

ARTICLE XXXIII

Signs

Section 1: General Provisions.

This Article shall hereafter be known and cited as the “City of Milton Sign Ordinance.”

Section 2: Purpose and Findings.

A. *Purpose*

This Article was enacted with the following purposes:

1. To protect the rights of individuals and businesses to convey their messages through signs;
2. To encourage the effective use of signs as a means of communication;
3. To promote economic development;
4. To improve traffic and pedestrian safety as it may be affected by distracting signs;
5. To prevent the destruction of the natural beauty and environment of the City and to ensure the harmony and compatibility of the character of the area including its physical appearance, natural setting, informal landscaping, and preserve the historic character of the City;
6. To encourage and ensure that development that is context sensitive in design and materials compliments and is compatible and sensitive with the existing character of the area through its proportion, scale, design, style, placement, position, and architectural qualities that further the distinct values of the City;
7. To protect the public health, safety, and general welfare;
8. To restrict the continued existence of abandoned or non-conforming signs unless in compliance with the terms of this Article and to eliminate, over time, all non-conforming signs;
9. To ensure the fair and consistent enforcement of sign standards; and
10. To make it easier, quicker, and more economically efficient to apply for a sign permit.

B. Findings

1. The City finds that signs are a proper use of private property, are a means of personal free expression and a necessary component of a commercial environment. As such, signs are entitled to the protection of the law. In the absence of regulation, however, the number of such signs tends to proliferate, with property owners' desiring ever increasing numbers and sizes of signs, leading to cluttered and aesthetically blighted thoroughfares. In addition, the competition among competing sign owners for visibility of their signs contributes to safety hazards for both vehicles and pedestrians and undermines the sign owners' original purpose of presenting a clear message of its idea or identification of its premises.
2. The City further finds that the regulation of the size, height, number and spacing of signs is necessary to protect the public safety, to assure compatibility of signs with surrounding land uses, to enhance the business and economy of the City, to protect the public investment in the streets and highways, to maintain the tranquil environment of residential areas, to promote industry and commerce, to eliminate visual clutter and blight, to provide an aesthetically appealing environment, and to provide for the orderly and reasonable display of advertising for the benefit of all the City's citizens.
3. The City further finds that there is a substantial difference between signs erected by public authority and signs erected by private citizens or businesses. Signs erected by public authority are virtually all erected for the purpose of maintaining the public safety either through direct control of traffic or through provision of such type signage as street signs which enable the traveling public to know where they are located and to find where they are going. As such, with the exception of signs identifying government buildings, virtually all government signs are erected purely for public safety purposes. Moreover, their use in the public right-of-way is necessary to ensure their visibility to the motoring public. The City commission finds that public utility signs are frequently of the same nature as those signs erected by governmental entities in that they provide necessary information to safeguard the public from downed power lines and from street excavations. Even where signs serve a propriety purpose, such as identifying markings on utility polls, those signs are marked primarily for the purpose of benefiting the public generally through identification of locations where there may be temporary losses of power.
4. The City further finds that some signage has a single targeted function and that identification of such signage by description is impossible without referring to its function. For instance, address numerals are used for the sole purpose of locating addresses, which is of benefit to persons looking for those addresses and is essential to public safety personnel responding to emergencies.

Subdivision signs at the entrances to subdivisions favor a similar purpose in enabling both the traveling public and emergency personnel to quickly locate subdivision entrances for the purpose of either visitation or responding to emergency calls. While such signage is referenced based upon the function it serves within the context of this ordinance, the bulk of the provisions of this chapter are unrelated to the content of the speech provided and allow maximum expressive potential to sign owners.

5. The City further finds that most of the City of Milton is unique when compared to surrounding areas in terms of the rural, pastoral and equestrian nature of its land uses. Examination of such factors as the lack of sewerage of the majority of its land area, the resulting minimum lot size, the lack of commercial development outside overlay districts and purposefully developed commercial corridors and the large number of agricultural and related uses such as horse farms set Milton apart from the more commercialized and developed municipalities which surround it. The preservation of this atmosphere and lifestyle was a major factor in the drive to incorporate Milton as its own, unique City. Accordingly, the City of Milton determines that it has a substantial government interest in striking a proper balance between the right of freedom of expression in terms of the time, place and manner of signage with the need to preserve the pristine character of the City.

Section 3: Definitions.

Words and phrases used in this Article shall have the meanings set forth in this section. Words and phrases not defined in this section, but defined in the zoning ordinance of the City of Milton, shall be given the meanings set forth in such ordinance. All other words and phrases shall be given their common, ordinary meaning, unless the context clearly requires otherwise. Section headings or captions are for reference purposes only and shall not be used in the interpretation of this Article.

Abandoned sign. Any sign that contains or exhibits broken panels, visible rust, visible rot, damaged support structures, or missing letters or which is otherwise dilapidated, unsightly, or unkempt, and for which no person accepts maintenance responsibility.

Animated sign. Any sign, or part of a sign, that uses any movement or change of lighting or color to depict action or create a special effect or scene.

Audible sign. Any sign which emits a sound which is audible or emits a signal which can be converted into audible sounds, whether by radio or other means.

Awning/canopy sign. Any sign that is a part of, or attached to, an awning, canopy or other fabric, plastic or structural protective cover over a door, entrance, window, or outdoor service area. A marquee is not a canopy.

Banner. A sign other than a flag with or without characters, letters, illustrations or ornamentation applied to cloth, paper, vinyl or fabric that is intended to be hung either with a frame or without a frame. Neither flags nor canopy signs are considered banners.

Beacon. Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same lot as the light source; also, any light with one or more beams that rotate or move.

Billboard. A freestanding sign with an area of more than one-hundred twenty (120) square Feet and not to exceed 12 feet in height.

Changeable copy sign. Any sign that incorporates changing lights, lettering, or images to form a sign message or messages, whether such changes are accomplished electronically or manually.

City Council. The City Council of the City of Milton.

City. The City of Milton.

Fall zone. An area equal to one hundred thirty-three percent (133%) of the height of the structure in every direction.

Flag. Any fabric or bunting containing colors, patterns, or symbols used as a symbol of a government or other legal entity or legally organized organization.

Flashing sign. A sign, the illumination of which is not kept constant in intensity at all times when in use and which exhibits marked changes in lighting effects.

Freestanding sign. Any sign supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building or other structure. A permanently affixed sign which is wholly independent of a building for support.

Graffiti. Unauthorized writing or drawing on the façade of any building, sign, path, accessory structure, wall, fence, or other site element.

Illuminated sign, External. A sign illuminated by an external light source. Such source cannot be a device that changes color, flashes or alternates.

Illuminated sign, Internal. A sign illuminated by an internal light source. Such source cannot be a device that changes color, flashes, or alternates.

Kiosk. A small structure with one or more sides that is used to vend merchandise or services.

Lot. A parcel of land that is of sufficient size to meet minimum zoning requirements for lot area, coverage, and use and that can provide such yards and other open spaces as required by the zoning standards.

The Director of the Department of Community Development, or his or her designee for a particular purpose.

Marquee, marquee sign. Any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.

Monument. A freestanding sign with a base width of not less than the width of the sign face.

Moving sign. A sign which revolves, rotates, swings, undulates, or otherwise attracts attention through the structural movement of parts.

Multi-tenant. One or more buildings, located on a single premise or development, containing two (2) or more separate and distinct individual establishments, which occupy separate portions of the building or buildings and which are physically separated from each other by walls.

Obscene. Material is obscene if to the average person, applying contemporary community standards, taken as a whole, it predominantly appeals to the prurient interest, that is, a shameful or morbid interest in nudity, sex or excretion; the material taken as a whole lacks serious literary, artistic, political or scientific value; and the material depicts or describes, in a patently offensive way, sexual conduct specifically defined as: (A) acts of sexual intercourse, heterosexual or homosexual, normal or perverted, actual or simulated; (B) acts of masturbation; (C) acts involving excretory functions or lewd exhibition of the genitals; (D) acts of bestiality or the fondling of sex organs of animals; or (E) sexual acts of flagellation, torture, or other violence indicating a sadomasochistic sexual relationship.

Pennant, streamer. Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in a series, designed to move in the wind.

Permanent sign. Any sign which, when installed, is intended for permanent use. A permanent freestanding sign shall be of a type and construction as not to be easily or readily removed from the lot on which it has been erected.

Permit. A sign permit reviewed, approved, and issued by the City Department of Community Development.

Permittee. The person and/or entity owning or leasing the land on which the sign is erected or for which an application has been submitted.

Person. A natural or legal person, including a firm, organization, partnership, trust, and corporation.

Portable sign. A sign which is not permanently affixed to the ground or to a structure, including but not limited to signs on trailers or signs mounted or painted on vehicles which are parked in such a manner as to serve the purpose of a sign.

Principal building. The building in which the principal use of the lot is conducted. Non-residential lots with multiple principal uses may have multiple principal buildings, but storage buildings, garages, and other structures with clearly accessory uses shall not be considered principal buildings.

Projecting sign. Any sign which is suspended or projected from the wall, eave, or soffit of the building.

Public sign. Any sign erected by a governmental entity.

Roof sign. Any sign erected and constructed wholly on and over the roof of a building, or supported by the roof structure.

Sign face. That part of a sign that is or can be used for advertising purposes.

Sign. Any device, fixture, placard, or structure affixed to, supported by, or suspended by a stationary object, building or the ground that uses any color, form, graphic, illumination, symbol, or writing to communicate information of any kind to the public.

Sign Kiosk. A kiosk that contains signs.

Standard Informational sign. A sign with an area of not greater than four (4) square feet, with a sign face made for short term use, containing no reflecting elements, flags, or projections and which, when erect, stands at a height not greater than three (3) feet and is mounted on a stake or metal frame with a thickness or diameter not greater than one and one-half (1 ½) inches.

Temporary sign. Any sign of nonpermanent nature. All such signs shall be removed within three (3) calendar days after the purpose of which the sign is intended to advertise has been accomplished.

Water Tower. A tower or standpipe serving as a reservoir to deliver water at a required head, whether in use, no longer in use or an architectural feature.

Wall sign. Any sign attached parallel to a wall, painted on the wall surface or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building and which displays only

one sign surface. Wall signs shall be flush with the wall, building, or structure to which it is mounted or affixed, except as otherwise set forth herein.

Window sign. Any sign that is affixed to the exterior of the window or window panes or within 5 feet of the interior of the window or window panes and is visible from the exterior of the structure.

Section 4: Powers and Duties of Personnel.

The Director is hereby authorized and directed to administer and enforce this article, unless otherwise specifically provided by Ordinance of the City of Milton City Council.

Section 5: Applicability.

The standards of this Article shall apply to all signs erected within the corporate limits of the City. This includes those areas that have been or will be annexed into the corporate limits of the City.

Section 6: Permit Required.

Except where specifically not required by the standards of this Article, it shall be unlawful for any person to post, display, materially change, or erect a sign in the City without first having obtained a sign permit. Notwithstanding the foregoing, signs which are not visible from a public right-of-way or from neighboring properties shall not be subject to the standards of this Article.

Section 7: Fees Required.

No permit shall be issued until the appropriate application has been filed with the Director and fees, as set from time to time by Ordinance of the City Council, have been paid.

Section 8: Application.

A. *Application Content*

1. Applications for sign permits required by this Article shall be filed in duplicate by the person owning the subject property, or the owner's agent, in the office of the Director upon forms furnished by that office. The application shall describe and set forth the following:
2. The type and purpose of the sign as defined in this Article.
3. The value of the sign.
4. A survey to scale showing the street address of the property upon which

the subject sign is to be located, the proposed location of subject sign on subject property, the distance of the proposed sign from the subject property's boundaries, and all existing structures or buildings on the subject property.

5. The square foot area per sign and the aggregate square foot area if there is more than one (1) sign face.
6. The name(s) and address(es) of the owner(s) of the real property upon which the subject sign is to be located.
7. Written consent of the owner of the property, or his/her agent, granting permission for the placement, maintenance, size, and height of the subject sign to be placed on the property.
8. For wall signs: Two sets of building elevations.
9. The name, address, telephone number, and business license number of the sign contractor. All applicants for signs which incorporate electricity must obtain an electrical permit.
10. Sign details, including a proposed color scheme of sign, and scaled elevation of the size and height of the proposed sign from ground level and adjacent street level.
11. The zoning district in which the subject property is located, and a statement of compliance with all requirements of the zoning district.

B. Other Zoning Requirements

So long as an application conforms to the standards and procedures of this Article, the applicant is exempted from any additional standards, other than standards relating to color, and procedures relating to signs in the City's Zoning Ordinance.

Section 9: Application Rejection.

A. Incomplete; False

The Director shall reject any application that is incomplete, that contains false material statements or omissions, or that is for a sign which would violate any standard within this Article within thirty (30) business days of receipt of said application. The Director may reject at anytime prior to the expiration of the thirty (30) day period, if the application is incomplete or contains false material statements or omissions, by returning the application to the applicant.

B. Processing Time; Denial

The City shall process all complete and accurate sign permit applications within thirty (30) business days of the City's actual receipt of a complete and accurate application and upon remittance of the appropriate sign permit fee. The Director shall give notice to the applicant of his/her decision by hand delivery or by mailing such notice by certified mail, return receipt requested, to the address on the permit application on or before the thirtieth (30th) business day. If the decision of the Director is to deny the application, the decision shall state the grounds upon which the denial is based. Failure of the City to act within the thirty (30) day period shall be deemed a denial of the permit. If notice is mailed in conformity with this Section, notice shall be deemed to have been given upon the date of mailing. Any application meeting the standards of this Article will be granted. Any application not meeting the standards of this Article will be denied.

C. Appealable

A rejection pursuant to this Section shall be appealable pursuant to the procedures for Zoning Appeals outlined in the Milton Zoning Ordinance. However, notwithstanding the foregoing, a final decision will be rendered within sixty (60) days from date an appeal is filed. If a final decision is not rendered within the sixty (60) day period, the decision sought to be appealed shall be affirmed.

D. Resubmission

A rejected application later resubmitted in conformity with this Article shall be deemed to have been submitted on the date of resubmission, instead of the original submission date. An application which is resubmitted shall meet all the standards for an original application.

Section 10: Permit Revocation.

Should it be determined that a sign permit was issued pursuant to an application containing a false material statement or omission, the Director shall revoke said permit and the subject sign shall be immediately removed. A revocation pursuant to this Section shall be appealable pursuant to the procedures for Zoning Appeals outlined in the City's Zoning Ordinance. However, notwithstanding the foregoing, a final decision will be rendered within sixty (60) days from date an appeal is filed. If a final decision is not rendered within the sixty (60) day period, the decision sought to be appealed shall be affirmed. The permit for any sign not meeting the standards of this Article will be revoked.

Section 11: Variance.

A. Limitations

The Board of Zoning Appeals shall be allowed to grant variances to this Article

B. Timing

The Board of Zoning Appeals shall hear and decide upon a variance within eighty (80) days of the submission of a complete and accurate application.

C. Procedure

Except as modified by this Article, the procedures for requesting a variance from the standards of this Article shall be the same procedures as that for seeking a variance from the City's ordinances regulating zoning.

D. Standards

The standards which shall be considered for granting a variance from the standards of this Article shall be only the following:

1. Relief, if granted, would be in harmony with, or, could be made to b in harmony with, the general purpose and intent of the Zoning Resolution; or,
2. The application of the particular provision of the Zoning Resolution to a particular piece of property, due to extraordinary and exceptional conditions pertaining to that property because of its size, shape, or topography, would create an unnecessary hardship for the owner while causing no detriment to the public; or,
3. Conditions resulting from existing foliage or structures bring about a hardship whereby a sign meeting minimum letter size, square footage and height requirements can not be read from adjoining public road.

Section 12: Suspension, Revocation.

A. Violation

Violation of any provision of this Article shall be grounds for terminating the permit granted by the City to the Permittee or the person or entity erecting the sign. No permit shall be suspended, revoked or canceled except for due cause, as hereinafter defined, and until after the Permittee is granted a public hearing before the City council.

B. Hearing

The Permittee shall be given ten (10) days written notice of the time, place, and purpose of the hearing, with a statement of the reason for the suspension, revocation, or canceling of such permit and/or license. "Due cause" is the violation of the standards of this Article. The termination of the permit does not in any way preclude the person or persons alleged to have violated the standards of this Article from

being tried under Section 19(E) of this Article or preclude the City from taking any other action authorized by this Code and/or any action authorized by law.

Section 13: Expiration Date.

A sign permit shall become null and void if the sign for which the permit was issued has not been installed and completed within six (6) months after the date of issuance; provided, however, that where an applicant can demonstrate that a commercial entity was timely engaged to construct the permitted sign, but the fabrication has not yet been completed, one (1) ninety (90) day extension may be granted by the Director. No refunds shall be made for a permit after the permit is issued. If later an individual desires to erect a sign at the same location, a new application for the sign must be processed and another fee paid in accordance with the fee schedule applicable at such time.

Section 14: Business License Tax Certificate, Public Liability Insurance Required.

It shall be unlawful for any person to engage in the business of erecting or maintaining signs within the City, unless and until such entity shall have obtained a City occupation tax certificate and a certificate of insurance from an insurance company authorized to do business in the state evidencing that the entity has in effect public liability and property damage insurance in the sum of twenty-five thousand dollars (\$25,000.00) for property damage for any one (1) claim, and public liability insurance in an amount not less than one hundred thousand dollars (\$100,000.00) for injuries, including accidental death to one (1) person. The certificate of insurance shall state that the insurance carrier shall notify the City thirty (30) days in advance of any termination and/or restriction of the coverage, including nonrenewal, cancellation, and nonpayment of any premium.

Section 15: Identification Labels; Inspection; Notice.

A. Identification Labels

With each sign permit, the Director shall issue a sticker bearing the same number as the permit with which it is issued. It shall be the duty of the Permittee or his agent to affix such sticker to the sign in the lower right hand area so it is easily seen. The absence of a proper sticker shall be prima facie evidence that the sign has been, or is being, erected or operated in violation of the standards of this Article.

B. Inspection

The Director shall inspect all existing signs in the City to determine if such signs conform to the standards of this Article. Identification stickers shall be provided for all signs in order to identify existing conforming and nonconforming signs.

Section 16: Signs Which Require No Permit.

The following shall not count toward the total amount of signage allowed and no permit is required so long as all standards in this Article are met, including those set forth below:

1. Numerals displayed for the purpose of identifying property location not to exceed eight (8) inches in height;
2. Flags;
3. Window signs where allowed;
4. Door signs not to exceed one (1) square foot in size and not more than one (1) sign per door; and
5. Temporary Standard informational signs in all districts.

Section 17: Prohibited Signs and Devices.

The following types of signs are prohibited in the City:

A. *Signs*

Any sign not specifically identified in this Article as a permitted sign.

B. *Balloons and Streamers*

Fringe, twirling, A-Frame, sandwich-type, sidewalk or curb-type signs, portable display signs, balloons, streamers or air or gas filled figures and other similar temporary signs, except where permitted in Section 25.

C. *Beacons; Search Lights; Laser*

Promotional beacons, search lights or laser lights or images.

D. *Audible Signs*

Audible signs.

E. *Signs in Right of Way*

Signs in a public right of way, other than those belonging to a government, public service agency, or railroad.

F. *Signs on Tree, Utility Pole or Water Towers*

Signs mounted on a utility pole, water tower or other similar structure, architectural features, traffic signal or traffic control box and cell towers.

G. Roof Signs

Roof signs and signs which extend vertically above any portion of a roof or parapet of the applicable wall.

H. Portable Signs

Portable signs, including signs attached to any parked vehicle or trailer, so as to be visible from a public right-of way, except that signs posted in the window of a vehicle, totaling 1 square foot shall be permitted but not when parked within a non-residential district or AG-1 (Agricultural) developed with a non-residential use with the intent to sell that vehicle

I. Obscene Signs

Signs which depict obscene material.

J. Illegal Activity Signs

Signs which advertise an activity which is illegal under federal, state or local laws.

K. Signs Not Maintained

Signs not in good repair, in violation of codes, or containing or exhibiting broken panels, visible rust, visible rot, damaged support structures, or missing letters.

L. Abandoned Signs

Abandoned signs.

M. Animated; Flashing Signs

Animated signs, flashing signs, rotating signs, and changeable copy signs.

N. Imitation Traffic Signs

Signs which contain or are an imitation of an official traffic sign or signal or contain the words "stop," "go," "slow," "caution," "warning," or similar words in such a manner as to resemble official traffic control signs.

O. Graffiti

Graffiti.

P. Sign Kiosks

Sign Kiosks.

Q. Signs Attached/Painted to Natural Objects

Signs attached to trees; signs painted on or otherwise attached to rocks or any natural objects.

Section 18: Violations; Penalties.

A. *Noncompliance*

No person shall erect on any premises owned or controlled by that person any sign which does not comply with the standards of this Article.

B. *Dangerous or Defective*

No person shall maintain or permit to be maintained on any premises owned or controlled by that person any sign which is in a dangerous or defective condition. Any such sign shall be removed or repaired by the Permittee of the sign, the owner of the premises, or as otherwise provided for in this Article.

C. *Separate Violation*

Each sign installed, created, erected or maintained in violation of this Article shall be considered a separate violation when applying the penalty portions herein.

D. *Public Nuisance*

Any violation of this Article is hereby declared to be a public nuisance.

E. *Notice*

The Director shall give the Permittee from 1 (one) to 14 (fourteen) calendar days written notice, based on the urgency of the particular situation and the practical considerations of completing measures to comport with the standards of this Article, to correct the deficiencies or to remove the sign(s) which is in violation of this Article. If the Permittee refuses to correct the deficiencies or remove the sign, the Director will have the sign removed at the expense of the Permittee.

F. *Citations*

If any sign or other device covered by this Article is, or is proposed to be, erected, constructed, altered, converted or used in violation of any provision of this Article, the Director shall issue a citation. Additionally, the City may seek an injunction for a continuing violation or take other appropriate action to prevent such unlawful erection, construction, alteration, conversion or use to correct or

abate such violation. Any violation of this Article shall be an offense, and the violator shall be subject to a fine of up to one thousand dollars (\$1,000.00) per day, imprisonment for up to sixty (60) days, or by both such fine and imprisonment.

Section 19: Nonconforming Signs.

A. *Maintained*

A nonconforming sign shall not be replaced by another nonconforming sign, except that the substitution or interchange of poster panels, painted boards, or dismountable material on nonconforming signs shall be permitted. All nonconforming signs shall be maintained in good repair.

B. *Repairs; Material Change*

Minor repairs and maintenance of nonconforming signs shall be permitted; however, no structural repairs or changes in the size or shape of a nonconforming sign shall be permitted except to make the sign comply with the standards of this Article. To the extent that any sign allowable hereunder is damaged or destroyed by act of God or by other circumstances beyond control of owner of sign then such sign may be repaired without regard to the restrictions of this paragraph.

C. *Grandfathering*

Legal Nonconforming signs may stay in place until one of the following conditions occurs:

1. The advertised business ceases at that location;
2. The deterioration of the sign or damage to the sign makes it a hazard or renders it dilapidated, unsightly, or unkempt; or
3. The sign has been damaged to such extent that more than minor repairs or a material change is required to restore the sign. No structural repairs or change in shape or size shall be permitted except to make the sign comply with all standards of this Article. To the extent that any sign allowable hereunder is damaged or destroyed by act of God or by other circumstances beyond control of owner of sign then such sign may be repaired without regard to the restrictions of this paragraph.

Section 20: Removal of Unlawful or Dangerous Signs.

A. *Removal.*

The City may order the removal of any sign in violation of this Article by written notice to the permit holder; or if there is no permit holder, then to the owner of the

sign; or if the sign owner cannot be found or cannot be determined, then to the sign erector and any party that procured the erection of the sign. If a permit has been issued, such notice shall operate to revoke the permit.

B. Procedure Following Removal Order.

If the sign is not removed within the time allowable pursuant to a removal order the City may remove or cause to be removed the sign and collect the costs therefor.

Section 21: Sign Location.

A. Obstructions to Doors, Windows or Fire Escapes.

No sign shall be erected, relocated, or maintained so as to prevent free ingress or egress from any door, window, or fire escape.

B. Signs Not to Constitute Traffic Hazard.

No sign or any part thereof, except authorized traffic signs, shall be located in any government right-of-way. No sign may be located any closer than twenty (20) feet to an intersection as measured from the intersection of the two (2) rights-of-way.

C. Setback.

Unless a more restrictive setback is specified in conditions of zoning or otherwise in this Article, all signs shall set back the greater of 10 feet from the right-of-way or 20 feet from the edge of pavement if a private street and no sign shall project over the right-of-way.

Section 22: Measurement of Sign Area.

A. Size Generally

The area of a sign shall be computed as the area within the smallest continuous polygon comprised of not more than eight (8) straight lines enclosing the limits of a sign face, together with any sign face cabinet or frame or material, texture, or color forming an integral part of the sign face used to differentiate the sign face from the structure upon which it is placed. If polygons established around wall signs located on the same street oriented wall are within twenty-four (24) inches or less of one another, then the area of the sign shall be measured within one continuous polygon.

B. Structure

The computation of the area of a sign face shall not include the structure, supports, or uprights on which the sign face is placed or any portions of a sign structure that are not

intended to contain any message or idea and are purely structural or decorative in nature, other than those parts contained within the polygon that delineates the sign face.

C.. Multi-Faced Signs

For multi-faced signs, when the sign face surfaces are back to back, or where the interior angle formed by the faces is forty-five (45) degrees or less, the area of the sign shall be taken as the areas on the largest side. For all other multi-faced signs, the area of the sign shall be the total area on all sides that can be viewed at one time from any angle.

D.. Three dimensional signs shall not exceed two (2) inches from surface.

Section 23: Measurement of Sign Height.

The height of a sign shall be computed as the distance from the base of the sign structure at normal grade to the top of the highest attached component of the sign. Normal grade shall be construed to be the lower of: (1) existing grade prior to construction or (2) the newly established grade after construction, exclusive of any filling, berming, mounding, or excavating solely for the purpose of locating the sign.

Section 24: Construction Standards.

A. Building Codes

All permanent signs permitted under this code shall be constructed and maintained in accordance with the applicable City building codes. For any sign that is greater than 8 feet in height (as measured from grade) and greater than 32 square feet in area, the permittee must submit, with its application, detailed structural design drawings of the sign and its foundations. Such drawings must include the foundation, supporting structure and sign face and must be certified by a licensed professional structural engineer. The certifying engineer must also be able to provide an insurance certificate indicating it carries a minimum of 1 million dollars of professional liability insurance. The city may remove, after reasonable notice, any sign which shows structural faults, neglect, or becomes dilapidated.

B. Faces

The face of sign shall be flat, with protrusions of no more than two (2) inches to allow for the texture of the sign and words, letters, figures, symbols, logos, fixtures, colors, or other design elements. No sign or other advertising structure shall be constructed so as to have nails, tacks, or wires protruding therefrom. Sign faces shall be made out of wood or other material which has the appearance of carved, distressed, or sandblasted wood.

C. Illumination

Signs may be externally illuminated where permitted pursuant to this Article. Colored lighting is prohibited. Where external illumination is permitted for freestanding signs, the source of illumination shall be screened from the view of the general public with shrubs.

D. Construction of Bases

Except in the overlay districts, freestanding signs shall have a base not less than one-third (1/3) the width of the sign face. Base must also be wood or brick or stone or have the appearance of wood, brick or stone or other materials which are compatible with the main structure as approved by Community Development Director.

E. Landscaping

Landscaping and grass shall be maintained in front of, behind, underneath, and around the base of freestanding signs.

Section 25: Restrictions Based on Location.

If not otherwise stated, any sign not specifically allowed in a zoning district as provided under this Section shall be prohibited in that district, except as otherwise provided for under this Article. The following standards govern signs within specific zoning districts.

A. Permitted in all Zoning Districts

1. Signs during Construction. One (1) sign shall be allowed during construction. A permit shall be required. The sign may be externally illuminated, shall not exceed twelve (12) square feet in area and five (5) feet in height, and shall be allowed beginning with the commencement of construction and ending with the issuance of the last Certificate of Occupancy or two years, whichever one shall first occur. Thereafter, the permittee may reapply for a renewal permit subject to same termination conditions as set forth in this paragraph..
2. Temporary Standard Informational Sign. Each lot and or development may display one (1) standard informational sign not exceeding (four) 4 square feet without a permit except that during a political election or referendum, between the date of qualification of the candidate or the referendum question and final determination on each ballot issue or candidate, each lot may display an unlimited number of standard informational signs.
3. Banners shall be allowed for a period not exceeding ten (10) consecutive days with no more than four (4) such ten (10) consecutive day periods being permitted per calendar year per lot. Banners shall not be more than twenty-four (24) square feet. A permit shall be required. No banner shall be mounted so as to extend above the

horizontal plane of the roof where the building wall and roof meet or shall not extend more than five (5) feet above grade when on the ground.

B. Agricultural District

1. Freestanding Signs.

- a. One (1) maximum thirty-two (32) square foot, freestanding sign per business or institutional lot shall be permitted for each street on which the lot has frontage
- b. One (1) maximum thirty-two (32) square foot, freestanding sign or two (2) single-faced freestanding signs not to exceed sixteen (16) square feet each for each side of a platted single family subdivision entrance. Freestanding signs shall have a maximum height of six (6) feet from finished grade, and may be externally illuminated, and the light shall be screened from view with evergreen plantings as approved by the Community Development Director. Signs shall not have changeable copy
- c. Flag. Each development may display no more than one (1) flag and/or flagpole and, in addition, each single family detached residential lot within each development may display not more than one (1) flag and/or flagpole.. The flagpole shall not exceed twenty-five (25) feet in height. Flag size shall not be more than twenty-four (24) square feet.
- d. Each residence may display up to 12 (twelve) square feet of signage with no single sign greater than 4 (four) square feet.

C. Single Family Residential, CUP and NUP Districts

1. Freestanding Signs

- a. One (1) maximum thirty-two (32) square foot, freestanding sign per business or institutional lot shall be permitted for each street on which the lot has frontage.
- b. One (1) maximum thirty-two (32) square foot, freestanding sign or two (2) single-faced freestanding signs not to exceed sixteen (16) square feet each for each side of a platted single family subdivision entrance. Freestanding signs shall have a maximum height of six (6) feet from finished grade, and may be externally illuminated, the light shall be screened from view with evergreen plantings as approved by the Community Development Director and shall not have changeable copy.

- c. Flag. Each lot may display no more than one (1) flag and /or flagpole. The flagpole shall not exceed twenty (20) feet in height. Flag size shall not be more than twenty-four (24) square feet.
- d. Each residence may display up to twelve (12) square feet of signage with no single sign greater than four (4) square feet.

D. Apartment and Townhouse Residential Districts

1. Freestanding Signs

- a. There shall be one freestanding sign per right-of-way frontage and it shall be located at the project entrance.
- b. Maximum height shall be six feet from finished grade.
- c. The maximum size shall be 32 square feet.
- d. Signs shall not have changeable copy.
- e. Sign may be externally lighted. The light shall be screened from view with evergreen plantings as approved by the Community Development Director.
- f. The freestanding sign structure shall be constructed of the same material as the predominant material of the principal building.
- g. Sign faces shall be made out of wood or other material which has the appearance of carved, distressed, or sandblasted wood as approved by the Community Development Director.
- h. Flags. Each development may display no more than one (1) flag and/or flagpole. The flagpole shall not exceed twenty-five (25) feet in height. Flag size shall not be more than twenty-four (24) square feet.
- i. Each residence may display up to twelve (12) square feet of signage with no single sign greater than four (4) square feet.

2. Wall Signs

- a. Businesses may have no more than two wall signs. Corner buildings may have an additional wall sign.
- b. One sign shall be flush against the wall. The maximum size shall be 12 square feet.

- c. A second sign, if used, shall be perpendicular or oblique to the wall. The maximum size shall be 2 square feet.
 - d. Signs shall be one unit as opposed to individually mounted letters.
 - e. Wall signs shall not have changeable copy.
 - f. If illuminated, signs may be externally lighted and directed downward .
 - g. Wall sign shall not cover architectural features or details and not extend beyond the roof line or outer edges of the building.
 - h. Sign faces shall be made out of wood or other material which has the appearance of carved, distressed, or sandblasted wood as approved by the Community Development Director.
3. Window Signs. Not more than three (3) window signs per development shall be allowed and shall not be larger than four (4) square feet or cover more than five percent (5%) of the area of each window in which a sign is placed, whichever is less. Such signs shall not be illuminated.

E. *O-I District*

- 1. Billboards. Within Office-Institutional (O-I) districts, freestanding signs shall not exceed one hundred twenty (120) square feet and shall be located according to the following standards:
 - a. Along, and oriented toward, State numbered primary routes or national highways only;
 - b. At least five hundred (500) feet from all residential or AG-1 zoning districts;
 - c. Minimum fifty (50) foot setback from right-of-way;
 - d. Minimum of one thousand five hundred (1500) feet from any other Billboards or freestanding sign, except standard informational signs;
 - e. The lot on which the billboard is located shall have sufficient area to accommodate the Fall Zone, and except for the sign, no parking areas, pedestrian areas, roadways, buildings, structures, or appurtenances shall be contained in the Fall Zone;
 - f. Maximum of twelve (12) feet in height; and
 - g. In compliance with applicable height standards for the district in which located.

2. Freestanding Signs.
 - a. There shall be one freestanding sign per right-of-way frontage and it shall be located at the project entrance.
 - b. Maximum height shall be six feet from finished grade.
 - c. The maximum size shall be 32 square feet.
 - d. Signs shall not have changeable copy.
 - e. Sign may be externally lighted. The light shall be screened from view with evergreen plantings as approved by the Community Development Director.
 - f. The freestanding sign structure shall be constructed of the same material as the predominant material of the principal building.
 - g. Sign faces shall be made out of wood or other material which has the appearance of carved, distressed, or sandblasted wood as approved by the Community Development Director.
 - h. Flag. Each development may display no more than one (1) flag and/or flagpole. The flagpole shall not exceed twenty-five (25) feet in height. Flag size shall not be more than twenty-four (24) square feet.
3. Wall Signs
 - a. Businesses may have no more than two wall signs. Corner buildings may have an additional wall sign.
 - b. One sign shall be flush against the wall. The maximum size shall be 12 square feet.
 - c. A second sign, if used, shall be perpendicular or oblique to the wall. The maximum size shall be 2 square feet.
 - d. Signs shall be one unit as opposed to individually mounted letters.
 - e. Wall signs shall not have changeable copy.
 - f. If illuminated, signs may be externally lighted and directed downward.
 - g. Wall sign shall not cover architectural features or details and not extend beyond the roof line or outer edges of the building.

- h. Sign faces shall be made out of wood or other material which has the appearance of carved, distressed, or sandblasted wood as approved by the Community Development Director.

F. Mixed Use District

1. Freestanding Signs.

- a. There shall be one freestanding sign per right-of-way frontage and it shall be located at the project entrance.
- b. Maximum height shall be six feet.
- c. The maximum size shall be 32 square feet.
- d. Signs shall not have changeable copy.
- e. Sign may be externally lighted. The light shall be screened from view with evergreen plantings as approved by the Community Development Director.
- f. The freestanding sign structure shall be constructed of the same material as the predominant material of the principal building.
- g. Sign faces shall be made out of wood or other material which has the appearance of carved, distressed, or sandblasted wood as approved by the Community Development Director.
- h. Flag. Each development may display no more than one (1) flag and/or flagpole and, in addition, each single family detached residential lot within each development may display not more than one (1) flag and/or flagpole. The flagpole shall not exceed twenty-five (25) feet in height. Flag size shall not be more than twenty-four (24) square feet.
- i. Each residence may display up to twelve (12) square feet of signage with no single sign greater than four (4) square feet.

2. Wall Signs.

- a. Businesses may have no more than two wall signs. Corner buildings may have an additional wall sign.
- b. One sign shall be flush against the wall. The maximum size shall be 12 square feet.

- c. A second sign, if used, shall be perpendicular or oblique to the wall. The maximum size shall be 2 square feet.
- d. Signs shall be one unit as opposed to individually mounted letters.
- e. Wall signs shall not have changeable copy
- f. If illuminated, signs may be externally lighted and directed downward.
- g. Wall signs shall not cover architectural features or details and not extend beyond the roof line or outer edges of the building.
- h. Sign faces shall be made out of wood or other material which has the appearance of carved, distressed, or sandblasted wood as approved by the Community Development Director.

G. Commercial and Industrial Park Districts (M-1A)

1. Billboards. Within Commercial (C-1) and Industrial Park (M-1A) districts, freestanding signs shall not exceed one hundred twenty (120) square feet and shall be located according to the following standards:
 - a. Along, and oriented toward, State numbered primary routes or national highways only;
 - b. At least five hundred (500) feet from all residential or AG-1 zoning districts;
 - c. Minimum fifty (50) foot setback from right-of-way;
 - d. Minimum of one thousand five hundred (1500) feet from any other Billboards or freestanding sign, except standard informational signs;
 - e. The lot on which the billboard is located shall have sufficient area to accommodate the Fall Zone, and except for the sign, no parking areas, pedestrian areas, roadways, buildings, roadways, structures, or appurtenances shall be contained in the Fall Zone;
 - f. Maximum of twelve (12) feet in height; and
 - g. In compliance with applicable height standards for the district in which located.
- 2.. Freestanding Signs.

- a. There shall be one freestanding sign per right-of-way frontage and it shall be located at the project entrance.
 - b. Maximum height shall be six feet from finished grade.
 - c. The maximum size shall be 32 square feet.
 - d. Signs shall not have changeable copy.
 - e. Sign may be externally lighted. The light shall be screened from view with evergreen plantings as approved by the Community Development Director.
 - f. The freestanding sign structure shall be constructed of the same material as the predominant material of the principal building.
 - g. Sign faces shall be made out of wood or other material which has the appearance of carved, distressed, or sandblasted wood as approved by the Community Development Director.
 - h. Flag. Each development may display no more than one (1) flag and/or flagpole. The flagpole shall not exceed twenty-five (25) feet in height. Flag size shall not be more than twenty-four (24) square feet.
3. Wall Signs.
- a. Businesses may have no more than two wall signs. Corner buildings may have an additional wall sign.
 - b. One sign shall be flush against the wall. The maximum size shall be 12 square feet or three (3) percent of the wall area.
 - c. A second sign, if used, shall be perpendicular or oblique to the wall. The maximum size shall be 2 square feet.
 - d. Signs shall be one unit as opposed to individually mounted letters.
 - e. Wall signs shall not have changeable copy
 - f. If illuminated, signs may be externally lighted and directed downward.
 - g. Wall signs shall not cover architectural features or details and not extend beyond the roof line or outer edges of the building.

- h. Sign faces shall be made out of wood or other material which has the appearance of carved, distressed, or sandblasted wood as approved by the Community Development Director.

H. Industrial Districts

- 1. Billboards. Within industrial districts (M-1 and M-2), freestanding signs shall not exceed one hundred-twenty (120) square feet and shall be located according to the following standards:
 - a. Along, and oriented toward, State numbered primary routes or national highways only;
 - b. At least five hundred (500) feet from all residential or AG-1 zoning districts;
 - c. Minimum fifty (50) foot setback from right-of-way;
 - d. Minimum of one thousand five hundred (1500) feet from any other Billboards or freestanding sign, except standard informational signs;
 - e. The lot on which the billboard is located shall have sufficient area to accommodate the Fall Zone, and except the sign, no parking areas, pedestrian areas, roadways, buildings, structures, or appurtenances shall be contained in the Fall Zone;
 - f. Maximum of twelve (12) feet in height; and
 - g. In compliance with applicable height standards for the district in which located.
- 2. Freestanding Signs.
 - a. There shall be one freestanding sign per right-of-way frontage and it shall be located at the project entrance.
 - b. Maximum height shall be six feet from finished grade.
 - c. The maximum size shall be 32 square feet.
 - d. Signs shall not have changeable copy.
 - e. Sign may be externally lighted. The light shall be screened from view with evergreen planting as approved by the Community Development Director.

- f. The freestanding sign structure shall be constructed of the same material as the predominant material of the principal building.
 - g. Sign faces shall be made out of wood or other material which has the appearance of carved, distressed, or sandblasted wood as approved by the Community Development Director.
3. Wall Signs.
- a. Businesses may have no more than two wall signs. Corner buildings may have an additional wall sign.
 - b. One sign shall be flush against the wall. The maximum size shall be 12 square feet.
 - c. A second sign, if used, shall be perpendicular or oblique to the wall. The maximum size shall be 2 square feet.
 - d. Signs shall be one unit as opposed to individually mounted letters.
 - e. Wall signs shall not have changeable copy
 - f. If illuminated, signs may be externally lighted and directed downward.
 - g. Wall signs shall not cover architectural features or details and not extend beyond the roof line or outer edges of the building.
 - h. Sign faces shall be made out of wood or other material which has the appearance of carved, distressed, or sandblasted wood as approved by the Community Development Director.

I. Mobile Home Park District

- 1. Freestanding Signs
 - a. There shall be one freestanding sign per right-of-way frontage and it shall be located at the project entrance.
 - b. Maximum height shall be six feet from finished grade.
 - c. The maximum size shall be 32 square feet.
 - d. Signs shall not have changeable copy.
 - e. Sign may be externally lighted. The light shall be

screened from view with evergreen plantings as approved by the Community Development Director.

- f. The freestanding sign structure shall be constructed of the same material as the predominant material of the principal building.
- g. Sign faces shall be made out of wood or other material which has the appearance of carved, distressed, or sandblasted wood as approved by the Community Development Director.
- h. Each residence may display up to twelve (12) square feet of signage with no single sign greater than four (4) square feet.

2. Wall Signs.

- a. Businesses may have no more than two wall signs. Corner buildings may have an additional wall sign.
- b. One sign shall be flush against the wall. The maximum size shall be 12 square feet.
- c. A second sign, if used, shall be perpendicular or oblique to the wall. The maximum size shall be 2 square feet.
- d. Signs shall be one unit as opposed to individually mounted letters.
- e. Wall signs shall not have changeable copy
- f. If illuminated, signs may be externally lighted and directed downward.
- g. Wall signs shall not cover architectural features or details and not extend beyond the roof line or outer edges of the building.
- h. Sign faces shall be made out of wood or other material which has the appearance of carved, distressed, or sandblasted wood as approved by the Community Development Director.

Section 26: Overlay Districts

The following standards and requirement shall take precedence over city-wide standards and requirements within the boundaries of the given overlay district.

26.1 STATE ROUTE 9 OVERLAY DISTRICT SIGNS.

- A. All free-standing signs shall be monuments with the width of the base equal to the width of the sign face. The structure/base should match the principal building materials.
- B. Multi-tenant developments are allowed one primary monument for the overall development which shall not exceed a maximum surface area of 48 square feet and a maximum height of 12 feet.
- C. Multi-tenant developments on corner lots are allowed an additional monument sign on the secondary street at the project entrance which shall not exceed a maximum surface area of 24 square feet and a maximum height of four (4) feet.
- D. Single tenant sites and outparcels are limited to one monument which shall not exceed a maximum surface area of 32 square feet and a maximum height of 6 feet.
- E. Gas Stations, convenience stores, discount warehouse and similar facilities that sell gasoline may have an additional 24 square feet of surface area and not to exceed 6 feet in height.
- F. Two or more businesses that share a single tenant space are limited to one monument signs which shall not exceed a maximum surface area of 32 square feet and a maximum height of 6 feet.
- G. Monuments signs shall be set back a minimum 10 feet from the public right-of-way and shall be a minimum of 35 feet from any other identification monument.
- H.. Each place of business is allowed a maximum of two wall signs.
- I.. Wall signs shall face public streets and/or pedestrian-parking areas.
- J. Wall signs shall not exceed 100 square feet or 5% of the applicable wall area, whichever is less. The length of the sign shall not exceed 10 times the height of the sign.
- K.. Permanent and/or temporary signs in windows shall not exceed 5% of the aggregate window area and shall not block visibility from outside the store. The allowable signage of 5% may be placed in one or more window panels. The area of the doors and spandrell glass panels are excluded from the calculation of the applicable sign area.
- L. . The following information may be permanently displayed in windows or glass doors and is exempt from the 5% limit: street address, required to be posted by local, state or federal governments. The lettering for this information shall be four inches tall or as

required by Fire Safety Code. Also exempt are store hours and security information.

- M.. Window signs with neon, fluorescent, LED lighting or tube lights are prohibited.
- N.. Wall signs shall be flush against the wall, not cover architectural features or details, and not extend beyond the roof line or outer edges of the building.
- O. Awnings and canopy signs with names are considered signs and may be substituted for monument or wall signs. If substituted, they shall be included in the maximum size calculations.
- P. The architectural color standards of the district apply only to the sign structure not to the sign face. See Table 26-1.P-1.

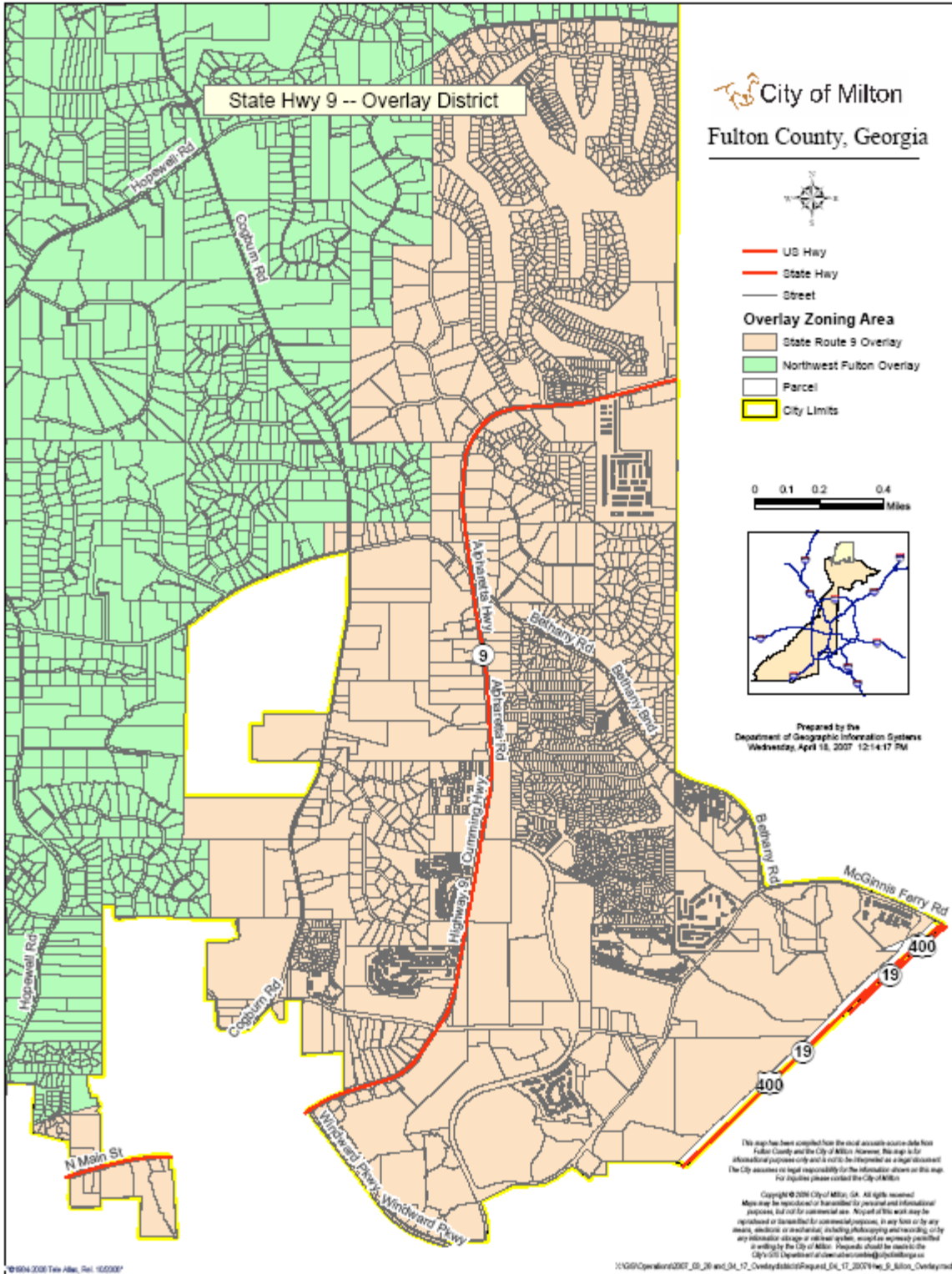
<u>Table 26-1. P-1</u> Permitted Colors for Sign Structure The following numbers refer to the Pantone Matching System, an international color matching system	
White	<u>Reds</u> 168 C, 181 C, 483 C, 484 C, 675C, 1685C, 4975 C
Browns, Beiges and Tans 462 C to 468 C; 4625 C to 4685 C, 469 C, 474C, 475 C; 4695 C to 4755 C 478 C, 719 C to 724 C 725 C to 731 C 476U to 482U 719U to 725U 726U to 732U	<u>Red-Browns</u> 154 U, 1395 U 1405 U

- Q. Prohibited Sign Types:
 1. Rotating, projecting, pylon, pole, portable, changeable copy signs, flashing, animated, sandwich, blinking, fluctuating, and electronic/manual reader boards, changeable copy signs and neon are prohibited.
 2. Vehicles with lettering or graphics greater than two inches in height identifying or promoting a business or commercial activity shall not be parked or stored within 100 feet of the curb of any public right-of-way.

This standard does not apply to vehicles used regularly for delivery, pick-ups, service calls, or transporting customers, except that such vehicles shall not be parked within 50 feet of the curb of any public right-of-way after hours if the

vehicles are visible from the public right-of-way.

3. Posters, placards, flashing, animated, blinking, fluctuating, electronic/manual reader boards, and changeable copy signs are prohibited.
- R. Wall signs may be internally illuminated.
- S. Monument signs shall be externally illuminated.



STATE ROUTE 9 OVERLAY DISTRICT MAP

26.2 CRABAPPLE CROSSING OVERLAY DISTRICT SIGNS

A. Freestanding signs

1. All signs must meet the following standards:
 - a. Signs shall not have changeable copy including but not limited to scrolling, rotating, flashing, nor computerized changeable copy. Theatres, schools, churches, parks and gas stations may have changeable copy that is changed manually.
 - b. If illumination is used, the sign shall be externally illuminated. The light shall be screened from view with evergreen plantings as approved by the Community Development Director.
 - c. The sign structure shall be constructed of wood, brick or stone or a material which has the appearance of wood, brick, or stone as approved by the Community Development Director and to the extent possible shall be the same material as the predominant material of the principal building
 - d. The sign face and/or sign letters shall be made out of wood, a material which has the appearance of carved, distressed, or sandblasted wood or stone as approved by the Community Development Director. Plastic inserts are prohibited.
 - e. The sign shall be supported either on one side or on both sides (aka Shingle sign)

2. Non-Residential Multi-Tenant Building and/or Development



- a. The maximum height shall be 8 feet from finished grade.
- b. The maximum size of the sign area shall be 32 square feet.
- c. There shall be one sign per right-of-way frontage and it shall be located at the project entrance.

3. Non-Residential Single Tenant Building



- a. Maximum height shall be 6 feet from finished grade.
- b. The maximum size of the sign area shall be 20 square feet.
- c. There shall be one sign per right-of-way frontage and it shall be located at the project entrance.

4. Residential Uses

- a. Maximum height shall be six feet from finished grade.
- b. Each residential development may have a maximum of two (2) twelve (12) square foot signs not to exceed 24 square feet or one (1) sixteen (16) square foot sign per entrance.

B. Wall Signs

- 1. Wall signs shall not have changeable copy.
- 2. If illuminated, wall signs shall be externally illuminated and directed downward.
- 3. Wall sign shall not cover architectural features or details and not extend beyond the roof line. Wall signs can hang from the building.
- 4. Wall sign faces shall be made out of wood or other material which has the appearance of carved, distressed, or sandblasted wood as approved by the Community Development Director.
- 5. A businesses may have one wall sign. The sign can be flush against the wall or it can hang from the building. The size shall be 3% of the applicable wall area. Corner buildings may have an additional wall sign.
- 6. A business may have an additional sign perpendicular to the wall with a maximum sign area size of 2 square feet.



C. Sign Structure Colors

1. Refer to Table 26.2. C-1. for Sign Structure Colors for the Crabapple Crossroads.

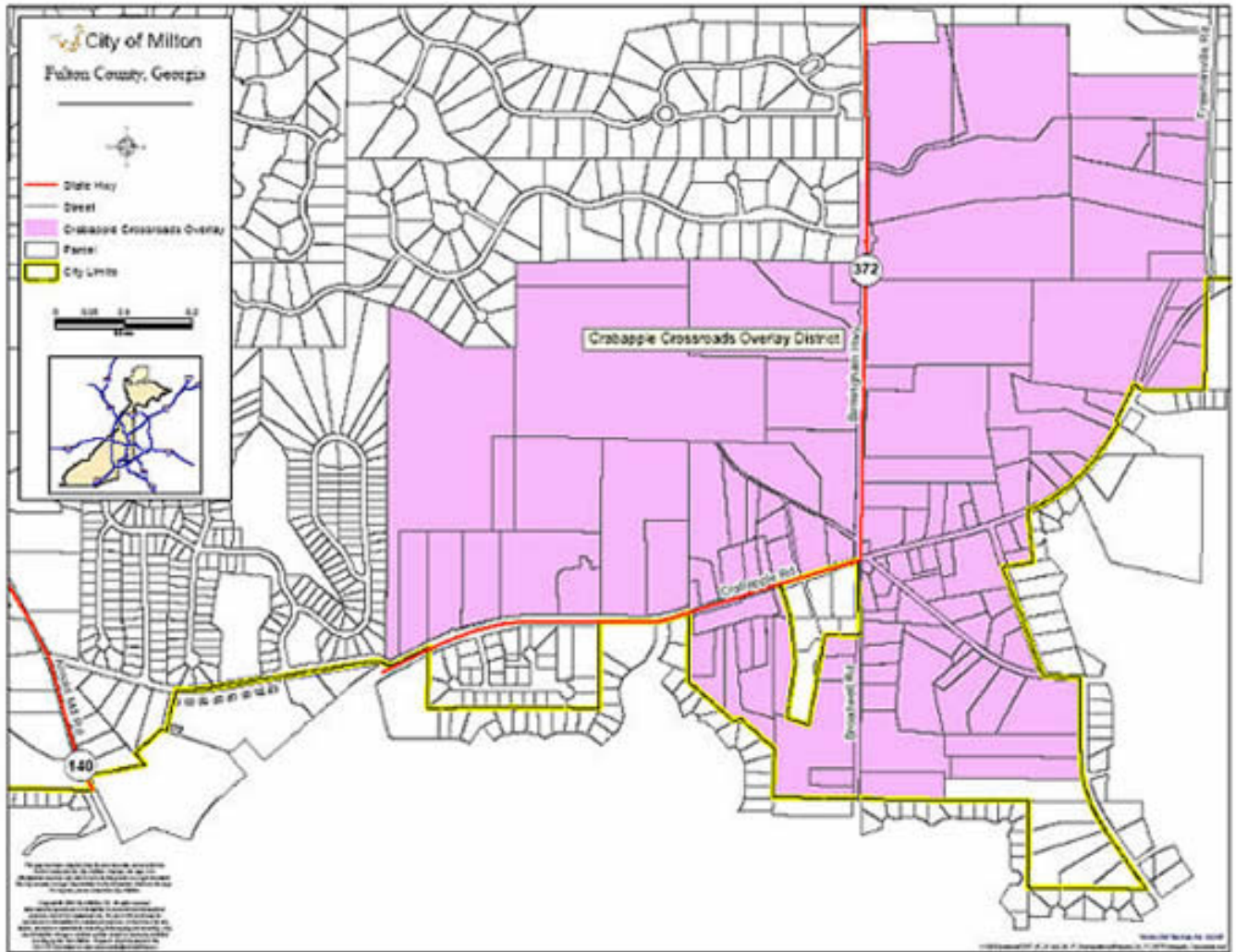
Table 26.2.C-1 Permitted Colors for Sign Structure The following numbers refer to the Pantone Matching System, an international color matching system	
1807C	4975
2C-7C	553
289C	5363
316C	539
401-405C	548
407-412C	5467
423C	5743U
424-425C	5747U
448-450C	5757U
4485U	5773U
4495C	5815U
451C	5835
4505C	625U
4515-4525C	627U
455C	Warm Grey 5-7C
462U	Warm Grey 8-11
464U	
476U	
478U	
484C	
491C	

D. Prohibited Sign Types:

1. Lollypop signs, monument signs, temporary window signs, signs placed in the interior of a window with the intent of being viewed by those outside of the building. Rotating, projecting, pylon, poles, portable, flashing, animated, sandwich, blinking, functionality, and electronic needs, boards, chargeable copy signs and neon are prohibited.

E. Window Signs

Any sign within 5 feet of a window is considered a window sign, for the purposes of application of this section of the Ordinance.



CRABAPPLE CROSSROADS OVERLAY DISTRICT MAP

26.3 BIRMINGHAM CROSSING OVERLAY DISTRICT SIGNS.

A. Free standing signs

1. All signs must meet the following standards:

Signs shall not have changeable copy including scrolling, rotating, flashing, or computerized changeable copy.

- a. If illumination is used, the sign shall be externally illuminated. The light shall be directed downwards.
- b. The sign structure shall be constructed of wood, brick or stone and to the extent possible shall be the same material as the predominant material of the principal building.
- c. The sign face shall be made out of wood, a material which has the appearance of carved, distressed, or sandblasted wood or stone as approved by the Community Development Director. Plastic inserts are prohibited.
- d. The sign shall be supported either on one side or on both sides (aka Shingle sign)

2. Non-Residential Multi-Tenant Building and/or Development (Amended 11/03/04)



- a. The maximum height shall be 8 feet from finished grade.
- b. The maximum size of the sign area shall be 32 square feet.
- c. There shall be one sign per right-of-way frontage.

3. Non-Residential single Tenant Building
 - a. Maximum height shall be 6 feet from finished grade.
 - b. The maximum size of the sign area shall be 20 square feet.
 - c. There shall be one sign per right-of-way frontage.
4. Residential Uses
 - a. Maximum height shall be six feet from finished grade.
 - b. The maximum size shall be 16 square feet.
 - c. Each residential development may have a maximum of one sign per entrance.

B. Wall Signs

1. Wall signs shall not have changeable copy.
2. Wall signs shall be externally illuminated and directed downward.
3. Wall sign shall not cover architectural features or details and not extend beyond the roof line.
4. Wall sign faces shall be made out of wood or other material which has the appearance of carved, distressed, or sandblasted wood as approved by the Community Development Director.
5. A business may have one wall sign. The sign can be flush against the wall or it can hang from the building. The size shall be 3% of the applicable wall area. Corner buildings may have an additional wall sign.
6. A business may have an additional sign perpendicular to the wall with a maximum sign area size of 2 square feet.



7. A portion of the wall sign can be placed on an overhang or a canopy.
 8. Any sign within 5 feet of a window is considered a window sign, for the purposes of application within this section of this Ordinance.
- C. Refer to Table 26.3-C for sign structure color in the Birmingham Crossroads Overlay.

Table 26.3-C

Permitted Colors for Sign Structure

The following numbers refer to the Pantone Matching System, an international color matching system

1807C	4975
2C-7C	553
289C	5363
316C	539
401-405C	548
407-412C	5467
412C	5743U
415-419C	5747U
423C	5757U
424-425C	5773U
448-450C	5815U
4485U	5835U
4495C	625U
451C	627U
4505C	Warm Grey 5-7C
4515-4525C	Warm Grey 8-11
455C	
462U	
464U	
476U	
478U	
484C	
491C	

D. Prohibited Sign Types:

1. Lollypop signs, temporary window signs, signs placed within 5 feet of an exterior window with the intent of being viewed by those outside of the building, internal illumination of plastic faced signs, electronic or flashing reader signs, exposed neon, changeable copy, ground “monument” signs. Rotating, projecting, pylon, poles, portable flashing, animated, sandwich, blinking, functionality, and electronic needs, boards, chargeable copy signs and neon are prohibited.

Section 27: Severability.

Should any article, section, clause, or provision of this Article be declared by a court of competent jurisdiction to be invalid, such action shall not affect the validity of the ordinance as a whole or any part hereof other than the part so declared to be invalid, it being the intent of the City Council of the City that each article, section, clause, and provision hereof be severable.