

# CHAPTER 7: REGULATIONS GOVERNING SIGNS

## 7.1 FINDINGS, PURPOSE AND EFFECT

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### 7.1.1 Findings

The Arlington Board of Mayor and Aldermen hereby finds as follows:

- 1) Exterior signs have a substantial impact on the character and quality of the environment.
- 2) Signs provide an important medium through which individuals may convey a variety of messages.
- 3) Signs can create traffic hazards, aesthetic concerns and detriments to property values, thereby threatening the public health, safety and welfare.
- 4) The Town's zoning regulations have historically included the regulation of signs in an effort to provide adequate means of expression and to promote the economic viability of the business community, while protecting the Town and its citizens from a proliferation of signs of a type, size, location and character that would adversely impact upon the aesthetics of the community and threaten the health, safety and welfare of the community. The regulation of the physical characteristics of signs within the Town has had a positive impact on traffic safety and the appearance of the community.

### 7.1.2 Purpose and Intent

It is not the purpose or intent of this chapter to regulate the message displayed on any sign; nor is it the purpose or intent of this chapter to regulate any building design or any display not defined as a sign, or any sign which cannot be viewed from outside a building. The purpose and intent of this chapter is to:

- 1) Regulate the number, location, size, type, illumination and other physical characteristics of signs within the Town in order to promote the public health, safety and welfare.
- 2) Maintain, enhance and improve the aesthetic environment of the Town by preventing visual clutter that is a threat to traffic safety and is harmful to the appearance of the community.
- 3) Improve the visual appearance of the Town while providing for effective means of communication, consistent with constitutional guarantees.
- 4) Provide for fair and consistent enforcement of the sign regulations set forth herein under the zoning authority of the Town.

### 7.1.3 Effect

A sign may be erected, mounted, displayed or maintained in the Town if it is in conformance with the provisions of these regulations. The effect of this chapter, as more specifically set forth herein, is to:

- 1) Allow a wide variety of sign types in non-residential zones, and a more limited variety of signs in other zones, subject to the standards set forth in this chapter.
- 2) Allow certain small, unobtrusive signs incidental to the principal use of a site in all zones when in compliance with the requirements of this chapter.
- 3) Provide for temporary signs in limited circumstances.
- 4) Prohibit signs whose location, size, type, illumination or other physical characteristics negatively affect the environment and where the communication can be accomplished by means of having a lesser impact on the environment and the public health, safety and welfare.
- 5) Provide for the enforcement of the provisions of this chapter.

## **7.2 GENERAL PROVISIONS**

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### 7.2.1 Nonconforming Signs

- 1) The utilization of a nonconforming sign and/or sign structure, as defined herein, may continue subject to the conditions and requirements noted below. When the use of a property changes (including but not limited to the redevelopment of the site or a change in the use of the business[es]), the signs on that property must be brought into compliance with the provisions of this chapter.
- 2) With the exception of minor repairs, maintenance and alterations allowed pursuant to state law, no alterations to a nonconforming sign/sign structure shall be allowed. Unless otherwise allowed by law, any structural or other substantial improvement to a nonconforming sign (except for re-painting, re-printing or refinishing the surface of the existing sign face or sign structure so as to maintain the appearance) shall be deemed an abandonment of the nonconforming status and shall result in the reclassification of such sign as an illegal sign.

### 7.2.2 Calculations and Measurement Standards

The following principals shall control the computation of sign area and sign height:

- 1) **Computation of the Area of Individual Signs:** The sign area shall be determined by computing the area of the smallest square, rectangle, circle

and/or triangle that will encompass the extreme limits of the sign face, including any open areas within the sign face (see definition, "Sign Area").

- 2) **Computation of Area of Multi-faced Signs:** The sign area for a sign with more than one (1) face shall be determined by computing the area of one (1) sign face, except where otherwise provided herein. Where the sign faces may be of differing sizes, the larger of the two shall be computed.
- 3) **Computation of Height:** Sign height is measured from the average level of the grade below the sign to the topmost point of the sign. Average grade shall be the lower of existing grade prior to construction or newly established grade after construction. Any berming, filling, or excavating solely for the purpose of locating the sign, shall be computed as part of the sign height.
- 4) **Accumulation of Allowable Sign Area Prohibited:** Where there is more than one (1) street frontage or approved access easement, signage cannot be accumulated to be in excess of that permitted for the single street frontage.

### 7.2.3 Design, Construction and Maintenance of Signs

All signs shall be designed, constructed and maintained in accordance with the following standards:

- 1) **General Provisions:** All signs shall comply with applicable provisions of the adopted building codes and electrical code. Except for banners, flags, pennants, temporary signs and window signs allowed hereunder, all signs shall be constructed of permanent materials that are permanently attached to the ground or a structure. All signs shall be maintained in good structural condition, in compliance with all applicable codes.
- 2) **Spacing:** All permanent freestanding signs on any premises shall be spaced at minimum two hundred (200')-foot intervals along each public way that views the premises, unless otherwise provided for by this chapter.
- 3) **Clear Sight Triangle:** All signs shall be located outside of the clear sight triangle as specified in Chapter 6, Section 6.1.
- 4) **Sign Illumination:** Sign illumination shall only be achieved through the following standards, and as further permitted and specified in each zoning district:
  - a) **Wall Signs:** Unless otherwise noted herein, wall signs may be illuminated in the following manner:
    - i) A white, steady, stationary light of reasonable intensity that is directed solely at the sign. The light source shall be shielded from adjacent buildings and streets, and shall not be of sufficient brightness to cause glare or other nuisances to adjacent land uses; or

- ii) Reverse-channel illumination of individually-mounted letters or script and logos. Light shall not shine through the face of the sign, shall be white in color and shall provide steady, stationary lighting.
  - b) Freestanding Signs: Unless otherwise noted herein, freestanding signs may be illuminated in the following manner:
    - i) A white, steady, stationary light of reasonable intensity that is directed solely at the sign. The light source shall be shielded from adjacent buildings and streets, and shall not be of sufficient brightness to cause glare or other nuisances to adjacent land uses; or
    - ii) Internal illumination shall provide steady, stationary lighting which shines only through textual sign copy and logos. The background of the sign face shall be opaque so that no light shines through. Lighting shall be white in color.
    - iii) Reverse-channel illumination of individually-mounted letters or script and logos. Light shall not shine through the face of the sign, shall be white in color and shall provide steady, stationary lighting.
  - c) All electrical service to ground-mounted signs shall be placed underground. Electrical service to other signs shall be concealed from public view.
- 5) **Setback:** All freestanding signs, whether permanent or temporary, shall be set back at least ten (10') feet from the street right-of-way, private drive or permanent access easement, unless otherwise specified by this chapter. No permanent freestanding sign shall be located within a public utility or drainage easement without written approval from the affected agencies. No temporary signs shall be permitted within any median which is within a public right-of-way.
- 6) **Design:** The various parts of a sign shall be compatible in design quality.
- 7) **Color:** Textual sign copy of a wall sign is limited to the following colors (as noted with the Pantone color): white, cream (Pantone #4545C); bronze (Pantone #448C); gold tone (Pantone #873C) or black. Where a sign is carved or sandblasted into the background or building's surface, a neutral color consistent with the overall design of the building may be considered. The Design Review Committee (DRC) may, at its discretion, allow minimal use of color on a single-tenant building for those businesses seeking to incorporate colored sign copy into the signage. Colors in addition to those listed above are permitted on logos.
- 8) **Freestanding Sign Structure:** A permanent freestanding sign, not temporary, shall have a solid base with a minimum width no smaller than the width of the sign it is supporting, and a minimum height of two (2') feet

from the surrounding grade. The base shall not exceed one hundred twenty-five (125%) percent of the total width of the sign.

- 9) Any two (2)-sided or two (2)-faced freestanding sign shall be oriented on the lot so that both faces of the sign are positioned back-to-back and the sign is perpendicular to the right-of-way or permanent access easement.

#### 7.2.4 Prohibited Signs

Except as may be authorized by this chapter, the following signs shall be prohibited and may neither be erected nor maintained:

- 1) Banners, pennants, festoons, and balloons, except for those otherwise provided for in this chapter.
- 2) Swinging signs.
- 3) Snipe signs.
- 4) Animated signs of any type.
- 5) Any sign erected in a public right-of-way, except for signs with non-commercial messages placed by or on behalf of a governmental entity.
- 6) Roof signs or signs extending beyond the main roof line, provided that signs may be mounted on an architectural feature extending beyond the roof line if such feature is fully enclosed and considered an integral part of the occupied space, such as an atrium or high ceiling.
- 7) Abandoned or dilapidated signs.
- 8) Portable signs.
- 9) Inflatable signs.
- 10) Any tubular lighting used to outline the exterior of a building, canopy, awning or structure.
- 11) Any internally illuminated sign attached to a building where lighting shines through the face of any portion of the sign.
- 12) Marquee signs.
- 13) Any commercial sign located in a residential district not otherwise provided for in this chapter.
- 14) Any sign that obstructs free ingress or egress through a required door, window, fire escape or other required exit way.
- 15) Any sign which by reason of its location, position, size, shape or color may obstruct, impair or otherwise interfere with the view of, or be confused with, any traffic control sign or signal erected by a public authority. To those

ends, no sign shall use the words, "slow," "stop," "caution," yield," "danger," "warning," or "go" in a manner that misleads, confuses or distracts a vehicle driver.

- 16) Any sign which by reason of its location, position, size, shape, materials, or other physical characteristics poses a safety hazard to drivers, pedestrians or residents.
- 17) Any sign that exhibits statements, words or pictures of an obscene nature, as defined by the United States Supreme Court.
- 19) Electronic message display signs.
- 20) Manual or electronic changeable copy signs.
- 21) Any other sign not specified in Chapter 7, Section 7.3 herein and which is not a lawful nonconforming sign.

### **7.3 ALLOWABLE SIGNS BY ZONING DISTRICT**

#### **7.3.1 Allowable Signs by Zoning District**

All signs designated in this section shall conform to the standards established herein, in addition to those applicable standards set forth elsewhere in Chapter 7.

- 1) **Signs Allowed in all Zoning Districts:** The signs listed below are allowed in all zoning districts, provided that such signs are on private property, unless otherwise provided; that such signs are maintained in a manner that does not create a safety hazard; and that the specific restrictions set forth for each type of sign listed below shall apply wherever such a sign is erected, displayed or maintained.
  - a) Official sign or notice issued or required to be displayed on private property by any court, public agency or public office, whether permanent or temporary.
  - b) Traffic directional, warning or information sign authorized by any public agency, whether permanent or temporary.
  - c) Private street or road name sign located at an intersection that does not advertise any commercial name, message or logo.
  - d) Incidental signs not exceeding two (2) square feet in area per face. Such signs proclaiming "no trespassing," "no hunting," "no parking," "entrance," "exit," "loading only," "phone," "ATM," and the like shall be considered incidental to the use of property.
  - e) One (1) window sign for each business, or any other sign within five (5') feet of a window, shall be permitted of a size not to exceed two

feet by three feet (2' x 3') on a permanent or ongoing basis. All window signs must be unlit, professionally prepared and maintained in a proper appearance.

- f) Non-commercial flags/government flags/civic flags and decorative flags displayed in a non-commercial manner; provided that flagpoles shall be located a distance equal to or greater than their own height above grade from the nearest property line. In residential districts, the maximum height of a flagpole is twenty (20') feet and a maximum of one (1) flagpole is permitted per lot. In non-residential districts, the height of a flagpole shall not exceed the height of any building on the lot.
- g) Temporary signs or displays of a seasonal or holiday occasion may be displayed on any lot for periods of up to sixty (60) days, provided that they do not contain any commercial message or logo and do not create a sight visibility hazard.
- h) Any outdoor artwork, mural, sculpture and the like may be displayed on a lot, provided that it does not contain any commercial message or logo and does not create a sight visibility hazard. Where such outdoor art is part of a site that is subject to the Design Review Committee's jurisdiction, the outdoor art shall be considered part of the development that is subject to review and approval of the Design Review Committee.
- i) Freestanding real estate signs may be erected for any property that is offered for sale, rent or lease. The signs shall not be located within a public right-of-way; shall not be located off-site of the premises for sale, rent or lease; and shall not create any sight visibility hazard.
- j) Scoreboards may be used in conjunction with a sporting event or use, displaying the teams, scores, time or other similar information. Illumination of these signs shall not interfere with residential uses, and shall not be of an intensity so as to interfere with traffic or safety.

**7.3.2** Signs permitted in the R-E-5, E, RS-22, RS-18, RS-15, RS-13, R-MMF, R-MH Residential Districts

- 1) Signs listed in Section 7.3.1 herein.
- 2) **Residential Subdivision Signs:** Such signs shall be located at the primary entrance(s) to a development as identified on a recorded subdivision plat. The signs shall be located on private property and may be within any platted sign and/or landscape easement or within the common open space. Such signs and any associated landscaping and/or illumination shall be maintained by an established property owners' association. The following specifications apply:

Number of signs – one (1) sign at each vehicular entrance, with a maximum of two (2) signs per subdivision.

Sign area – twenty-four (24) square feet per sign, maximum.

Sign height – six (6') feet, maximum.

- 3) **Subdivision Temporary Development Sign:** One (1) such sign may be erected on-site for the purpose of advertising the development of a subdivision and the sale of included lots. The sign may remain until sale of all subdivision lots is completed. No other temporary development signs shall be allowed. The names of participating builders may be included on the subdivision temporary development sign. Such sign shall be allowed upon approval of an engineering plat. The following specifications apply:

Number of signs – one (1) sign.

Sign area – sixteen (16) square feet per sign, maximum.

Sign height – six (6') feet, maximum.

- 4) **Temporary Signs:** In addition to the other signs identified in this section, temporary, freestanding, non-commercial signs may be posted on any lot in a residential district at any given time. This category includes, but is not limited to: political preference signs; garage sale signs; non-commercial baby announcements; lost pet signs; social/special event announcements; or any other non-commercial messages. Any such signs announcing a social/special event shall be removed within forty-eight (48) hours after the event. Home occupation or contractor signs shall be considered commercial signs, and are not allowed within any residential district. Temporary signs shall not be illuminated. The following specifications apply:

Number of signs – one (1) sign per street frontage, maximum.

Sign area – sixteen (16) square feet per sign, maximum.

Sign height – six (6') feet, maximum.

- 5) **Signs Allowed for Institutional Uses in a Residential District:** Institutional uses, including but not limited to local, state and federal buildings, churches, schools, libraries, and philanthropic and non-profit organizations, are permitted the following signs:

a) Signs listed in Section 7.3.1 herein.

b) Freestanding Signs Specified in this Section: Each lot is limited to one (1) freestanding sign for each side of the lot that fronts on a public street or approved permanent access easements, not to exceed two (2) signs. The following specification shall apply:



Number of signs - one (1) per road frontage.

Sign area – twenty-five (25) square feet per sign, maximum.

Sign height – six (6') feet, maximum.

- c) Temporary Signs: Such signs include but are not limited to construction signs, political preference signs and social/special event announcements. One (1) construction sign may be maintained for the duration of the construction project, from the issuance of the building permit to the issuance of a certificate of occupancy. Any signs announcing a social/special event shall be removed within forty-eight (48) hours after the event. These signs shall not be illuminated. The following specifications apply:

Number of signs – one (1) per street frontage.

Sign area – thirty-two (32) square feet, maximum.

Sign height – six (6') feet, maximum.

Time period - These uses are permitted one (1) temporary freestanding sign per calendar quarter, for a period not to exceed fourteen (14) days.

- d) Wall Signs: The following specifications apply:

Number of signs – one (1) sign per building frontage facing a public right-of-way.

Sign area – one (1) square foot of signage per lineal foot of building frontage facing a public right-of-way, with a maximum of thirty (30) square feet.

- e) Projecting Signs: These signs may not be located so as to hang over a public right-of-way. Projecting signs may only be illuminated with external lighting shining onto the sign face. The following specifications apply:

Number of signs – one (1) sign per building frontage facing a public right-of-way.

Sign area – eight (8) square feet, maximum.

Sign height – must be installed a minimum of seven (7') feet above the surrounding grade, and must be placed so as to not interfere with pedestrian mobility or safety.

### 7.3.3 Signs allowed in the B-1 (Neighborhood Business) Districts:

- 1) Signs listed in Section 7.3.1 herein.

2) **Freestanding Signs Specified in this Section:** Each lot is limited to one (1) of the following types of signs for each side of the lot that fronts on a public street or approved permanent access easement not to exceed two (2) signs. A building or series of attached buildings housing two (2) or more businesses or uses shall be limited to one (1) grouping sign per street frontage, exclusive of out parcels.

a) **Grouping Signs:** The signs may be located in a joint user access easement or private platted sign easement abutting the nearest public road. The following specifications apply:

Sign area – an area of one hundred twenty-five (125%) percent of the total lineal street frontage on which the sign is facing, one hundred twenty-five (125) square feet for all sign faces combined, maximum per street frontage.

Sign height – fifteen (15') feet, maximum.

Design – the development name portion of a sign may use color. Other portions of the sign may be composed of individually-mounted letters on a solid surface. Illumination may be with reverse-channel illumination of the letters and logos, or from an external source onto the sign. The sign may also be illuminated internally, with a dark background with white letters and logos. Internally-lit signs shall illuminate only the lettering and logo. The balance of the sign shall be opaque to block the internal lighting.

b) **Other Permanent Signs:** The following specifications apply:

Sign area – one hundred (100%) percent of the total lineal street frontage, seventy-five (75) square feet for all sign faces combined, maximum per street frontage.

Sign height – six (6') feet, maximum.

3) **Temporary Signs:** In addition to other signs identified in this section, temporary freestanding signs may be posted on any lot in this zoning district at any time. Such signs include but are not limited to construction signs, political preference signs, notices such as “grand opening” and special event announcements.

One (1) real estate sign may be maintained while the property is available for sale or while rentable space is available for lease. One (1) construction sign may be maintained for the duration of the construction project, from the issuance of the building permit to the issuance of a certificate of occupancy. Other temporary freestanding signs shall be limited to a period not to exceed fourteen (14) days per calendar quarter. Any signs announcing a social/special event shall be removed within forty-eight (48) hours after the event. Temporary signs shall not be illuminated. The following specifications apply:

Number of Signs – two (2) sign per street frontage, maximum.

Sign area – thirty-two (32) square feet per sign, maximum.

Sign height – six (6') feet, maximum.

- 4) **Wall Signs:** For the purposes of this section, painted wall signs and canopy signs shall be calculated and deducted from the total allowable wall sign area. In no event shall signage on a canopy exceed thirty (30) square feet.

- a) Uses with an individual principal entrance: Each business or tenant shall be limited to one (1) wall sign per building face which faces a public street or approved permanent access easement. The following specifications apply:

Sign area – one (1) square foot of signage per lineal foot of building frontage facing a public street or permanent access easement, with a maximum of one hundred seventy-five (175) square feet. A minimum of thirty (30) square feet of signage is permitted, regardless of building frontage.

- b) Uses with a common principal entrance: Each business or tenant sharing a common entrance shall be allowed to have one (1) wall sign. The following specifications apply:

Sign area – twenty (20) square feet per sign, maximum.

- 5) **Projecting Signs:** These signs may not be located so as to hang over a public right-of-way. Projecting signs may only be illuminated with external lighting shining onto the sign face. The following specifications apply:

Number of signs – one (1) sign per building frontage facing a public right-of-way.

Sign area – eight (8) square feet, maximum.

Sign height – must be installed a minimum of seven (7') feet above the surrounding grade, and must be placed so as to not interfere with pedestrian mobility or safety.

- 6) **Gasoline Trade Signs:** Petroleum product pumps and dispensers that are within view of a public way shall be allowed to display only that information required by law on gasoline trade signs, along with the brand name and type of product being dispensed. No other advertising shall be displayed on the pumps, temporary or permanent.

- a) **Freestanding Signs:** Premises that dispense retail bulk petroleum products by pump (gasoline or diesel) shall be allowed to display the pricing of such products. These signs may be incorporated into

other freestanding signs, or may be a single, separate sign located on the same lot. The following specifications apply:

Sign area – where incorporated into another freestanding sign, the sign area may be increased by thirty-five (35%) percent, which area shall be used for the pricing of said petroleum products.

Where used as a single sign used to display solely the pricing of said petroleum products, along with the brand name and type of product being dispensed, the maximum sign area shall be seventy-five (75) square feet for all faces.

Sign height – six (6') feet, maximum.

- b) **Canopy Signs:** These signs shall be for the purpose of displaying the brand or business. When an enclosed principal structure exists, all canopy signs shall be calculated and deducted from the total allowable wall sign area. In the absence of an enclosed principal structure, for the purposes of this section, canopy signage shall be considered a wall sign and shall be allowed in addition to the allowable freestanding sign. For the purpose of illumination of the sign, lighting shall be consistent with that permitted for wall signs. The following specifications apply:

Sign area – thirty (30) square feet, maximum divided between not more than three (3) canopy signs.

- c) **Gasoline Pump Identification Signs:** For the purpose of identifying the brand of gasoline, each pump façade shall be allowed one (1) sign not to exceed two (2) square feet mounted on the pump façade. No other commercial advertising shall be displayed.

- 7) **Commercial Flags/Non-governmental Flags:** These flags are considered signs subject to the provisions of this section. The following specifications apply:

Sign area – no flag shall exceed twenty-four (24) square feet per face, maximum.

Flagpole height – shall not exceed the height of any building on the lot.

Setback – the flagpole shall be set back a minimum of its height from any property line.

#### 7.3.4 Signs Allowed in the B-2 (General Business) District

- 1) Signs listed in Section 7.3.1 herein.
- 2) **Freestanding Signs Specified in this Section:** Each lot is limited to one (1) of the following types of signs for each side of the lot that fronts on a public street or approved permanent access easement not to exceed two

(2) signs. A building or series of attached buildings housing two (2) or more businesses or uses shall be limited to one (1) grouping sign per street frontage, exclusive of out parcels.

- a) **Grouping Signs:** The signs may be located in a joint user access easement or private platted sign easement abutting the nearest public road. The following specifications apply:

Sign area – an area of one hundred twenty-five (125%) percent of the total lineal street frontage on which the sign is facing, one hundred seventy-five (175) square feet for all sign faces combined, maximum per street frontage.

Sign height – fifteen (15') feet, maximum.

Design – the development name portion of a sign may use color. Other portions of the sign may be composed of individually-mounted letters on a solid surface. Illumination may be with reverse-channel illumination of the letters and logos, or from an external source onto the sign. The sign may also be illuminated internally, with a dark background with white letters and logos. Internally-lit signs shall illuminate only the lettering and logo. The balance of the sign shall be opaque to block the internal lighting.

- b) **Other Permanent Signs:** The following specifications apply:

Sign area – one hundred (100%) percent of the total lineal street frontage, eighty-five (85) square feet for all sign faces combined, maximum per street frontage.

Sign height – six (6') feet, maximum.

- 3) **Temporary Signs:** In addition to other signs identified in this section, temporary freestanding signs may be posted on any lot in this zoning district at any time. Such signs include but are not limited to construction signs, political preference signs, notices such as "grand opening" and special event announcements.

One (1) real estate sign may be maintained while the property is available for sale or while rentable space is available for lease. One (1) construction sign may be maintained for the duration of the construction project, from the issuance of the building permit to the issuance of a certificate of occupancy. Other temporary freestanding signs shall be limited to a period not to exceed fourteen (14) days per calendar quarter. Any signs announcing a social/special event shall be removed within forty-eight (48) hours after the event. Temporary signs shall not be illuminated. The following specifications apply:

Number of Signs – two (2) sign per street frontage, maximum.

Sign area – thirty-two (32) square feet per sign, maximum.

Sign height – six (6') feet, maximum.

- 4) **Wall Signs:** For the purposes of this section, painted wall signs and canopy signs shall be calculated and deducted from the total allowable wall sign area. In no event shall signage on a canopy exceed thirty (30) square feet.

- a) Uses with an individual principal entrance: Each business or tenant shall be limited to one (1) wall sign per building face which faces a public street or approved permanent access easement. The following specifications apply:

Sign area – one (1) square foot of signage per lineal foot of building frontage facing a public street or permanent access easement, with a maximum of two hundred (200) square feet. A minimum of thirty (30) square feet of signage is permitted, regardless of building frontage.

- b) Uses with a common principal entrance: Each business or tenant sharing a common entrance shall be allowed to have one (1) wall sign. The following specifications apply:

Sign area – twenty (20) square feet per sign, maximum.

- 5) **Projecting Signs:** These signs may not be located so as to hang over a public right-of-way. Projecting signs may only be illuminated with external lighting shining onto the sign face. The following specifications apply:

Number of signs – one (1) sign per building frontage facing a public right-of-way.

Sign area – eight (8) square feet, maximum.

Sign height – must be installed a minimum of seven (7') feet above the surrounding grade, and must be placed so as to not interfere with pedestrian mobility or safety.

- 6) **Gasoline Trade Signs:** Petroleum product pumps and dispensers that are within view of a public way shall be allowed to display only that information required by law on gasoline trade signs, along with the brand name and type of product being dispensed. No other advertising shall be displayed on the pumps, temporary or permanent.

- a) **Freestanding Signs:** Premises that dispense retail bulk petroleum products by pump (gasoline or diesel) shall be allowed to display the pricing of such products. These signs may be incorporated into other freestanding signs, or may be a single, separate sign located on the same lot. The following specifications apply:

Sign area – where incorporated into another freestanding sign, the sign area may be increased by thirty-five (35%) percent, which area shall be used for the pricing of said petroleum products.

Where used as a single sign used to display solely the pricing of said petroleum products, along with the brand name and type of product being dispensed, the maximum sign area shall be eighty-five (85) square feet for all faces. The following specifications apply:

Sign height – six (6') feet, maximum.

- b) **Canopy Signs:** These signs shall be for the purpose of displaying the brand or business. When an enclosed principal structure exists, all canopy signs shall be calculated and deducted from the total allowable wall sign area. In the absence of an enclosed principal structure, for the purposes of this section, canopy signage shall be considered a wall sign and shall be allowed in addition to the allowable freestanding sign. For the purpose of illumination of the sign, lighting shall be consistent with that permitted for wall signs. The following specifications apply:

Sign area – thirty (30) square feet, maximum divided between not more than three (3) canopy signs.

- c) **Gasoline pump identification signs:** For the purpose of identifying the brand of gasoline, each pump façade shall be allowed one (1) sign not to exceed two (2) square feet mounted on the pump façade. No other commercial advertising shall be displayed.

- 7) **Commercial Flags/Non-governmental flags:** These flags are considered signs subject to the provisions of this section. The following specifications apply:

Sign area – no flag shall exceed twenty-four (24) square feet per face, maximum.

Flagpole height – shall not exceed the height of any building on the lot.

Setback – the flagpole shall be set back a minimum of its height from any property line.

- 8) **Menu Boards:** Restaurants providing drive-through or curbside service are permitted menu boards provided that:

- a) Such structures shall be included in the development site plan as approved by the Design Review Committee.
- b) Restaurants providing drive-through but not curbside service may have no more than two (2) menu boards per drive-through lane, not to exceed six (6') feet in height and thirty (30) square feet in total size per menu board.

- c) Restaurants providing curb-side service may have no more than one (1) menu board per bay, not to exceed ten (10) square feet per sign face for each menu board. These signs may have two (2) sign faces.
- 9) **Special Sign Corridors:** A special sign corridor is hereby established for the following lots as specified below. All other requirements shall continue to apply.
- a) Those lots five (5) acres or greater in size, which have frontage on Highway 64 and are zoned B-2 (General Business) shall be permitted to increase the size of freestanding signs, except freestanding temporary signs, to an area one hundred twenty-five (125%) percent of the street frontage of the lot facing Highway 64. The maximum sign area permitted per face is two hundred (200) square feet. The maximum height shall not exceed twenty (20') feet.
  - b) Any lot or portion of a lot that is zoned B-2 (General Business) and is within fifteen hundred (1500') feet of the center point of an interchange for Interstate 40 or Highway 385 (Interstate 269) shall be allowed an additional fifteen (15')-foot height allowance for a permitted freestanding sign, except freestanding grouping signs and temporary signs.
  - c) These allowances are not permitted to be used in conjunction with each other.

**7.3.5 Signs Allowed in the B-3 (Downtown Business) Districts**

- 1) Signs listed in Section 7.3.1 herein.
- 2) Lighting from an external source onto the sign is the only lighting permitted for any sign in the B-3 (Downtown Business) District.
- 3) **Freestanding Signs Specified in this Section:** Each lot is limited to one (1) of the following types of signs for each side of the lot that fronts on a public street or approved permanent access easement not to exceed two (2) signs. A building or series of attached buildings housing two (2) or more businesses or uses shall be limited to one (1) grouping sign per street frontage, exclusive of out parcels.
  - a) **Grouping Signs:** The signs may be located in a joint user access easement or private platted sign easement abutting the nearest public road. The following specifications apply:

Sign area – an area of one hundred twenty-five (125%) percent of the total lineal street frontage on which the sign is facing, fifty (50) square feet for all sign faces combined, maximum per street frontage.



Sign height – six (6') feet, maximum.

- b) Other Permanent Signs: The following specifications apply:

Sign area – one hundred (100%) percent of the total lineal street frontage, fifty (50) square feet for all sign faces combined, maximum per street frontage.

Sign height – six (6') feet, maximum.

- 4) **Temporary Signs:** In addition to other signs identified in this section, temporary freestanding signs may be posted on any lot in this zoning district at any time. Such signs include but are not limited to construction signs, political preference signs, notices such as "grand opening" and special event announcements.

One (1) real estate sign may be maintained while the property is available for sale or while rentable space is available for lease. One (1) construction sign may be maintained for the duration of the construction project, from the issuance of the building permit to the issuance of a certificate of occupancy. Other temporary freestanding signs shall be limited to a period not to exceed fourteen (14) days per calendar quarter. Any signs announcing a social/special event shall be removed within forty-eight (48) hours after the event. Temporary signs shall not be illuminated. The following specifications apply:

Number of Signs – two (2) sign per street frontage, maximum.

Sign area – thirty-two (32) square feet per sign, maximum.

Sign height – six (6') feet, maximum.

- 5) **Wall Signs:** For the purposes of this section, painted wall signs and canopy signs shall be calculated and deducted from the total allowable wall sign area. In no event shall signage on a canopy exceed thirty (30) square feet.

- a) Uses with an individual principal entrance: Each business or tenant shall be limited to one (1) wall sign per building face which faces a public street or approved permanent access easement. The following specifications apply:

Sign area – one (1) square foot of signage per lineal foot of building frontage facing a public street or permanent access easement, with a maximum of fifty (50) square feet. A minimum of thirty (30) square feet of signage is permitted, regardless of building frontage.

- b) Uses with a common principal entrance: Each business or tenant sharing a common entrance shall be allowed to have one (1) wall sign. The following specifications apply:

Sign area – fifteen (15) square feet per sign, maximum.

- 6) **Projecting Signs:** These signs may not be located so as to hang over a public right-of-way. Projecting signs may only be illuminated with external lighting shining onto the sign face. The following specifications apply:

Number of signs – one (1) sign per building frontage facing a public right-of-way.

Sign area – eight (8) square feet, maximum.

Sign height – must be installed a minimum of seven (7') feet above the surrounding grade, and must be placed so as to not interfere with pedestrian mobility or safety.

- 7) **Commercial Flags/Non-governmental Flags:** These flags are considered signs subject to the provisions of this section. The following specifications apply:

Sign area – no flag shall exceed twenty-four (24) square feet per face, maximum.

Flagpole height – shall not exceed the height of any building on the lot.

Setback – the flagpole shall be set back a minimum of its height from any property line.

#### 7.3.6 Sign Allowed in the S-C (Shopping Center) Districts

- 1) Signs listed in Section 7.3.1 herein.
- 2) **Freestanding Signs Specified in this Section:** Each lot is limited to one (1) of the following types of signs for each side of the lot that fronts on a public street or approved permanent access easement not to exceed two (2) signs. A building or series of attached buildings housing two (2) or more businesses or uses shall be limited to one (1) grouping sign per street frontage, exclusive of out parcels.

- a) **Grouping Signs:** The signs may be located at a joint user access easement or private platted sign easement abutting the nearest public road. The following specifications apply:

Sign area – an area of one hundred twenty-five (125%) percent of the total lineal street frontage on which the sign is facing, one hundred seventy-five (175) square feet for all sign faces combined, maximum per street frontage.

Sign height – fifteen (15') feet, maximum.

Design – the development name portion of a sign may use color. Other portions of the sign may be composed of individually-mounted

letters on a solid surface. Illumination may be with reverse-channel illumination of the letters and logos, or from an external source onto the sign. The sign may also be illuminated internally, with a dark background with white letters and logos. Internally-lit signs shall illuminate only the lettering and logo. The balance of the sign shall be opaque to block the internal lighting.

- b) **Other Permanent Signs:** The following specifications apply:

Sign area – one hundred (100%) percent of the total lineal street frontage, eighty-five (85) square feet for all sign faces combined, maximum per street frontage.

Sign height – six (6') feet, maximum.

- 3) **Temporary Signs:** In addition to other signs identified in this section, temporary freestanding signs may be posted on any lot in this zoning district at any time. Such signs include but are not limited to construction signs, political preference signs, notices such as "grand opening" and special event announcements.

One (1) real estate sign may be maintained while the property is available for sale or while rentable space is available for lease. One (1) construction sign may be maintained for the duration of the construction project, from the issuance of the building permit to the issuance of a certificate of occupancy. Other temporary freestanding signs shall be limited to a period not to exceed fourteen (14) days per calendar quarter. Any signs announcing a social/special event shall be removed within forty-eight (48) hours after the event. Temporary signs shall not be illuminated. The following specifications apply:

Number of Signs – two (2) sign per street frontage, maximum.

Sign area – thirty-two (32) square feet per sign, maximum.

Sign height – six (6') feet, maximum.

- 4) **Wall Signs:** For the purposes of this section, painted wall signs and canopy signs shall be calculated and deducted from the total allowable wall sign area. In no event shall signage on a canopy exceed thirty (30) square feet.

- a) **Uses with an individual principal entrance:** Each business or tenant shall be limited to one (1) wall sign per building face which faces a public street or approved permanent access easement. The following specifications apply:

Sign area – one (1) square foot of signage per lineal foot of building frontage facing a public street or permanent access easement, with a maximum of two hundred fifty (250) square feet. A minimum of

thirty (30) square feet of signage is permitted, regardless of building frontage.

- b) Uses with a common principal entrance: Each business or tenant sharing a common entrance shall be allowed to have one (1) wall sign. The following specifications apply:

Sign area – twenty (20) square feet per sign, maximum.

- 5) **Projecting Signs:** These signs may not be located so as to hang over a public right-of-way. Projecting signs may only be illuminated with external lighting shining onto the sign face. The following specifications apply:

Number of signs – one (1) sign per building frontage facing a public right-of-way.

Sign area – eight (8) square feet, maximum.

Sign height – must be installed a minimum of seven (7') feet above the surrounding grade, and must be placed so as to not interfere with pedestrian mobility or safety.

- 6) **Gasoline Trade Signs:** Petroleum product pumps and dispensers that are within view of a public way shall be allowed to display only that information required by law on gasoline trade signs, along with the brand name and type of product being dispensed. No other advertising shall be displayed on the pumps, temporary or permanent.

- a) **Freestanding Signs:** Premises that dispense retail bulk petroleum products by pump (gasoline or diesel) shall be allowed to display the pricing of such products. These signs may be incorporated into other freestanding signs, or may be a single, separate sign located on the same lot. The following specifications apply:

Sign area – where incorporated into another freestanding sign, the sign area may be increased by thirty-five (35%) percent, which area shall be used for the pricing of said petroleum products.

Where used as a single sign used to display solely the pricing of said petroleum products, along with the brand name and type of product being dispensed, the maximum sign area shall be eighty-five (85) square feet for all faces. The following specifications apply:

Sign height – six (6') feet, maximum.

- b) **Canopy Signs:** These signs shall be for the purpose of displaying the brand or business. When an enclosed principal structure exists, all canopy signs shall be calculated and deducted from the total allowable wall sign area. In the absence of an enclosed principal structure, for the purposes of this section, canopy signage shall be considered a wall sign and shall be allowed in addition to the

allowable freestanding sign. For the purpose of illumination of the sign, lighting shall be consistent with that permitted for wall signs. The following specifications apply:

Sign area – thirty (30) square feet, maximum divided between not more than three (3) canopy signs.

- c) Gasoline Pump Identification Signs: For the purpose of identifying the brand of gasoline, each pump façade shall be allowed one (1) sign not to exceed two (2) square feet mounted on the pump façade. No other commercial advertising shall be displayed.

- 7) **Commercial Flags/Non-governmental Flags:** These flags are considered signs subject to the provisions of this section. The following specifications apply:

Sign area – no flag shall exceed twenty-four (24) square feet per face, maximum.

Flagpole height – shall not exceed the height of any building on the lot.

Setback – the flagpole shall be set back a minimum of its height from any property line.

- 8) **Menu Boards:** Restaurants providing drive-through or curbside service are permitted menu boards provided that:

- a) Such structures shall be included in the development site plan as approved by the Design Review Committee.
- b) Restaurants providing drive-through but not curbside service may have no more than two (2) menu boards per drive-through lane, not to exceed six (6') feet in height and thirty (30) square feet in total size per menu board.
- c) Restaurants providing curbside service may have no more than one (1) menu board per bay, not to exceed ten (10) square feet per sign face for each menu board. These signs may have two (2) sign faces.

- 9) **Special Sign Corridor:** A special sign corridor is hereby established for the following lots as specified below. All other requirements shall continue to apply. Any lot or portion of a lot that is zoned S-C (Shopping Center) and is within fifteen hundred (1500') feet of the center point of an interchange for Interstate 40 or Highway 385 (Interstate 269) shall be allowed an additional fifteen (15') foot height allowance for a permitted permanent freestanding sign, except freestanding grouping signs and temporary signs.

### 7.3.7 Signs Allowed in the O (Office) District

- 1) Signs listed in Section 7.3.1 herein.

2) **Freestanding Signs Specified in this Section:** Each lot is limited to one (1) of the following types of signs for each side of the lot that fronts on a public street or approved permanent access easement not to exceed two (2) signs. A building or series of attached buildings housing two (2) or more businesses or uses shall be limited to one (1) grouping sign per street frontage, exclusive of out parcels.

a) **Grouping Signs:** The signs may be located in a joint user access easement or private platted sign easement abutting the nearest public road. The following specifications apply:

Sign area – an area of one hundred twenty-five (125%) percent of the total lineal street frontage on which the sign is facing, one hundred twenty-five (125) square feet for all sign faces combined, maximum per street frontage.

Sign height – twelve (12') feet, maximum.

Design – the development name portion of a sign may use color. Other portions of the sign may be composed of individually-mounted letters on a solid surface. Illumination may be with reverse-channel illumination of the letters and logos, or from an external source onto the sign. The sign may also be illuminated internally, with a dark background with white letters and logos. Internally-lit signs shall illuminate only the lettering and logo. The balance of the sign shall be opaque to block the internal lighting.

b) **Subdivision Signs:** Such signs shall be located at the primary entrance(s) to a development as identified on a recorded subdivision. The signs shall be located on private property and may be within any platted sign and/or landscape easement or within the common open space. The following specifications apply:

Number of signs – one (1) sign at each vehicular entrance, with a maximum of two (2) signs per subdivision.

Sign area – seventy-five (75) square feet for all sign faces combined, maximum per street frontage.

Sign height – six (6') feet, maximum.

c) **Other Permanent Signs:** The following specifications apply:

Sign area – one hundred (100%) percent of the total lineal street frontage, seventy-five (75) square feet for all sign faces combined, maximum per street frontage.

Sign height – six (6') feet, maximum.

3) **Temporary Signs:** In addition to other signs identified in this section, temporary freestanding signs may be posted on any lot in this zoning

district at any time. Such signs include but are not limited to construction signs, political preference signs, notices such as "grand opening" and special event announcements.

One (1) real estate sign may be maintained while the property is available for sale or while rentable space is available for lease. One (1) construction sign may be maintained for the duration of the construction project, from the issuance of the building permit to the issuance of a certificate of occupancy. Other temporary freestanding signs shall be limited to a period not to exceed fourteen (14) days per calendar quarter. Any signs announcing a social/special event shall be removed within forty-eight (48) hours after the event. Temporary signs shall not be illuminated. The following specifications apply:

Number of Signs – two (2) sign per street frontage, maximum.

Sign area – thirty-two (32) square feet per sign, maximum.

Sign height – six (6') feet, maximum.

4) **Wall Signs:** For the purposes of this section, painted wall signs and canopy signs shall be calculated and deducted from the total allowable wall sign area. In no event shall signage on a canopy exceed thirty (30) square feet.

a) Uses with an individual principal entrance: Each business or tenant shall be limited to one (1) wall sign per building face which faces a public street or approved permanent access easement. The following specifications apply:

Sign area – one (1) square foot of signage per lineal foot of building frontage facing a public street or permanent access easement, with a maximum of fifty (50) square feet. A minimum of thirty (30) square feet of signage is permitted, regardless of building frontage.

b) Uses with a common principal entrance: Each business or tenant sharing a common entrance shall be allowed to have one (1) wall sign. The following specifications apply:

Sign area – twenty (20) square feet per sign, maximum.

5) **Projecting Signs:** These signs may not be located so as to hang over a public right-of-way. Projecting signs may only be illuminated with external lighting shining onto the sign face. The following specifications apply:

Number of signs – one (1) sign per building frontage facing a public right-of-way.

Sign area – eight (8) square feet, maximum.

Sign height – must be installed a minimum of seven (7') feet above the surrounding grade, and must be placed so as to not interfere with pedestrian mobility or safety.

- 6) **Commercial Flags/Non-governmental Flags:** These flags are considered signs subject to the provisions of this section. The following specifications apply:

Sign area – no flag shall exceed twenty-four (24) square feet per face, maximum.

Flagpole height – shall not exceed the height of any building on the lot.

Setback – the flagpole shall be set back a minimum of its height from any property line.

### 7.3.8 Signs Allowed in the M-1 (Light Industrial) Districts

- 1) Signs listed in Section 7.3.1 herein.
- 2) **Freestanding Signs Specified in this Section:** Each lot is limited to one (1) of the following types of signs for each side of the lot that fronts on a public street or approved permanent access easement not to exceed two (2) signs. A building or series of attached buildings housing two (2) or more businesses or uses shall be limited to one (1) grouping sign per street frontage, exclusive of out parcels.

- a) **Grouping Signs:** The signs may be located in a joint user access easement or private platted sign easement abutting the nearest public road. The following specifications apply:

Sign area – an area of one hundred twenty-five (125%) percent of the total lineal street frontage on which the sign is facing, one hundred twenty-five (125) square feet for all sign faces combined, maximum per street frontage.

Sign height – fifteen (15') feet, maximum.

Design – the development name portion of a sign may use color. Other portions of the sign may be composed of individually-mounted letters on a solid surface. Illumination may be with reverse-channel illumination of the letters and logos, or from an external source onto the sign. The sign may also be illuminated internally, with a dark background with white letters and logos. Internally-lit signs shall illuminate only the lettering and logo. The balance of the sign shall be opaque to block the internal lighting.

- b) **Subdivision Signs:** Such signs shall be located at the primary entrance(s) to a development as identified on a recorded subdivision. The signs shall be located on private property and may



be within any platted sign and/or landscape easement or within the common open space. The following specifications apply:

Number of signs – one (1) sign at each vehicular entrance, with a maximum of two (2) signs per subdivision.

Sign area – seventy-five (75) square feet for all sign faces combined, maximum per street frontage.

Sign height – six (6') feet, maximum.

c) **Other Permanent Signs:** The following specifications apply:

Sign area – one hundred (100%) percent of the total lineal street frontage, seventy-five (75) square feet for all sign faces combined, maximum per street frontage.

Sign height – six (6') feet, maximum.

3) **Temporary Signs:** In addition to other signs identified in this section, temporary freestanding signs may be posted on any lot in this zoning district at any time. Such signs include but are not limited to construction signs, political preference signs, notices such as “grand opening” and special event announcements.

One (1) real estate sign may be maintained while the property is available for sale or while rentable space is available for lease. One (1) construction sign may be maintained for the duration of the construction project, from the issuance of the building permit to the issuance of a certificate of occupancy. Other temporary freestanding signs shall be limited to a period not to exceed fourteen (14) days per calendar quarter. Any signs announcing a social/special event shall be removed within forty-eight (48) hours after the event. Temporary signs shall not be illuminated. The following specifications apply:

Number of Signs – two (2) sign per street frontage, maximum.

Sign area – thirty-two (32) square feet per sign, maximum.

Sign height – six (6') feet, maximum.

4) **Wall Signs:** For the purposes of this section, painted wall signs and canopy signs shall be calculated and deducted from the total allowable wall sign area. In no event shall signage on a canopy exceed thirty (30) square feet.

a) **Uses with an individual principal entrance:** Each business or tenant shall be limited to one (1) wall sign per building face which faces a public street or approved permanent access easement. The following specifications apply:

Sign area – one (1) square foot of signage per lineal foot of building frontage facing a public street or permanent access easement, with a maximum of one hundred fifty (150) square feet. A minimum of thirty (30) square feet of signage is permitted, regardless of building frontage.

- b) Uses with a common principal entrance: Each business or tenant sharing a common entrance shall be allowed to have one (1) wall sign. The following specifications apply:

Sign area – twenty (20) square feet per sign, maximum.

- 5) **Projecting Signs:** These signs may not be located so as to hang over a public right-of-way. Projecting signs may only be illuminated with external lighting shining onto the sign face. The following specifications apply:

Number of signs – one (1) sign per building frontage facing a public right-of-way.

Sign area – eight (8) square feet, maximum.

Sign height – must be installed a minimum of seven (7') feet above the surrounding grade, and must be placed so as to not interfere with pedestrian mobility or safety.

- 6) **Commercial Flags/Non-governmental Flags:** These flags are considered signs subject to the provisions of this section. The following specifications apply:

Sign area – no flag shall exceed twenty-four (24) square feet per face, maximum.

Flagpole height – shall not exceed the height of any building on the lot.

Setback – the flagpole shall be set back a minimum of its height from any property line.

## **7.4 APPEALS TO THE BOARD OF ZONING APPEALS**

### **7.4.1 Right to Appeal**

Any person, whose application for approval of a sign has been refused, may appeal to the Board of Zoning Appeals by serving written notice to the Mayor or his Designee. Such appeals to the Board of Zoning Appeals shall be on forms provided by the Town and in accordance with Chapter 10, Section 10.5.

#### 7.4.2 Variances

The Board of Zoning Appeals shall review all variance requests concerning the height and setback of a sign, the maximum area of a sign, the maximum number of signs, and such others as provided for herein in accordance with Chapter 10, Section 10.5 and further provided that the following provisions are adhered to:

- 1) that all parties directly in interest have been notified of the proceedings; and
- 2) that the granting of the appeal would not have the effect of applying sign standards from a less restrictive zone; and
- 3) that the property cannot be reasonably used in conformity with the provisions of this Ordinance; and
- 4) that the difficulty or hindrance identified is unique to the property in question and is not common to all properties similarly situated.