



AGENDA ITEM EXECUTIVE SUMMARY

Agenda Item number: 3e

Title:

Discussion regarding amendments to the Zoning Ordinance, Chapter 17.28 “Signs”

Presenter:

Russell Colby

Meeting: Planning & Development Committee

Date: March 12, 2018

Proposed Cost: N/A

Budgeted Amount: N/A

Not Budgeted:

Executive Summary (if not budgeted please explain):

The City’s Sign Code, Chapter 17.28 of the Zoning Ordinance, was last significantly updated in 2006. Since that time, the sign code has been amended periodically for specific issues that have arisen.

Over the past few months, staff has identified the following issues with the Sign Code, which may warrant a more significant overhaul of the regulations:

- Regulation of temporary signs (such as yard signs) is limited. Currently, only temporary signs displaying certain types of information are regulated, and the code lacks standards regarding size, number, or placement for most types of temporary signs.
- Historically, messages contained on signage have been viewed by courts as protected speech under the First Amendment of the U.S. Constriction, which limits the City’s ability to regulate the actual content or speech on a sign. More recently, the Supreme Court ruled that classifying signs by type (by categories such as real estate sign or political sign) in effect regulates the content of the signs, which may violate the First Amendment. The City’s Sign Code currently regulates a number of temporary, permanent and permit-exempt signs by sign type or function.
- The Supreme Court also opined that setting different sign standards for different businesses or land uses within the same Zoning District would similarly be considered unconstitutional. The City’s Sign Code currently contains some sign standards for specific businesses or land uses.

In order to address these issues, staff proposes to amend the Sign Code, with the goals of:

- Regulating all temporary signs by zoning district, with standards for size, number, placement location and setbacks.
- Eliminating categories in the code based on function or content (such as “garage sale sign”).
- Eliminating sign regulations that apply only to specific businesses or land uses.
- Changing terminology but keeping existing regulations for permanent signs (including number, face area, height, etc.)
- Generally cleaning up and simplifying code language and terminology.

Attachments (please list):

Chapter 17.28 of the City Code, “Signs”

Recommendation/Suggested Action (briefly explain):

Provide feedback to staff. If the Committee supports amending the code, then recommend to direct staff to file a General Amendment to amend the Sign Code, Title 17 “Zoning”, Chapter 17.28 “Signs”.

Staff will then prepare a draft of the code amendments and file a General Amendment application for review and public hearing by the Plan Commission. The amendments and Plan Commission recommendation would then be presented to the Committee for consideration.

Chapter 17.28

SIGNS

Sections:	17.28.010	Purpose
	17.28.020	General Provisions
	17.28.030	Sign Area Computation
	17.28.040	Sign Standards By Type
	17.28.050	Permitted Signs By Zoning District
	17.28.060	Illumination
	17.28.070	Historic Signs
	17.28.080	Prohibited Signs
	17.28.090	Exemptions
	17.28.100	Temporary Signs
	17.28.110	Master Sign Plan
	17.28.120	Amortization of Nonconforming Signs

17.28.010 Purpose

The purpose of this Chapter is to establish a framework for a comprehensive system of sign controls governing the display, design, construction, installation and maintenance of signs that will:

- A. Balance the rights of individuals to identify their businesses and convey their messages, and the rights of the public to be protected against the unrestricted proliferation of signs.
- B. Protect the public health, safety, comfort, convenience and general welfare.
- C. Reduce traffic hazards.
- D. Enhance the attractiveness of the City.
- E. Protect property values.
- F. Promote economic development.
- G. Further the objectives of the Comprehensive Plan.
- H. Preserve the right of free speech exercised through the use of signs containing noncommercial messages.

17.28.020 General Provisions**A. Violations**

It shall be unlawful for any person to erect, relocate, modify or alter any sign, or structure supporting a sign, in violation of the provisions of this Title. Signs which are not allowed by this Chapter as permitted signs or exempt signs, shall be prohibited. No sign shall be placed on a lot without prior consent of the property owner.

B. Placing Signs on Public Right of Way

No signs shall be erected on any public right of way other than those placed by agencies of government or signs whose placement has been authorized by the jurisdiction having authority over the right of way. The City, without notice, may remove any sign placed on public right of way without authorization.

C. View Obstruction

All signs and attention getting devices shall comply with the sight triangle provisions of Section 17.22.010 F and the provisions of Section 12.04.200 of Title 12 of the St. Charles Municipal Code regarding corner obstructions, except that directional signs otherwise meeting the requirements of this Chapter may be located within the sight triangle.

D. Removal of Unused Structural Supports

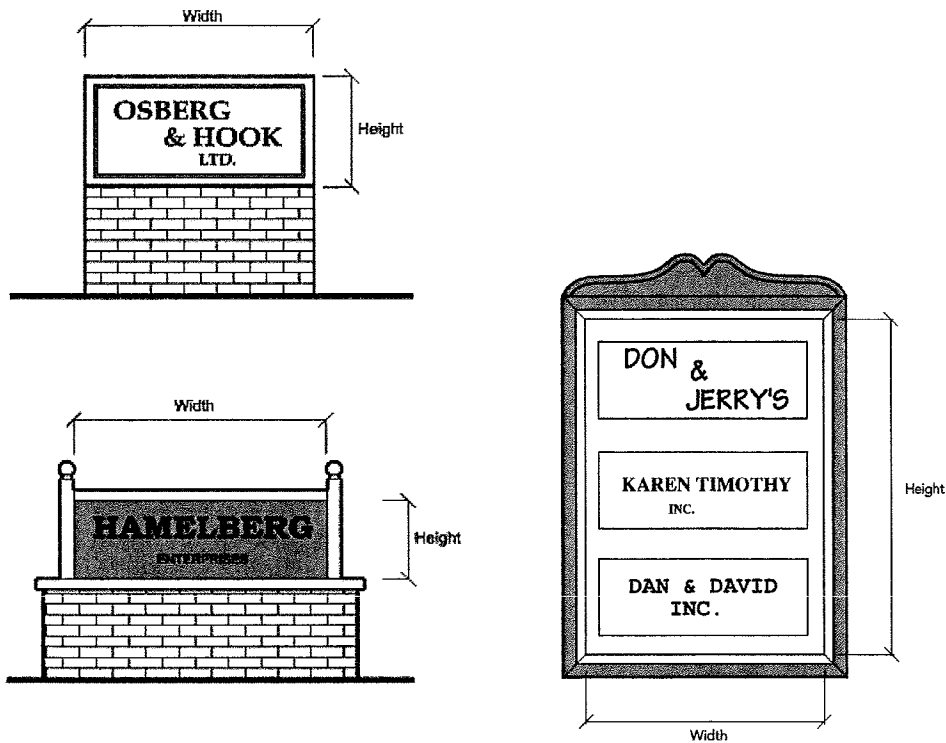
No foundation, pole, frame, cabinet, or other structural support for a sign shall be erected or maintained independently of a sign allowed by this Chapter. All such structural supports shall be removed at the time of removal of any sign or signs for which they provide support, except that a

structural support may remain for a period of not more than 30 days following the issuance of a permit to change the face of a sign, or erect a different sign, using the same structural support.

17.28.030 Sign Area Computation

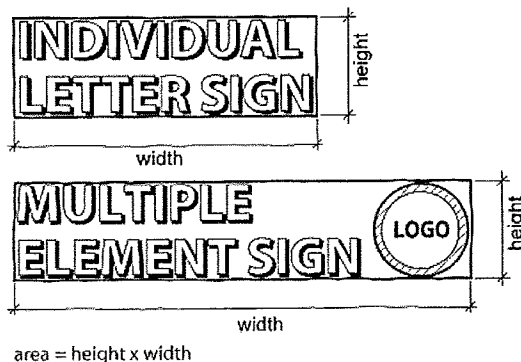
A. Area of Signs in Cabinets, Frames, and on Panels:

The area of a sign enclosed in a frame or cabinet or painted on or affixed to a panel shall be the area of the sign contained within the outer limits of the frame, cabinet or panel. The area of such sign shall not include any external architectural framing elements or supporting structure such as a post, unless the architectural elements, or supporting structure is designed as an integral part of the message or face of the sign. When there are multiple display signs within a frame, cabinet, or panel, the sign area shall be the area encompassed by the entire frame, cabinet, or panel, and not the area of the individual display signs.



B. Area of Signs Composed of Individual Letters or Elements

The area of a sign comprised of individual letters or other elements attached to a building wall or freestanding wall shall be the area of the smallest square or rectangle that can be drawn around the letters and/or elements.

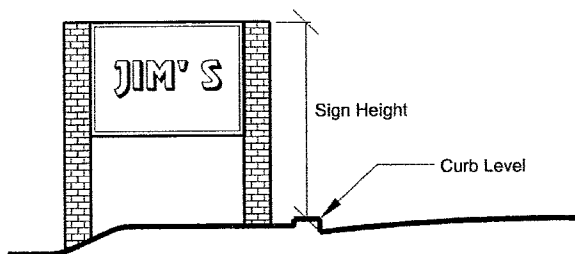


C. Area of Double-Faced Signs

The sign area for a sign with two faces shall be a) when the sign faces are connected at an interior angle of sixty degrees (60°) or more, the sign area shall be computed by measurement of both faces; when the sign faces are parallel or connected at an interior angle of sixty degrees (60°) or less, the sign area shall be computed by the measurement of one (1) of the faces.

D. Measurement of Sign Height

Sign height shall be the vertical distance from the highest point of the sign to the grade of the adjoining street curb; if there is no adjoining curb, to the grade of the edge of the adjoining street pavement.



E. Measurement of Sign Setback

Required setbacks for freestanding signs shall be measured horizontally, from the closest point of the sign structure to the property line extended vertically.

17.28.040 Sign Standards By Type

A. Freestanding Signs

1. The primary support of a permanent freestanding sign shall be erected in such a manner that at least forty-two (42) inches of the length of the structural support is underground. This requirement may be increased based upon the size of the sign and the height of the sign if necessary to provide for wind loads or other structural factors, as determined by the Building Commissioner. The Building Commissioner may require documentation from a structural engineer or manufacturer that indicates proper design and installation in relation to the sign's structural support.
2. Freestanding monument signs shall be mounted on a decorative masonry, metal or natural stone base. Alternative materials may be approved where they correspond with the appearance of one or more materials used on the exterior of the building. The width of the base of any monument sign, as measured parallel to the sign face, shall be a minimum of fifty percent (50%) of the width of the sign face.

B. Wall and Projecting Signs

1. Wall and projecting signs shall be safely and securely attached to the building wall. No sign affixed to a building shall project higher than the building height.

2. Except as permitted in the CBD-1 and CBD-2 Districts, signs shall not project into the public right-of-way.
3. Wall signs shall be affixed flat against the building wall and shall not project more than twelve (12) inches. No wall sign shall cover wholly or partially any wall opening or architectural feature.

17.28.050 Permitted Signs By Zoning District

A. Residential Districts

Table 17.28-1 lists signs permitted in residential districts. Other signs may be permitted in residential districts, as specifically provided elsewhere in this Chapter.

B. Business and Mixed Use Districts

Table 17.28-2 lists signs permitted in business and mixed use districts CBD-1, CBD-2, BL, BC, and BR. Other signs may be permitted in these districts, as specifically provided elsewhere in this Chapter.

C. Office Research, Manufacturing, and Public Lands Districts

Table 17.28-3 lists signs permitted in office research, manufacturing, and public lands districts. Other signs may be permitted in these districts, as specifically provided elsewhere in this Chapter.

TABLE 17.28-1
PERMITTED SIGNS FOR RESIDENTIAL DISTRICTS (RE, RS, RT, RM)

Type	Maximum Number	Minimum ROW setback	Maximum Area	Maximum Height	Other Requirements
Residential Uses:					
Development Identification Signs	Two, plus one for each additional external street frontage for developments of more than ten acres	5 ft	10-30 units: 50 sf 30+ units: 75 sf	8 ft	Monument signs only; Shall not be internally illuminated
Nameplates	One per single family dwelling	5 ft if freestanding	2 sf	8 ft	May be attached to the building or freestanding
Bed and Breakfast Establishments:					
Identification signs	One	10 ft	6 sf	8 ft	Shall not be internally illuminated
Wall, awning and canopy signs	One	--	6 sf	--	Shall not be internally illuminated
Places of Worship:					
Identification Signs	One per street frontage	5 ft	On lots of 35,000 sf or more: 50 sf All other lots: 25 sf	8 ft	
Wall, awning and canopy signs	1 per building wall, but no more than 2 signs	--	1.5 sf per linear ft of wall on which located	--	
Other Non-Residential Uses (Includes non-residential uses allowed in the BT Overlay District; not permitted for Home Occupations):					
Identification Signs	One per lot	10 ft.	16 sf	8 ft	Shall not be internally illuminated
Wall signs	One per business or one per street frontage, whichever is greater	--	1.5 sf per linear ft of wall on which located	--	Shall not be internally illuminated
Awnings and Canopies	One per business or one per street frontage, whichever is greater	--	Lettering = 1 sf per linear ft frontage of awning/canopy	--	Awnings shall be made of cloth. Backlit awnings are prohibited

(Ord. 2004-Z-5 § 2; Ord. 1998-Z-18 § 1; Ord. 1995-Z-6 § 3; Ord. 1991-Z-14 § 2; Ord. 1989-Z-4 § 1; Ord. 1988-Z-8 § 1; Ord. 1986-Z-22 § 1, 2; Ord. 1960-16 § VII (A)(2).)

**TABLE 17.28-2
PERMITTED SIGNS FOR BUSINESS AND MIXED USE DISTRICTS**

Type	Maximum Number	Minimum ROW Setback	Maximum Area	Maximum Height	Other Requirements
CBD-1 District:					
Shopping Center Signs (freestanding)	One per street frontage	10 ft	100 sf	15 ft	
Identification Signs	One per lot	Type A signs: none Type B signs: 10 ft.	Type A signs: 16 sf Type B signs: 50 sf	Type A signs: 8 ft. Type B signs: 12 ft.	Type B signs permitted only on lots with ten or more accessory parking spaces
Primary	One per business, one per building street frontage, or one per business street frontage, whichever is greater	--	1.5 sf per linear ft of wall on which located, or 125 sf, whichever is less	No higher than height of building	
Wall Signs	One per wall without street frontage facing a parking lot or public plaza or One per additional public entrance to a building located on a wall without street frontage	--	1.5 sf per linear ft of wall on which located, or 100 sf, whichever is less	No higher than height of building	Only permitted on wall meeting the conditions for Secondary Wall signs
Awnings and Canopies	One per business, one per building street frontage, one per business street frontage, or one per public entrance to business, whichever is greater	--	Lettering = 1 sf per linear ft frontage of awning/canopy	No higher than height of building	Awnings shall be made of cloth. Backlit awnings are prohibited
Primary	One per business	Maximum projection 4 ft from wall	18 sf; Additional 12 sf permitted for a clock or time display.	No higher than height of building	Minimum spacing between signs with a clock or time display is 200 ft; changeable copy prohibited
Secondary	For buildings with street frontage on Main Street: One per business, plus one additional per business for upper floor businesses	Maximum projection 2 ft from wall	8 sf per sign	No higher than height of building	Must be located on wall directly opposite Main Street frontage; changeable copy prohibited

SIGNS

TABLE 17.28-2
PERMITTED SIGNS FOR BUSINESS AND MIXED USE DISTRICTS

Type	Maximum Number	Minimum ROW Setback	Maximum Area	Maximum Height	Other Requirements
Banners on freestanding poles	Not more than two designs or color schemes per lot	5 ft. ¹	Total area = 1 sf per 10 sf of lot frontage ¹	--	Only permitted in parking lots ¹ ; minimum vertical clearance 9 ft
Shopping District Signs/Banners	One per building	Maximum projection 4 ft. from wall	20 sf	15 ft	May identify only the Shopping District ² in which located; shall be of a uniform design within a Shopping District

(Ord. 2010-Z-3 § 2; Ord. 2008-Z-24 § 19.)

¹ Not applicable when banners are located on right of way or other public property.

² Shopping Districts include First Street South (First Street Redevelopment District); Third Street North (Old St. Charles); Riverside Drive/First Avenue (East Bank); and Century Corners.

TABLE 17.28-2 Continued

CBD-2 District:						
Identification Signs	1 per lot	Type A signs: none Type B signs: 10 ft.	Type A signs: 16 sf Type B signs: 50 sf	Type A signs: 8 ft. Type B signs: 10 ft.	Type B signs permitted only on lots of more than 35,000 sf and at least one nonresidential use	
Wall Signs	One per business or one per street frontage, whichever is greater	--	1.5 sf per linear ft of wall on which located	No higher than height of building		
Awnings and Canopies	One per business or one per street frontage, whichever is greater	--	Lettering = 1 sf per linear ft frontage of awning/canopy	--	Awnings shall be made of cloth. Backlit awnings are prohibited	
Projecting Signs	1 per business or 1 per 50 linear feet of wall, whichever is less	Maximum projection 4 ft. from wall	8 sf	--	Changeable copy prohibited	
Shopping District Signs/Banners	One per building	Maximum projection 4 ft. from wall	20 sf	15 ft	May identify only the Shopping District ³ in which located; shall be of a uniform design within a Shopping District	

³ Shopping Districts include First Street South (First Street Redevelopment District); Third Street North (Old St. Charles); Riverside Drive/First Avenue (East Bank); and Century Corners.

TABLE 17.28-2 Continued

BL, BC, and BR Districts:					
Type	Maximum Number	Minimum ROW Setback	Maximum Area	Maximum Height	Other Requirements
Shopping Center Sign	1 per Shopping Center	10 ft	225 sf	30 ft	
Additional Shopping Center Signs	1 per additional Shopping Center street frontage	10 ft	100 sf	15 ft	Only permitted if Shopping Center has more than one street frontage
Identification Signs	1 per lot	10 ft	1.5 sf per linear frontage of the building, or 100 sf, whichever is less	15ft.	Minimum separation between freestanding signs = 100 ft
Additional Identification Signs	1 per additional principal building	10 ft	0.75 sf per linear frontage of the additional building or 50 sf, whichever is less	15 ft	Minimum separation between freestanding signs = 100 ft
Additional Identification/Motor Vehicle Sales/Leasing Signs	1 Manufacturer: 0 2 Manufacturers: 1 3 or more Manufacturers: 2	10 ft	0.75 sf per linear frontage of the additional building or 50 sf, whichever is less	15 ft	Minimum separation between freestanding signs = 100 ft
Wall Signs	One per business or street frontage, whichever is greater	--	1.5 sf per linear ft of wall on which located	No higher than height of building	Where use has no exterior wall frontage the area shall not exceed 1.5% of the floor area
Awnings and Canopies	1 per business or street frontage, whichever is greater	--	Lettering = 1 sf per linear ft frontage of awning/canopy	--	Awnings shall be made of cloth. Backlit awnings are prohibited
Projecting Signs	1 per business	Maximum projection 4 ft. from wall	8 sf	--	
Banners on freestanding poles	Not more than two designs or color schemes per lot	10 ft.	Total area = 1 sf per 10 sf of lot frontage	--	Only permitted in parking lots; minimum vertical clearance 9 ft

(Ord. 2005-Z-7 § 1; Ord. 2004-Z-6 § 1; Ord. 2002-Z-18 § 1; Ord. 2002-Z-3 § 1; Ord. 1999-Z-26 § 1; Ord. 1994-Z-12 § 1, 2; Ord. 1993-Z-15 § 5, 6; Ord. 1992-Z-9 § 1; Ord. 1991-Z-14; Ord. 1988-Z-21 § 1; Ord. 1972-Z-46 (A, B, C) (part); Ord. 1968-31 (part); Ord. 1966-4 (part); Ord. 1960-16 § VIII (F) (6); Ord. 1960-16 § VIII (D) (8); Ord. 1960-16 § VIII(B) (6).)

TABLE 17.28-3
PERMITTED SIGNS FOR OFFICE RESEARCH, MANUFACTURING, AND PUBLIC LAND DISTRICTS

Type	Maximum Number	Minimum ROW Setback	Maximum Area	Maximum Height	Other Requirements
O-R District:					
Identification Signs	1 per street frontage	10 ft	50 sf	8 ft.	
Office Park Sign	1 monument sign per office park, in lieu of one Identification Sign	10 ft	100 sf	Office park 2.5 to 5 acres: 12 ft Office park over 5 acres: 15 ft	Office park under unified ownership or control. Monument sign only.
Wall Signs	One per business or one per street frontage, whichever is greater	--	1.5 sf per linear ft of wall on which located	No higher than height of building	
Awnings and Canopies	One per business or one per street frontage, whichever is greater	--	Lettering = 1 sf per linear ft frontage of awning/canopy	--	Awnings shall be made of cloth. Backlit awnings are prohibited
M-1, M-2 Districts:					
Identification Signs	1 per lot	10 ft	1.5 sf per linear ft frontage of the building or 100 sf, whichever is less	10 ft	Minimum separation between freestanding signs = 100 ft
Additional Identification Signs	1 per additional principal building	10 ft	0.75 sf per linear ft frontage of the additional building or 64 sf, whichever is less	15 ft	Minimum separation between freestanding signs = 100 ft
Wall Signs	One per business or one per street frontage, whichever is greater	--	1.5 sf per linear ft of wall on which located	No higher than height of building	
Awnings and Canopies	One per business or one per street frontage, whichever is greater	--	Lettering = 1 sf per linear ft frontage of awning/canopy	--	Awnings shall be made of cloth; Backlit awnings are prohibited
PL District:					
Identification Signs	1 per lot, plus one per public vehicular entrance	5 ft	64 sf	10 ft	
Wall Signs	One per business or one per street frontage, whichever is greater	--	1.0 sf per linear ft of wall on which located	No higher than height of building	Where use has no exterior wall frontage the area shall not exceed 1.5% of the floor area

(Ord. 2013-Z-7 § 2; Ord. 1991-Z-14; Ord. 1968-32; Ord. 1960-16 § IX (B) (5).)

17.28.060 Illumination**A. Flashing Signs**

No sign or other advertising structure shall have lights or illuminations that flash, move, rotate, scintillate, blink, flicker, vary in intensity or color, or use intermittent electrical pulsations, except that electronic reader boards that change copy or illumination are permitted in all Zoning Districts where internally illuminated signs are permitted as follows:

1. Electronic reader board signs shall be permitted to change no more frequently than once per every 15 seconds and shall not exceed 50% or 50 square feet, whichever is less, of the sign on which it is located.
2. Electronic reader board signs in the CBD-1 and CBD-2 Districts shall be permitted to change no more frequently than once per every 30 seconds and shall not exceed 30% or 30 square feet, whichever is less, of the sign on which it is located.
3. The change of copy or illumination is of a duration of one second or less, shall be permitted.

(Ord. 2012-Z-5 § 6.)

B. Limitations on Neon and Series Lighting

1. Neon advertising signs shall be permitted as wall signs, subject to the standards of this Chapter and this Title.
2. Series lighting or neon tubing used to accentuate or trim windows, architectural features, or to outline borders of signs or buildings, is specifically prohibited.

C. Hours of Illumination

Exterior signs shall be illuminated only during business hours or between the hours of 7:00am and 11:00pm, whichever is later.

D. Direction of Illumination

All sign illumination shall be designed, located, shielded and directed so as to prevent the casting of glare or direct light upon adjacent streets and surrounding properties.

(Ord. 2012-Z-5 § 7.)

17.28.070 Historic Signs

A small number of existing signs in the City may be closely identified with a cultural or commercial entity or building that forms a part of the character or history of the community. Such signs, however, may have been erected under a previous code and may not conform to all of the provisions of this Chapter. The intent of this Section is to permit such signs to be maintained. Therefore, a sign erected prior to January 1, 1966 that does not conform to one or more provisions of this Chapter may continue to be maintained and shall not be subject to the amortization provisions of this Title, if the City Council determines, upon the recommendation of the Historic Preservation Commission, that all of the following standards have been met:

- A. The sign was lawfully erected prior to January 1, 1966, and has been continuously maintained in the same location since that date.
- B. The sign:
 1. Is attached to a significant historic building or landmark, and has come to be identified with that building or landmark, whether or not it is original to it; or
 2. Is located on a site that has been continuously operated for the same business use since January 1, 1966 or earlier.
- C. The sign is of a unique shape or type of design representative of its era, and that is not commonly found in contemporary signs.
- D. The sign identifies a building or business that is associated with a family, business or organization that was noteworthy in the history of the St. Charles community.
- E. The sign does not violate Section 17.28.080, Prohibited Signs.

17.28.080 Prohibited Signs

It shall be unlawful to erect or maintain the following signs:

A. Signs which Constitute a Traffic Hazard

No sign shall:

1. Obstruct free and clear vision at any street, intersection, parking lot entrance or exit, or driveway.
2. Interfere with, obstruct the view of, or be designed so as to be confused with any authorized traffic sign, signal or device because of its position, shape or color.
3. Make use of the words STOP, LOOK, DETOUR, DANGER or any other word, phrase, symbol or character in a manner that misleads, interferes with or confuses traffic.
4. No sign in direct line of vision of a traffic signal shall be illuminated in red, green or amber color in such a manner that the sign illumination could be confused with the illumination from a traffic signal.

B. Moving Parts

No sign shall have visible moving, revolving or rotating parts or visible mechanical movement of any kind, except for the movable hands of street clocks, and movement caused by the wind in the case of banners or flags.

C. Signs of an Offensive Nature

No sign shall display any matter in which the dominant theme of the material taken as a whole appeals to a prurient interest in sex, or is patently offensive because it affronts contemporary community standards relating to the description or representation of sexual matters, and is utterly without redeeming social value.

D. Obstruction of Doors, Windows or Fire Escapes

No sign or other advertising structure shall be erected, relocated or maintained so as to prevent free ingress to and egress from any door, window or fire escape. No sign of any kind shall be attached to a standpipe or fire escape.

E. Signs on Parked Vehicles

No sign shall be displayed on a vehicle parked in an off-street parking or loading area, or in an outdoor motor vehicle display area, except in the following instances:

1. The sign pertains to the sale, lease or rental of the vehicle on which it is displayed; or
2. The sign is painted or otherwise affixed to a truck, bus or other vehicle that is used to carry goods or people or to provide services at least one day per week, as an accessory use to the business identified on the sign.

Signs resting on, or attached to, vehicles or trailers used as a means to circumvent the provisions of this Chapter are prohibited.

(Ord. 1991-Z-35; Ord. 1975-Z-7; Ord. 1968-30; Ord. 1960-16 § IV (M).)

F. Portable Signs

Portable signs are prohibited, except when authorized by a governmental agency in conjunction with construction or enforcement activities.

G. Off-Premise Signs

Signs which advertise a business or service not located on the same lot or within the same PUD or Shopping Center, or which otherwise do not relate to the uses permitted on the lot or within the same PUD or Shopping Center, such as billboards, are prohibited in all districts except:

1. In the PL District, an Identification Sign advertising a business or service may be located off-premise on an adjacent lot in the PL District.
2. In the CBD-1 and CBD-2 District, for lots without street frontage, in lieu of an Identification Sign located on the lot, an Identification Sign may be located off-premise on an adjacent lot with street frontage in either the CBD-1 or CBD-2 zoning district, subject to the authorization of the property owner.

Any off-premise sign that is no longer utilized shall be removed by the owner of the sign or the owner of the property on which the sign is located.
(Ord. 2014-Z-11 § 2.)

17.28.090 Exemptions

A. Maintenance Operations

The following maintenance operations are allowed and do not require a permit:

1. Changing the advertising copy or message on an existing changeable copy sign or similar approved sign, whether illuminated or non-illuminated.
2. Painting, repainting, cleaning, or other normal maintenance of a sign, not involving structural changes, changes to the permanent copy displayed on the sign, or changes in the electrical components of the sign.

B. Political Signs

Political signs are allowed and do not require a permit.

C. Community Event Signs

Temporary signs in conjunction with special events conducted by governmental agencies, educational institutions or charitable, not-for-profit organizations, such as philanthropic campaigns, church activities and other community activities, are allowed and do not require a permit, subject to the following:

1. Such signs shall not exceed thirty-two (32) square feet in area.
2. Such signs shall not be erected earlier than 30 days prior to the event or series of events, and shall be removed not later than 7 days following the conclusion of the event or series.
3. Such signs may be located on a lot or lots owned by Federal, State or local governmental agencies with permission of the lot owner, not including public rights of way unless specifically authorized by the agency having jurisdiction.

D. Regulatory Signs

Permanent signs erected by a governmental agency regulating vehicular or pedestrian traffic, or designating or giving directions to streets, schools, historic sites, community facilities or public buildings, posting rules of use for a facility, identifying or interpreting features of a site, sports scoreboards, and similar signs are allowed and do not require a permit.

Signs erected on a lot containing a public facility owned by a governmental agency may include sponsor identification and advertising, provided that the advertising is sized, located and oriented so as to be viewed primarily by patrons of the public facility, and not by the general public traveling on public streets or adjoining property. Such signage is allowed in any non-residential district and does not require a permit unless the sign is electrically operated or illuminated, in which case a permit is required to ensure compliance with applicable codes.

E. Memorial Plaques

Memorial or commemorative plaques or tablets such as those denoting a person or persons memorialized, a natural or manmade feature, a building name and/or date of erection, or a location of historic significance, and not exceeding eight (8) square feet in area are allowed and do not require a permit.

F. Flags

Flags of any government or governmental agency, or any patriotic, religious, charitable, civic, educational or fraternal organization are allowed and do not require a permit.

G. Temporary Displays or Decorations for Holidays and Special Occasions

Temporary displays or decorations for holidays and special occasions are allowed and do not require a permit, subject to the following:

1. Temporary displays or decorations customarily associated with any national, state, local or religious holiday or celebration shall be erected no earlier than forty-five (45) days before and removed no later than fourteen (14) days after the holiday or celebration.
2. Temporary displays or decorations announcing special occasions including, but not limited

to, the birth of a child and birthdays shall be displayed for a maximum of five days.

H. Small Real Estate Signs

Non-illuminated real estate signs that are six square feet or less in area and a) if freestanding, do not exceed 5 feet in height, or b) if attached to a building or structure, do not exceed 20 feet above grade, are allowed and do not require a permit; there shall be not more than one such sign per lot, except that on a corner or through lot, two signs, one adjoining each street, are allowed.

I. Garage Sale Signs

Temporary signs advertising a permitted garage or yard sale are allowed and do not require a permit. Such signs shall only be located on the lot or lots that are participating in the garage or yard sale. Such signs shall be posted no earlier than forty-eight (48) hours prior to the commencement of the event, and removed no later than twenty-four (24) hours after the conclusion of the event.

J. Directional Signs

Directional signs are allowed and do not require a permit unless the sign is electrically operated or illuminated, in which case a permit is required to ensure compliance with applicable codes, Such signs shall be subject to the following:

1. One (1) directional sign is permitted for each driveway access from a public street. One (1) additional directional sign is permitted for each intersection of driveways within a site, to identify traffic routing, entrances, and services, such as drive-in lanes.
2. Directional signs shall be set back from the right-of-way a minimum of five (5) feet.
3. Directional signs may have a maximum surface area of five (5) square feet and shall not exceed a maximum height of four (4) feet above the adjacent street or driveway grade, as measured at a point on the street or driveway pavement closest to the sign.
4. Pavement markings such as directional arrows, stop bars, and parking space boundaries are not subject to the limitation on area.

K. Miscellaneous Information

Information appearing on gasoline pumps, newspaper vending boxes and other vending machines, automatic teller machines, or matter appearing on or adjacent to entry doors such as PUSH, PULL, OPEN and/or CLOSED, or matter appearing on display windows or doors denoting hours of operation, credit cards accepted, and similar information, are allowed and do not require a permit.

L. Drive-Through Menu Board Signs

One permanent freestanding Drive-Through Menu Board Sign shall be permitted per each permanent ordering station related to the approved Special Use for a Drive-Through. Drive-Through Menu Boards Signs shall not exceed thirty-two (32) square feet in area. Drive-Through Menu Board Signs require a building permit to ensure compliance with applicable codes. (Ord. 2012-Z-5 § 8.)

M. Window Signs

Window Signs shall not exceed fifty percent (50%) of the total area of the window frame on which the sign is located. Signs that are not permanently affixed to the window do not require a permit. (Ord. 2012-Z-5 § 9.)

17.28.100 Temporary Signs Requiring A Permit

Temporary signs, including attention getting devices, are permitted in accordance with the provisions of this Section, except that where other sections of this Title regulate such signs, the more restrictive regulation shall apply.

A. Permit Required

A permit is required to erect the temporary signs and attention getting devices listed in the following paragraphs of this Section 17.28.100, in accordance with Section 17.28.020 A (Sign Permit).

B. Time Limit

Unless otherwise permitted, displays of temporary signs shall be limited to fourteen (14) days per permit, and not more than four (4) such permits shall be issued to an applicant per calendar year. There shall be a minimum separation of thirty (30) days between temporary sign displays. All

temporary signs permitted by this Section shall be removed no later than seven (7) days following the conclusion of the event or other condition to which the sign pertains.

C. Setbacks

No setback is required for temporary signs and attention getting devices that are six (6) square feet or less in surface area and five (5) feet or less in height. All other freestanding temporary signs and attention getting devices shall be set back a minimum of five (5) feet from all right-of way lines.

D. Real Estate and Other Temporary Signs Requiring a Permit

1. In the BL, BC, BR, CBD-1, O-R, M-1, M-2, and PL Districts, one (1) temporary sign is permitted for each street frontage of the lot. The maximum sign area and height shall be:
 - a. For lots one (1) acre and under: Thirty-two (32) square feet of surface area. Freestanding signs shall not exceed eight (8) feet in height.
 - b. For lots one (1) to five (5) acres: Sixty-four (64) square feet of surface area. Freestanding signs shall not exceed eight (8) feet in height.
 - c. For lots five (5) acres and above: One hundred (100) square feet of surface area. Freestanding signs shall not exceed ten (10) feet in height.
 - d. Real estate and other temporary signs of 6 square feet or less are allowed without a permit in accordance with Paragraph 17.28.090.
2. In the BT Overlay and CBD-2 Districts, one (1) temporary sign is permitted for each street frontage of the lot. Each sign shall not exceed sixteen (16) square feet in surface area. Freestanding signs shall not exceed six (6) feet in height.
3. Real Estate signs advertising a property for sale or lease shall not be subject to a time limit but shall be removed no later than seven (7) days following the sale or lease of the property.
4. During construction or reconstruction of public improvements, if the Director of Community Development determines that the construction activity will disrupt access to lots and/or visibility of lots directly adjacent to the construction, the Director may authorize the following for lots adjacent to the construction:
 - a. Temporary signs shall not be subject to time limits specified in Section 17.28.100.B, but shall not be placed for longer than the duration of the construction.
 - b. One (1) additional temporary sign per lot shall be permitted, subject to all other applicable requirements.
 - c. A permit for temporary sign authorized under this Section may be terminated if the conditions stated herein are not complied with.

(Ord. 2012-Z-8 § 2.)

(Ord. 2009-Z-10 § 2; Ord. 2008-Z-24 § 20.)

E. Real Estate and Other Temporary Signs in Residential Districts

1. In residential districts, one temporary sign is permitted for each street frontage of the lot. The maximum sign area and height shall be:
 - a. For developed lots over 4 acres and vacant lots over 1 acre: 32 square feet in surface area; freestanding signs shall not exceed 8 ft. in height and wall signs shall not exceed the building height.
 - b. For developed lots 4 acres or less and vacant lots 1 acre or less: Real estate and other temporary signs are limited to 6 square feet or less and are allowed without a permit in accordance with Paragraph 17.28.090.
2. Real Estate signs advertising a property for sale or lease shall not be subject to a time limit but shall be removed no later than seven (7) days following the sale or lease of the property.

(Ord. 2008-Z-24 § 21.)

F. Construction Signs

Construction signs identifying the architect, engineer, developer and/or contractor placed upon a construction site shall not exceed thirty-two (32) square feet in area and eight (8) feet in height for lots 4 acres or less, and 64 square feet for lots of more than 4 acres. Such signs shall not be erected prior to issuance of building or site development permit and shall be removed no later than seven

(7) days after issuance of an occupancy permit or completion of the project. Construction signs shall be limited to one (1) sign per street frontage.

G. Attention-Getting Devices

Attention-getting devices are permitted only in the BL, BC, BR, CBD-1, O-R, M-1, M-2 and PL Districts. Attention getting devices shall be displayed only in association with a grand opening or special event. Attention getting devices shall comply with the following restrictions:

1. **Balloon Signs**
The longest dimension of the balloon portion of a balloon sign shall not exceed seven (7) linear feet. The length of the entire balloon sign, as measured from the longest dimension of the balloon and including the tether, shall not exceed ten (10) feet.
2. **Pennants, Flags, Valences and Streamers**
 - a. Pennants, flags, valences and streamers, if attached to the building, shall not extend above the building height; if attached to a freestanding permanent sign, they shall not extend above the height of the sign.
 - b. Pennants, flags, valences and streamers shall be mounted with a vertical clearance of at least 9 feet from the ground.
3. **Searchlights**
Searchlights shall be oriented skyward not breaking an angle of forty-five degrees (45°) from the ground. Searchlights shall not be operated between the hours of 11:00pm and 7:00am.

H. Christmas Tree Sales

Where Christmas tree sales are a permitted temporary use, one (1) temporary sign is permitted per sales operation, for a maximum period of thirty-five (35) days. Such sign shall not exceed thirty-two (32) square feet in area and eight (8) feet in height.
(Ord. 1996-Z-1 § 1.)

17.28.110 Master Sign Plan Required

When more than one (1) wall sign, awning or canopy is proposed on any building with multiple tenants, the applicant shall submit a master sign plan for review by the Building Commissioner. Any master sign plan lawfully approved prior to the effective date of these regulations shall remain valid after such effective date only to the extent it complies with the regulations of this Title. No sign shall be installed pursuant to any master sign plan except in conformance with the regulations of this Title.

17.28.120 Amortization of Nonconforming Signs

See Section 17.08.060 for provisions regarding amortization of non-conforming signs.