SIGN REGULATIONS

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CHAPTER 5

SIGN REGULATIONS

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14-501. Intent and purpose. The town recognizes and supports the rights of businesses, services, organizations and residents to identify themselves or their products, activities and services. The intent of these regulations is to protect residential property values and to create and maintain an attractive and successful business community by avoiding the wasteful and unsightly competition of signage within the town.

The purpose of these regulations is to establish criteria as to the size, height, design, quality of materials, construction, location, illumination and maintenance of signs and sign structures. These regulations are further established to regulate commercial and private signage and lighting that may overload the public's capacity to receive information as well as to protect the public health, safety and welfare by decreasing the probability of accidents by distracting attention or obstructing vision.

Signage that directs persons to various businesses, services and activities that is in keeping with the quality and character of the community will enhance the community's economic value and coordinate the mutual desire of the business and residential communities to maintain, preserve, and enhance the scenic and natural beauty of the Town of Signal Mountain.

In the case of any ambiguity or apparent conflict between the requirements of the Signal Mountain Design Principles and Standards, the sign regulations, the zoning ordinance or other codes, ordinances or regulations, the more restrictive requirement shall govern.

In addition to these regulations, all state, federal and local fire, building and safety codes shall apply as well. Provisions for the administration, enforcement and appeals of these regulations are included, as well as provisions for the elimination of non-conforming signs. (as added by Ord. #2012-3, Feb. 2012)

14-502. Definitions. The following words and phrases, as used in this chapter, shall have the meanings ascribed to them in this section:

(1) "A-frame sign." Any two-sided sign including sandwich boards, hinged or attached at the top of the sign panels, identifying, advertising or directing attention to a business, product, operation or service sold or offered in the building in front of which the sign is located during business hours.

(2) "Abandoned sign." Any sign that contains or exhibits broken panels, visible rust, visible rot, damaged support structures, missing letters or which is otherwise dilapidated, unsightly, unkempt, and for which no person accepts maintenance responsibility or a sign for a business that is out of business for over thirty (30) days.

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

(4) "Audible sign." Any sign that emits a sound that is audible or emits a signal that can be converted into audible sounds, whether by radio or other means.

(5) "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. This definition does not apply to automotive service stations.

(6) "Banner." A temporary 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.

(7) "Beacon." Any light with one (1) or more beams directed into the atmosphere or directed at one (1) or more points not on the same lot as the light source; also, any light with one (1) or more beams that rotate or move.

(8) "Billboard." A freestanding sign containing information for an off-site business or organization with an area of more than one hundred twenty (120) square feet.

(9) "Business." An organization or enterprising entity engaged in commercial, industrial or professional activities.

(10) "Changeable copy sign, manual or electric." Any sign that incorporates changing lights, lettering or images to form a sign message or messages, whether such changes are accomplished electronically, automatically

or manually and whether or not the message is composed of electrically illuminated segments. This definition includes marquee, reader boards and electronic message boards.

(11) "Channel letter." A fabricated or formed three-dimensional letter.

(12) "Commerce center." A building or buildings on a single lot occupied by two (2) or more businesses.

(13) "Directional sign." An on-premise sign whose message is exclusively limited to guiding the circulation of motorists and/or pedestrians.

(14) "Directory sign." Used for multi-tenant buildings to provide a directory of tenant locations within the building.

(15) "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.

(16) "Flashing sign." A sign with illumination that is not kept constant in intensity at all times when in use and that exhibits marked changes in lighting effects.

(17) "Freestanding sign." Any sign supported by stanchions or supports that are placed on or anchored in the ground that is independent from any building or other structure.

(18) "Glazing." Sheets of glass including framing set into windows and doors on a given wall. See "window."

(19) "Graffiti." Unauthorized writing or drawing on the facade of any building, sign, path, accessory structure, wall, fence or other site element.

(20) "Graphic design." Any artistic design or portrayal depicted on an exterior wall, fence, awning, window or other structure which is visible from any public right-of-way, and which has as its purpose artistic effect, and not the identification of the premises or the advertisement or promotion of the interests of any private or public firm, person, or organization.

(21) "Height." The height of a sign shall be measured from the ground adjacent to the sign to the top of the sign and support structure. If the ground under the sign slopes, the height shall be measured from the average grade under the sign itself.

(22) "Illuminated sign, external." A sign illuminated by an external light source.

(23) "Illuminated sign, internal." A sign illuminated by an internal light source.

(24) "Light, full cut-off." A luminaire that has no direct up-light (i.e., no light emitted above horizontal).

(25) "Light, fully shielded." A lighting fixture constructed in such a manner that all light emitted by the fixture, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the luminaire, is projected below the horizontal as determined by photometric test or certified by the manufacturer. Any structural part of the light fixture providing this shielding must be permanently affixed.

(26) "Light-box sign." A cabinet-type fixture.

(27) "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 provisions of the zoning ordinance.

(28) "Marquee sign." A sign with changeable copy placed on 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.

(29) "Menu board sign." A permanently mounted sign displaying the type and price of food and beverages for a drive-through restaurant.

(30) "Monument." A freestanding sign with a base width greater than or equal to the width of the sign face.

(31) "Moving sign." A sign that revolves, rotates, swings, undulates or otherwise attracts attention through the structural movement of parts.

(32) "Multi-tenant." One (1) or more buildings, located on a single premise or development, containing two (2) or more separate and distinct individual establishments that occupy separate portions of the building or buildings and are physically separated from each other by a demising wall, a boundary that separates one tenant's space from that of the other and from a common corridor.

(33) "Multiple-faced sign." A sign constructed to display its message either on a curved surface or on two (2) or more planar surfaces.

(34) "Nameplate." A sign with a message that identifies only the name and/or address of the occupant.

(35) "Neon sign" and "faux neon." Signs made using electrified, luminous tube lights that contain rarefied neon or other gases or backlit signs that have the appearance of using electrified, luminous tube lights that contain neon or other gases.

(36) "Non-conforming sign." A non-conforming sign is a sign that was lawfully installed prior to the effective date of these regulations, or a subsequent amendment thereto, that as a result no longer conforms to the sign regulations.

(37) "Off-site sign." Means a sign that is not an "on-site sign."

(38) "On-site sign." Means a sign located on the same parcel of land from which the product, service or activity described by the sign is made available.

(39) "Pennant" or "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.

(40) "Permanent sign." Any mention of a sign in this chapter shall be considered to mean "permanent sign" unless a time limit is specified or such sign is referred to as a "temporary sign."

(41) "Permit." A sign permit reviewed, approved and issued by the Town of Signal Mountain.

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

(43) "Person." A natural or legal entity including a firm, organization, partnership, trust and corporation.

(44) "Pole sign." A freestanding sign mounted on a single-structural support.

(45) "Political sign." A sign with a message advocating a particular candidate, party or proposition.

(46) "Portable sign." A sign that is not permanently affixed to the ground or a structure and is designed to be moved from place to place. Examples include A-frame signs or sandwich boards that are self-supporting after setup.

(47) "Post and panel." A freestanding sign supported by more than one (1) structural support.

(48) "Principal building." The building where 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.

(49) "Projecting sign." A sign erected upon a building wall or canopy and projecting more than twelve inches (12") outward from the plane of the building face.

(50) "Public sign." All classes of government signage including but not limited to traffic, health and public safety; crime control and prevention; official notices or advertisements related to any court action; the location of underground utilities; and any other community service sign approved by the town.

(51) "Reader board sign." A sign constructed to display an advertising message that may be changed by manual, electronic or other manipulation of letters or numbers on its face(s).

(52) "Real estate sign." A temporary sign with a message announcing the offer to build on, sell, rent or lease the premises upon which it is displayed.

(53) "Right-of-way." Public property or easement in which signage is regulated by the federal provisions of the "Manual of Uniform Traffic Control Devices."

(54) "Roof sign." Any sign erected and constructed wholly on and over the roof of a building or supported by the roof structure.

(55) "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 or attract the attention of the public.

(56) "Sign face." The part of a sign that is or can be used for advertising or informational purposes.

(57) "Sign kiosk." A freestanding bulletin board having three (3) or more faces intended for the posting of temporary flyers or notices.

(58) "Special event sign." A temporary banner or sign with a message identifying a civic or public event or holiday.

(59) "Temporary sign." Any sign of non-permanent nature.

(60) "Town council." The Town Council of the Town of Signal Mountain.

(61) "Town." The Town of Signal Mountain.

(62) "Vehicle sign." A vehicle sign is a sign attached to or placed in or on a truck, bus, car, trailer, boat, recreational vehicle, or any other vehicle. Vehicle signs shall exclude bumper stickers, license plates, inspection and registration stickers as well as "For Sale" signs as related to the sale of that vehicle.

(63) "Wall sign." Any sign attached parallel to a wall or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, that displays only one (1) sign face.

(64) "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.

(65) "Window." The uninterrupted aggregate of the glazing including framing set into windows and doors on a given wall. See "glazing."

(66) "Window sign, permanent." A sign that is affixed to the interior of the window or within three (3) feet of the interior of the window that is visible from the exterior of the structure and that includes lettering, logos, gaseous illuminated "Open" signs or other informational signage. Merchandise displayed for sale is excluded.

(67) "Window sign, temporary." Signs or banners of a temporary nature either interior or exterior such as "grand opening," "going out of business" and "special sales" or "promotions." See § 14-507 (Banners) of this chapter for guidelines. Note temporary commercial window signage shall not exceed fifteen (15) square feet.

(68) "Yard sign." A temporary sign displayed on the days when a garage sale, yard sale, moving sale, estate sale or similar event involving the occasional sale of used household goods on residential property occurs. A yard sign may also publicize the arrival of a baby, the participation of a family member in an activity or sport or may give directions to a special event. (as added by Ord. #2012-3, Feb. 2012, and amended by Ord. #2013-08, May 2013)

14-503. Application procedure. (1) General. All signs regardless of zoning designation shall be subject to review by the Signal Mountain Design Review Commission. However, signs under "Exempt signs"[1] per § 14-505 of these regulations or signs undergoing normal maintenance in conformance to their original appearance shall not require DRC review or approval.

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[1]Ord. #2012-3 referred to section "Exemptions." The correct name for this section is "Exempt signs" and has been substituted throughout this title.

Application forms to apply for DRC sign permits are available at the town hall. Applicants are advised to consult the building official and familiarize themselves with the sign regulations prior to the purchase or the installation of any signage.

Note: Signs requiring construction of posts, pedestals, bases or other framework shall also require a building permit that the building official will also issue upon the approval of a proposed sign by the DRC.

(2) Application for sign permit. The owner or his designated agent shall submit an application and all required documentation for a DRC sign permit along with the appropriate fee to the building official for referral to the design review commission. The building official will notify both the DRC and the applicant of the day and time of the hearing and confirm their ability to attend.

A completed application along with one (1) paper copy and one (1) PDF of the following documentation are required for DRC review:

(a) A written description of the desired signage. The description may be brief, but shall include information on existing conditions and each element of the overall project.

(b) Fully labeled color photographs of the property and proposed signage locations.

(c) Scaled drawings of proposed signage:

(i) Drawings for wall signs must include a scaled drawing of the building face on which the signage will be placed.

(ii) For freestanding signs, a site plan must include the location of signage and the relationship to existing buildings and other site features on the property.

(d) A list of proposed materials and colors, including manufacturer's specifications. If possible, materials/samples should also be brought to the meeting.

(e) Information illustrating the design and type of lighting, if any, including detailed manufacturer specifications of the fixture shall be submitted. (as added by Ord. #2012-3, Feb. 2012)

14-504. Review process. The building inspector shall determine whenever an application for signage is complete (see § 14-503(2)). If not completed, the building inspector shall defer the application and inform the applicant that more information is necessary before the review process can begin. The building inspector will issue no more than one (1) deferral due to an incomplete application. Thereafter, the applicant must re-apply.

Upon receipt of a complete application, the building inspector will determine if the proposed signage meets the objective criteria required by this chapter. If so, he will refer the proposal to the DRC for review. Within sixty (60) days, the DRC shall act to approve, deny, defer or conditionally approve the proposal and instruct the building inspector to issue or deny a sign permit. The

DRC shall set forth in writing its decision as well as the reasoning supporting it.

In cases of conditional approval or disapproval, the DRC shall advise the applicant of the right of appeal provided in § 14-515 (Appeals) of this chapter. The DRC shall submit written comments to the town council prior to its scheduled hearing of an appeal as to how the conditionally approved or disapproved signage could be modified to meet the requirements set forth in this chapter. (as added by Ord. #2012-3, Feb. 2012, and replaced by Ord. #2013-08, May 2013)

14-505. Exempt signs. The following signs may be erected without a sign permit when non-illuminated (except where specified), containing a characteristic of an approved sign, containing no reflective paint, and when complying with the height and size limitations specified.

(1) Up to four (4) permanent directional signs, not to exceed four (4) square feet each, whose message is exclusively limited to directing and guiding traffic and parking on private property are allowed. Such signs shall be durable and may be in the shape of a square, rectangle, circle, arrow or oval, but may not display a logo. Directional signage does not include arrows or other markings on pavement.

(2) Yard signs, not to exceed four (4) square feet, may be erected for not more than one (1) week during any consecutive ninety (90) day period.

(3) Flags and insignia of any government except when displayed in connection with a commercial promotion.

(4) Non-illuminated signs located on private property that cannot be seen from a public street or right-of-way.

(5) Legal notices and warnings, regulatory, informational or directional signs erected by any public agency or utility.

(6) Any sign, unlighted, not exceeding two (2) square feet in area and bearing only property numbers, mail box numbers, and the name and owner or occupant of the premises.

(7) Holiday decorations in season whose purpose is not advertising.

(8) Integral decorative or architectural features of buildings, including signs that denote only the building name, date of erection or street number. Such signs shall be permitted as exemptions when cut into any masonry surface, implanted with a metal plate, and not exceeding four (4) square feet.

(9) Changeable copy portion of signs for automobile service stations or other establishments engaged in the retail sales of gasoline, provided that the changeable copy area does not exceed eight (8) square feet in area. Any such changeable copy portion shall be affixed to a permitted freestanding identification sign, to a canopy support in the vicinity of the gasoline pumps or flat mounted against the wall of a building.

(10) Political signs, each not exceeding four (4) square feet, located on private property with the owner's permission.

(11) One (1) residential on-site real estate sign not to exceed nine (9) square feet or one (1) commercial on-site real estate sign not to exceed fifteen (15) square feet. Neither shall exceed four feet (4') in height.

(12) One off-site real estate sign when the location of the dwelling is not viewable from the intersection of a public street and the access way to the parcel, provided that the sign is located within twenty-five feet (25') of the public street intersection, and that written permission of the property owner is secured.

(13) Cornerstones and historical markers not to include memorial plaques that require DRC review (see Signal Mountain Code, title 20, chapter 6, "Signal Mountain Donation Policy,"[1] § 20-605).

(14) [Deleted.]

(15) A-frame or sandwich board sign no greater than eight (8) square feet per face limited to one (1) per business with an erasable surface such as chalkboard or dry-erase board for use to direct attention to daily specials during business hours.

(16) Vehicle signs, when the vehicle is licensed and/or owned and operated by the owner of the property or by a leaseholder of the property, in residential zones.

(17) Vehicle signs in commercial zones that meet the following conditions:

(a) Vehicle is licensed and/or owned and operated by the owner of the property or by a leaseholder of the property.

(b) Vehicle is in operating condition, currently registered and licensed to operate on public streets.

(c) Signage is placed upon the vehicle.

(d) Vehicle is parked in a designated parking space and is not used as a stationary display sign.

Note: The intent of this exemption is to allow business owners/operators to park company vehicles on their property and/or in close proximity to their businesses, but to prohibit them from using their vehicles as signage. (as added by Ord. #2012-3, Feb. 2012, and amended by Ord. #2013-08, May 2013)

14-506. Prohibited signs. A prohibited sign is defined as any sign not specifically identified in these regulations as a permitted sign. The following signs and sign characteristics shall be prohibited:

(1) Fringe, twirling, or portable display signs, streamers or air or gas filled figures.

(2) Promotional beacons, searchlights or laser lights or images.

(3) Audible signs.

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[1]Ord. #2012-3 referred to chapter "Donation Policy." The correct name of this chapter is "Signal Mountain Donation Policy" and has been corrected.

(4) Signs in a public right-of-way other than those belonging to a government or public service agency.

(5) Signs mounted on trees, utility poles, water towers or other similar structures, architectural features, traffic signals or traffic control boxes or cell towers.

(6) Signs mounted on top of a roof or false roof structure.

(7) Signs erected upon trailers or portable rigs with intent to promote a business.

(8) Signs that depict lewd or sexually explicit material.

(9) Signs that advertise an activity that is illegal under federal, state or local laws.

(10) Signs in poor repair, in violation of codes or containing or exhibiting broken panels, visible rust, visible rot, damaged support structures or missing letters.

(11) Abandoned signs.

(12) Animated signs, flashing signs, and rotating signs.

(13) Changeable copy signs, manual or electronic, excluding price signs at automobile service stations.

(14) 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.

(15) Graffiti.

(16) Sign kiosks or signs with three (3) or more faces except for government signs located in parks or at trailheads.

(17) Signs attached/painted on natural objects such as rocks, boulders, etc.

(18) Marquee signs.

(19) Billboards.

(20) Signs erected in such a manner that any portion of the sign or its support is attached to or may possibly interfere with the free use of any fire escape, entrance, exit or standpipe or that will or may obstruct any required stairway, door ventilator or window.

(21) Signs erected that will or reasonably might interfere with, obstruct, confuse or mislead vehicular traffic.

(22) Signs with flashing or alternating lights or changing colors.

(23) Signs constructed to incorporate wind-blown materials, moving parts or the appearance of motion by use of flashing or reflected light or other devices except for time/temperature, which may be permitted.

(24) Light box or cabinet type signs whether lit or unlit.

(25) Internally lit channel letters (not to include backlit).

(26) Signs attached to or painted on a vehicle parked and visible from the public right-of-way unless it is used for transporting people or materials in the normal day-to-day operations of the business.

(27) Vehicle signs that do not meet the requirements of "Exempt signs."

(28) Pole signs.

(29) Lighted window signs except as allowed by § 14-409(c)(ii), One (1) lighted, but non-moving, blinking, or flashing "Open" sign of a type not prohibited by this chapter that shall not exceed four (4) square feet and shall be counted as a percentage of the interior sign allowance. (as added by Ord. #2012-3, Feb. 2012, and amended by Ord. #2013-08, May 2013, and Ord. #2013-14, Aug. 2013)

14-507. Banners. All banners are temporary, and no banner may exceed twenty-five (25) square feet regardless of use or zoning.

(1) Temporary commercial banner permit. The building official shall issue temporary banner permits for new or relocating businesses, special business advertising or for special private events as follows:

(a) New or relocating business. The building official shall grant one (1) temporary banner permit to a new or relocating business for a period of eight (8) weeks in lieu of a permanent sign. Concurrently, business owners shall apply to the DRC for a permanent sign permit.

(b) Business advertising. Businesses located in commercial zones may also apply for a temporary banner permit for advertising purposes restricted to the following:

(i) Permits may be granted no more than four (4) times a year.

(ii) Temporary banners may be displayed for no more than fourteen (14) consecutive days.

(iii) Temporary banners will be removed promptly. If not, the town will remove them for a charge of ten dollars ($10.00) to be paid by the permittee.

(2) Temporary special event banner permit. The building official shall grant temporary banner permits to nonprofit, educational, religious or civic organizations for publicizing special events restricted to the following:

(a) A contact person responsible for oversight must be named in the permit.

(b) Permits may be granted no more than four (4) times a year.

(c) Temporary banners may be displayed no more than fourteen (14) consecutive days.

(d) Temporary banners will be removed promptly. If not, the town will remove them for a charge of ten dollars ($10.00) to be paid by the permittee. (as added by Ord. #2012-3, Feb. 2012)

14-508. Design principles and guidelines. (1) Location. Signs for individual businesses should be integrated into the face of the building. The size and shape of the signs should be compatible with the overall design of the building. Signs should not obscure architectural details on the building face. Signs should be installed on vertical surfaces and not project higher than the

roofline. Ground mounted signs should be incorporated into the overall landscaping plan and should be located as close as feasible to the ground.

(2) Size. Signs should maintain a modest scale. Signs need to be large enough to be legible, but oversize signage can create distractions for motorists and otherwise create nuisances for adjacent property owners.

(3) Consistency. Signs within a commercial development should maintain a high level of visual consistency in size, material and location within the architecture of the building and among other separate signs. Signs should be designed as an architectural element of the building and should reflect or complement the architectural style of the building.

(4) Design. Simple shapes are preferred for all signage as is high-quality graphic design that is easily legible. Signs can consist of individual three-dimensional letters and numbers. The use of logos or some graphic elements may be permitted. Generally, such graphic elements are restricted to no more than ten percent (10%) of the sign area.

(5) Construction. Signs shall be constructed of durable materials such as stone, brick, wood and wood simulating materials. Materials should complement the architectural style of the building and contribute to the overall quality of the development. Reflective materials other than glass should be avoided. In general, the selection of materials should also contribute to the overall character of the neighborhood or town.

(6) Lighting. Signage lighting should be given adequate attention to detail. Simple, external illumination fixtures should complement both the building and the sign itself. For most light fixtures, the illumination source (bulb) should not be visible. Certain backlit illumination creating a halo effect may be appropriate, as may other new lighting technology or design detail. (as added by Ord. #2012-3, Feb. 2012)

14-509. Allowable signage. (1) Commercial. (a) Each multi-tenant development may have one (1) primary sign no more than twenty-five (25) square feet per face. The multi-tenant development sign shall be used to identify the development and shall not be an advertising or directory sign.

(b) Each business/tenant may have (1) primary exterior sign to identify itself that shall not exceed twenty-five (25) square feet selected from the types of signs described under § 14-510, (Types of signs).

(c) Each business/tenant may have interior window signage that shall not exceed fifteen percent (15%) of the uninterrupted aggregate of the glazing on a given wall visible from the street.

(i) Required: Lettering detailing address, contact information or hours of operation that shall not exceed two (2) square feet and shall not be counted as a percentage of the interior signage allowance.

(ii) Optional: One (1) lighted, but non-moving, blinking or flashing, "Open" sign of a type not prohibited by this chapter that shall not exceed four (4) square feet and shall be counted as a percentage of the interior signage allowance.

(d) A secondary sign that shall not exceed fifteen (15) square feet for each multi-tenant development or business/tenant may be considered under the following conditions:

(i) Length of street frontage greater than one hundred (100) linear feet.

(ii) Location at an intersection of two (2) or more public streets.

(iii) Use as a drive-through establishment.

(iv) Principal use is small scale and oriented to pedestrians.

(v) For replacement of non-conforming signage.

(vi) Hardship related to the site including but not limited to topography or sight distance.

(2) Churches and schools. Signs identifying churches and schools shall not exceed twenty-five (25) square feet per face regardless of street frontage and shall comply with the provisions of these regulations.

(3) Subdivisions/residential developments. Signs identifying subdivisions and residential developments (including apartments, condominiums, and townhouses) shall not exceed twenty-five (25) square feet per face regardless of street frontage and shall comply with the provisions of this chapter.

(4) Development and construction signs. One (1) construction sign is allowed for each active development and construction project. Sign specification for development and construction sites shall be allowed as follows:

(a) A sign for a single-family residence shall not exceed six (6) square feet.

(b) Signs for projects other than a single-family residence shall not exceed twenty-five (25) square feet.

(c) Residential development signs shall be removed within three (3) years or after two-thirds (2/3) of the project's units have been occupied, whichever comes first.

(d) Construction signs shall be removed within one (1) month of initial occupancy. (as added by Ord. #2012-3, Feb. 2012, and amended by Ord. #2013-08, May 2013, and Ord. #2013-14, Aug. 2013)

14-510. Types of signs. The following details types of signs, their uses and requirements:

(1) Monument signs. Monument signs are typically used where building setbacks, orientation or design make it difficult to provide other types of signage, such as wall signs, that are plainly visible to people who are trying

to identify a use. These often identify multi-tenant developments, churches, schools and subdivisions. These signs should be designed so that the style of the sign and its base are consistent with the architecture of the buildings on the site.

(a) Monument signs shall be located within a green or landscaped area with a minimum setback of ten feet (10') from the property line or sight-triangle requirement, whichever is greater. Adequate landscaping shall be provided to blend the sign into the site.

(b) The bottom edge of a monument sign shall be in continuous contact with the structural base and a minimum of twelve inches (12") above grade.

(c) Monument signs may be incorporated into a retaining wall or masonry wall.

(d) Monument signs shall be no higher than four feet (4').

(2) Post and panel signs. Freestanding post and panel signs are primarily used to identify office or retail uses. They are similar to monument signs, except they do not have a base other than support posts. They can have a single or double face. The colors and materials used for the sign shall be compatible with the associated building design.

(a) Post and panel signs shall not exceed twenty-five (25) square feet per face.

(b) The bottom edge of a post and panel sign shall be a minimum of twelve inches (12") above grade.

(c) Post and panel signs shall be set back a minimum of ten feet (10') from the property right-of-way or sight triangle, whichever is greater.

(d) Post and panel signs shall be a maximum of four feet (4') in height and shall be landscaped to blend into the site.

(3) Wall sign. Wall signs include most types of signage that are attached to the face of a building wall. These include channel letters.

(a) Signs mounted on buildings shall be integrated with the architecture of the building and shall not project above or beyond the drip line of sloped roof buildings.

(b) Wall signs may be placed either directly onto the building surface or other background surface and are generally located either above windows, adjacent to entry doors or on surfaces such as fascia specifically designed for signage.

(c) Wall signs shall have a maximum total sign area of twenty-five (25) square feet. Under certain conditions, however, a second sign of up to fifteen (15) square feet may be allowed (see § 14-509(1)(d), (Allowable signage; Commercial, paragraph (d).

(4) Projecting signs. Projecting signs are attached to a building face and project out perpendicular to the building wall. Projecting signs are effective when oriented to pedestrians on the sidewalk level.

(a) Projecting signs shall originate from the main store/building front and be no larger than twelve (12) square feet.

(b) No projecting sign shall extend more than four feet (4') beyond a building roofline.

(c) A minimum ground clearance of eight feet (8') shall be required for any sign projecting over a pedestrian walkway.

(5) Window signs. Window signs should be scaled to pedestrians and oriented to window shoppers on the sidewalk, as opposed to vehicles passing by. Window signs should be limited to small graphics and text that serve to frame a window or provide information. Window signs shall occupy no more than fifteen percent (15%) of the uninterrupted aggregate of the glazing on a given wall visible from the street and shall be applied so that they do not obscure the visibility into a shop for the passerby..

(6) Building directory signs. Directory signs are used for multi-tenant buildings or commerce centers to provide a directory of tenant locations within the building or development. Most directory signs are small in scale and oriented to pedestrians.

(a) Directory signs may be fixed on an exterior wall of the building. One (1) directory sign shall be permitted per multi-tenant building.

(b) Wall mounted directory signs shall be no larger than twelve (12) square feet in area. Individual letters may not exceed six inches (6") in height.

(7) Canopy or awning signs. Canopy and awning signs shall not cover more than twenty-five percent (25%) of the canopy or awning or exceed twenty-five (25) square feet in size, whichever is smaller.

(8) Hanging and suspended signs. Hanging signs or suspended signs are used to help define entries and identify business names to pedestrians. They are small and can hang over a building entry.

(a) A minimum ground clearance of eight feet (8') shall be required for any sign hanging or suspended over a pedestrian walkway.

(b) Hanging and suspended signs shall be no larger than twelve (12) square feet.

(9) Menu board signs. Menu board signs are appropriate for drive-through restaurants only and are subject to the following:

(a) Proposed location of menu boards shall be approved by the DRC.

(b) The maximum height shall be six feet (6').

(c) Menu board signs shall not exceed twenty-five (25) square feet.

(d) Dimensions do not count toward overall sign square footage.

(e) Speakers shall meet the requirements of zoning and town codes.

(f) Menu boards shall only be lit during business hours.

(10) All other sign types. Freestanding signs and other types of signs not addresse d as a specific sign type shall not exceed twenty-five (25) square feet per face. (as added by Ord. #2012-3, Feb. 2012, and amended by Ord. #2013-08, May 2013)

14-511. Determining sign area. The following criteria shall be used to determine sign area and placement under these regulations:

(1) Determining sign area. For single-faced signs, area shall be that within the outermost perimeter of the sign. A single-faced sign is a sign constructed so its message is displayed in a single plane and is viewable from only one side of the plane.

(2) For double-faced signs, area shall be that within the outermost perimeter of one (1) face of the sign. A double-faced sign is a sign constructed to display message(s) on the outside surfaces of two (2) identical and/or opposite parallel planes, provided the planes are not more than two feet (2') apart.

(3) Sign area is calculated by determining the number of square feet of the smallest square or rectangle(s) within which the sign face can be enclosed.

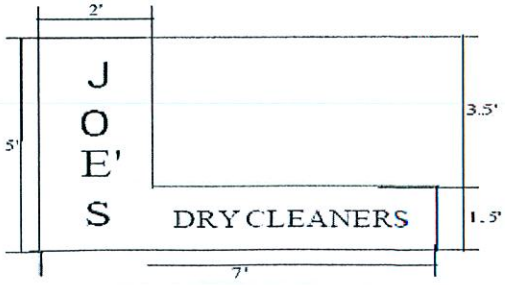
(4) If a sign is attached to a wall, only that portion of the wall onto which the sign face or letters are placed shall be calculated in sign area. When separate letters or graphics are attached to a wall, then the sign area shall be determined by drawing a square or rectangle around all type and markings associated with the sign.

(5) The total sign area is the sum of all individual sign areas, including the area of a rectangle enclosing any message, logo, symbol, name, photography or display face is the sign surface area.

(6) Framework that is clearly incidental to the sign itself shall not be computed in the sign area.

(7) See the following diagrams describing methodology for calculating sign area.

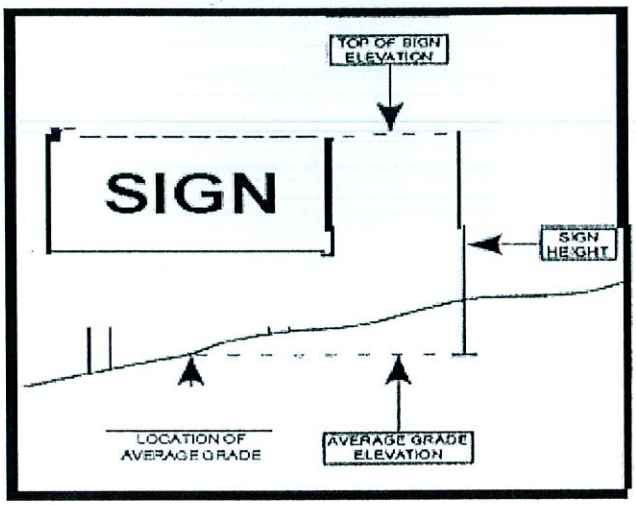
Sign Area = 20.5 square feet.



Sign Area = 17.5 square feet.

(as added by Ord. #2012-3, Feb. 2012)

14-512. Sign height and clearance. (1) Height. The height of a free-standing sign shall be measured from the ground adjacent to the sign to the top of the sign and support structure. If the ground under the sign slopes, the height shall be measured from the average grade under the sign itself. See the following diagram:



(2) Clearance. Where permitted, awnings, canopies, projecting, and suspended signs shall conform to the following requirements:

(a) Vertical. The minimum clearance between the lowest point of a sign and the grade immediately below shall be eight feet (8') over private sidewalk areas.

(b) Horizontal. The minimum horizontal clearance between a sign and the public right-of-way shall be two feet (2'); the maximum projection over a private sidewalk shall be two-thirds (2/3) the width of the sidewalk or six feet (6'), whichever is less. (as added by Ord. #2012-3, Feb. 2012)

14-513. Sign illumination. The following lighting standards apply to all signage illumination except where prohibited by state or federal requirements. Illumination where permitted shall be subject to the following limitations:

(1) No signs shall be internally illuminated.

(2) Signs where illumination creates a backlit, halo-like effect around the sign or sign elements may be allowed.

(3) External light sources shall be fully shielded so that the light intensity will not create glare and will prevent direct illumination of any object other than the sign.

(4) Menu board signs shall only be lit during business hours. (as added by Ord. #2012-3, Feb. 2012)

14-514. Non-conforming signs. A non-conforming sign is a sign that was lawfully installed prior to the effective date of these regulations, or a subsequent amendment thereto, that as a result no longer conforms. All signs deemed non-conforming shall be made to comply with the requirements of these regulations if one (1) of the following occurs:

(1) Any modification of sign appearance, other than normal maintenance necessary to retain the original appearance of the sign.

(2) Removal for whatever reason of a non-conforming sign. A non-conforming sign shall not be re-erected.

(3) Change of use and/or name of a business. However, when the ownership of a business changes, but the name and use of the business remain the same, a conforming sign in good repair shall remain. A conforming sign in good repair may also be erected upon the relocation of a business.

(4) Destruction or deterioration of the sign to an extent that the current cost of repair exceeds fifty percent (50%) of the current cost of constructing a new sign that duplicates the old sign. (as added by Ord. #2012-3, Feb. 2012)

14-515. Appeals. An applicant whose proposed signage is conditionally approved or disapproved by the design review commission may appeal the commission's action to the town council. Appeals to the council shall be filed with the town manager ten (10) days prior to the next regular meeting of the council and not more than sixty (60) days after the date of the commission's action.

The members of the commission will be notified of the request for appeal and will be given the opportunity to address the council. The council, after hearing all parties who desire to be heard, shall approve, approve with conditions or not approve the application by a written statement setting forth the reasons for its action.

If the council approves or conditionally approves the application, the building official may issue the building permit forthwith, provided that the applicant has complied with the terms of approval or conditional approval as well as with other provisions of this section, and with all other codes, ordinances, regulations and procedures regarding building permits. (as added by Ord. #2012-3, Feb. 2012)

14-516. Variances. (1) Permanent. (a) The town council is authorized to permit variances in the administration of this chapter when good taste

and unusual circumstances, and/or practicality justify the granting of a variance. Part of the intent of these regulations is to promote creativity in signs.

(b) To apply for a variance, a person must file a written request with the council setting forth what variance is requested and the reasons for the request. The town council shall administer all applications and all requests for new sign variances of a permanent nature and may hold a hearing on such petition if it desires to do so.

(c) The council will agree to act to approve, deny, defer or conditionally approve the request for variance within sixty (60) days.

(2) Temporary. The town manager is authorized to permit temporary use variances for non-profit organizations only in the administration of these regulations and may hold a public hearing on such if he/she so desires. The town manager is authorized to permit temporary use variances of not more than fourteen (14) consecutive days and/or thirty (30) days during any twelve (12) month period. The maximum number of temporary locations shall be eight (8) at any time. (as added by Ord. #2012-3, Feb. 2012)

14-517. Sign maintenance. All signs shall be continuously maintained in conformance with the standards of appearance extant at the time of original erection. Deteriorated or damaged paint and construction materials shall be immediately renewed. (as added by Ord. #2012-3, Feb. 2012)

14-518. Enforcement. The building official shall have the authority to order the removal or modification of any new sign that does not meet these sign regulations according to the following procedures:

(1) The owner of the sign, the occupant of the premises on which the sign is located, and the person or firm maintaining the same shall, upon written notice by registered or certified mail from the building official, remove or modify the sign or structure within thirty (30) days in a manner approved by the building official.

(2) If the order is not complied with within thirty (30) days, the building official or his designated agent shall issue a second written notice in person or by registered or certified mail indicating that if the appropriate action does not take place within fifteen (15) days, the town will remove the sign at the sign owner's expense.

If the sign is not removed or modified within the fifteen (15) days granted by the second notice, the building official shall order the removal of the sign by the town. The cost of this work shall be charged to the property owner and a lien on the property in that amount shall exist until the town is reimbursed. (as added by Ord. #2012-3, Feb. 2012)

14-519. Abandoned signs. The town council may, at its discretion, order the removal of an abandoned sign if thirty (30) days have elapsed since the

owner of the property on which the sign is located was notified in writing. (as added by Ord. #2012-3, Feb. 2012)

14-520. Penalties. Any person, firm or corporation violating any of the provisions of these regulations shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined fifty dollars ($50.00). Each day's continuance of a violation shall be considered a separate offense. The owner of any sign, building or premises or part thereof, where anything in violation of these regulations shall be placed or shall exist, and any person, who may have knowingly assisted in the commission of any such violation, shall be guilty of a separate offense. (as added by Ord. #2012-3, Feb. 2012)