development signs up to 16 square feet per sign in residential districts and 32 square feet per sign in all other districts.~~

10.1222.70 Flags that are either (a) attached to a building or to a pole projecting no more than 6 feet from a building or (b) mounted on a flagpole. These shall be limited in number and size as follows:

10.1222.71 Each lot may have up to 3 flags (free-standing or attached to a building) that are up to 12 sq. ft. in area (per flag) in Sign District 1,- up to 24 sq. ft. in Sign Districts 2 and 3, and up to 60 sq. ft. in Sign Districts 4, 5 and 6.

10.1222.72 In addition to the above, each dwelling unit or condominium unit on a lot may have up to one flag not exceeding 6 sq. ft. in area attached to the dwelling unit or condominium unit.

10.1222.980 Signs on registered motor vehicles that are used in the ordinary conduct of a business, but not including signs on vehicles that are parked on, or in view of, a street when the vehicle is not actively being used in the conduct of business.

10.1222.90 Low wattage or low voltage temporary decorative lighting and displays used for holidays, festivals and special events, provided they do not pose a safety or nuisance problem due to light trespass or glare.

10.1223 Temporary Signs

10.1223.10 The following temporary signs are allowed without a sign permit and shall not be included in the calculation for aggregate signage on a lot:

10.1223.11 One temporary sign placed on a lot while the lot (or a dwelling unit or commercial unit on the lot) is being offered for sale or lease by a real estate agent or through advertising in a local newspaper of general circulation, and for a period of 14 days following the date on which a contract of sale or lease has been executed.

10.1223.12 Temporary signs placed on a lot that is under active development, to be removed within 14 days after issuance of the first certificate of occupancy.

10.1223.13 Temporary signs placed on a lot for a period of 120 days prior to, and 14 days after, an election involving candidates for a federal, state or local office that represents the district in which the lot is located.

10.1223.20 The following temporary signs are allowed with the issuance of a sign permit:

10.1223.21 One temporary sign placed on a lot for more than 90 days while the lot (or a dwelling unit or commercial unit on the lot) is being offered for sale or lease.

10.1223.22 Temporary signs placed on a lot that is under active development for more than 14 days after issuance of the first

1 certificate of occupancy, but not to exceed 60 days after the
2 issuance of said certificate.

3
4 10.1223.30 The following provisions apply to all temporary signs whether requiring
5 a sign permit or allowed without a permit:

6
7 10.1223.31 The maximum sign area of a temporary sign allowed by
8 this section shall be as follows:

9
10 Sign District 1 or 2 6 sq. ft.
11 Sign District 3 16 sq. ft.
12 Sign District 4, 5 or 6 32 sq. ft.

13
14 10.1223.32 The maximum height of a temporary freestanding sign
15 shall be as follows:

16
17 Sign District 1, 2 or 3 4 ft.
18 Sign District 4, 5 or 6 12 ft.

19
20 10.1223.33 A temporary freestanding sign shall comply with the
21 required setback for the applicable sign district as set forth
22 in Section 10.1253. In Sign District 1 a temporary
23 freestanding sign shall be set back at least 7 feet from any
24 lot line.

25
26 10.1223.35 Temporary signs shall not be illuminated in any way.

27
28 10.1223.36 A property owner may not accept a fee for posting or
29 maintaining a temporary sign allowed by this Section
30 10.1223, and any sign that is posted or maintained in
31 violation of this provision is not authorized.

32
33 10.1223.40 Special Event Signs

34
35 ~~Special event sign permits shall be issued.~~ In addition to other permanent
36 and temporary signs allowed by this Article, one sign may be placed on a
37 lot immediately preceding and during a special event on that lot, subject to
38 provided that all the following conditions are met:

39
40 10.1223.41 A sign permit for the special event sign shall be obtained
41 ~~for the special event sign~~ from the Code Official. Only one
42 permit for a special event sign shall be issued for a lot in any
43 3-month period.

44
45 10.1223.42 A lot may have one special event sign for one consecutive
46 7-day period every 3 months, for a maximum of 4 special
47 event signs per year. If a special event sign permit is not
48 used in one quarter it shall not be carried over to the next
49 quarter.

10.1223.43 The special event sign shall not be limited to size or location, but shall not be placed in such a manner as to create a traffic safety problem.

10.1223.44 The special event sign shall be removed at the end of the event.

10.12234 Signs Prohibited in All Districts

The following signs are prohibited in all sign districts:

10.12234.10 Animated signs.

10.12234.20 Signs that move or flash, or give the appearance of such motion (for example, by means of traveling lights). Beacons, rotating and flashing lights are prohibited except where such lighting devices are deemed necessary for the public safety and welfare by federal, state or municipal authorities.

10.12234.30 Banners, pennants or flags (except as permitted by Section 10.1222.70) which are signs under the definition of “sign” herein, ~~except as temporary signs allowed under Section 10.1275.~~

10.12234.40 Balloons or other inflated devices displayed more than one day per month.

10.12234.50 Mobile signs.

10.12234.60 Signs mounted, attached or painted on vehicles, trailers or boats, except as permitted by Section 10.1222.90.

10.12234.70 Any sign emitting sound.

10.1224.80 Any sign projected via illumination on the exterior of any structure, or on or above a surface such as a driveway, sidewalk or street, regardless of the technology used to project the sign. This prohibition shall not apply where the structure or surface on which the sign is projected is within the same lot as the principal use to which the sign is accessory.

10.1224.90 Any sign advertising a product or service not provided on the lot on which the sign is located (“off-premise sign”).

10.12245 Maintenance of Signs

10.12245.10 All signs and sign structures shall be properly maintained and kept in a neat and proper state of maintenance and appearance.

10.12245.20 Any sign of any type and located within any district which is found by the Code Official to be in a state of disrepair, illegible or ~~are considered~~ dangerous, shall be repaired or removed.

10.122~~4~~⁵.30 Upon failure to comply with an order to repair or remove a sign within thirty days, the Code Official is authorized to cause removal of the sign at the expense of the owner of the property on which the sign is located.

Section 10.1230 Sign Districts

10.1231 The City is hereby divided into sign districts for the purpose of establishing standards for the number, type, size, location and illumination of signs. These sign districts are overlay districts. A property shall be subject to the regulations of both the sign district and the underlying zoning district.

10.1232 Unless otherwise specified by ordinance, the sign districts shall correspond to underlying zoning districts as follows:

Sign Districts	Underlying Zoning Districts
Sign District 1	All Rural and Residential Districts Municipal Natural Resource Protection
Sign District 2	Mixed Residential Office Mixed Residential Business Waterfront Business Character District 4-L1 Character District 4-L2
Sign District 3	Character District 4-W Character District 4 Character District 5
Sign District 4	Business Office Research
Sign District 5	General Business Gateway <u>Neighborhood Mixed-Use Corridor</u> <u>Gateway Neighborhood Mixed-Use Center</u>
Sign District 6	Industrial Waterfront Industrial Airport Districts

10.1233 In order to address the characteristics of a specific area or its surroundings, an area may be changed to a different sign district than specified in Section 10.1232 following the same procedures as for a change in the underlying zoning district. (For example, a portion of the General Business district may be changed from Sign District 5 to Sign District 2 in order to protect an adjacent neighborhood from excessive light.)

10.1234 Any sign not specifically allowed in a sign district is not permitted.

Section 10.1240 Permitted Sign Types

10.1241 The types of signs permitted in each sign district shall be as set forth in the following table, except as otherwise provided herein.

Table of Permitted Sign Types

	Sign District					
	1	2	3	4	5	6
Freestanding sign	N	P	P	P	P	P
Wall sign	P	P	P	P	P	P
Projecting sign	P	P	P	P	P	P
Parapet sign	N	N	N	N	P	P
Roof sign	N	N	N	N	P	P
Awning sign	N	P	P	P	P	P
Marquee sign	N	P	P	P	P	P
Canopy sign	N	N	N	P	P	P
Changeable or animated signs						
Animated sign	N	N	N	N	N	N
Changeable sign	N	P	P	P	P	P

P = Permitted N = Prohibited

10.1242 ~~Each side of a building facing a street may have one parapet sign (if permitted by Section 10.1241), or one wall sign above the first-ground floor, may be allowed for each street façade, provided that the use is primarily above the first floor. The parapet sign or wall sign shall not be placed on a floor higher than the highest floor occupied by the applicable use.~~

10.1243 Only one freestanding sign shall be permitted per lot, except that a ~~shopping center lot with more than one driveway~~ may have one freestanding sign at the site's primary driveway and one ~~smaller~~ freestanding sign at each additional driveway ~~not on the same street complying with the area and height standards in Section 10.1251.30.~~

Section 10.1250 Sign Dimensional Standards

10.1251 Sign Area

10.1251.10 The maximum aggregate sign area shall be as follows:

	Sign District					
	1	2	3	4	5	6
Per linear foot of building frontage per establishment	0.5	1.0	2.0	1.5	1.5	2.0

10.1251.20 The maximum sign area for individual signs shall be as follows:

	Sign District					
	1	2	3	4	5	6
Freestanding sign	n/a	20	20	100	100	150
Wall sign	4	16	40	200	200	100
Projecting sign						
Ground floor use	2	16	12	16	16	16
Upper-floor use	n/a	0	8	8	8	8
Parapet sign	n/a	n/a	n/a	n/a	100	150
Roof sign	n/a	n/a	n/a	n/a	200	100
Awning sign	n/a	16	20	20	20	20
Marquee sign	n/a	16	20	20	20	20
Canopy sign	n/a	n/a	n/a	20	20	20

All dimensions in square feet

n/a = not applicable (sign type not permitted)

n.r = no requirement

10.1251.30 When a ~~shopping center~~lot has more than one freestanding sign, the freestanding sign at the site's primary driveway shall comply with the maximum sign area specified in Section 10.1251.20 and the maximum sign height specified in Section 10.1253.10; and the ~~other~~ freestanding signs at other driveways shall not exceed 75 square feet in area. comply with the following standards:

<u>Sign District</u>	<u>On same street as primary driveway</u>		<u>On different street from primary driveway</u>	
	<u>Maximum Sign Area</u>	<u>Maximum Sign Height</u>	<u>Maximum Sign Area</u>	<u>Maximum Sign Height</u>
<u>2</u>	<u>10 sq. ft.</u>	<u>5 ft.</u>	<u>10 sq. ft.</u>	<u>5 ft.</u>
<u>3</u>	<u>10 sq. ft.</u>	<u>5 ft.</u>	<u>20 sq. ft.</u>	<u>5 ft.</u>
<u>4</u>	<u>20 sq. ft.</u>	<u>12 ft.</u>	<u>40 sq. ft.</u>	<u>12 ft.</u>
<u>5</u>	<u>40 sq. ft.</u>	<u>12 ft.</u>	<u>75 sq. ft.</u>	<u>15 ft.</u>
<u>6</u>	<u>40 sq. ft.</u>	<u>12 ft.</u>	<u>75 sq. ft.</u>	<u>15 ft.</u>

10.1251.40 A sign projected via illumination on the exterior of a structure, or on or above a surface such as a driveway, sidewalk or street, shall comply with the sign area requirements for a wall sign.

10.1252 Measurement of Sign Area

10.1252.10 Sign area shall be measured in one of the following ways, at the applicant's discretion:

- the area that can be enclosed by one polygon with no more than eight sides; or
- the area that can be enclosed by a circle, oval, triangle or rectangle, or any two such shapes.

10.1252.20 The sign area of a freestanding sign shall include all structural supports whether or not they contribute through shape, color or otherwise to the sign's message, except as follows:

10.1252.21 The base of a monument sign, up to one foot above the ground, shall not be included in the computation of sign area provided that such base is not illuminated in any way ~~and contains no information other than the street number.~~



Height of base is less than one foot –
Not included in sign area



Height of base is one foot –
Not included in sign area



Height of base is greater than one foot –
Included in sign area

10.1252.22 The vertical supports of a pole sign shall not be included in the computation of sign area, provided that (1) the total width of all such supports is less than one-third of the width of the sign, and (2) the supports are not illuminated in any way.



Total width of supports is less than 1/3 of the width of the sign –
Not included in sign area



Total width of supports is greater than 1/3 of the width of the sign –
Included in sign area



Width of support is greater than 1/3 of the width of the sign –
Included in sign area



**Width of support is
approximately 1/3 of the
width of the sign**

- 1
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- 10.1252.30 For a sign that is painted or engraved on, or otherwise applied directly to, a building or other structure, the sign area shall include any background of a different color, material or appearance from the remainder of the wall or structure, and shall include all related text, images and graphics.
- 10.1252.40 The sign area of a canopy sign shall include all text and symbols, whether or not illuminated, and all illuminated areas; but shall not include non-illuminated areas that are distinguished from the background only by color stripes.
- 10.1252.50 The sign area of a projecting sign shall not include the area of supporting brackets with no text, images or graphics.
- 10.1252.60 Where a sign has two faces that are parallel or where the interior angle formed by the faces is 45 degrees or less, only one display space shall be measured in computing total sign area.
- 10.1252.70 The sign area of a spherical, free-form, sculptural or otherwise non-planar sign shall be equal to 75 percent of the areas of the 4 vertical sides of the smallest rectangular box that will encompass the sign.
- 10.1252.80 Decorative lighting on a building or structure, including neon and other accent lighting, and any illuminated building panel, shall be considered a wall sign for the purposes of this section, and shall be counted as part of the aggregate sign area allowed.

10.1253 Sign Height and Setback

10.1253.10 The maximum and minimum heights and minimum setbacks for signs in each sign district shall be as set forth in the following table, except as otherwise provided herein.

Table of Sign Height and Setback Requirements

	Sign District					
	1	2	3	4	5	6
Projecting sign						
Minimum clearance (ground to bottom of sign)	7	7	7	7	7	7
Freestanding sign						
Minimum setback from lot line	5 n/a	5	5	20	10	20
Maximum height (ground to top of sign)	7 n/a	7	12	20	20	20
Temporary freestanding sign	4	4	8	12	12	20

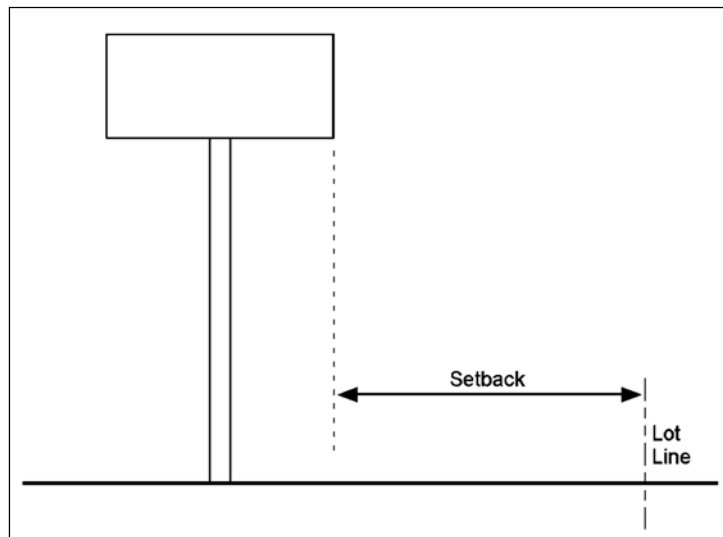
All dimensions in feet

n/a = not applicable (sign type not permitted)

10.1253.20 Where a driveway intersects with a street, no sign shall be erected or maintained between the heights of 2.5 feet and 10 feet above the edge of pavement grades within the area bounded by (a) the side lines of the driveway and street and (b) lines joining points along said side lines 20 feet from the point of intersection.

10.1253.30 The height of a freestanding sign shall be measured with respect to the elevation of the centerline of the adjacent public right-of-way.

10.1253.40 The setback of a sign from a lot line shall be measured as the shortest horizontal distance from the lot line to the any part of the sign, whether or not such part of the sign is at ground level.



10.1253.50 A projecting sign shall project no closer than 1 foot to the edge of the vehicular travel way, if any.

Section 10.1260 Sign Illumination

10.1261 Types of Illumination

10.1261.10 Signs may only be illuminated as set forth in the following table, except as otherwise provided herein.

Table of Sign Illumination Requirements

	Sign District					
	1	2	3	4	5	6
External illumination	N	P	P	P	P	P
Halo lettering	N	P	P	P	P	P
Internal illumination						
Freestanding sign	N	P	N	P	P	P
Wall sign	N	P	P	P	P	P
Projecting sign	N	N	N	N	N	N
Parapet sign	n/a	N	N	N	P	P
Roof sign	n/a	N	N	N	P	P
Awning sign	n/a	N	P	N	P	P
Marquee sign	n/a	N	P	N	P	N
Canopy sign	n/a	n/a	n/a	P	P	P
Direct illumination	N	N	P	P	P	P

P = Permitted N = Prohibited n/a = not applicable (sign type not permitted)

10.1261.20 Temporary signs shall not be illuminated.

10.1261.30 Signs in the Historic District shall be illuminated only by external illumination, notwithstanding anything to the contrary in Section 10.1261.

10.1262 Hours of Illumination

Signs shall not be illuminated between 11:00 p.m. and 6:00 a.m., except that signs may be illuminated during the operation of a use or activity that is open to customers or the public, and for not more than one hour after the activity ceases.

10.1263 Illumination Standards

10.1263.10 A light source for external illumination of a sign shall be mounted and shielded so that said light source is not visible three feet above grade at the lot line and so that the lighting is confined to the area of the sign.

10.1263.20 A light source for internal illumination of a sign constructed of translucent materials and wholly illuminated from within shall not require shielding.

- 10.1263.30 A sign or its illuminator shall not by reason of its location, shape or color interfere with pedestrian or vehicular traffic or be confused with or obstruct the view or effectiveness of any official traffic signal or traffic marking.
- 10.1263.40 Illuminance of the sign face shall not exceed the following standards:
- 10.1263.41 External illumination: 50 foot-candles as measured on the sign face.
- 10.1263.42 Internal illumination: 5,000 nits (candelas per square meter) during daylight hours, and 500 nits between dusk and dawn, as measured at the sign's face.
- 10.1263.43 Direct illumination: 5,000 nits during daylight hours, and 500 nits between dusk and dawn, as measured at the sign's face.
- 10.1263.50 Light sources shall utilize energy efficient fixtures to the greatest extent practicable. Light fixtures including bulbs or tubes used for sign illumination shall be selected and positioned to achieve the desired brightness of the sign with the minimum possible wattage, while ensuring compliance with all applicable requirements of this Ordinance.
- 10.1263.60 A sign using direct illumination shall consist only of letters, numbers and other common typographical characters, all of which shall be in no more than three colors against a dark background, and the total illuminated area shall not exceed 30 percent of the total area of the sign.

Section 10.1270 Additional Sign Regulations

10.1271 Signs on More Than One Façade of a Building

- 10.1271.10 A use in a building with more than one exterior wall facing a street may have signs on each such wall, ~~up to the maximum sign area per linear foot of building frontage per establishment.~~
- 10.1271.20 ~~A store~~ An establishment with a public entrance on a side of the building not facing a street may have signs on that side as well as on the street-facing wall(s), ~~up to the maximum sign area per business.~~
- 10.1271.30 Regardless of the location of signs, the maximum sign area per establishment shall be based only on the building frontage as defined in Section 10.1290.
- ~~10.1271.30 A non-illuminated sign that is not visible from a public right of way, such as drive-through menu signs and car wash menus, shall not be counted in the maximum aggregate sign area for the business or lot.~~

10.1272 Roof Signs

- 10.1272.10 A roof sign shall be parallel to the main façade of the building on which it is mounted,
- 10.1272.20 A roof sign on a pitched, hip, gambrel or mansard roof shall not extend above the elevation midway between the level of the eaves and the highest point of the roof. A roof sign is not permitted on a flat roof.
- 10.1272.30 The maximum height of a roof sign shall not exceed the lesser of 36 inches or 25% of the vertical height of the roof.

10.1273 Marquee Signs

- 10.1273.10 All text, images and other graphics on a marquee sign shall be displayed on the outside vertical faces of the marquee, and shall be no more than 1.5 feet tall.
- 10.1273.20 The sign area of a marquee sign shall be included in the maximum aggregate sign area allowed for ~~said property~~ the lot.

10.1274 Relation of Sign to Building Façade in the Historic District

In the Historic District, a ~~hanging-wall sign~~ or projecting sign should align with some horizontal element on the façade. For example, the top of the sign may align with the top of the window, the bottom of the sign may align with the bottom of the window, the bottom of sign may align with the top of the lintel, etc.

~~10.1275 Temporary Signs~~

~~10.1275.10~~ ~~New Business~~ Interim Signs

~~An temporary new business interim~~ sign may be erected while awaiting arrival of a permanent sign for which a sign permit has been issued. ~~A new business-~~ The interim sign shall conform to the same dimensional and other requirements as the approved permanent sign and shall be allowed only until the permanent sign is installed or for 60 days, whichever is the shorter period of time. A sign permit ~~must be obtained~~ for an new business-interim sign must be obtained from the Code Official.

Section 10.1280 Nonconforming Signs

- 10.1281 A nonconforming sign or sign structure shall be brought into conformity with this Ordinance if it is altered, reconstructed, replaced, or relocated. For the purpose of this provision, the alteration of a sign or sign structure includes any change in size, shape, materials or technology. A change in text or graphics is not an alteration or replacement for purposes of this subsection.

10.1282 Nonconforming signs must be maintained in good condition. Maintenance required by this Subsection shall include replacing or repairing of worn or damaged parts of a sign or sign structure in order to return it to its original state, and is not a change or modification prohibited by Subsection 10.1281.

10.1283 A nonconforming sign shall be removed, made conforming, or replaced with a conforming sign ~~in either of the following situations: if~~

~~(a)~~ 50 percent or more of the nonconforming sign is blown down, destroyed, or for any reason or by any means taken down, altered, or removed.

10.1284 A nonconforming sign shall be removed if ~~(b)~~ ~~The use of the~~ nonconforming sign, or the property on which it is located, has ceased, become vacant, or been unoccupied for a continuous period of 8 months or more. An intent to abandon is not required as the basis for removal under this section.

Section 10.1290 Sign Definitions

Aggregate sign area
See under sign area.

Animated sign
A sign that uses movement or a change of lighting to depict action or create a special effect or scene. See also changeable sign.

Awning
A cloth, plastic or other nonstructural covering that either is permanently attached to a building or can be raised or retracted to a position against the building when not in use.

Awning sign
A sign that is painted on or otherwise applied or attached to an awning. An internally illuminated awning shall be considered an awning sign whether or not it contains any text or graphics.

Banner sign or banner
A sign that consists of text or other graphic elements on a non-rigid material either enclosed or not enclosed in a rigid frame and secured or mounted to allow motion caused by the atmosphere. See also temporary sign.

Building frontage
The maximum horizontal width of the ground floor of a building that approximately parallels and faces a public street or right of way.
(a) Where an individual occupant's main entrance faces a driveway or parking lot, the width of the occupant's ground floor space facing the occupant's entrance shall be considered that occupant's separate and distinct building frontage.

- (b) Where two or more uses occupy the ground floor of a building, the portion of the building frontage occupied by each use will be that use's separate and distinct building frontage for the purpose of calculating allowed sign area.
- (c) A corner lot or through lot shall be considered to have a separate and distinct building frontage on each street.
- (d) When a building is not parallel to the street, or has a front wall that is angled or curved, the building frontage shall include any portion of the front wall that is oriented at an angle of 30 degrees or less from the front lot line.

~~Building marker sign~~

~~A sign indicating the name of a building, the date of its construction, and/or incidental information about its history. One per site, maximum area of 2 square feet, not included in the maximum sign area.~~

Canopy

A freestanding structure constructed of rigid materials, providing protective cover over an outside service area.

Canopy sign

A sign attached to, affixed to or otherwise mounted on a canopy.

Changeable sign

A sign or portion thereof with characters, letters or symbols that can be changed, whether electronically or manually without altering the face or surface of the sign. A sign on which the message changes more than once per day shall be regulated as an animated sign. A sign on which the only changes are mechanical or electronic indication of time or temperature is not considered a changeable or animated sign.

Direct illumination

Illumination of a sign by light emitted directly from a lamp, luminary or reflector, and not diffused through translucent materials or reflected or projected from an external source. Examples include, but are not limited to, signs using luminous gas-filled tubes (e.g., neon) or light-emitting diodes (LED). (See also external illumination, externally illuminated sign, internal illumination, internally illuminated sign.)

~~Directional sign~~

~~A sign directing or guiding vehicles or people to entrances, exits or parking.~~

~~Directory sign~~

~~A sign that lists businesses in a multi-tenant building, office park, or industrial park.~~

External illumination

Illumination of a sign by a source of light not contained within, or on the surface of, the sign itself. (See also direct illumination, externally illuminated sign, internal illumination, internally illuminated sign.)

Externally illuminated sign

A sign that is illuminated by a light source that is not contained within, or on the surface of, the sign itself

Flag

A piece of durable fabric or other flexible material containing distinctive colors, patterns, standards, words, or emblems which hangs loose from a staff or pole or is attached directly to a building.

Flagpole

A permanent, free-standing structure or a structure attached to a building and used for the sole purpose of displaying flags. A free-standing flagpole shall not exceed the maximum building height allowed in the zoning district in which it is located.

Freestanding sign

A sign that is permanently erected in a fixed location and supported by 1 or more columns, upright poles or braces extended from the ground or from an object on the ground, or that is erected on the ground, where no part of the sign is attached to any part of a building, structure, or other sign. Examples include, but are not limited to, monument signs and pole signs.

Halo lettering.

An externally illuminated sign in which light sources are placed out of direct view behind opaque sign elements (letters or graphics), creating a glow around the sign elements.

Halo Lettering



~~Information sign~~

~~A sign that does not exceed 4 square feet of sign area and includes only information of a general directive or informational nature such as the following:~~

- ~~(a) Handicapped parking, no parking, loading area;~~
- ~~(b) To give direction to a public service facility or accommodation; an official inspection station;~~
- ~~(c) Building address or unit number;~~
- ~~(d) No trespassing, no hunting, etc.~~

Internal sign

A sign that is not intended to be viewed from outside the property, and that is located so as not to be visible from any street or from any adjacent lot. Examples include, but are not limited to, signs in the interior areas of shopping centers, ~~and~~ non-illuminated signs inside a building and more than 3 feet inside any window or door, and signs located completely within a building and not visible from outside the building.

Internal illumination

Illumination of a sign by light that is diffused through a translucent material from a source within the sign. (See also direct illumination, external illumination, externally illuminated sign, internally illuminated sign.)

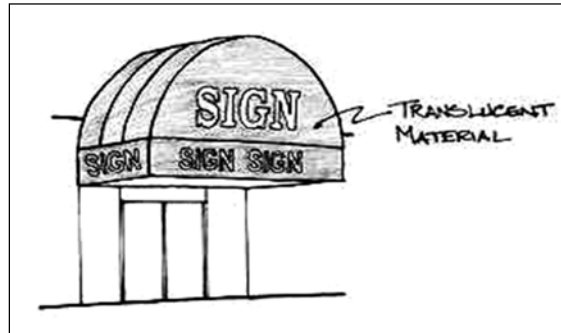
Internally illuminated sign

A sign that is illuminated by light from a source within the sign through a translucent material. (See also direct illumination, external illumination, externally illuminated sign, internal illumination, halo lettering.)

Examples of internally illuminated signs include:

(a) Internally illuminated translucent sign, which may have opaque surfaces with translucent letters or translucent surfaces with opaque letters. An opaque surface with translucent letters is preferred to a translucent surface with opaque lettering.

(b) Internally illuminated awning signs.



(c) Internally illuminated channel letters.



Marquee

A structure other than a roof that is attached to, supported by and projecting from a building, and that provides shelter for pedestrians.

Marquee sign

A wall sign that is mounted on or attached to a marquee.

1
2 Mobile sign

3 A sign on a trailer or other wheeled apparatus, whether or not self-propelled, that
4 is not permanently affixed to the ground. (See also: temporary sign.)
5

6 Monument sign

7 A freestanding sign constructed of a solid material and mounted on a solid base
8 that is placed directly on the ground.
9

10 ~~New business sign~~

11 ~~A temporary sign that is erected or installed while awaiting installation of a~~
12 ~~permanent sign for which a sign permit has been issued.~~
13

14 Nit

15 A unit of luminance, equal to one candela per square meter.
16

17 Parapet

18 An extension of a vertical building wall above the line of the structural roof.
19

20 Parapet sign

21 A wall sign attached to the face of a parapet.
22

23 Pennant sign or pennant

24 See banner sign.
25

26 Parapet sign

27 A sign attached to a parapet wall, with its face parallel to the plane of the
28 parapet wall and extending no more than 18 inches from such wall.
29

30 Pole sign

31 A freestanding sign that is permanently supported in a fixed location by a
32 structure of poles, uprights or braces from the ground and not supported by a
33 building or base structure.
34

35 Projecting sign

36 A sign attached to and projecting from the wall of a building with the face of the
37 sign at an interior angle of more than 45 degrees to the building wall to which it
38 is attached.
39

40 ~~Real estate sign~~

41 ~~A temporary sign that advertises the availability of the property for sale or~~
42 ~~lease.~~
43

44 Roof sign

45 A sign that is located:

- 46 (a) above the level of the eaves on pitched or gambrel roofs;
47 (b) above the roof deck of a building with a flat roof; or
48 (c) above the top of the vertical wall of a building with a mansard roof.
49

1 Sign

2 Any symbol, design or device used to identify or advertise any place, business,
3 product, activity, service, person, idea or statement. Any representation that is
4 illuminated and consisting wholly or in part, of text, images or graphics shall be
5 considered a sign. Signs need not include text, and may consist of stripes, spots,
6 or other recognizable designs, shapes or colors. Displays comprising of
7 merchandise, figurines, mannequins, decorations and other similar articles,
8 arranged inside a building and visible outside of a window, shall not be
9 considered a sign.

10
11 Sign area

12 The total surface area of a sign display, including all text, images and graphics,
13 and any distinctive surface, board, frame or shape on or within which the text,
14 images and graphics are displayed.

15
16 Aggregate sign area

17 The total sign area of all signs on a lot or building, as indicated by the
18 context, excluding the area of freestanding signs allowed by Article
19 12.

20
21 Sign band

22 A painted stripe or otherwise distinct scheme which indicates the
23 establishment's logo by use of certain colors or patterns.

24
25 ~~Site development sign~~

26 ~~A temporary sign that identifies a development which is under construction~~
27 ~~and/or the owners, architects, contractors, real estate agents and lenders involved~~
28 ~~with the development; and that may include sales and leasing information.~~

29
30 ~~Special event sign~~

31 ~~A temporary sign limited to one consecutive 7 day period every 3 months, for a~~
32 ~~total of 4 events per year. If a sign is not used in a quarter it shall not be carried~~
33 ~~over to the next quarter.~~

34
35 Temporary sign

36 A sign, other than a mobile sign, that is not permanently affixed to a building
37 or structure or permanently mounted in the ground, and that pertains to an
38 activity or event of limited duration. ~~Examples of temporary signs include, but~~
39 ~~are not limited to, new business sign, site development sign, and special~~
40 ~~event sign. A temporary sign, when permitted, shall not be included in the~~
41 ~~calculation of aggregate sign area on a lot.~~ (See also mobile sign.)

42
43 Wall sign

44 A sign attached to, erected against or hanging from the wall of a building, with
45 the face in a parallel plane to the plane of the building wall, and extending no
46 more than 18 inches from such wall. A wall sign may also be inside of a
47 building if it is illuminated and visible through the window from a private of
48 public right of way.