

CHAPTER 8: SIGNS



ARTICLE 8.1 SIGNS

SEC. 8.1.001 INTENT

The intent of regulating Signs that are visible from the Public Frontage is to ensure proper dimensioning and placement with respect to existing or planned architectural features, to maintain or improve public safety, to maintain or improve the aesthetic character of the context where they are located, and to provide legible information for pedestrians, not just drivers.

SEC. 8.1.002 PURPOSE

The purpose of a Sign permit is to authorize the display, erection, rebuilding, restructuring, expansion, relocation, or structural Alteration of any on-premise or Off-Premise Sign.

SEC. 8.1.003 APPLICABILITY

These Standards apply to all property within the City Limits and the ETJ of the City of Bastrop as it exists at the time this Code was adopted and as it may be amended and expanded in the future.

SEC. 8.1.004 ENFORCEMENT

- (a) It is an offense for a person to violate, a section of this chapter designated as an offense commits a misdemeanor punishable by a fine. A violation occurs when a person violates or causes, allows, or permits a violation of this chapter.
- (b) Each violation of this chapter designated as an offense constitutes a separate offense.
- (c) No culpable mental state is required to prove an offense under this chapter if this offense involves:
 - (1) Placement of a Sign in the right-of-way;
 - (2) Placement of a Sign in another person's property without the person's permission; or,
 - (3) Placement of a Sign that encumbers access to a person's property or encumbers use of a Street, Sidewalk, trail, Path, or Driveway.
 - (4) Placement of a sign unlawfully situated in a required Sight Triangle.

SEC. 8.1.005 PROHIBITED SIGNS

(a) All Signs are prohibited in the City Limits and the Extraterritorial Jurisdiction (ETJ) unless:

(1) Constructed, maintained, structurally altered, or improved pursuant to a valid permit when required under this Code; and,

(2) Expressly authorized under the City of Bastrop's B³ Code.

(b) Signs that cannot be expressly authorized include:

(1) Signs located in or projected over any public right-of-way or across the public right-of-way line extended across a railroad right-of-way, except when attached to and projecting no more than 18 inches from a Building wall legally located at or near the right-of-way line in the City Limits or in the ETJ.

(2) Portable Signs.

(3) Off-Premise Sign (including Billboards) containing Commercial advertising for the sale, rent, or lease of goods, real property, or services.

(4) Signs with lights that blink, fluctuate, or move. Light rays must shine only upon the Sign and upon the property within the Premises where the Sign is located.

(5) Signs of a size, location, movement, coloring, or manner of illuminating that may be confused with or construed as a traffic control device.

(6) Signs that are attached to any utility pole or wire, traffic Sign, or public easement or are placed on government-owned property unless placed by written permission of the governmental entity.

(7) Signs that obstruct any fire escape, required exit, window, or door opening intended as a means of egress.

(8) Boxes, tires, or other goods stored in view of the Street, etc. that have large product identification that serves as a Sign.

(9) Feather Banners.

(10) Commercial Signs or advertising materials that are worn, held, or attached to a person's body advertising the sale of goods, real property, or services.

(11) Balloon Signs.

- (12) Inflatable Signs.
- (13) Pennants.
- (14) Pole Signs other than along Hwy. 71.
- (15) Roof Signs (including Signs that are otherwise authorized but are placed on a roof or on a Mobile Food Vendor or vehicle).
- (16) Signs placed or attached to trees, bushes, planters, benches, or other Pedestrian elements.
- (17) Signs on trash receptacles except for Signs that are required by law, provide direction on the trash receptacle's use, provide safety instructions, or are otherwise customarily found on trash receptacles as a means of identifying the trash collection company.
- (18) Flags with a Commercial message.

SEC. 8.1.006 OFF-PREMISE SIGNS (BILLBOARDS)

- (a) No permit for Alteration or relocation may be issued for an off-Premises Signs.
- (b) Alteration. An off-Premises Sign may not be altered regarding amount of surface area, shape, orientation,

Height, illumination, or location without the prior issuance of a Sign Alteration or relocation permit. Ordinary and routine necessary repairs that do not change the size, shape, orientation, Height, illumination, or location of an inventoried off-Premises Sign do not require an Alteration permit. A Sign Alteration permit expires if the approved modifications are not completed within 90 days of permit issuance.

- (c) Maintenance. If the City finds that any off-Premises Sign is not maintained in good repair, the City will notify and order the owner to repair the Sign within 30 calendar days. If the City finds that the Sign Structure or Sign area of an off- Premises Sign has deteriorated more than 60% of its replacement value or is not repaired within 30calendar days, the City shall notify the owner of the off- Premises Sign and the owner of the real property where the off- Premises Sign is located to remove the off-Premises Sign or poster panel from the property within a specified time. Replacement of more than 60% of an off-Premises Sign during one calendar year shall void the legal nonconforming status of the Sign and require immediate Removal or conformance with current Standards. All off-Premises Signs ordered to be removed shall be stricken from the authorized list.

- (d) No existing billboard shall exceed 40 feet in Height from the ground level. No existing billboard shall interfere with the visibility of pedestrians or drivers of motor vehicles at Street intersections or otherwise obstruct traffic or create a traffic hazard.

SEC. 8.1.007 NONCONFORMING SIGNS

1. Signs in Existence Prior to this Code. A Sign existing on the effective date of the Development Code that violates this Article or any other ordinance, and a Sign that comes under the jurisdiction of this Chapter due to the expansion of the City, is a legal Nonconforming Sign and may be continued, repaired, and maintained in good condition, but may not be otherwise altered.
2. Voluntary Removal. Voluntary Removal of a Nonconforming Sign for purposes other than maintenance shall terminate its status as a legal Nonconforming Sign. Replacing a Sign cabinet is not considered maintenance.
3. Existing Electronic Message Signs must meet the following standards:

(1) Illumination:

- A. No sign shall be brighter than is necessary for clear and adequate visibility.

- B. No sign shall be of such intensity or brilliance as to impair the vision of a motor vehicle driver or to otherwise interfere with the driver's operation of a motor vehicle.
 - i. No sign shall be of such intensity or brilliance that it interferes with the effectiveness of an official traffic-control sign, device or signal.
 - ii. All signs must be equipped with a mechanism that automatically adjusts the brightness of the display in response to ambient conditions, such that the display is automatically dimmed as ambient light levels decrease.
 - iii. The illumination of a sign at full brightness shall not exceed 0.3 footcandles above the footcandle level with the sign turned off when both measurements are taken perpendicular to the sign at a distance determined by the following formula: measurement distance = square root of area of sign in square feet \times 100.
 - iv. All signs shall contain a default mechanism that will cause the sign to revert immediately to a black screen if the sign malfunctions.

(2) Changing Message:

- A. Any change of pictures or information on the sign shall not produce the illusion of scrolling, moving objects, expanding or contracting shapes, rotation, or any similar effect of animation.
- B. Any change of pictures or information on the sign shall not change more often than once every eight (8) seconds except for message display of time or temperature. Each change of pictures or information must constitute a complete phrase or thought and not be the completion of a previous phrase or thought. Each change of pictures or information must be completed in two (2) seconds or less and may not include visually distracting techniques such as flashing, racing, strobing, twinkling, animation, etc.

SEC. 8.1.008 EXEMPTED SIGNS

(1) The following Signs authorized under this Section are authorized in every Place Type or property in the ETJ without a permit, unless specifically required below:

- C. Government Signs including Signs placed by the City, state, or federal government governing in their official capacity. Including:
- D. The Sign Banner Plaza is operated by the City for the benefit of the community to promote permitted special events and non-profits organizations.
- E. Light pole-mounted banners are limited to poles

owned and maintained by the City to communicate City initiatives and events.

- (2) Traffic control devices that are erected and maintained to comply with the Texas Manual on Uniform Traffic Control Devices.
- (3) Signs required by this section.
- (4) Signs required by other law, including federal, state, or local law, including a Sign that a property owner is required to post on the owner's property to warn of a danger or to prohibit access to the property either generally or specifically; the owner must comply with the federal, state, or local law to post a Sign on the property.
- (5) Official governmental notices and notices posted by governmental officers in the performance of their duties for regulatory purposes such as neighborhood crime watch areas, to identify Streets, or to warn of danger including those placed by the City, County, federal or state.

(6) Signs displayed on trucks, buses, trailers, mobile food vendors, or other vehicles that are less than 32 square feet and are being operated as motor vehicles, provided that the primary purpose of the vehicles is not for display of Signs and provided that they are parked in areas appropriate to their use as vehicles, are in operable condition, and carry a current and valid license plate and state inspection tag. Vehicle Signs shall conform to the following restrictions:

F. Vehicular Signs shall contain no flashing or moving elements;

G. Vehicular Signs shall not be attached to a vehicle so that the driver's vision is obstructed from any angle; and,

H. Signs, lights and signals used by authorized emergency vehicles shall not be restricted.

(7) Vending Machine Signs where the Sign Face is not larger than the normal dimensions of the machine to that the Sign is attached.

(8) Memorial Signs or tablets when cut into any masonry surface or attached to a Building when constructed of

bronze or other metal up to 6 square feet as part of a Building.

(9) Real Estate Signs.

I. Signs containing the message that the real estate where the Sign is located is for sale, lease, or rent together with information identifying the owner or agent.

J. A real estate Sign may not exceed 4 square feet in size for Residential properties or 16 square feet in size for Nonresidential properties.

(10) Any Sign wholly within the confines of a Building and oriented to be out of view from outside the Building.

(11) Any Sign wholly within the confines of a sports field or court and oriented to be out of view from outside the field or court. No Sign under this section may be larger than 32 square feet. The maximum Height for a field Sign shall not exceed 6 feet.

(12) A non-Commercial Sign that is carried by a person or is a bumper sticker on a vehicle.

- (13) Business-related Signs on or visible through doors or windows indicating: store hours, security systems, trade organization memberships, credit cards accepted, no solicitation, and open/closed. These Signs will not count towards the cumulative Sign area limits so long as their total cumulative Sign area does not exceed 5 square feet.
- (14) Changing a Commercial message to a noncommercial message on any legal Sign surface. Any Sign surface where a Commercial message may contain a noncommercial message.

SEC. 8.1.009 SIGNS REQUIRING A PERMIT

(a) Building Signs:

A Building Sign is an on-Premises Sign that is directly attached to, erected on, or supported by a Building or other Structure having a principal function other than the support of such Sign.

(1) Building Signs Types:

- A. Awning Sign
- B. Band Sign

- C. Blade Sign
- D. Marquee Sign
- E. Nameplate Sign
- F. Outdoor Display Case Sign
- G. Window Sign

(2) General Requirements:

- A. Size. The maximum size of the sum of the area of all Building Signs may not exceed 15% of the Facade area of the tallest floor.
- B. Number. More than one Building Sign may be erected, provided the total surface area allowed is not exceeded.
- C. Height. No Building Sign may extend above the parapet wall or roof line of the Building.
- D. Projection / Clearance. With the exception of a blade Sign, no Building Sign may project more than 7 inches from the Building wall. All Signs that project more than 7 inches from the wall must maintain a clear Height of 8 feet above the ground.

E. Illumination. Building Signs may only be externally illuminated, except for Band Signs in the SH 71, SH 95 or Loop 150 Corridors. No Sign may be illuminated except during operating hours of the use with which it is associated. Lighting shall be directly directed down toward the Sign and shielded so that it does not shine directly into a public right-of-way and does not interfere with the safe vision of motorists or people passing by. All Standards must meet the Lighting Standards within this Code. Internal illumination shall not operate at brightness levels of more than 0.2 foot-candles above ambient light conditions at the property line, as measured using a foot-candle meter. The total lumen output of all signs cannot exceed 10% of the total lumen allowance in Section 6.6 – Outdoor Lighting.

(b) Freestanding Signs:

A Freestanding Sign is an on-Premises Sign not directly attached to, erected on, or supported by a Building or other Structure having a principal function other than the support of such Sign, but instead attached to, erected on, or supported by some Structure such as a pole, frame, or other Structure that is not a part of the Building.

(1) Small Freestanding Signs Types:

- A. Sidewalk Sign
- B. Yard Sign
- C. Directional Sign

(2) General Requirements:

- A. Size. Allocation of Sign area is based on the linear Frontage of the Project Site. A maximum Sign area of 1 square foot for each 2 linear feet of Frontage, provided that the maximum surface area does not exceed 16 square feet.
- B. Number. One Sidewalk Sign or Yard Sign is allowed on any Lot. If a Master Sign Plan is approved, two Signs may be allowed on a Lot or Project having a minimum Frontage of 300 feet. Directional Signs cannot exceed the number of driveways
- C. Illumination. Small Freestanding Signs may only be externally illuminated. Lighting shall be directly directed down toward the Sign and shielded so that it does not shine directly into a public right-of- way and does not interfere with the safe vision of

motorists or people passing by. All Standards must meet the City's Code.

- D. Sight Triangle. Signs cannot be located within the Sight Triangle, as defined in the B³ Technical Manual Section 2.0.011.

(3) Large Freestanding Sign Types:

- A. Monument Sign
- B. Pylon/Pole Sign

(4) General Requirements:

- A. Size: Cannot have a ratio of less than 4:1 sign width to narrowest width of support structure. Must follow standards in Article 8.3.
- B. Number. One Sign per street frontage of a lot.
- C. Illumination: Large Freestanding Signs may only be externally illuminated unless approved by Warrant or located within the SH 71/SH 95/Loop 150 Corridors.
 - i. External lighting shall be directly directed down toward the Sign and shielded so that it does not shine directly into a public right-of-way and does not interfere with the safe vision of motorists or people passing by. All Standards must meet the City's Code.

- ii. Internal illumination shall not operate at brightness levels of more than 0.2 foot-candles above ambient light conditions at the property line, as measured using a foot-candle meter. The total lumen output of all signs cannot exceed 10% of the total lumen allowance in Section 6.6 – Outdoor Lighting.

D. Locations for Sign Corridors:

- i. SH 71 Corridor. The area located 720 feet from the centerline of the adjacent main lane of State Highway 71.
 - ii. SH 95 Corridor. The area located 330 feet from the centerline of the lane of State Highway 95.
 - iii. Loop 150 Corridor. The area located 330 feet from the centerline of Loop 150, south of the Colorado River.
 - iv. All Signs must be located within 25 feet of the property line.
- E. Sight Triangle. Signs cannot be located within the Sight Triangle, as defined in the B³ Technical Manual Section 2.0.011.

(c) Incidental Sign

Signs that are intended for the convenience of the public, which are informational only, and which do not include the advertising of products or services. Such signs include business hours signs, credit card signs, entrance and exit signs, and similar signs, some of which may be required by law for safety purposes.

(1) General Requirements:

- A. Size. Sign area cannot exceed 12 square feet.
- B. Number. No limit. Incidental signage on buildings will count toward 15% area total.
- C. Cannot be illuminated.

SEC. 8.1.010 (RESERVED)

SEC. 8.1.011 SIGN PERMIT REQUIREMENTS

- (a) Applications for a Sign permit must be processed through the City pursuant to this Code.
- (b) Requirements. Except as otherwise provided for herein, no Sign shall be erected, posted, painted, or otherwise produced, changed, or reconstructed, in whole or in part, within the City Limits and ETJ of the City without first obtaining a permit.
- (c) Applications: Application for a permit required by this Code shall be made upon forms provided by the City. The Application for Sign permits shall contain all information, drawings, and specifications necessary to fully advise the City of the type, size, shape, location, Place Type Zoning District, if within City Limits, Construction, and materials (if in Historic District) of the proposed Sign, and the Building Structure or Premises where it is to be placed. Drawings shall also show all existing Signs on the property. An Application is not considered complete until all necessary information listed in this Code are provided with the Application.
- (d) Application for permit. An application for a Sign permit must be Filed with the City. An Application for any Sign must state the date when the owner intends to erect the

Sign.

- (e) All Applicants must provide sufficient proof, to be determined by the City, showing a real property ownership interest in the property where the Sign will be located or sufficient proof of authorization from the real property owner for Sign placement on the property.
- (f) An Application shall include:
 - (1) Name, address, and telephone number of the owner of the Sign;
 - (2) Name, address, and telephone of lessor sponsoring the Sign, if any;
 - (3) Name, address, and telephone number of the contractor, if any, installing the Sign;
 - (4) Name, address, and telephone number of the property where the Sign is to be installed;
 - (5) Date when it is to be installed;
 - (6) Place Type Zoning District, if in the City Limits, where the proposed Sign will be located;
 - (7) Any Warrant that will be requested or has been approved; and,

- (8) An illustration or photograph including the location, appearance, and dimensions of the proposed Sign.
 - (9) An illustration or photograph of the position of the Sign on a Building or on the ground in plain view, drawn to scale, and Elevation views, drawn to scale.
 - (10) A scaled illustration of Sight Triangles, per the B3 Technical Manual, Section 2.1.011, for all Freestanding or Temporary Signs.
 - (11) If required by the City, a copy of stress sheets and calculations showing that the structure is designed for dead load and wind pressure in any direction and in any amount required by this chapter or by the Building Code or other laws adopted by the City.
 - (12) An application is not considered complete unless all the above information is provided with the Application.
- (g) The City shall promptly process the Sign permit Application and approve the Application, reject the Application, or notify the Applicant of deficiencies in the Application within 21 calendar days after receipt. Any Application that complies with all provisions of this Code, the Building Code, and other applicable laws, Standards, and ordinances shall be approved after inspection and approval of the plans and the Site.
- (1) If the Application is rejected, the City shall provide in writing a list of the reasons for the rejection. An application shall be rejected for non-compliance with the terms of this Code, Building Code, B³ Technical Manual or other applicable law, Standards, or ordinance. If the permit Application does not comply with the City ordinances after resubmission and review by City and no variances have been applied for, the Applicant must pay a reapplication fee before the City will review the Application again.
 - (2) If the City has not approved or rejected the permit within 45 calendar days after the completed Application is Filed, the Applicant may file a complaint to the ZBA as if the permit had been denied.
- (h) Duration and revocation of permit. If a Sign is not completely installed within 6 months following the issuance of a Sign permit, the permit shall be void. The City may revoke a Sign permit under any of the following circumstances:
- (1) The City determines that information in the Application was materially false or misleading;
 - (2) The Sign as installed does not conform to the Sign permit Application;

- (3) The Sign violates this Code, Building Code, B³ Technical Manual, or other applicable law, standard, or ordinance; or
- (4) The City determines that the Sign is not being properly maintained or has been abandoned.
- (i) Warrants. Items listed as available for approval with a Warrant shall be applied for prior to submitting the sign application. The Warrant will be reviewed and approved by the Sign Administrator.
- (j) Appeals. If the City denies a permit, the Applicant may Appeal to the Zoning Board of Adjustment.
- (k) All applications for permits shall include a drawing to scale of the proposed Sign and all existing Signs maintained on the Premises and visible from the right- of-way, a drawing of the Lot plan or Building Facade indicating the proposed location of the Sign, and specifications for its Construction, Lighting, motion, and wiring, if any. All drawings shall be of sufficient clarity to show the extent of the work.
- (l) Qualifications. Only those individuals who properly obtained a permit by the City, the City's designee, or other statutorily required permit or approval shall receive a permit to erect or alter any Sign. Permits for the

installation, erection, or Alteration of any electrical components on a Sign shall be issued only to those individuals who hold a Commercial Sign operator's license and master electrician's license. It is an offense for any person licensed under the provisions of this Code to obtain a permit on behalf of, or for the benefit of, any unlicensed person whose Business activities are such that such unlicensed person would need a license to obtain a permit.

- (m) Conditions for issuing permits. No permit for the erection or Alteration of any Sign over any Sidewalk, Alley, or other public property, or on or over any roof or Building shall be issued to any person except upon the condition that the permit may be withdrawn at any time, at which time the Sign shall be immediately removed by the Responsible Party, who will also be liable under the penalties provided for in this Code.
- (n) Issuance. A new permit shall not be issued when:
 - (1) An existing billboard (Off-Premises) Sign is in a deteriorated, unsafe, or unsightly condition.
 - (2) A Sign on the Premises is not in compliance with this Code.
 - (3) Authorization of the property owner where the Sign is to be placed has not been obtained.

- (4) Inspection. Any Sign that a permit is issued shall be inspected after its erection for conformity to the provisions of this Code.
- (5) Fees. No permit shall be issued until applicable fees have been paid to the City. Fees may be subject to change without prior notification. The Sign permit fee schedule shall be in accordance with the fee schedule enacted by the City Council and located at City Hall.
- (6) Before any permit may be issued for a new Sign under this chapter, the Responsible Party shall modify or remove any of its own nonconforming Signs and Sign structures displayed or erected on the same property that the permit is being sought, so that all the Signs and Sign structures they are responsible for on the property conform to the provisions of this chapter. This provision does not apply to real estate Signs, banners, temporary Signs, or Sidewalk Signs. This provision does not apply to nonconforming Signs with a Variance.

ARTICLE 8.2 MASTER SIGN PLANS

(a) A Master Sign Plan is a comprehensive document containing specific regulations for an entire Project's Signs. Master Sign Plans are appropriate for Planned Development Districts, Master Planned Developments, development agreements or in the case where a Project applicant is seeking several variances to the Signs Chapter of the B³ Code.

- (1) Master Sign Plans for areas with a multi-unit complex are highly encouraged to meet the unique needs of each multi-unit complex.
- (2) All owners, tenants, subtenants and purchasers of individual units within the Development shall comply with the approved Master Sign Plan.
- (3) Master Sign Plans are not appropriate for a single tenant to increase the amount or size of signage.
- (4) A change in Sign Types cannot be approved if not allowed in the base Place Type District for the site.
- (5) Cannot include changes to non-conforming signs.

SEC. 8.2.001 APPROVAL OF MASTER SIGN PLANS

(a) A Responsible Party that seeks approval of a Master Sign Plan must file a request for a Master Sign Plan with the Sign Administrator along with a Sign permit fee, as stated in the City's most recent fee schedule. The Sign Administrator will indicate what documentation the Responsible Party must provide in support of the request.

- (b) Once the necessary documentation has been provided to the Sign Administrator, the Sign Administrator may administratively deny or approve the Master Sign Plan, with or without conditions.
- (c) The Sign Administrator may determine to present the Master Sign Plan to the City Council for approval or denial in lieu of Administrative Approval.
- (d) If the Responsible Party disagrees with a decision of the Sign Administrator to deny a Master Sign Plan, or disagrees with the conditions placed on a Master Sign Plan by the Sign Administrator, the Responsible Party may submit a written request that the City Council review the Master Sign Plan request, the supporting documents, and the Sign Administrator's decision. The City Council can affirm, reverse, or modify the decision of the Sign Administrator.
- (e) The City Council has final authority to approve a Master Sign Plan or conditions on a Master Sign Plan.
- (f) A Master Sign Plan ordinance can modify Variance procedures for its specific property.

SEC. 8.2.002 PROCEDURE FOR VARIANCES TO MASTER SIGN PLANS

(a) A Responsible Party that wants a Variance from a Master Sign Plan adopted under this chapter must file a request for Variance with the Sign Administrator along with a Variance fee, as stated in the City's most recent fee schedule. The Sign Administrator will indicate what documentation the Responsible Party must provide in support of the request.

(b) Once the necessary documentation has been provided to the Sign Administrator, the Sign Administrator may administratively deny or approve a Variance, with or without conditions, from an adopted Master Sign Plan if the change is related to:

- (1) Change the location of the Sign within the area designated by the Master Sign Plan;
- (2) Change the location of the Sign within the right-of-way or into the right-of-way so long as a license agreement is presented and approved by the Sign Administrator;
- (3) Change illumination of the Sign so long as the illumination complies with Section 6.5.004 - Outdoor Lighting;

(4) Change of Sign Face so long as the size of the Sign Face is not increased;

(5) Change in number of panels or size of panels on a Monument Sign so long as total size of Sign Face is not increased; or

(6) Change in letter size or line number so long as total size of Sign Face is not increased.

(c) Administrative Approval is not allowed and Variance procedures in Section 8.2.003 - Variances - shall be followed if:

- (1) Additional Signs are requested;
- (2) Increase in the size of the Sign is requested;
- (3) Change in Sign type is requested;
- (4) Increase in the Height of the Sign is requested; or
- (5) The Sign Administrator determines the Variance request shall be reviewed in the regular Variance process.

- (d) If the Responsible Party disagrees with a decision of the Sign Administrator to deny a Variance request, or disagrees with the conditions placed on a grant of a Variance by the Sign Administrator, the Responsible Party may submit a written request that the ZBA review the Variance request, the supporting documents, and the Sign Administrator's decision. The ZBA can affirm, reverse, or modify the decision of the Sign Administrator.
- (e) The ZBA has final authority to approve a Variance or conditions on a Variance.
- (f) A Master Sign Plan ordinance can modify Variance procedures for its specific property.

SEC. 8.2.003 VARIANCES

- (a) A Responsible Party that wants a Variance from the Sign Chapter of the B³ Code must file a request for Variance with the Sign Administrator along with a Variance application fee, as stated in the City's most recent fee schedule. The Sign Administrator will indicate what documentation the Responsible Party must provide in support of the request.
- (b) Once the complete and necessary documentation has been provided to the Sign Administrator, the Sign Administrator shall review the request and make a

determination based on the documentation provided by the Responsible Party.

- (c) The Sign Administrator may, in specific cases and subject to appropriate conditions, and only after a finding based on the evidence presented that strict compliance with the requirements of this Chapter will result in substantial undue hardship, sufficient mitigation, or inequity to the applicant without sufficient corresponding benefit to the City and its citizens in accomplishing the objectives of this Chapter:
 - (1) Permit a Variance for a noncommercial or Commercial Sign of the Setback, effective area, size of internal components of a Sign so long as total size of Sign Face is compliant, or Height requirements of this Chapter;
 - (2) Authorize one additional Sign on Premises more than the number permitted by this Chapter; or
 - (3) Approve an increase in Height up to four (4) feet.
- (d) Other requests for variances shall be forwarded to the ZBA. The ZBA may decide, subject to appropriate conditions, and only after a finding based on the evidence presented that strict compliance with the

requirements of this Code will result in substantial undue hardship, sufficient mitigation, or inequity to the applicant without sufficient corresponding benefit to the City and its citizens in accomplishing the objectives of this Chapter.

The Sign Administrator and ZBA shall consider:

- (1) Special or unique hardship because of the size or shape of the property on which the Sign is to be located, or the visibility of the property from public roads.
- (2) Hardship claim based on the exceptional topographic conditions or physical features uniquely affecting the property on which a Sign is to be located.
- (3) Proposed Sign location, configuration, design, materials, and colors are harmonious.
- (4) The Sign and its supporting structure is in architectural harmony with the surrounding Structures.
- (5) Mitigation measures related to the Sign in question or other Signs on the same Premises.
- (6) Demonstrated and documented correlation between the Variance and protecting the public health and safety.
- (7) Whether the Sign could have been included in a Master Sign Plan. Master Sign plans are highly encouraged. The City will be more inclined to favorably consider a Variance request when the Variance is part of a Master Sign Plan. There will be a presumption against granting variances piecemeal, ad hoc, on a case-by-case basis when the Sign for which a Variance is sought could have been included in a Master Sign Plan and considered in the course of a comprehensive review of the entire Project's signage.
- (8) The Sign Administrator may authorize the remodeling, renovation, or alteration of a Sign when some nonconforming aspect of the Sign is thereby reduced.
- (f) Where a permit was required for a Sign's erection according to the law in effect at the time the Sign was erected and where the Sign Administrator finds no record of a permit being issued, the Sign Administrator may authorize the issuance of a replacement permit when, from the evidence presented, the Sign Administrator finds either that a permit was issued or that arrangements were made with a sign company to obtain such permit.

(g) If a Variance applicant wishes to appeal the decision of the Sign Administrator, the applicant shall file for an appeal with the ZBA within 10 days of receipt of the Sign Administrator's decision. The ZBA shall consider the appeal at its next regular meeting or as soon as practicable. The ZBA shall either:


- (1) Approve, reject, or approve upon condition the Variance Application, if any, at its meeting;
- (2) Postpone its decision on the request of the applicant; or,
- (3) Postpone its decision to its next regular meeting for good cause based on need for further review by the board of adjustment. Upon approval by the board of adjustment, the Sign permit and variances, if any, the permit shall be issued by the city administrator or the administrator's designee.

SEC. 8.2.004 CONDITIONS

(a) The Sign Administrator or ZBA may impose conditions upon the granting of a Variance under this chapter. Such conditions must be related to the Variance sought and be generally intended to mitigate the adverse effects of the Sign on neighboring tracts and the general aesthetic ambiance of the community. A non-exhaustive list of

examples of conditions include increased setbacks, added vegetation, muted colors, and decreased Lighting. The ZBA may condition Sign variances on the Responsible Party bringing other existing, nonconforming Signs into compliance with current regulations. A Responsible Party's failure to comply with conditions placed on a Variance may result in the ZBA voiding the Variance and authorizing all available code enforcement actions and other remedies available in equity or at law.

ARTICLE 8.3 ON-PREMISE SIGN TYPES & STANDARDS

		PLACE TYPES ►				SPECIFICATIONS ▼
		P2	P3	P4	P5	
a)	<div>AWNINGS & SIGNS</div> 			P	P	<div><div>a. Quantity: 1 per awning section max.</div><div>b. Area: n/a</div><div>c. Width: width of face max.</div><div>d. Height: n/a</div><div>e. Depth / Projection: 4 ft min.</div><div>f. Clearance: 8 ft min.</div><div>g. Letter Height: 5 in min., 10 in max.</div><div>h. Valance Height: 12 in max.</div><div>i. Distance from Curb: 2 ft min.</div></div>
DESCRIPTION		Awning Signage shall be limited to no more than 70% of the Valance of the awning or the vertical portion of a dome awning. The Height of the Valance shall not exceed 12 inches. For a flat roof awning, Awning Signage can extend 12 inches above the top of the awning. Awning Signs shall contain only the Business name, Logo, and/or Street address.				
SIGN DETAILS		<div><div>i. The following variations of awnings, with or without Sign Bands, are permitted: (1) Fixed or retractable awnings; (2) Shed awnings; (3) Dome awnings; 4) Flat roof awnings.</div><div>ii. Other awning types may be permitted by Warrant.</div><div>iii. Signage shall be limited to the Valance of the awning, the vertical portion of a dome awning, or along the front edge of a flat roof awning.</div><div>iv. No portion of an awning shall be lower than 8 feet Clearance.</div><div>v. Awnings shall be a minimum of 4 feet in depth.</div><div>vi. Awnings shall not extend beyond the width of the Building or tenant space, nor encroach above the roof line or the Story above.</div><div>vii. The Height of the Valance shall not exceed 12 inches.</div><div>viii. Awning Signs shall contain only the Business name, Logo, and/or Street address.</div><div>ix. Letters, numbers, and graphics shall cover no more than 70% of the Valance area or 70% of the width of a flat roof awning.</div><div>x. Awning Signs shall not be internally illuminated or backlit.</div></div>				

b)

PLACE TYPES ▶

P2

P3

P4

P5

SPECIFICATIONS ▼

BAND SIGNS



P

P

- a. **Quantity:** 1 max. (1 per street facade for corner buildings)
- b. **Area:** 1.5 sf per linear ft Facade
- c. **Width:** 90% max. width of Facade
- d. **Height:** 3 ft max.
- e. **Depth / Projection:** 7 in max.
- f. **Clearance:** 8 ft min.
- g. **Apex:** n/a
- h. **Letter Height:** 18 in max.

DESCRIPTION

1 Band Sign limited to 90% of the width of the Building Facade shall be permitted for each Building with a Commercial Use. Information shall consist only of the name and/or Logo of the Business.

SIGN DETAILS

- i. All businesses are permitted 1 Band Sign on each first Story Facade.
- ii. Band Signs shall include only letters, background, Lighting, and an optional Logo. Information shall consist only of the name and/or Logo of the Business. Band Signs shall not list products, sales, or other promotional messages, or contact information.
- iii. The following Band Sign Construction types are permitted: Cut-out Letters. Letters shall be individually attached to the wall or on a separate background panel and shall be externally illuminated.
 - (1) Flat Panel. Letters shall be printed or etched on same surface as the background, that is then affixed to the wall and externally illuminated.
 - (2) Channel Letters by Warrant. Each letter shall have its own internal Lighting element, individually attached to the wall or onto a separate background panel.

c)

PLACE TYPES ▶

P2

P3

P4

P5

SPECIFICATIONS ▼

BAND SIGNS
– SH 71, SH
95, Loop 150
Sign
Corridors



P

P

- a. **Area:** 15% of tallest floor facade. (located on street facades)
- b. **Width:** 90% max. width of Facade
- c. **Height:** 90% height of wall sign area. Over 4 feet, see iv.
- e. **Depth / Projection:** 7 in max.
- i. **Clearance:** 8 ft min.
- j. **Letter Height:** N/A

DESCRIPTION


Band Signs limited to 90% of the width of the Building Facade shall be permitted for each Building with a Commercial Use. Information shall consist only of the name and/or Logo of the Business.

SIGN DETAILS

- i. All businesses are permitted Band Signs on each street facing facade. Businesses with no street frontage are allowed Band Signs on the façade with the primary entrance.
- ii. Band Signs shall include only letters, background, Lighting, and an optional Logo. Information shall consist only of the name and/or Logo of the Business. Band Signs shall not list products, sales, or other promotional messages, or contact information.
- iii. The following Band Sign Construction types are permitted:
 - (1) Flat Panel. Letters shall be printed or etched on same surface as the background, that is then affixed to the wall and externally illuminated.
- iv. Channel Letters. Each letter shall have either 1.) its own internal Lighting element, individually attached to the wall or onto a separate background panel; or 2.) The raceway must be mounted to not be visible. For band signs that exceed 4 feet, sites cannot have a pylon or pole sign and monument signs are limited to 8 feet in height.


d)

BLADE SIGNS

PLACE TYPES ▶		P2	P3	P4	P5	SPECIFICATIONS ▼
				P	P	<p>a. Quantity: 1 per Facade max. 2 max.</p> <p>b. Area: 4 sf max. In P2, P3 & 6 sf max. in P4, P5</p> <p>c. Width: 4 ft max.</p> <p>d. Height: 4 ft max.</p> <p>e. Depth / Projection: 4 ft max.</p> <p>f. Clearance: 8 ft min.</p> <p>g. Apex: n/a</p> <p>h. Letter Height: 8 in max.</p>
DESCRIPTION	<p>Blade Signs shall be permitted only for businesses that have a Principal Entrance on the first Story. One Blade Sign shall be permitted for each Business if the Facade is no more than 5 feet from the Principal Frontage Line. Blade Signs may encroach into the Public Frontage up to 4 feet, shall clear the Sidewalk by at least 8 feet, and shall not encroach above the bottom of any second Story windows. Blade Signs shall be limited to the name and/or Logo of the Business.</p>					
SIGN DETAILS	<ul style="list-style-type: none"> i. Blade Signs may be double-sided. ii. Blade Signs shall be permitted only for businesses that have a Principal Entrance on the first Story. iii. Businesses shall be permitted 1 Blade Sign where its Principal Frontage Lin is no more than 5 feet from the Facade. Businesses that have a Secondary Frontage line that is no more than 2 feet from the Facade shall be permitted 1 additional blade Sign on that Facade. iv. Blade Signs may encroach into the Public Frontage up to 4 feet and shall clear the Sidewalk by at least 8 feet. v. Blade Signs shall not encroach above the roof line nor above the bottom of the second Story window. vi. Text and graphics on the Blade Sign shall be limited to the name and/or Logo of the Business. Slogans, address labels, operating hours and contact information shall not be permitted. vii. Mounting hardware, such as supports and brackets, may be simple and unobtrusive or highly decorative, but shall complement the design of the Sign, the Building, or both. viii. For buildings with multiple Signs, mounting hardware or Sign shapes, sizes and colors shall be Coordinated. 					

e)

MARQUEE SIGNS

PLACE TYPES ▶		P2	P3	P4	P5	SPECIFICATIONS ▼
					P	
						a. Quantity: 1 per Business max. b. Area: n/a c. Width: entrance plus 2 ft each side d. Height: 50% Story Height max. e. Depth / Projection: 4 ft min.;10 ft max. f. Clearance: 10 ft min g. Apex: n/a h. Letter Height: n/a i. Distance from Curb: 3 ft min.

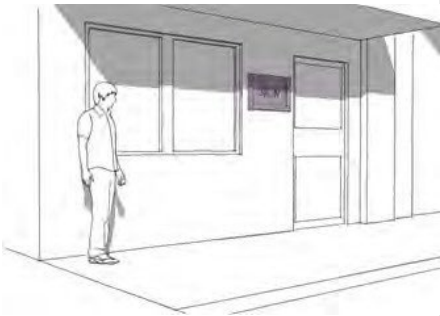
DESCRIPTION

Marquees shall be located only above the Principal Entrance of a Building, shall provide a minimum clearance of 10 feet, and may Encroach the Public Frontage to within 2 feet of the Curb. Message Boards shall be permitted as part of Marquees.

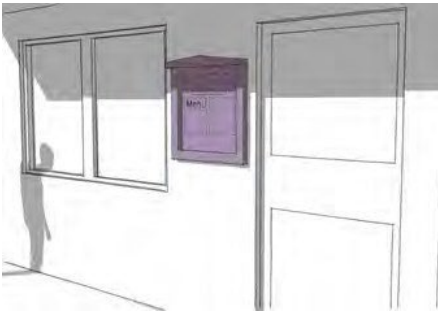
SIGN DETAILS

- i. Marquees shall be located only above the Principal Entrance of a Building.
- ii. No Marquee shall be wider than the entrance it serves, plus 2 feet on each side thereof.
- iii. No portion of a Marquee shall be lower than 10 feet Clearance.
- iv. No Marquee shall extend closer to the Curb than 3 feet.
- v. Columns or posts may be used as supports for Marquees 8 feet deep or deeper if approved by the DRC.
- vi. All Marquees, including anchors, bolts, supporting rods, and braces, shall be constructed of non-combustible materials and shall be designed by a structural engineer submitted for approval to the Building Official.
- vii. Marquee components and materials may vary. Anchors, bolts, and supporting rods should be limited to the interior of the Marquee.
- viii. Message Boards shall be permitted as part of Marquees.
- ix. A Band Sign shall be permitted above a Marquee.

f)

	PLACE TYPES ▶				SPECIFICATIONS ▼
	P2	P3	P4	P5	
NAMEPLATE SIGNS					a. Quantity: 1 max. b. Area: 3 sf max. c. Width: 18 in max. d. Height: 2 ft max. e. Depth / Projection: 3 in max. f. Clearance: 4 ft min. g. Apex: 7 ft max. h. Letter Height: n/a
DESCRIPTION	1 Nameplate per address limited to 3 square feet may be attached to a Building wall within 10 feet of a Principal Entrance.				
SIGN DETAILS	i. Nameplates shall consist of either a panel or individual letters applied to a Building wall within 10 feet of an entrance to the Building. ii. One Nameplate shall be permitted per address. iii. Nameplates shall not exceed 3 square feet. iv. Nameplates shall be constructed of durable materials.				

g)

		PLACE TYPES ▶				SPECIFICATIONS ▼
		P2	P3	P4	P5	
OUTDOOR DISPLAY CASE				P	P	a. Quantity: 1 max. b. Area: 6 sf max. c. Width: 3.5 ft max. d. Height: 3.5 ft max. e. Depth / Projection: 5 in max. f. Clearance: 4 ft min. g. Apex: n/a h. Letter Height: n/a
DESCRIPTION	Outdoor Display Cases shall not exceed 6 square feet and may be internally illuminated.					
SIGN DETAILS	i. Each Outdoor Display Case shall not exceed 6 square feet. ii. Outdoor display cases may be externally or internally illuminated. iii. Theaters may be permitted larger outdoor display cases by Warrant. iv. Outdoor display cases shall not be attached to Shopfront windows.					

h)

**SIDEWALK
SIGN**

PLACE TYPES ▶

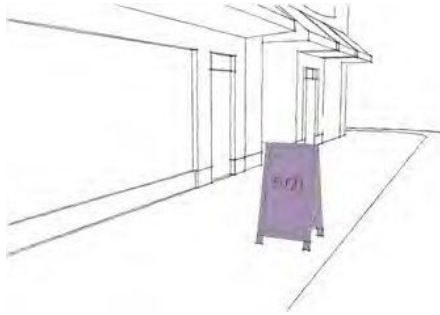
P2

P3

P4

P5

SPECIFICATIONS ▼



P

P

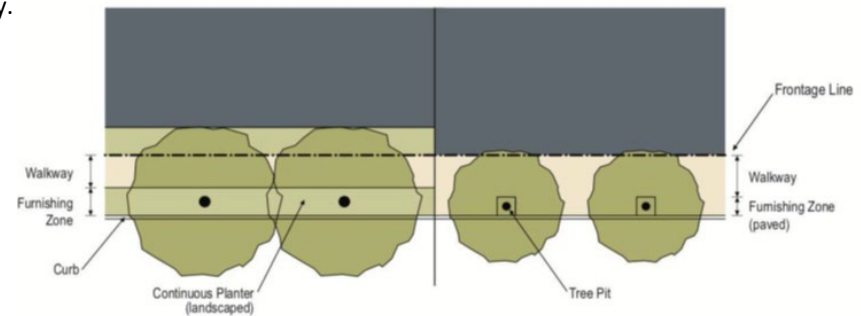
- a. **Quantity:** 1 per property max.
- b. **Area:** 3 sf max.
- c. **Width:** 24 in max.
- d. **Height:** 2 ft max.
- e. **Depth / Projection:** 3 in max.
- f. **Clearance:** 4 ft min.
- g. **Letter Height:** n/a

DESCRIPTION

1 Freestanding, double-sided, temporary Sidewalk Sign may be placed within the Furnishing of the Public Frontage for each property. Sidewalk Signs shall be removed at the close of Business each day.

SIGN DETAILS

- i. Sidewalk Signs shall consist of Freestanding, double-sided temporary Signs placed at the entrance to the Business on the property by the applicant, in a primarily Pedestrian environment.
- ii. Sidewalk Signs shall be removed at the close of Business each day.
- iii. 1 Sidewalk Sign shall be permitted for each property.
- iv. Sidewalk Signs shall not exceed 42 inches in Height or 26 inches in width.
- v. Sidewalk Signs shall be moved inside during high winds or other weather conditions that might pose a hazard to public safety.
- vi. Sign cannot block the Walkway.



i)

PLACE TYPES ▶

P2

P3

P4

P5

SPECIFICATIONS ▼

WINDOW SIGN



P

P

- a. **Quantity:** 1 per window max.
- b. **Area:** 25% coverage per window
- c. **Width:** n/a
- d. **Height:** n/a
- e. **Depth / Projection:** n/a
- f. **Clearance:** 4 FT min.
- g. **Apex:** n/a
- h. **Letter Height:** 8 in max.

DESCRIPTION

Window Signs shall not interfere with the primary function of windows, that is to enable passersby and public safety personnel to see through windows into Premises and view product displays.

SIGN DETAILS

- i. Only the following Window Sign types shall be permitted:
 - (a) Vinyl applique letters applied to the window. Appliques shall consist of individual letters or graphics with no visible background.
 - (b) Letters painted directly on the window.
 - (c) Hanging Signs that hang from the ceiling behind the window.
 - (d) Neon Signs.
 - (e) Door Signs applied to or hanging inside the glass portion of an entrance doorway.
- ii. Window Signs shall not interfere with the primary function of windows, that is to enable passersby and public safety personnel to see through windows into Premises and view product displays.
- iii. Window Signs shall be no larger than 25% of the total area of the window onto which they are applied. Sign area shall be measured using smallest rectangle that fully encompasses the entire extent of letters, Logo and background.
- iv. Window Signs may list services and/or products sold on the Premises, or provide phone numbers, operating hours or other messages, provided that the total aggregate area of these messages do not exceed the limit provided above.
- v. Letters on window Signs shall be no taller than 8 inches.

k)

PLACE TYPES ▶

P2

P3

P4

P5

SPECIFICATIONS ▼

YARD SIGN



P

P

- a. **Quantity:** 1 max per Lot
- b. **Area:** 6 sf max.
- c. **Width:** 3 ft max. (not counting post)
- d. **Height:** 2 ft max. (not counting post)
- e. **Depth / Projection:** n/a
- f. **Clearance:** min. 3 ft to Sign edge
- g. **Apex:** max. 6 ft to top of post
- h. **Letter Height:** 8 in max.

DESCRIPTION

1 single- or double-post Yard Sign may be placed with the Private Frontage.

SIGN DETAILS

- i. One single- or double-post Yard Sign for each Business may be permitted, provided it is set back at least 6 feet from the Frontage Line, does not exceed 6 square feet excluding posts, and does not exceed 6 feet high including posts, measured from the yard at the post location.

k)

PLACE TYPES ▶

P2

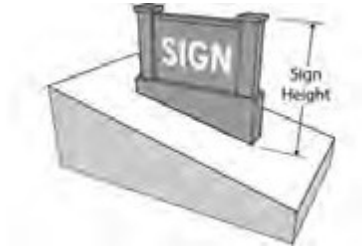
P3

P4

P5

SPECIFICATIONS ▼

MONUMENT



P

- a. **Quantity:** 1 max per Frontage
- b. **Height:** 35 ft max. in P5 on SH 71 *see v
20 ft max in P5 on SH 95 & Loop 150
6 ft max in P5
- c. **Max Height to width ratio:** 4:1

DESCRIPTION

A Sign permanently affixed to the ground at its base or by poles that are enclosed by natural stone, stucco, brick, or wood and not mounted to a part of a Building. Pole(s) may be used to construct a Monument Sign so long as the poles are not visible below the Sign.

SIGN DETAILS

- i. A Monument Sign can be defined as a ground Sign generally having a low profile with little or no Open Space between the ground and the Sign and having a Structure constructed of masonry, wood, or materials similar in appearance.
- ii. How to Measure:
 - (1) Maximum total Height is measured from the finished grade at the center of the Sign. If the finished grade at the center of the Sign is higher than the finished grade of the closest paved surface, then the Height shall be measured from the finished grade of the closest paved surface.
 - (2) The monument base shall be a maximum of 2 feet in Height and shall be included in the calculation of total Height.
 - (3) A Monument Sign width cannot exceed 2 times the allowable Sign Height.
- iii. The max Height allowed along SH. 71 is 35 feet. Height limit is 8 feet if Band Sign Height exceeds 4 feet.
- iv. The max Height allowed along Loop 150 and SH 95 is 20 feet. Height limit is 8 feet if Band Sign height exceeds 4 feet.
- v. Signs along SH 71, SH 95 and Loop 150 can be internally illuminated.
- vi. A warrant for internal illumination can be requested.
- vii. Cannot be located within a Sight Triangle.

L)

PLACE TYPES ►

P2

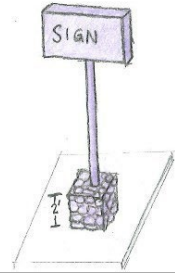
P3

P4

P5

SPECIFICATIONS ▼

PYLON/POLE SIGN



P^v

- d. **Quantity:** 1 max per Frontage
- e. **Height:** 35 ft max. in P5 on SH 71
20 ft max in P5 on SH 95 & Loop 150
- f. **Max Height to width ratio:** 4:1

DESCRIPTION

A Sign permanently affixed to the ground at its base by a single- or double-poles, that are enclosed by a base of natural stone, stucco, brick, or wood and not mounted to a part of a Building. Only allowed in State Highway 71 & SH 95

SIGN DETAILS

- i. **How to Measure:**
 - (1) Maximum total Height is measured from the finished grade at the center of the Sign. If the finished grade at the center of the Sign is higher than the finished grade of the closest paved surface, then the Height shall be measured from the finished grade of the closest paved surface.
 - (2) The pylon/pole base shall be a maximum of 2 feet in Height and shall be included in the calculation of total Height.
- ii. The max Height allowed along SH 71 is 35 feet.
- iii. The max Height allowed along Loop 150 and SH 95 is 20 feet.
- iv. Signs along SH 71, SH 95 and Loop 150 can be internally illuminated.
- v. Only allowed in a Sign Corridor and not allowed if Band Sign exceeds 4 feet in height.
- vi. Cannot be located within a Sight Triangle.

ARTICLE 8.4 TEMPORARY SIGNS

SEC. 8.4.001 STANDARDS FOR TEMPORARY SIGNS

Temporary signs are allowed for a limited time period in accordance with the permitting requirements.

(a) Permits Required for:

- (1) Banner signs
- (2) Construction Site Signs
- (3) Development Information Signs

(b) Banner signs

- (1) Maximum sign area is forty-eight (48) square feet and not to exceed 75% of the building or lease space width upon which the sign is to be located.
- (2) Maximum banner height dimension is four (4) feet.
- (3) A banner sign may be placed on a property at a single location for a maximum of one year. The Banner can be changed within the permitted period as long as banner location on the site does not change or exceed the sign area or dimensions on the approved permit. Each tenant space or building located on a single lot or in a complex shall be allowed an individual banner as allowed per this article.

(4) All four (4) corners of a banner sign shall be securely attached to the building, fence, or yard stakes less than 5 feet in height.

(5) Banner signs shall not be placed on the public right-of-way, or located within the Sight Triangle, as defined in the B³ Technical Manual Section 2.0.011.

(c) Bandit Signs

- (1) Bandit signs shall not exceed four (4) square feet and shall not be more than three (3) feet above the natural grade.
- (2) Bandit signs shall be authorized for new residential subdivisions during the development and sale phases only.
- (3) Bandit signs shall not be placed on the public right-of-way, or within the sight visibility triangle of an intersection.
- (4) The posting of bandit signs shall only be allowed between the hours of 5:00 a.m. Saturday through 6:00a.m. Monday.
- (5) The bandit signs shall be set back from the property line a minimum of five (5) feet and shall not exceed three (3) feet in height above the natural grade. Any bandit sign placed prior to 5:00 a.m. on Saturday

or not removed by 6:00 a.m. Monday shall be in violation of this article. The city shall remove bandit signs in violation of this article within twenty-four (24) hours. The owner of the bandit sign shall be fined in accordance with this article.

(d) Construction Site Signs

(1) The maximum sign area for a construction site sign is as follows:

(A) Freestanding: Thirty-two (32) square feet.

(B) Wall signs: 10% of building or lease space façade on which it is attached.

(2) Only one freestanding sign per street frontage on the property where the activity is to occur is permitted.

(3) Only one wall sign per building is permitted.

(4) The construction site sign shall be displayed no earlier than thirty (30) days before the commencement of the activity and must be removed no later than thirty (30) days after the activity is completed, or the installation of a permanent sign, whichever occurs first.

(e) Development information signs

(1) The maximum sign area shall not exceed forty (40) square feet.

(2) One sign is allowed for every fifty (50) lots, not to exceed thirty-two (32) signs unless the project exceeds four (4) square miles.

(3) All signs must conform to a unified design, shape and neutral color scheme and be constructed of strong, durable weather-resistant materials.

(4) For a residential subdivision, the sign may be displayed once the plat is recorded and shall be removed when 90% of each phase to which the sign is a part of is completed.

(5) For a commercial development not requiring platting, the sign may be displayed with the approval of either the site plan or the building permit.

(6) Development information signs shall be located on private property within the project subdivision/development to which the signs pertain. Signs may not be located on boundary streets of the project subdivision.

(f) Garage sale signs

(1) Must be located on private property (i.e., not in the right-of-way or on a utility pole) at a distance not less than three (3) feet from a curb.

(2) A maximum sign area of four (4) square feet.

- (3) Allowed from 5:00 p.m. Thursday until 8:00 a.m. Monday (unless Monday is a holiday, in which case the sign can remain until 8:00 a.m. Tuesday).

(g) Model Home Signs

- (1) One sign per cluster of model homes per builder.
- (2) A nameplate sign that identifies the individual product name is exempt if it does not exceed three (3) square feet nor three (3) feet in height.
- (3) Must be placed in front of a cluster of one or more model homes per builder.
- (4) All model home signage must be removed from the premises upon sale of the last model in the cluster.