

CHAPTER 10
SIGN REGULATIONS

Section 10.01 Intent.

Signs are an essential element in the promotion and identity of a business or *use* on a site, or within a project area. *Signs* impact the public health, safety, comfort, general welfare and the quality of life of the *Town*. These Sign Regulations are intended to: encourage the effective *use* of *signs* as a means of communication; encourage *signs* which, by their design, are integrated with and harmonious to the *buildings* and sites which they occupy; eliminate excessive and confusing *sign* displays; maintain and improve the appearance of the *Town* as an attractive place in which to live and conduct business; safeguard and enhance property values by minimizing the possible adverse effects of *signs* on nearby properties; protect public and private investment in *buildings* and *open spaces*; eliminate potential hazards to motorists and pedestrians resulting from *signs*.

Section 10.02 General Provisions.

(A) Applicability.

The requirements of this Ordinance apply to all *signs*, *sign structures*, awnings, and other types of *sign* devices located within the *Town*, and shall be required to obtain an *improvement location permit* prior to their erection unless otherwise exempt under Section 10.06 Exempt Signs, below.

(B) Maintenance of Signs.

Nothing contained in this Ordinance shall be construed to prevent the maintenance, repainting or posting of legally established *signs*. Maintenance shall include the replacement of *sign surfaces* within a *sign structure* provided that the *sign structure* is not removed or changed in any dimension. All *signs* shall be maintained in good repair (e.g., without peeling paint or broken *sign faces*) and in operable condition (e.g., if internally illuminated, all light bulbs or tubes shall be operational) at all times. The *Town* may order the removal of any *sign* which becomes a public hazard due to lack of maintenance and repair.

(C) Compliance with Other Codes.

All *signs* shall be constructed, connected, operated and maintained according to the specifications of the *building* and electrical codes of the *Town*.

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(D) Illuminated Signs.

Lighting directed towards a *sign* shall be shielded so that it illuminates only the *sign surface* and does not shine on, cause glare to or otherwise impair the vision of the driver of any motor vehicle traveling on a *public right-of-way*.

(E) Clear Sight Areas.

No *sign* shall interfere with the clear sight area specified in Section 1.20 Clear Sight Area Requirements.

Section 10.03 Types of Signs.

(A) Freestanding Signs.

- (1) *Freestanding signs* may include, but are not limited to: pylon, pole, pole with cladding, multi-panel, monument, or canopy *signs*.
- (2) *Freestanding signs* and *sign structures* are hereby declared to be *accessory structures*. As *accessory structures*, *freestanding signs* and *sign structures* may not occupy a *lot* without a primary *use* or *building* also being legally located on the *lot*, unless in compliance with the regulations of this ordinance for *temporary signs* or *off-premise signs*.
- (3) Maximum *sign surface* shall apply individually to each *street* frontage.

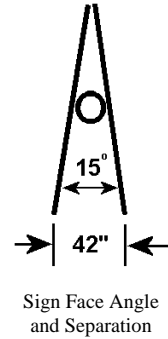
(B) Building Signs.

- (1) *Building signs* may include, but are not limited to, wall, fascia, window, awning, canopy, or *projecting signs*.
- (2) There shall be no limit to the number of *building signs* per facade, provided that the total *sign surface* area of all *building signs* located on each *building* facade shall not exceed the maximum *sign surface* area for the *building* facade upon which such *signs* are located.
- (3) The bottom edge of the awning, canopy, or marquee shall not be less than eight foot six inches (8' – 6") above *grade* over a walkway or fifteen (15) feet above *grade* over a *driveway*, interior access drive or alley.

Section 10.04 Calculation of Sign Surface Area.

(A) Multi-faced Signs.

The *sign surface* area for a *sign* with more than one (1) *sign face* shall be computed by adding together the *sign surface* area of all *sign faces* visible from any one point. When two (2) *sign faces* are placed back to back, or at no greater than fifteen (15) degrees from one another, so that both faces cannot be viewed from any point at the same time, the *sign surface* area shall be computed by the measurement of one (1) of the *sign faces*. In addition, except for *off-premise signs*, such *sign faces* that are part of the same *sign structure* shall not be more than forty-two (42) inches apart.



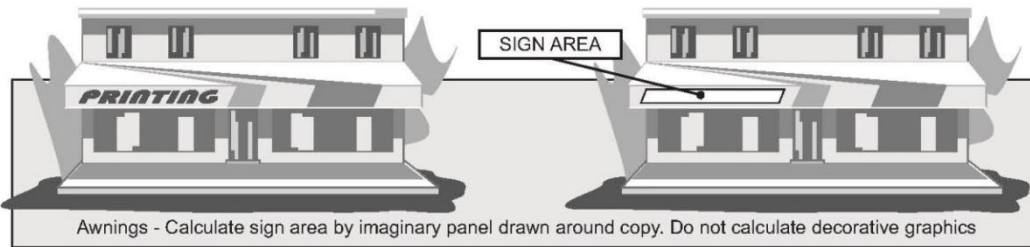
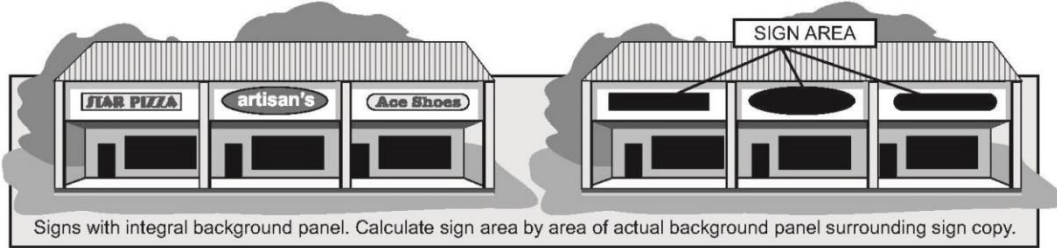
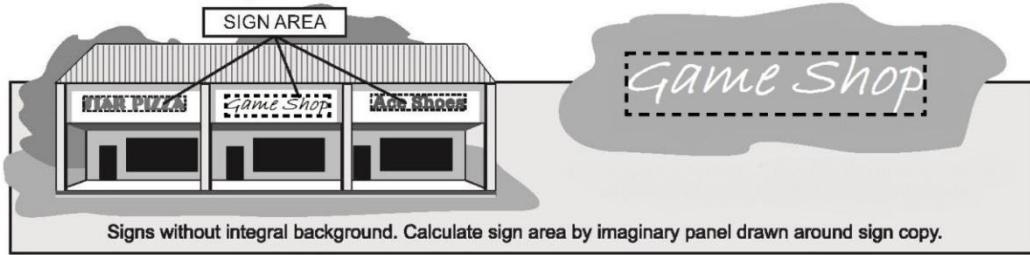
(B) Sign Surface Area Determinations.

- (1) When calculating the *sign surface* area of any *sign*, a maximum of three (3) distinct and abutting "Areas" made up of circles, ovals, squares or rectangles may be used to encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the *sign* from the backdrop or structure against which it is placed.

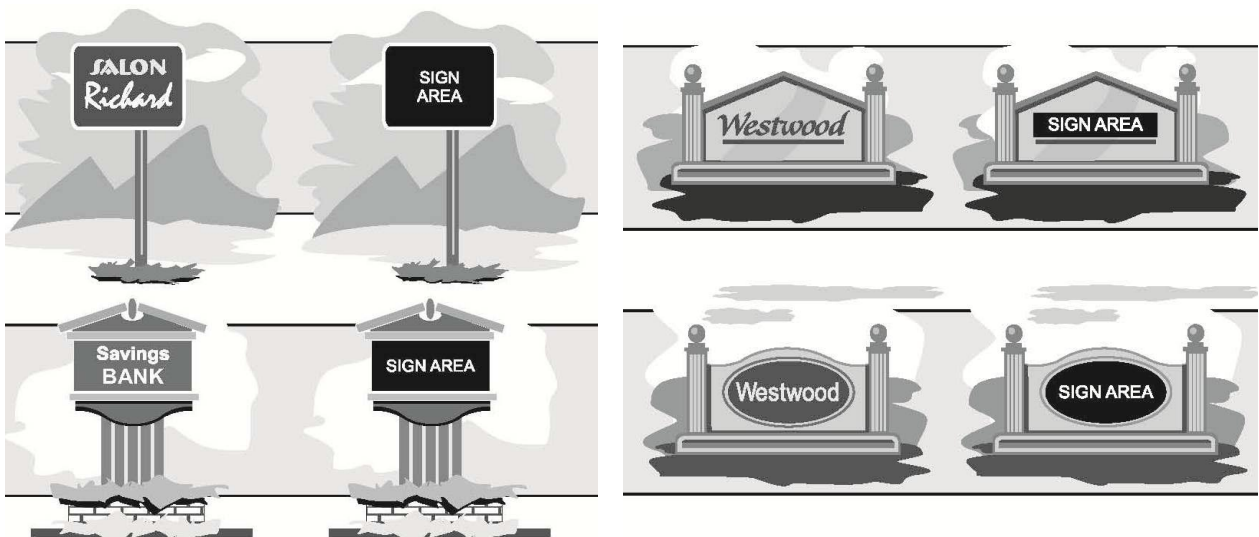


Areas Used to Determine Sign Surface Area

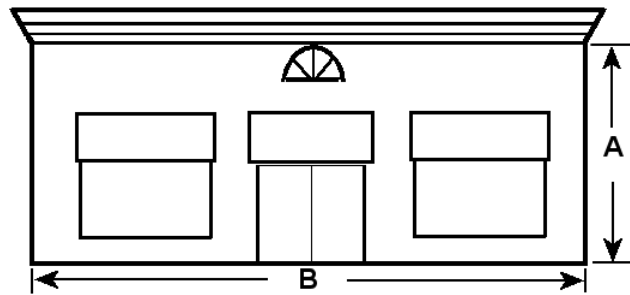
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- (2) In the case of *freestanding signs* with a base, pole cover, or decorative embellishments, the portion of the structure not containing any advertising and not an integral part of the display area shall not be included in the overall calculation of *sign surface area*.



- (C) Façade Area Calculations for *Building* Signs. When calculating the area of a façade upon which a *building sign* may be placed, the following regulations shall be followed to determine the area of the façade:



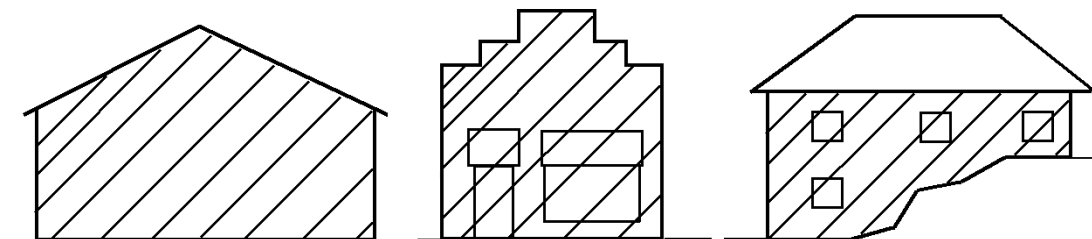
Façade Area = A X B

Façade Area Calculations – Square or Rectangular Shaped Façade

- (1) Square or Rectangular Shaped Façade. The area of the façade of the *building* or tenant space shall be the length of the *building* or tenant space times the height of the *building* or tenant space.
- (2) Irregular Shaped Façade.

The area of the façade shall be the actual surface area of the façade of the *building* or tenant space above *grade* and beneath the top of the wall.

 – **Façade Area**



Façade Area – Irregular Shaped Façade

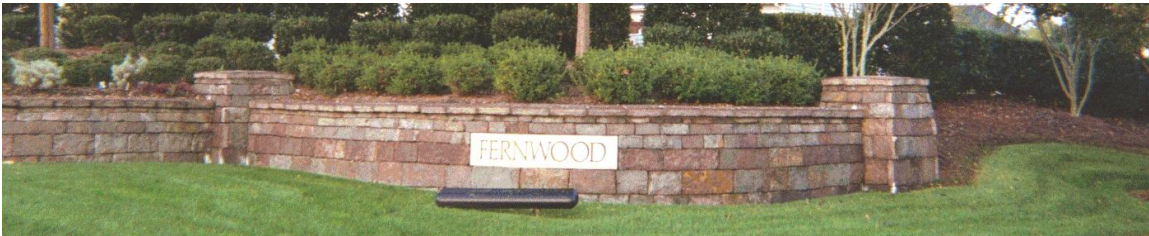
- (3) Buildings With Irregular Footprints.

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The area of the façade shall be determined by the smallest two dimensional area, pursuant to the above regulations, from which the façade, or portion thereof, may be viewed.

(D) Signs on Ornamental, Decorative Fence or Masonry Wall.

The *sign surface* area of a *sign face* located on an ornamental, decorative fence or masonry wall shall be limited to the area of the *sign face* only if the fence or wall has a length of not less than three (3) times the width of the *sign* or message element. If a fence or wall is less than three (3) times the width of the *sign* or message element, the fence or wall shall be deemed to be part of the background of the display used to differentiate the *sign* from the backdrop and the entire area of the fence or wall shall be considered part of the *sign surface* area.



Ornamental, Decorative Fence or Masonry Wall Greater Than Three Times Length of Sign

Section 10.05 Changeable Copy Signs.

- (A) A *changeable copy sign* may be used as part of either a *freestanding sign* or as part of a *wall sign*, but not both.
- (B) *Electronic Message Centers* (EMC) shall comply with the following regulations:
- (1) All EMC *signs* shall have automatic dimming controls, either by photocell or via software settings, in order to bring EMC lighting level at night into compliance with this Chapter;
 - (2) *Signs* that are illuminated at night may not exceed a maximum luminance level of seven hundred fifty (750) Nits, regardless of the method of illumination. All illuminated *signs* must comply with the luminance level at least one-half hour before Apparent Sunset, as determined by the National Oceanic and Atmospheric Administration (NOAA). At Apparent Sunrise, as determined by NOAA, *signs* may resume luminance levels appropriate for daylight conditions;

- (3) For non-residential uses in the R1 Residential District, R2 Residential District, and OB Office/Buffer District, EMC's are allowed, by *special exception use* only. They are prohibited on residential properties or multi-family dwellings;
- (4) All messages shall be displayed for a minimum of four (4) seconds with a maximum transition time between messages and/or message frames of one and a half (1.5) seconds;
- (5) Continuous scrolling and/or traveling, flashing, spinning, rotating, and similar moving effects, and all dynamic frame effects or patterns of illusionary movement or simulating movement are prohibited; and
- (6) Full motion video or film display via an electronic file imported into the EMC software or streamed in real time into the EMC is prohibited.

Section 10.06 Exempt Signs.

Unless otherwise specifically stated, *signs* that comply with the provisions contained in this Section 10.06 Exempt Signs shall be exempt from all other provisions of this Ordinance, except that the provisions specified in Section 1.20 Clear Sight Area Requirements shall apply.

- (A) *Signs* which are not visible from a public roadway, provided however, that these *signs* are non-illuminated and comply with all other provisions of this Ordinance, including but not limited to any required setbacks, maximum *sign* area, and maximum *sign* height.
- (B) Flags. Up to four (4) flags having a maximum combined area not to exceed 96 square foot and so long as all flag poles are permanently anchored or attached to the principal *building* or accessory structure.
- (C) Integral, decorative, or architectural features of *buildings*, so long as such features or works do not contain logos, letters, or trademarks, excepted as noted in sub-Section (E) (4), below.
- (D) Interior Signs. *Signs* located entirely within the interior of a *building* and not viewable or intended to be viewable from the *public right-of-way*.
- (E) Miscellaneous signs, including but not limited to:
 - (1) Non-illuminated *signs* not exceeding two (2) square feet in *sign surface* area limited to property identification *signs* giving names or numbers of occupants or *signs* posted on private property only to identify or warn about "Private Property", "Private Parking", "No Trespassing" or "Danger" from animals;

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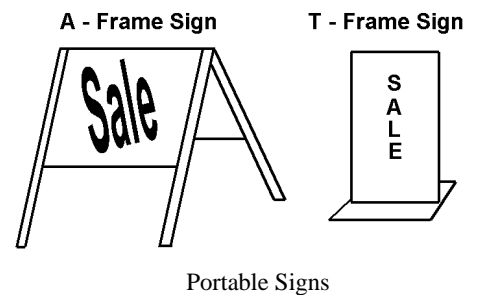
- (2) Non-illuminated *signs* not exceeding four (4) square feet in *sign surface* area indicating only the location of public telephones and restrooms, underground public utilities, or similar location *signs*;
 - (3) *Signs* which are architecturally integral to the *building* and only indicating the name of the *building*, date of erection, monumental citations, commemorative tablets and the like, when carved into stone, concrete or similar material or made of bronze, aluminum or other permanent type construction and made an integral part of the *building*; and
 - (4) *Signs* indicating hours of operation, open or closed or other information related to the operation of the business provided no single *sign* exceeds six (6) square feet.
- (F) Official *signs*, including but not limited to:
- (1) Government mandated *Signs* such as street address numerals, public hearing *signs* and other *signs* or exterior displays required to be maintained by government order or regulations, provided that the content and size thereof does not exceed that required by such order or ordinance;
 - (2) Official *signs* authorized by a government or governmental unit which give traffic, directional, or warning information; *signs* of public service companies indicating danger; and, *signs* erected by, or on the order of, a public officer in the performance of their public duty which aide service or safety; and
 - (3) Public *signs* and public notices erected by governmental authority under any law, statute, or ordinance.
- (G) Holiday Displays. Displays which contain no commercial message, are primarily decorative in nature, and are clearly incidental and commonly associated with any national or religious holiday, and which are erected not more than thirty (30) days prior to the start of the holiday and removed no more than fifteen (15) days after the holiday.
- (H) Tombstones.
- (I) Works of Art. Three (3) dimensional works of art (statuary, sculptures), and two (2) dimensional works of art (i.e. murals) that are artistic in nature and which do not contain text or logos that promote on-site activities or commercial interests, provided, however two (2) dimensional works of art which exceed five (5) percent of the side or rear facade of a *building* on which they are placed shall receive approval as a wall *sign*.

Section 10.07 Prohibited Signs.

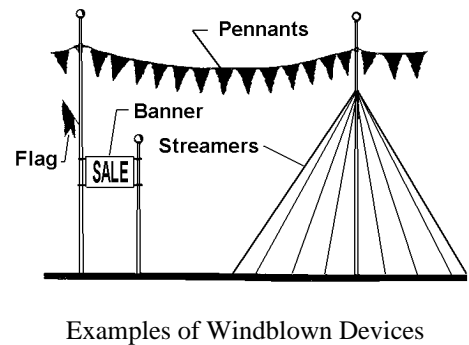
The following *signs* shall be prohibited in all *districts*:

- (A) *Signs* located on, in or above the right-of-way of any street or alley, except for official *signs*, *signs* erected on behalf of or pursuant to authorization of a governmental body, or *projecting signs* as expressly permitted by later sub-Sections of Chapter 10 Sign Regulations.
- (B) *Signs* which interfere with street intersections. No *sign*, permanent or *temporary*, shall be erected so that it interferes with the sight distance as specified in Section 1.20 Clear Sight Area Requirements of this Ordinance.
- (C) *Signs* which interfere with, obstruct the view of, imitate, copy, purport to be, or may be confused with any authorized official *sign*, traffic *sign*, traffic signal, or traffic control device.

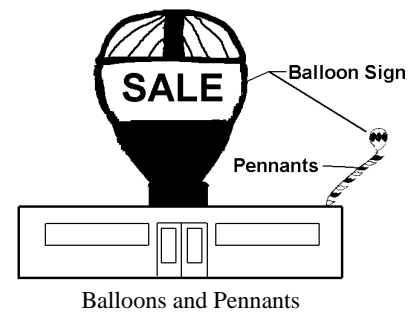
- (D) *Portable signs*, including but not limited to: (i) *A-frame*, *T-frame*, *menu board*, and sandwich board *signs* (except as expressly authorized by sub-Section 10.06 (E), above, of this Chapter); (ii) *signs* on portable trailer frames; and, (iii) *signs* attached to or painted on a vehicle parked and visible from the *public right-of-way*, provided, however, a vehicle which is used in the normal day-to-day operation of a business *use* shall not be considered a *portable sign* if the vehicle is parked beside or behind the *building* in which the *use* is located, or if the *sign* on the vehicle contains less than nine (9) square feet in *sign surface* area.



- (E) Windblown devices, including but not limited to any *banner*, *pennant*, *spinner*, *streamer*, *propeller*, *disc*, *moored blimp*, *balloon*, *feather banner*, or *flag* that is designed to inform or attract attention (except for exempt flags as set forth in sub-Section 10.06 (B) above).



- (F) *Signs* attached to trees.
- (G) *Signs* attached to utility poles, except for *signs* erected on behalf of or pursuant to authorization of a governmental body or the utility company having jurisdiction over such poles.



- (H) *Signs* that bear or contain statements, words or pictures of an obscene, pornographic, immoral character, or which contain advertising matter which is untruthful or will offend public morals or decency.

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- (I) Any *sign* that obstructs or substantially interferes with any window, door, fire escape, stairway, ladder or opening intended to provide light, air, ingress or egress to any *building*.
- (J) Any rotating beam, beacon, intermittent light, lights of changing degrees of intensity, or flashing illumination in connection with any *sign surface*, except as part of an *electronic message center sign* on which the message does not remain constant for a minimum of 4 seconds.
- (K) *Roof signs*.
- (L) Any other type of *sign* located on private property outside of a *public right-of-way* not expressly permitted by Chapter 10 Sign Regulations of this Ordinance.
- (M) All other *signs* not expressly permitted or regulated herein.

Section 10.08 Temporary Signs.

In addition to the type, number, *sign surface* area, setback and height regulations for *signs* specified for each *district*, *temporary signs* (i.e., *signs* typically related to: sale or lease, construction, grand openings, political campaigns, etc.) shall be allowed subject to the following regulations:

- (A) General Regulations Applicable to All *Temporary Signs*.
 - (1) Time. *Temporary Signs* may be erected for one of the following time periods:
 - (a) Special Events. *Temporary Signs* may be erected, placed or located in connection with a special event not more than thirty (30) days prior to the start of a special event and shall be removed not more than fifteen (15) days after the end of the special event. A special event related *sign* shall not be erected, placed or located more than two (2) times during a calendar year; or,
 - (b) Non-Special Event. *Temporary Signs* not in connection with a special event may be erected, placed or located not more than two (2) times during a calendar year and shall not exceed forty-five (45) days in duration.
 - (2) Place. *Temporary Signs* shall comply with the following location requirements:
 - (a) A *Temporary Sign* shall comply with the regulations of Section 1.20 Clear Sight Area Requirements;
 - (b) A *Temporary Sign* shall not be located within any *public right-of-way*;

- (c) A *Temporary Sign*, if a *freestanding sign*, shall be located in compliance with all setback regulations for a permanent *sign*; and
 - (d) A *Temporary Sign*, if a wall *sign*, shall be located in compliance with the regulations for a permanent wall *sign*.
- (3) Manner. *Temporary Signs* shall be placed in the following manner:
 - (a) A *Temporary Sign* shall be permitted on a *lot* only upon prior authorization by the owner of said *lot*;
 - (b) Any sign which meets the Ordinance definition of an *on-premise business sign* or an outdoor advertising *sign* shall not be considered or allowed as a *Temporary Sign*; and
 - (c) A *Temporary Sign* shall not be illuminated.
- (B) *Temporary Sign* for any individual *lot* in any R1 District, R2 District, or OB District:
 - (1) Number. One (1) *temporary sign* shall be permitted for each street or limited access highway which abuts the *lot* or *integrated center*.
 - (2) Manner. *Temporary Signs*:
 - (a) shall not exceed six (6) square feet in *sign surface* area; and
 - (b) shall not exceed four (4) feet in height above *grade*.
- (C) *Temporary Sign* for any individual *lot* in any C District or I District:
 - (1) Number. One (1) *temporary sign* shall be permitted for each street or limited access highway which abuts the *lot* or *integrated center*.
 - (2) Manner. *Temporary signs*:
 - (a) shall not exceed thirty-two (32) square feet in *sign surface* area; and
 - (b) shall not exceed eight (8) feet in height above *grade*.
- (D) Time and Manner Regulations for *A-frame*, T-Frame, *Menu board* or Sandwich Board Signs.

Notwithstanding anything above to the contrary, *Temporary Signs* which are *A-frame*, T-frame, *menu board* or sandwich board *signs*, shall be subject to the following time and manner regulations:

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- (1) Time.
 - (a) May be erected, placed or located outside of a business establishment on a daily basis; and
 - (b) Shall only be displayed during business hours.
- (2) Manner.
 - (a) Shall be within ten (10) feet of the main customer entrance to the business establishment and shall not be located in any public right-of-way;
 - (b) Shall not exceed six (6) square feet in *sign surface* area; and
 - (c) Shall not exceed a maximum height of four (4) feet above *grade*.

Section 10.09 On-Premise Signs Regulations

(A) Development Standards for *On-Premise Signs*.

Table 10.01 Development Standards					
On-Premise Signs					
	Subdivision Identification Signs	Multifamily	OB - Office/Buffer and Other Uses in R-1 & R-2	C - Commercial	I - Industrial
Freestanding Signs					
Number	2 per entrance	1 per entrance	1 per <i>frontage</i> , per <i>lot</i> or <i>integrated center</i>		
Height	8'	8'	6'	30'	30'
Permitted Area	24 sq. ft.	32 sq. ft.	32 sq. ft.	2 sq. ft. per lineal ft. of <i>frontage</i>	2 sq. ft. per lineal ft. of <i>frontage</i>
Maximum Area	24 sq. ft.	32 sq. ft.	32 sq. ft.	150 sq. ft.	150 sq. ft.
Setback, Front	5'	10'	10'	10'	10'
Setback, Side	5'	5'	5'	5'	5'
Building Signs¹					
Front Façade	N/A	N/A	5% of <i>Façade</i>	10% of <i>Façade</i>	10% of <i>Façade</i>
Side/Rear Façade	N/A	N/A	3% of <i>Façade</i>	5% of <i>Façade</i>	5% of <i>Façade</i>
Directional Signs					
Number	N/A	N/A	1 per <i>driveway</i> plus 1 per critical turn		
Height	N/A	N/A	3'	3'	3'
Area	N/A	N/A	2 sq. ft.	6 sq. ft.	6 sq. ft.
¹ The linear measurement of a <i>building sign</i> shall not exceed eighty percent (80%) of the linear width of the façade of the structure or tenant space on which the <i>sign</i> is located.					

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(B) Development Regulations for Specified *On-Premise Signs*.

(1) Subdivision Identification Signs for Recorded, Platted Residential Subdivisions.

- (a) The *signs* shall be constructed of ornamental metal, stone masonry, or other permanent material;
- (b) The *signs* shall indicate on the name of the subdivision; and
- (c) The *signs* shall not be internally illuminated.

(2) Directional Signs.

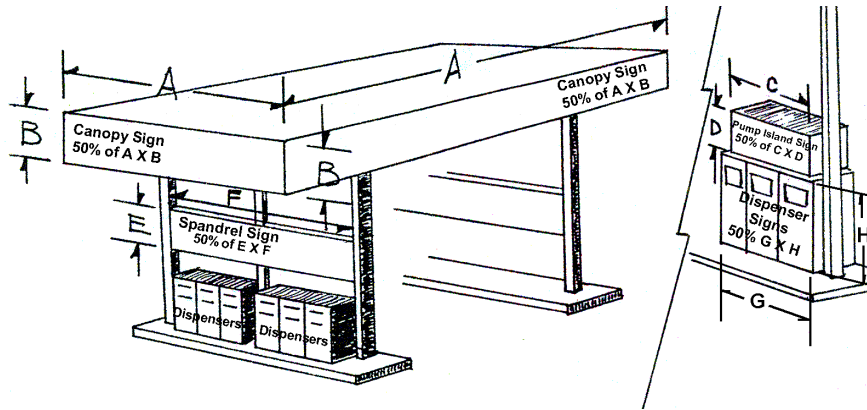
- (a) One freestanding directional *sign* shall be permitted for each *driveway* or entrance on to the property, plus one at each critical turn within the *lot* subject to the size and height limitations found in Table 10.01 Development Standards *On-Premise Signs*.
- (b) If a *lot* is occupied by a *use* which includes a drive-through facility, one (1) *menu board* shall be permitted at each drive through lane to announce the selection of services or products available at the drive-through facility and the prices thereof. Such *signs* shall not exceed 48 square feet.
- (c) Directional *signs* located in the R1, R2, or OB Districts shall not be internally illuminated.

(3) Gasoline Service Station Signs.

Signs may be located on a gasoline island canopy, gasoline island spandrels, pump islands or dispensers and shall be considered as and regulated as *building wall signs* subject to the following exceptions:

- (a) Such *signs* located on a gasoline island canopy, gasoline island spandrels, gasoline pump islands or gasoline dispensers shall not exceed:
 - 1. fifty (50) percent of the surface area of the facade of the canopy; or,
 - 2. fifty (50) percent of the façade of the gasoline dispensers, spandrel or pump island upon which such *sign* is located.

- (b) Such *signs* may be located on either a gasoline island spandrel or a gasoline pump island, but not both.



Gasoline Service Station Signs

Section 10.10 Off Premise Sign Regulations.

- (A) Districts Allowed.

Off-premise signs shall only be permitted in the C Commercial District and I Industrial District established under this Ordinance.

- (B) *Sign Surface Area* for *Off-premise Signs*.

- (1) Arterial Streets. The maximum *sign surface* area for *off-premise signs* oriented toward an arterial street shall be six-hundred and seventy-two (672) square feet.
- (2) All Other Streets. The maximum *sign surface* area for *off-premise signs* oriented toward any street not classified as an arterial street shall be three hundred (300) square feet.
- (3) Temporary Extensions. Temporary extensions or embellishments integrally incorporated into the *sign surface* and having: a vertical height of no more than four (4) feet above the top of the main portion of the *sign*; a maximum horizontal dimension of no more than one (1) foot beyond the sides of the main portion of the *sign*; or, a maximum vertical dimension of no more than one (1) foot below the bottom of the main portion of the *sign*, with a maximum combined area not to exceed

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- two-hundred square feet in additional *sign surface* area may be added to a six-hundred and seventy-two (672) square foot *off-premise sign*.
- (4) Concealment of Sign Supports. The backs of *off-premise signs* shall be either: concealed by another *sign surface*; screened by suitable architectural treatment; or, painted to blend with the surrounding (and maintained as such), so that the supports, tie rods, bracing or framework which supports the *sign surface* are screened from view.
- (C) Distance Between Off-Premise Signs.
- (1) Linear Spacing for All Streets. The minimum separation between *off-premise signs* located along and oriented toward the same street shall be seven-hundred and fifty (750) feet.
- (2) Measurement of Linear Spacing. The method of measurement of the spacing between *off-premise signs* oriented toward the same street shall be along the centerline of the street to which the *off-premise sign* is oriented, from the point in the centerline closest to the leading edge of the *off-premise sign*.
- (3) Radial Spacing. In no event shall an *off-premise sign* be located closer than three hundred (300) feet from any other *off-premise sign* regardless of location or orientation.
- (D) Maximum Height of *Off-premise Signs*.
- The maximum height of an *off-premise pole sign* shall not exceed thirty-five (35) feet above *grade*.
- (E) Minimum Front Yard Setback, Side Yard Setback and Rear Yard Setback of *Off-premise Signs*.
- (1) Front Yard Setback. The minimum front yard setback shall be the same as required for any *building* or structure.
- (2) Side Yard Setback and Rear Yard Setback. The minimum side yard setback or minimum rear yard setback for an *off-premise sign* shall be the same as required for any *building* or structure.
- (F) Separation from Certain Districts or Uses.
- (1) Linear Spacing. The minimum distance between an *off-premise sign* and a residential *district*, historic preservation *district*, public park – active or passive, residential *use*, religious *use*, private or parochial school, designated historic landmark or river shall

be two-hundred (200) feet, measured along the centerline of the street to which the *off-premise sign* is oriented, from the point in the centerline closest to the leading edge of the *off-premise sign* to the point in the centerline nearest *district* boundary or *lot* line of a *use* specified herein.

- (2) Radial Spacing. The minimum distance between an *off-premise sign* and a residential *district*, historic preservation *district*, public park – active or passive, residential *use*, religious *use*, private or parochial school, designated historic landmark or river shall be one-hundred (100) feet, measured perpendicular from the nearest edge of the *sign surface* to the nearest *district* boundary or *lot* line of a *use* specified herein.

(G) Construction of Off-Premise Signs.

The supports, uprights, bracing and framework of an *off-premise sign* shall be of steel construction.

(H) Separations and Jurisdictional Boundaries.

The lineal and radial separation distances contained in Section (F), above, shall not be limited by jurisdictional boundaries. Required separation distances for proposed *off-premise signs* located within the corporate limits of the *Town* shall also be maintained from *off-premise signs* located in adjacent municipalities or jurisdictional areas.